

Dorna Darab - Minmi/Newcastle Link Road

From: Turvey David <David.Turvey@transgrid.com.au>
To: "dorna.darab@planning.nsw.gov.au" <dorna.darab@planning.nsw.gov.au>
Date: 4/03/2011 10:03 AM
Subject: Minmi/Newcastle Link Road
CC: Minehan Peter <Peter.Minehan@transgrid.com.au>, Pate Kathy <Kathryn.Pate@transgrid.com.au>
Attachments: AF275489[1].PDF; AB283819.PDF; p67912_03-03-2011_15-03-23_il.pdf; AF275489[1].PDF; AB283819.PDF; p67912_03-03-2011_15-03-23_il.pdf; AF275489[1].PDF; AB283819.PDF; p67912_03-03-2011_15-03-23_il.pdf

From: Turvey David <David.Turvey@transgrid.com.au>
To: "dorna.darab@planning.nsw.gov.au" <dorna.darab@planning.nsw.gov.au>
Date: 4/03/2011 10:03 AM
Subject: Minmi/Newcastle Link Road
CC: Minehan Peter <Peter.Minehan@transgrid.com.au>, Pate Kathy <Kathryn.Pate@transgrid.com.au>
Attachments: AF275489[1].PDF; AB283819.PDF; p67912_03-03-2011_15-03-23_il.pdf; AF275489[1].PDF; AB283819.PDF; p67912_03-03-2011_15-03-23_il.pdf; AF275489[1].PDF; AB283819.PDF; p67912_03-03-2011_15-03-23_il.pdf

Your Ref : Minmi/Newcastle Link Road (MP10-0090)

Our Ref : 5847

File No : 2011/0474

Attn : Dorna Darab

Dear Dorna,

**Exhibition of Minmi/Newcastle Link Road Part 3A Concept Plan (MP10_0090)
 State Significant Site Study and Draft Voluntary Planning Agreement**

I refer to your correspondence dated the 25 February, 2011 regarding the abovementioned Concept Plan.

Part of the property covered by this plan is affected by an easement (60.96metres wide) for the Newcastle – Tomago 330kV Transmission Line (T/L).

A copy of the Easement for Memorandum, Transfer Granting Easement and a plan showing TransGrids interest in this area are attached. The Easement for Memorandum gives an outline of TransGrids rights and Restrictions relative to this easement.

The development of any property affected by a TransGrid easement is also subject to various other restrictions a list of which is outlined below –

It is advised that transmission line easements are acquired by TransGrid to provide

adequate working space along the route of the line for construction and maintenance work and also to ensure that no work or other activity is undertaken under or near the transmission line or the structures which could either by accident or otherwise create an unsafe situation either for persons or for the security of the transmission line.

It should be noted that all proposed activities within an easement area require written approval from TransGrid. For such approval, detailed plans drawn to scale and fully dimensioned, showing property boundaries and other relevant information should be forwarded to TransGrid.

Having regard to the above the following list of current general restrictions is provided for your information. It should be noted that the list is not exhaustive and, where there is any doubt concerning a particular activity within the easement area, advice should be sought from TransGrid.

1. Details of the proposed ground levels on the easement area are to be submitted for examination when available to ensure that adequate clearances are maintained. It should be noted that formal approval will not be given to the development if such clearances are not maintained. **This includes temporary Stockpiling of earth within the easement area.**
2. Access to the transmission line and its structures shall be available at all times to TransGrid plant and personnel. In this regard a continuous and unobstructed vehicular access way shall be retained along the easement. Notwithstanding where vehicle access is not available along the easement for geographic reasons (i.e. valleys, cliffs, escarpments, rivers, water courses etc.) suitable alternative vehicle access (4.5 metres wide) shall be provided. Access gates should be installed in an agreed location.
3. Excavation work or other alterations to existing ground levels shall not be carried out within the easement area without the prior written approval of TransGrid. Approval will not normally be granted for such work within 16 metres of any supporting structure.
4. Utility services, whether above or below ground, shall not be installed within the easement area without the prior written approval of TransGrid. All underground services installed within 30 metres of a transmission line structure are required to be non-metallic.
5. Houses, buildings or other substantial structures or parts thereof shall not be erected within the easement area.
6. Minor structures, plant or equipment, fences or barbeques shall not be erected or installed within the easement area without the prior written approval of TransGrid.
7. Obstructions of any type shall not be placed in the easement area within 30 metres of any part of a transmission line structure.
8. Vehicles, plant or equipment having a height exceeding 4.3 metres when fully extended shall not be brought onto or used within the easement area without prior TransGrid approval.
9. The parking of vehicles within the easement area shall be limited to types whose height when fully extended does not exceed 4.3 metres. Where **temporary** vehicular

access or parking is within 16 metres of a transmission line structure, adequate precautions shall be taken to protect the structure from accidental damage.

10. Trees and shrubs may be planted within the easement area provided that they are species whose mature height is less than 4 metres and do not interfere with access to any transmission line structure.
11. Garbage, refuse or fallen timber shall not be placed within the easement area.
12. Flammable material shall not be stored within the easement area.
13. Explosives shall not be used within the easement area without the prior written approval of TransGrid.
14. Flammable liquid carriers, caravans and other camping vehicles shall not be parked within the easement area.

Further to all the above in regards to minor structures such as metallic and non-metallic fences the following list of fencing restrictions is provided for your information.

1. Brick, masonry walls or other substantial structures or parts thereof shall not be erected within the easement area.
2. All other types of fencing erected within the easement area is subject to a height limitation of 2.5 metres.
3. The erection of all fencing is not permitted within 30 metres of any part of the transmission line structure and is not permitted in a location which could create an unsafe work area for TransGrid staff.
4. Metallic fencing within 4 metres of the overhead conductors or crossing the easement should be electrically isolated from the remainder of the fence and all other fences not on the easement.
5. All metallic fencing on the easement area is to be earth by a licensed electrician and to the satisfaction of TransGrid.
6. Access to the transmission line structures shall be available at all times for TransGrid plant and personnel. In this regard a continuous and unobstructed vehicular access way shall be retained along the entire length of the easement. Access gates should be installed in an agreed location.
7. Any approval to locate fencing on the easement area shall be on the clear understanding that, should TransGrid find it necessary at some time to alter or reconstruct the transmission line and require the removal of the fencing, any costs associated with such removal would not be met by TransGrid.
8. Dogs and livestock shall not be kept within the easement area if they are likely to create a dangerous situation for TransGrid staff and thus restrict access.
9. Prospective property owners are made aware of restrictions over properties affected by easements controlled and maintained by TransGrid.
10. A Section 88B is placed on all properties affected by a T/L easement.

It is suggested that contact is made with TransGrid so that our requirements can be addressed in the early stages of this development proposal.

For any further information on this proposal please do not hesitate to contact myself.

David Turvey
Easement Officer
TransGrid
Telephone: (02) 9620 0218
Fax : (02) 9620 0387
e-mail : david.turvey@transgrid.com.au

Disclaimer:

This e-mail may contain privileged and confidential information intended only for the addressees named above. If you are not the intended recipient please delete this e-mail and advise the sender. Any use, dissemination, distribution, reproduction of this email is prohibited. Unless explicitly attributed, the opinions expressed in this e-mail are those of the author only and do not represent the official view of TransGrid. E-mail communications with TransGrid may be subject to automated e-mail filtering, which could result in the delay or deletion of a legitimate e-mail before it is read by its intended recipient. TransGrid does not accept liability for any corruption or viruses that arise as a result of this e-mail. Please consider the environment before printing this e-mail.

Form: 16LM
Release: 1
www.lpi.nsw.gov.au

MEMORANDUM

New South Wales
Section 80A Real Property Act



AB283819H

PRIVACY NOTE: this information is legally required and will become part of the public record

(A) LODGED BY

Delivery Box 102Q 409G	Name, Address or DX and Telephone Bartier Perry Solicitors DX 109 - SYDNEY Reference: BP:PVC 04 3284	CODES LM MM
--	--	-----------------------

(B) APPLICANT

BARTIER PERRY SOLICITORS

- (C) The applicant requests the Registrar General to record this memorandum, comprising 2 pages including this page, which contains provisions deemed to be incorporated in any instrument which refers to it.
- (D) i. For option to renew see clause NOT APPLICABLE
ii. For option to purchase see clause NOT APPLICABLE

(E) Signature of

Name of signatory: Oliver Andrew Shtein

Capacity of signatory (if applicable): Partner

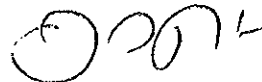
Date: 12 February 2005

FOR THE PROVISIONS CONTAINED IN THIS MEMORANDUM SEE ANNEXURE "A"

ANNEXURE "A"

MEMORANDUM OF ENERGY TRANSMISSION EASEMENT

- (a) FULL AND FREE right for TransGrid, its agents, employees, successors, assigns and all other persons or bodies authorised to act on its or their behalf to do all things reasonably necessary or appropriate to carry out its functions pursuant to the *Energy Services Corporations Act 1995* and *Electricity Supply Act 1995* as an energy transmission operator and a network operator to establish, construct, maintain and operate all facilities and structures and things for the transmission of electricity and telecommunications in, on or under the land burdened, including but not limited to:
- (i) the removal, re-erection, re-construction, replacement, re-installation, upgrade, alteration, repair and renewal of such facilities, structures and things; and
 - (ii) the placement and operation of vehicles, plant and equipment; and
 - (iii) the establishment, construction, maintenance, removal, re-erection, re-construction, replacement, re-installation, upgrade, alteration, repair and renewal of gates, roads (to a maximum width of 5m), bridges, culverts, piped crossings and the like; and
 - (iv) the removal, trimming, cutting, lopping and maintenance of trees and other vegetation.
- (b) The owners of the land burdened or the holder of any interest therein must not do, knowingly permit or suffer to be done, any of the following acts, things or activities:
- (i) the placement, erection, construction or installation of any building, structure or thing in, on or under the land burdened; and
 - (ii) the operation, installation or placement of any plant, equipment, machinery, utilities or thing, having a height of 4.3 metres or use thereof above a height of 4.3 metres, in, on or under the land burdened; and
 - (iii) the planting or placement of any trees, shrubs or bushes in, on or under the land burdened; and
 - (iv) the placement or use of any flammable material, explosives, fire, waste products or refuse in, on or under the land burdened; and
 - (v) the development, subdivision, excavation or carrying out of construction works in, on, or under the land burdened.
- (c) Notwithstanding, (b) above, the acts, things and activities therein may be carried out only with the prior permission in writing of TransGrid, its successors or assigns.
- (d) In exercising rights under this easement, TransGrid and its successors and assigns will take precautions to minimise disturbance to the land burdened as is reasonably practicable.



Form: 01TG
 Licence: 03-11-060
 Licensee: Blake Dawson Waldron

**TRANSFER
 GRANTING EASEMENT**



AF275489X

New South Wales
 Real Property Act 1900

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	Servient Tenement (land burdened) 2/877349 & 3/877349	Dominant Tenement (land benefited) An easement in gross pursuant to s88A of the Conveyancing Act 1919.
-------------------	--	---

(B) LODGED BY	Delivery Box 238N	Name, Address or DX and Telephone Blake Dawson DX 355 Sydney T 61 2 9258 6000 Reference (optional): BLB JDOU 02 1425 7909	CODE TG
---------------	----------------------	---	-----------------------

(C) TRANSFEROR	Registered proprietor of the servient tenement MINMI LAND PTY LTD ACN 129 266 477
----------------	--

(D) The transferor acknowledges receipt of the consideration of \$ 2,184,700.00 and transfers and grants

(E) DESCRIPTION OF EASEMENT	AN EASEMENT FOR ENERGY TRANSMISSION LINE MORE PARTICULARLY DESCRIBED IN ANNEXURE "A".
-----------------------------	---

out of the servient tenement and appurtenant to the dominant tenement.

(F) Encumbrances (if applicable): 1. 2. 3.

(G) TRANSFEREE	Registered proprietor of the dominant tenement TRANSGRID ABN 19 622 755 774
----------------	---

DATE 13 / 01 / 2010
 dd mm yyyy

(H) See annexure for execution.

2 CT produced by 323x on 15/10/09

for TG

ANNEXURE A TO TRANSFER GRANTING EASEMENT BETWEEN MINMI LAND PTY LTD ACN 129 266 477 AS TRANSFEROR AND TRANSGRID AS TRANSFEREE

An EASEMENT FOR ENERGY TRANSMISSION affecting that part of the servient tenement shown as "(A) proposed easement for transmission line 60 wide and variable" as contained in deposited plan 1132593 on the terms contained in Memorandum AB283819 filed at Land and Property Information NSW.

Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Corporation: MINMI LAND PTY LTD ACN 129 266 477
Authority: Section 127 of the Corporations Act

Signature of authorised person

Robert Stanley Light

Name of authorised person

Director, Secretary, Sole Director/Secretary
Office held

Signature of authorised person

Robert Christopher O'Toole

Name of authorised person

Director, Secretary, Sole Director/Secretary
Office held

I certify that the authorised officer signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this transfer granting easement in my presence.

Signature of witness

KAYLE MABAGOS

Name of witness

17 GUTHEGA CLOSE

Address of witness

WOODCROFT, 2767 NSW

Certified correct for the purposes of the Real Property Act 1900 by the authorised officer named below.

Signature of authorised officer

KEVIN MURRAY

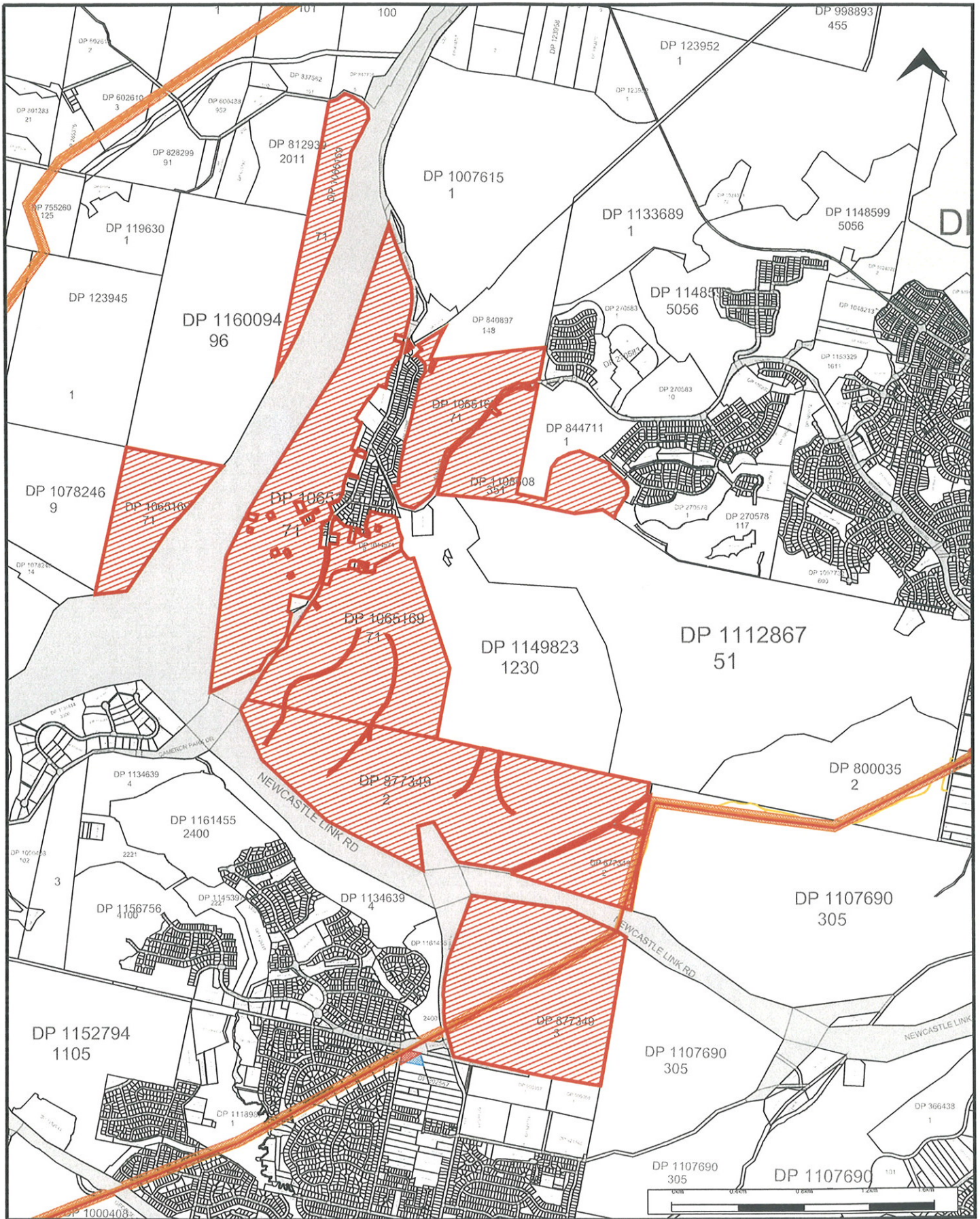
Authorised officer's name

Managing Director

Authority of officer

TransGrid

Signing on behalf of



Legend

- TransGrid Land Interest
- TransGrid Easement
- TransGrid Easement
- TransGrid Easement
- TransGrid Easement Access
- TransGrid Proposal



NSW Planning

Minmi/Newcastle Link Rd

Property of Transgrid. No warranty is given that information shown is complete or accurate.

PRODUCED FROM TAMIS

Scale: 1:30000

03/03/2011 15:03:26

Created by: p67912