

From: "John Read" <john@harrisonread.com.au>
To: <anna.johnston@planning.nsw.gov.au>
Date: 25/10/2010 11:30 am
Subject: Submission re: Edmondson Park Residential Subdivision - Project Application Number 10-0119
Attachments: 541510 Read Submission 21.6.10 to Planning.pdf

Dear Anna,

I refer to our attached June 2010 submission regarding MP10_0045 Glenfield to Leppington Rail Line Project.

We strongly object to the proposed location of an electricity substation at the end of Cassidy Street Denham Court.

Further, we note (and object to) the plan to run an underground electricity powerline along Zouch, Culverston, and Cassidy Streets Denham Court to the proposed substation.

We believe the 'Utility Services Strategy' should be revised to place substations and powerlines for the Edmondson Park and SWRL developments WITHIN the precinct, and NOT in the well-established rural-residential areas of Denham Court.

In other words, the substation and associated power lines etc planned for Cassidy Street should be on the NORTH of the rail line within the Edmondson Park precinct.

- * There is no justification for the location of the substation at Cassidy Street.
- * Information has not been provided concerning the need for the substation.
- * No consideration has been provided regarding alternatives.
- * There will be a gross visual impact if the proposed substation is built.
- * Critically endangered vegetation at the end of Cassidy Street will be unnecessarily disturbed and cleared to build the substation.
- * There will be gross amenity effects arising from the introduction of an industrial element into an existing residential setting.

The 'Utility Services Strategy' has not taken into account the well-established rural-residential nature of the existing Denham Court precinct. It is a gross and unnecessary invasion of the Denham Court precinct to have such infrastructure proposed outside the Edmondson Park development area.

Please note that we support the SWRL & Edmondson Park development including the rail line along our back fence, however the proposed location of a new substation (replacing native vegetation) within 20 metres of our side fence is unjustified, unnecessary, and a violation of all good planning principles.

WE STRONGLY URGE A RE-THINK OF THE 'UTILITIES SERVICES STRATEGY'.

Please confirm receipt of this submission in due course.

Regards,

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Denham Court

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WOOLF
ASSOCIATES
SOLICITORS

Our Ref: BSW:5415/10
Your Ref: MP10_0045

21 June 2010

The Director
Infrastructure Projects
Department of Planning
GPO Box 39
SYDNEY NSW 2001
*Via email: diane.fajmon@planning.nsw.gov.au
glen.snow@planning.nsw.gov.au*

Dear Madam

SUBMISSION ON ENVIRONMENTAL ASSESSMENT FOR SOUTH-WEST RAIL
LINK – GLENFIELD TO LEPPINGTON RAIL LINE PROJECT
SUBMISSION ON BEHALF OF MR AND MRS READ

I act for Mr and Mrs John and Joanne Read, the owners and occupiers of 85 Cassidy Street, Denham Court.

This submission concerns the proposed Integral Energy substation at Denham Court proposed as part of the south-west rail link project.

Our clients strongly object to the development of an Integral Energy substation at the site proposed. Our review of the Environmental Assessment shows the following significant material issues in the Environmental Assessment in relation to the proposed substation:

1. No justification for location of the substation;
2. No information concerning the need for the substation;
3. No consideration whatever of alternatives;
4. Gross visual impact;
5. Unnecessary and unjustified disturbance and clearance of critically endangered vegetation;
6. No assessment of impact of clearance of vegetation on fauna;
7. Not consistent with Concept Plan, EA and Concept Approval;
8. Noise Assessment Issues
9. Gross amenity effects arising from introducing an industrial element into an

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- existing residential setting;
10. Inadequate impact assessment.

On the basis of the above it is submitted the proponent has no basis on which to seek approval of the substation as part of the current project approval. On the basis of the material available it is submitted that if a further substation is required it should not be located as presently proposed. If it is established that electrical capacity of the proposed substation is required for the rail line, it is submitted that (a) either capacity in other substations should be upgraded or (b) the substation be relocated, for example, to the north/east of the railway line or at Edmondson Park station.

We provide the following further information in support of the propositions 1 to 10 which we have set out above.

1. No justification for location of the substation

We have reviewed the Environmental Assessment and can find in no place whatever any words seeking to justify the location of the substation as proposed. Although in the context of the significant development involved in the whole South West Rail Link Glenfield to Leppington rail line project the substation is dealt with as an ancillary item, nevertheless the nature and size of the proposed substation, means that it amounts to a substantial development in its own right. We understand that the size of the proposed substation is to be some 90m x 50m together with a perimeter road. The development is about the size of a football field. When energy authorities propose to upgrade or build new substations they provide significant documentation in relation to choice of location of the substation, design parameters, need for the substation, explanation of how the substation will function, a review of environmental impacts and the like. Energy authorities apply the principle of prudent avoidance which includes placing substations in locations distant from existing residential properties.

The Integral Energy substation at Denham Court is not mentioned at all in the Environmental Assessment for the concept approval. The Environmental Assessment for the project approval merely states at page 108 that the Integral Energy substation is to be located south of the rail corridor off Cassidy Street, Denham Court. At page 175, that the electrical works include construction of an Integral Energy substation adjacent to the 132 kilovolt route (south of the rail corridor off Cassidy Street, Denham Court). However no justification is given for this location.

It is submitted that there are good reasons why it should not be located south of the rail corridor off Cassidy Street but rather, if required at all (and there is no information on the need for the substation) it should be located north of the line or the capacity provided at one of the other substations or at Edmondson Park Station for the reasons set out below.

2. No information concerning the need for the substation

As stated above, at paragraph 175 the Environmental Assessment states that a number of key electrical works "are necessary to supply the project with sufficient operating power". This is the sum total of the information as to the need for the substation. This is totally inadequate particularly when locating a

substation south of the rail corridor off Cassidy Street will have very significant and material detrimental impact on the properties in Cassidy Street, Denham Court and in particular, our clients' property.

There are other substations proposed including construction of a new substation in the immediate vicinity to the north of the rail corridor west of Camden Valley Way with access to Bringelly Road. Why is this not sufficient for the requirements of the railway? No information is given so as to enable any assessment whatever of whether or not the Integral Energy substation is required. No application for approval should be considered until this information is provided and exhibited and persons have the opportunity to make submissions.

3. No consideration whatever of alternatives

It follows from items 1 and 2 above that there is also no consideration whatever in the Environmental Assessment of alternatives. There is merely a statement of what is to happen and this is assumed as a given. Our clients object strongly to this "cowboy" approach to the imposition of an industrial element in a residential and rural setting. No such substation was proposed in the concept plan nor has our client been aware or been made aware by any public consultation or any of the many news letters issued in connection with the project until just before the current exhibition of the Environmental Assessment document. Nothing in the Environmental Assessment indicates a proper approach to planning of the Integral Energy substation and until the proper planning is revealed in an environmental assessment document and publicly exhibited no application for approval of the substation should be considered. It should not be approved as part of the project approval.

4. Gross visual impact

Chapter 14 of the Environmental Assessment deals with view loss and visual effects. At point 11 on page 352 the visual effect of the substation is stated to be "high". It states as follows:

"The visual effect would be high due to a number of residential receivers being located adjacent to the proposed Integral Energy substation at Denham Court. An introduction of this substation would change the existing woodland character of the area."

The visual sensitivity is also noted to be "high" and that the Integral Energy substation at Denham Court is located in close proximity to residences.

The only mitigation measure proposed as noted on page 356 is "The detailed urban and landscape design strategy would incorporate the protection of existing intermediate vegetation."

We enclose photographs taken from our client's property toward the proposed Integral Energy substation site. We note that there is to be a compound and a road around the compound. There are to be 10m high electrical towers.

There is no detailed urban and landscape design with the Environmental Assessment and the landscape drawings only refer to landscaping between the railway line and adjoining properties. Moreover, as seen from the photographs there appears to be little scope for landscape design to avoid the gross visual effects of the substation including no doubt lighting on what is at present a quiet, peaceful, dark, large lot residential area. Figure 4.15 to the landscape and visual assessment report shows the indicative landscaping for the substation but no indicative landscaping whatsoever to the east of the substation. All the landscaping is to the west or north to the existing rural land/Cumberland Plain Woodland.

The landscape plan at figure 6-16 D shows no landscaping proposed in relation to the surrounds of the substation.

If the substation is required at all, it should be located away from existing residential areas. Nor is it satisfactory to rely on planting to minimise or contain visual impact – rather location of the substation well away from the Cassidy Street residential properties should be adopted.

5. Unnecessary and unjustified disturbance and clearance of critically endangered vegetation

Figure 4.7 discloses that the location of the proposed substation is in Shale Plains Woodlands. Shale Plains Woodland is identified to correspond with the threatened ecological community of Cumberland Plain Woodland. This is listed as critically endangered under the Threatened Species Conservation Act NSW and the Environmental Protection and Biodiversity Conservation Act Commonwealth.

As noted at page 78 of the Environmental Assessment such Woodland habitats “provide a range of fauna micro-habitat resources including:

- blossoms;
- feeding resources for grey headed flying fox;
- hollows in major eucalypts that are important roosting and nesting sites for fauna;
- dense understorey and shrub vegetation including habitat for the threatened Cumberland Plain land snail.

Further there are some 41 threatened species of plant listed under the Threatened Species Act as known or predicted to occur in the locality and 48 threatened species of animal listed under the Threatened Species Act as known or predicted to occur in the locality (page 80). It appears that it is likely that some of these threatened species of plant and/or threatened species of animal occur in the Cumberland Plain Woodlands which is to be disturbed by the clearing of over an acre of land for the substation.

Pages 15 and 16 of the Environmental Assessment discuss Commonwealth legislation. It appears that there is an Edmondson Park Conservation Agreement and that impacts on Cumberland Plain Woodland falling within the area covered by the agreement do not require approval under the EPBC Act (reference Figure 2-1 in the Environmental Assessment). Figure 2-1 shows land the subject of the

Conservation Agreement which does not include the land where the substation is proposed but does include all the land to the east/north of our clients' land. Whereas a referral would not be required for building the substation to the east/north of the railway at our clients' land, it will require referral for clearing of Cumberland Plain Woodland as currently proposed. The area proposed to be cleared does not appear to be insignificant but comprises in excess of an acre of land together with edge effects. It is submitted that if the application for the substation in its current location continues to be pressed it must be referred to the Commonwealth for consideration under the EPBC Act as a controlled action. Please let us have your response to this submission within 14 days otherwise our client will consider whether he should refer the matter.

At page 295 of the Environmental Assessment it is noted that areas within the Sydney Regional Growth Centres are identified as either certified or non-certified with those being certified likely to be of lower conservation value and non-certified areas generally corresponding with areas of high conservation value.

Figure 4-8 discloses that the land to the east of the proposed location of the substation is within a certified area but that the land for the proposed substation west of the railway line is in a non-certified area and is in a Shale Plains Woodland (i.e. the critically endangered Cumberland Plains Woodland) area. Accordingly, the biodiversity certification of the growth centres SEPP applies to the area east of the railway line such that the certification switches off the need to undertake further significant assessments for threatened species (page 22 EA). However this is not the case in relation to the current proposed location of the substation.

Relocating the substation east of the railway line along the existing 132 kv re-route would avoid the requirement for further assessment and for offsets in relation to the interference and damaging of the biodiversity including the critically endangered Cumberland Plains Woodland as currently proposed. It would also avoid the necessity to refer as a potentially controlled action.

The argument is even stronger when the aerial maps are reviewed, for example figure 4-6, and the vegetation communities figure is reviewed (figure 4-7). These reveal that an area to the east of the railway line along the KV route and beyond is cleared and does not contain the critically endangered Shale Plains Woodland. In these circumstances it cannot be argued that there is no unnecessary clearing of the critically endangered Cumberland Plain Woodland in relation to the substation. It is submitted that no project approval can in these circumstances be given which includes the current location of the Integral Energy substation.

Also, the land proposed for the substation is listed CPW under the EPBC Act whereas the land north/east of the railway line is not listed under that Act (EA, Technical Paper 2, Figure 5-2).

The EA Technical Paper 2 at page 4 states the draft Guidelines for Threatened Species Assessment (2005) that the objective of the biodiversity assessment process under Part 3A is to enable decision makers to ensure that developments deliver the following environmental outcomes:

1. Maintain or improve biodiversity values;
2. Conserve biological diversity and promote ecologically sustainable development;
3. Protect areas of high conservation value;
6. Protect aspects of the environment that are Matters of National Environmental Significance.

Given the available land to the north/east of the line or alternatively of other substations with greater capacity, it seems that none of these environmental outcomes are delivered by the location of the substation as proposed.

6. No assessment of impact of clearance on vegetation on fauna

We can find no assessment of the effect on fauna of the proposed clearing of the substation site of in excess of an acre.

7. Inconsistent with Concept Plan application, EA and Approval

So far as we can discern there was no provision in the Concept Plan application, Environment Assessment or Approval for the proposed Integral Energy substation. There is a statement at page 150 of Volume 1 of the SWRL Environmental Assessment as follows: "At least one additional substation may be required along the proposed alignment. Suitable dual electrical power supplies would also be required at the new Edmondson Park and Leppington Stations."

The Project EA however proposes the Integral Energy substation, the Camden Valley Way substation and Leppington substation and section hut at Edmondson Park station.

A statement that at least one new station along the alignment **may** be required is totally different to now proposing two new substations along the alignment. The concept plan, its EA and the concept plan approval were based on a substation at Edmondson Park station but now it is proposed only that there be a section hut at Edmondson Park Station.

Nowhere can we find where these significant changes and new proposals are identified. Nothing is stated as to any basis for such changes and for not having the substation at Edmondson Park station. In the absence of any material in the EA which is exhibited and to which persons can make submissions, the Integral Energy substation should not and in our submission cannot be approved as part of the project approval.

8. Noise Assessment issues

The Heggie Noise report Technical Paper 1 describes major noise sources from the substation as transformers and circuit breakers. There appears to be no proposal to house these in buildings. In fact there is no design at all of the substation in the EA. Transformer noise is perceived as a continuous low level hum. Circuit breakers emit short duration high level noise. The highly intrusive

circuit breaker noise occurs approximately twice a week at any time of the night or day (page 260 EA Volume 1). Mr and Mrs Read and their family are very alarmed at the prospect of these loud bursts of noise on a twice weekly basis.

At page 62 the acoustic report states that the acoustic analysis is based on a reference noise source and that "actual source levels are subject to detailed design, following a traction supply study to determine the necessary capacity of the substations." This informs us firstly that the noise predictions cannot be relied on as they are not based on the actual source which is as yet unknown. This also informs us that there is no proper basis for approval of the proposed Integral Energy substation as part of the project approval as the study to determine necessary capacity is yet to be carried out.

9. Gross amenity effects arising from introducing an industrial element into existing residential setting

Our clients' property currently enjoys significant beneficial amenity in being in a quiet rural/residential setting. The setting is dominated by woodlands both on the property and on neighbouring property and land including the Department of Planning land to the west and north of our clients' land (upon which the proposed substation is proposed to be located). The area is quiet. The area is unaffected by light at night. There is little traffic being a cul de sac. The area is visually very pleasant. The area is dominated by trees and bush. The proposed substation introduces an industrial element which will be visually intrusive, will involve significant clearing of native vegetation, will include a significant amount of traffic turning the cul de sac into a road through to the substation, there will be noise impacts including the hum of a substation and loud intrusive bursts of noise from the circuit breaker events on a regular basis twice weekly at any time of the night or day (Environmental Assessment Vol 1 page 260). The substation as proposed would likely also introduce night light. If so, it would completely transform the locality and substantially detrimentally impact the residents of Cassidy Street and in particular, our clients. There is nothing in the EA in relation to traffic in this pocket of Denham Court comprising about 170 one hectare residential properties bounded by Denham Court Road and Campbelltown Road. At present there is no through traffic in the area which is a quiet leafy residential village. If the substation were to be built all the construction traffic and future traffic to service the substation would have to travel in and out of the this area which is unsuited to industrial traffic.

10. Inadequate impact assessment

The only assessment that appears to have been made in relation to the impacts of the proposed substation relate to visual and noise impacts. The assessment of visual intrusion and noise impact are necessarily of very limited basis as so little is known about the substation. There is no assessment at all of light spill. If there is night lighting at the proposed substation this would substantially impact Cassidy Street as it is at present unaffected by night lights. Yet there is no assessment at all of light spill. There is no design except in the most broad sense, no information about capacity, no detail at all. There is no assessment of impact of an industrial element in a rural/ residential setting, no assessment of traffic, no assessment of electric and magnetic fields.

Conclusion

Mr and Mrs Read accept the rail corridor as proposed. They support the south west rail line and the development of Edmondson Park. However, they object strongly to the proposal for the Integral Energy substation south of the railway line at Denham Court. It is submitted on the basis of the above serious and material omissions, inadequacies and detrimental impacts that the Integral Energy substation proposal should not be approved as part of the Glenfield to Leppington Rail Line project approval.

Yours faithfully,

A handwritten signature in black ink, appearing to be a stylized 'J' or similar character, written below the text 'Yours faithfully,'.



