

From: [Cornelis Duba](#)
To: [Ingrid Berzins](#)
Subject: NSW Planning & Environment SSD-17899480 RtS EIS Wentworthville Northside West Clinic Extension
Date: Friday, 26 August 2022 4:49:09 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.gif](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[EE Fire Rating of Buildings Restriction 2022.pdf](#)

Hello Ingrid

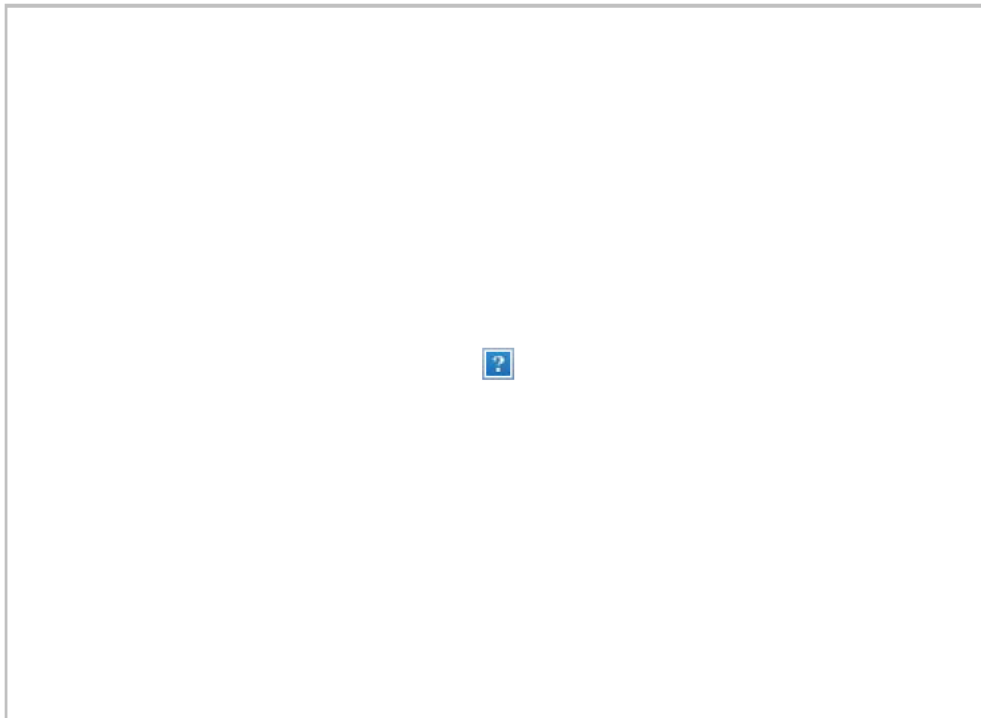
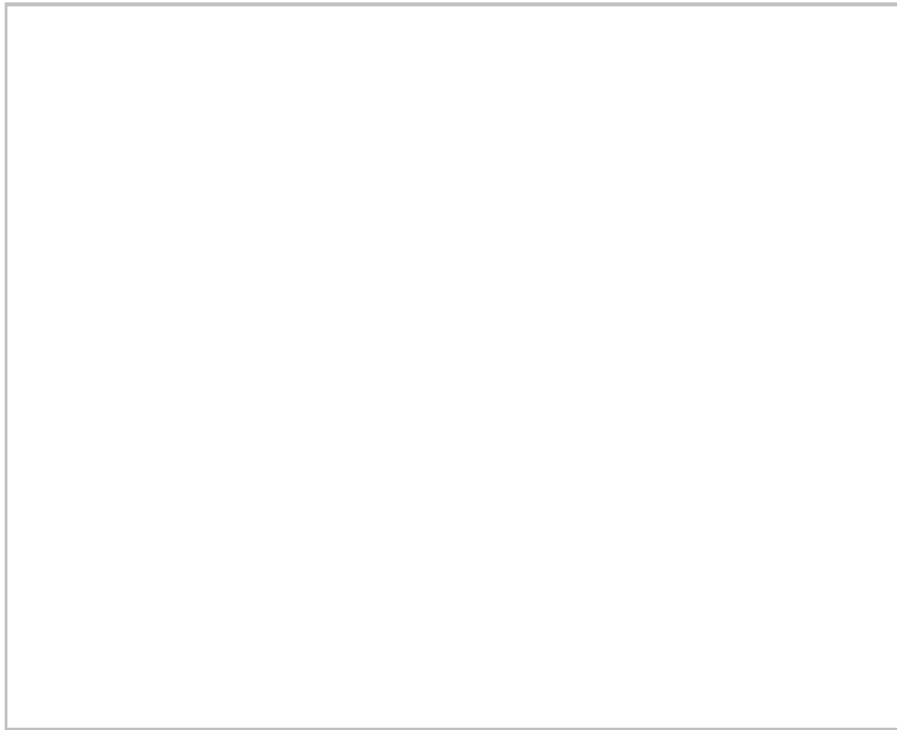
I refer to the Department's below email of 26 August 2022 regarding the response to submissions (RtS) raised during the public exhibition of the Environmental Impact Statement (EIS) for State Significant Development SSD-17899480 Wentworthville Northside West Clinic Extension for 'Construction of a four-storey extension to Wentworthville Northside West Clinic and a new car park as well as internal and external alterations to the existing building' at 23-27 Lytton Street, Wentworthville (Lot 1 DP 787784) in the Cumberland City Council Local Government Area (LGA). Submissions need to be made to the Department by 8 September 2022.

The RtS report refers to Endeavour Energy's submission for the EIS made to the Department via the Major Projects portal on 4 February 2022. In regard to the advice provided by Endeavour Energy for the padmount substation the RtS report indicates 'Noted. As illustrated in the Architectural Plans, a new substation will be provided on ground level fronting Lytton Street'.

It is Endeavour Energy's experience in dealing with the fire restriction for padmount substations that any openings such as garage doors and any form of glazing (in particular opening windows) cannot achieve the required rating. Partly for this reason the Terms of Restriction on the Use of Land for Fire Rating of Buildings has recently been amended (please refer to the attached copy) and now includes the following additional requirement.

No doors or opening windows are permitted to be erected within the restriction site on the external surface of a building within 3 metres from the substation footing.

As shown in the following extracts of the Architectural Plans it appears there may be opening windows within the fire restriction area for the new padmount substation.



Given the available front building setback, relocating the new padmount substation to the front boundary could be preferable. This should overcome the need for any fire rated construction to the building, avoid the need for an easement for the associated underground cables and is preferable from a prudent avoidance perspective.

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.

As previously advised, the applicant should also have appropriate regard to Endeavour Energy's previous submission made to the Department via email on 27 April 2021 for the Secretary's Environmental Assessment Requirements (SEARs).

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified in Endeavour Energy's previous submissions 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.

Kind regards

Cornelis Duba

Development Application Specialist

Sustainability & Environment

M: [REDACTED]

E: [REDACTED]

51 Huntingwood Drive, Huntingwood NSW 2148

www.endeavourenergy.com.au



From: Ingrid Berzins <[REDACTED]>

Sent: Friday, 26 August 2022 10:32 AM

To: Property Development <[REDACTED]>

Cc: Cornelis Duba <[REDACTED]>

Subject: SSD-17899480 - Request for Advice - Response to Submissions - Endeavour Energy



Environment

Attention: Mr Cornelis Duba

Development Application Specialist

Endeavour Energy

Department of Planning and

-via email-

[REDACTED]

Dear Mr Duba

Please be advised that Applicant, has submitted a Response to Submissions (RtS) Report addressing the comments and matters raised during the exhibition of the Wentworthville Northside West Clinic Extension (SSD-17899480).

A copy of the RtS Report is available on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/wentworthville-northside-west-clinic-extension>

The Department has commenced its assessment of the proposal but would also like to provide Endeavour Energy with the opportunity to review the RtS. Any comments on the Applicant's RtS should be received by the Department as soon as possible and by no later than **Thursday 8 September 2022**.

If we do not receive a reply by the closing date, we will presume that you have no objection to the proposal.

Should you wish to discuss any of the above, please contact me on (02) 9373 2885.

Kind regards,

Ingrid Berzins

Senior Planning Officer

Social and Infrastructure Assessments | Department of Planning and Environment

T [REDACTED] | E [REDACTED]

4 Parramatta Square, Locked Bag 5022, Parramatta NSW 2124

www.dpie.nsw.gov.au



The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Description: frog email



Terms of Restriction on the Use of Land

Fire Rating of Buildings

1.0 Definitions

- 1.1 **120/120/120 fire rating** and **60/60/60 fire rating** means the fire resistance level of a building expressed as a grading period in minutes for structural adequacy / integrity failure / insulation failure calculated in accordance with Australian Standard 1530.
- 1.2 **building** means a substantial structure with a roof and walls and includes any projections from the external walls.
- 1.3 **erect** includes construct, install, build and maintain.
- 1.4 **owner** means the registered proprietor of the lot or Torrens title land that is affected by this restriction and its successors (including those claiming under or through the registered proprietor).
- 1.5 **prescribed authority** means Epsilon Distribution Ministerial Holding Corporation ABN 59 253 130 878 and its successors (who may exercise its rights by any persons authorised by it).
- 1.6 **restriction site** means that part of the lot or Torrens title land that is affected by this restriction on the use of land.

2.0 No building shall be erected or permitted to remain within the restriction site unless:

- 2.1 the external surface of the building erected within 1.5 metres from the substation footing has a 120/120/120 fire rating, and
- 2.2 the external surface of the building erected more than 1.5 metres from the substation footing has a 60/60/60 fire rating, and
- 2.3 the owner provides the prescribed authority with an engineer's certificate to this effect.

3.0 The 120/120/120 fire rating and 60/60/60 fire rating must be achieved without the use of fire fighting systems such as automatic sprinklers.

4.0 No doors or opening windows are permitted to be erected within the restriction site on the external surface of a building within 3 metres from the substation footing.

5.0 Electricity Network Assets (Authorised Transactions) Act 2015

- 5.1 Notwithstanding any other provision in this restriction, the owner acknowledges and agrees that any lessee of the prescribed authority's distribution system, and any nominee of such lessee (which may include a sublessee of the prescribed authority's distribution system from that lessee), may, without the need for any further approvals or agreements, exercise the rights and perform the obligations of the prescribed authority as if that lessee or nominee were the prescribed authority, but only for so long as the lessee leases the prescribed authority's distribution system from the prescribed authority.

Epsilon Distribution Ministerial Holding Corporation
Terms of Restriction on the Use of Land
Fire Rating of Buildings

- 5.2 The owner must do all things reasonably necessary to ensure any such lessee, and any such nominee, is able to exercise the rights and perform the obligations of the prescribed authority.