



23/03/2021

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Dear Amanda

**Proposed Development at 40 King Street, Adamstown  
Development Application No. DA2021/00071**

I refer to Agency Reference Number A-21265 concerning the above development. This letter is Ausgrid's response under clause 45(2) of the *State Environmental planning Policy (Infrastructure) 2007*.

As you would be aware, the assessment and evaluation of environmental impacts for a new development consent (or where a 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 requires that due consideration be given to the compatibility of proposed development with existing Ausgrid's infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

Please note the following information in relation to the construction of the development:

**Supply of Electricity**

Ausgrid has been contacted previously on 18 October 2018 and has undertaken significant preliminary assessments dealing with Tim Mackiewicz from Catalyst Project Consulting. In those preliminary assessments the following issues were discussed.

**Ausgrid Assets within Merewether Golf Course**

- Ausgrid has multiple overhead electricity circuits within Merewether Golf Course grounds. Circuits are 132000 Volt and 33000 Volt Transmission lines and 11000 Volt & 415 Volt Distribution mains.

- Ausgrids assets are protected in their current location under Section 53 of The Electricity Supply Act for the purpose of repairing, replacing, modifying or upgrading.

#### **Conditions that apply to the Development in Proximity to Ausgrid Assets**

- All construction works on or near the Ausgrid powerlines must adhere to the Workcover NSW – Work Near Overhead Powerlines: Code of Practice, 2006
- Ausgrid requires 24 hour access along the route of mains for plant and personnel. For the purpose of exercising its rights under Section 53 of ESA Ausgrid may cut fences and/or walls and install gates in them.
- Ausgrid is not responsible for the reinstatement of any finished surface resulting from Ausgrids access.
- Any alterations required to facilitate development will be a Contestable project at the cost of the developer.
- An easement would need to be established over any mains relocated as part of the development.
- Metallic fencing is generally not permitted to extend away from transmission mains unless an insulating section is installed, at least 3 metres wide.
- All metal work within the proximity of electricity mains including metallic fencing, is to be locally earthed by a qualified electrician via a 50 sq. mm stranded copper, insulated earthwire bonded to a copper-clad earth-stake driven at least 1.6 metres into the ground.
- The erection of minor structures such as clothes hoists, barbecues, and the like are permitted in proximity of electricity mains provided they do not exceed a height of 2.5 metres if climbable or 4.6m if not climbable, and the metallic components are earthed. The positioning of such structures should allow a 5m wide vehicular access along the full length of the route of the electricity mains. Ausgrid reserves the right to remove such structures where required for safety, access, and maintenance. Request must be submitted to Ausgrid for approval
- Any change to ground levels must be submitted to Ausgrid for approval.

Additionally, Ausgrid would like to note that on page 56 of the architectural plans drawing title Photo Montage 2 it shows the 33000V overhead mains running down King St and the underground mains running along the Golf Course. This is in fact the opposite. The overhead 33000V mains run along the Golf Course alongside of the existing clubhouse and the underground mains run along King St.

Ausgrid will require the developer to contact us regarding any of the conditions mentioned above.

Please do not hesitate to contact me if you require any further information or assistance.

Yours sincerely

**Matthew Jones**  
**Engineering Officer**  
Newcastle Design & Planning Portfolio

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**Ausgrid Reference: 1900105283**

6 May 2021

General Manager  
Newcastle City Council  
PO Box 489  
NEWCASTLE NSW 2300

**Attention: Amanda Gale**

**GLEBE ROAD (MR188): DA 2021/00071, SENIORS HOUSING DEVELOPMENT, LOT: 2 DP: 29558, LOT: 2 DP: 239405 LOT: 1 DP: 229558 LOT: 3 DP: 515310 LOT: 6 DP: 231541 LOT: 4 DP: 1223244 LOT: 3 DP: 229558 40 KING STREET ADAMSTOWN**

On 15 February 2021 TfNSW accepted the referral by Newcastle City Council (Council) through the Planning Portal regarding the abovementioned application (Development Application). Council referred the Development Application to TfNSW for comment in accordance with Clause 104 / Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*. This letter is a submission in response to that referral.

TfNSW understands the proposal to be for the redevelopment of the identified portion of the site for the purpose of a Seniors Living Development, whilst maintaining the existing land use of the Merewether Golf Club.

The proposal includes the following:

- Site preparation works;
- Provision of vehicular access;
- Construction and occupation of seniors living development comprising:
  - 148 serviced self-care dwellings;
- Car parking accommodating the following:
  - Serviced Self-Care Housing:
    - Basement: 209 Car Parking Spaces;
    - Ground: 18 Visitor Car Parking Spaces;
    - TOTAL: 227 Car Parking Spaces.
  - Merewether Golf Club:
    - Basement: 72 Car Parking Spaces;
    - Ground: 105 Car Parking Spaces;
    - TOTAL: 177 Car Parking Spaces.

- Provision of pedestrian and vehicular access to and from the Site;
- Wellness Centre, consulting rooms and associated facilities;
- Seniors Living Ancillary Amenities including wine cellar, cinema, man shed, library and lounge etc);
- Demolition of existing Merewether Golf Club and construction of new Club House and ancillary member services;
- Associated landscaping and public domain improvements;
- Associated course upgrades;
- Extension and augmentation of physical infrastructure utilities as required; and
- Temporary facilities including car park, clubhouse, display suites.

It is also understood that the proposed development includes subdivision of the Site under a Community Title Scheme to accommodate the proposed development and operation of the Site. The subdivision will be as follows:

1. Golf Course;
2. Seniors Development; and
3. Clubhouse.

### TfNSW Response & Requirements

TfNSW's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

Glebe Road (MR188) is a classified Regional road and King Street is a local road. Council is the roads authority for both roads and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW has reviewed the referred information and provides the following comments to assist the consent authority in making a determination:

- Should Council approve the proposed development and determine that the intersection of Glebe Road and King Street requires upgrading, such as roadworks to address safety concerns associated with increased turning movements, TfNSW concurrence is required in accordance with Section 138 of the *Roads Act 1993* as the roadworks required affect Glebe Road a classified (Regional) road. As such, the works are to be designed in accordance with the current version of Austroads *Guide to Road Design* (with Transport for NSW supplements) and relevant Australian Standards to the satisfaction of both TfNSW and Council.
- Furthermore, TfNSW highlights that in determining the application under Part 4 of the *Environmental Planning & Assessment Act, 1979* it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development, such as (inter alia) removal of trees, relocation of utilities, stormwater management, etc. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken

to date and the nature of the works, the Council may require the developer to undertake further environmental assessment for any ancillary road works.

- The property has a common boundary with the Pacific Highway (City Road) which has been declared as a Controlled Access Road (CAR) and accordingly any direct access across this common boundary is restricted.  
It is recommended the new subdivision create an 88B Instrument to accompany the survey plan by adding a "Restriction to User" to be reflected on the plan and title to add the terms in the 88B document to restrict any direct access across the common boundary of the Pacific Highway. The new lot identifying the Golf Course area should only have access via an alternative option only and currently being King Street.

The authority to rescind, vary, modify and/or revoke the access restriction in the 88B will be Council being the consent authority, the owner and the roads authority of the Pacific Highway but not without the concurrence of TfNSW. The survey plan and 88B document must be forwarded for concurrence prior to them being lodged and registered with the Land Registry Services (LRS) of NSW.

The terms of the 88B restriction can be applied to access restrictions under the provisions of the Conveyancing Act.

#### Advice to Council

TfNSW recommends that the following matters should be considered by Council in determining this development:

- TfNSW has no proposal that requires any part of the property.
- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW for record and / or action purposes. Should you require further information please contact Tim Chapman, Development Assessment Officer, on 4908 7688 or by emailing [development.hunter@transport.nsw.gov.au](mailto:development.hunter@transport.nsw.gov.au).

Yours sincerely



**Kylie-Anne Pont**

A/ Team Leader Development Services (Hunter)  
Development Services North