



Hawkesbury City Council

attachment 1
to
item 170

Submissions to Planning Proposal
LEP001/19

date of meeting: 14 September 2021
location: by audio-visual link
time: 6:30pm

25 June 2021



Hawkesbury City Council
366 George Street
Windsor NSW 2756

Jemena Gas Networks
(NSW) Ltd
ABN 87 003 004 322

Colleen Haron
Senior Strategy Land Use Planner
council@hawkesbury.nsw.gov.au

Level 14
99 Walker St
North Sydney NSW 2060
PO Box 1220
North Sydney NSW 2060
T +61 2 9867 7000
F +61 2 9867 7010
www.jemena.com.au

Dear Colleen,

Reference LEP001/19

Notification of Planning Proposal response Jemena (Stakeholder interest)

Land affected by Proposal : Lot 9 DP1149340 - 9 Industry Road, Vineyard
: Lot 13 DP815849, Lot 6 DP777933 – 312 Windsor Road
: 6028 DP 1169449 – 7 Fernadell Drive, Pitt Town

Jemena Asset Management Pty Ltd on behalf of Jemena Gas Networks (NSW) Ltd (collectively Jemena) In assessing the proposed planning changes, Jemena has reviewed the location of existing gas pipelines, mains and associated gas assets within land parcels that are the subject to Council planning proposals. Jemena makes the following comments for councils consideration as they impact each of the land parcels.

Lot 9 DP 1149340 – 9 Industry Road, Vineyard

Jemena can confirm that it maintains an interest in the land parcel having a high pressure gas pipeline in the form of the Licence 7 pipeline and a secondary gas main traversing through the allotment. Land tenure in the form of registered easements are in place being more specifically referred to as dealings S754026 and DP808875. Jemena does not raise any objection to the proposed planning changes provided its rights to own, occupy, operate are maintain the gas assets are reserved.

Lot 13 DP 815849, Lot 6 DP777933 - 312 Windsor Road, Vineyard

Jemena can confirm that it has no objection to the proposed changes as they impact the land parcel situated Lot 6 DP777933 part of 312 Windsor Road, Vineyard.

Jemena can confirm that it has an operational secondary gas main that traverses through a 24.5 metre approximate length of Lot 13 DP815849 (312 Windsor Road, Vineyard). Jemena has a right to own, operate and maintain the gas main that services the broader community of Vineyard at this location and has no objection to the land parcel being reclassified from 'Community' land to 'Operational' land provide that its right to own, operate and maintain the gas main are reserved.

Lot 6028 DP1169449 – 7 Fernadell Drive, Pitt Town

Jemena can confirm that it has no objection to the proposed changes as they impact the land parcel situated at 7 Fernadell Drive, Pitt Town.

The JGN high pressure pipeline (Licence 7) is a significant gas pipeline that in part, conveys gas to the 'City Gates' and in turn to the Jemena Gas Network (JGN) which provides gas to 1.4 million Sydney and NSW customers.

The JGN assets are operated in accordance with Australian Standard - AS2885. AS2885 requires a risk review, Safety Management Study (SMS) of the pipeline operation if applicable where the land around a high pressure gas main/pipeline has resulted in a change in land use and in turn changes the risk exposure to the high pressure gas main/pipeline by introducing additional threats. The proposed activities contained within the notification of Planning Proposal does not constitute a significant change in the in land use.

If future land uses changes are proposed for the land parcels once they transition from Community to Operation Land, Jemena would anticipate that they would be captured and referred to Jemena under the Development Application process with Hawkesbury City Council.

In assessing the potential increase threat that a proposed Development Application may have on the operation of the gas pipeline and the risk to Community safety, Jemena may elect to convene a SMS with the applicant to work through and evaluate the threats/risks the development have on the pipeline. Any mitigations that arise from the SMS should then be incorporated into conditions of the development application to reduce the risk to as low as reasonably possible.

Jemena has assessed the current location adjoining the land parcels with frontages to Windsor and Industry Roads as being Residential (T1) under AS2885.

Residential (T1) Land that is developed for community living. Residential applies where multiple dwellings exist in proximity to each other and dwellings are served by common public utilities. Residential includes areas of land with public infrastructure serving the residential use; roads, railways, recreational areas, camping grounds/caravan parks, suburban parks, small strip shopping centres. Residential land use may include isolated higher density areas provided they are not more than 10% of the land use. Land used for other purposes but with similar population density shall be assigned Residential location class.

NOTE: In Residential and High Density areas the societal risk associated with loss of containment is a dominant consideration.

To provide some greater context to the decision above, the high pressure pipelines operates at pressures greater than 6MPa. Under AS2885 requirements, Jemena takes its rights and obligations under these instruments seriously as they relate to ensuring the ongoing safety and integrity of its mains/ pipelines and the community at large.

Duty of care exists to ensure there is no compromise to the integrity of the Jemena assets during this procedure due to the existing ground conditions that currently exist.

In addition, Jemena has consider the implications of the development adjacent to high pressure pipelines transporting dangerous goods in NSW as communicated in the ISEPP clause 66C and more recently the Planning Circular PS 18-010. Jemena has undertaken a holistic review of the interface between its high pressure gas mains and land use within the heat radiation contours within Sydney's urban growth corridors.

If you have any questions or quires, please do not hesitate to contact the undersigned.

Kind Regards

[REDACTED]

[REDACTED]

Property Officer
Gas Distribution

From: [REDACTED]
Sent: Fri, 4 Jun 2021 10:38:22 +1000
To: Hawkesbury City Council
Subject: LEP001/19

To whom it may concern,

I oppose the proposed development of lot 6028 DP 1169449 on these basis:

1. The proposal does not promote socially and/or environmentally sustainable developments within the city of hawkesbury,
 2. The proposal does not enable an aesthetically pleasing and functional development that sympathetically relates to adjoining and nearby developments,
 3. Current infrastructure will not support an increase of urban density,
 4. Development is not taking into consideration floodplains.
 5. Road ways and emergency evacuations routes are severely limited which will cause heavy traffic and blockages during peak hour and emergency events.
 6. High density housing is not and should never be proposed in such regions where population density is low and adjoining properties do not have similar housing features.
- I'm not sure why this council is compromising its development control plans when the region in question is, a) not suitable for such development proposals, b) within floodplain and c) within semi-rural regional areas which are primary producers.

It is a serious lapse in judgment over the years that has allowed such developments to occur on such egregious scales with no regard to current infrastructure, environmental risks, environmental impacts and proper town planning.

[REDACTED]

From: Your Hawkesbury Your Say <notifications@engagementhq.com>
Sent: Sunday, 20 June 2021 3:28 PM
To: Melissa Barry; Hawkesbury City Council; Colleen Haron
Subject: Anonymous User completed Online Submission

Anonymous User just submitted the survey Online Submission with the responses below.

Your name

[REDACTED]

Email address

[REDACTED]m

Your submission

Lot 6028 DP 1169449: I strongly oppose and do not agree for 7 Fernadell Drive Pitt Town to be rezoned, or reclassified from community land to operational land. I also strongly oppose the amendment to increase the maximum height of buildings. In relation to part rezoning from RU2 rural landscape to RE1 public recreation. I also oppose the development of sporting fields for soccer, netball, football, cricket or any ongoing competition sports that will bring unmanageable traffic to the area and noise pollution for residents. Including any club houses or commercial buildings. A rural, landscaped area for personal outdoor fitness, Playground, picnic area, fenced off leashed dog park and general Landscaped park with a bike and/or walking path would compliment the rural setting that residents in Pitt Town would appreciate. Particularly those residents that live and are directly effected by any development as part of this proposal.

From: [REDACTED]
Sent: Thu, 24 Jun 2021 20:18:07 +1000
To: Hawkesbury City Council
Subject: Att: Colleen Haron - RE: LEP001/19; Lot 6028 DP 1169449, 7 Fernadell Drive Pitt Town NSW
Attachments: REF_LEP001_19_ DP1169449 7 Fernadell Dr Pitt Town.pdf

Dear Hawkesbury Council

Please pass this email and attached correspondence directly to **Colleen Haron, Senior Strategic Land Use Planner, Hawkesbury Council.**

Kind Regards

[REDACTED]
[REDACTED]

23rd June 2021

REF: LEP001/19

Att: Colleen Haron
Senior Strategic Land Use Planner
Hawkesbury Council

E: council@hawkesbury.nsw.gov.au

Dear Ms Haron

My family and I would like to express our thoughts, feelings and considerations regarding the proposal and development of Lot 6028 DP 1169449, 7 Fernadell Drive Pitt Town NSW.

We are strongly opposed to sports fields being built across the road from our home and any commercial buildings. We believe this to not only directly effect our family and neighbours, but all Vermont Estate residents and surrounds.

We also strongly oppose the request to reclassify any part of Lot 6028 DP 1169449, 7 Fernadell Drive Pitt Town from 'Community' land to 'Operational land'. Including the rezoning part of Lot 6028 DP 1169449 from RU2 Rural Landscape to RE1 Public Recreation, with the exception of the area being used and/or safely developed solely for the purpose of a **noncompetitive sports** park and general landscaped recreation area and developed as a community space, walkway, gardens, picnic area and/or dog park.

In addition, we also oppose the request to amend the minimum lot size for subdivision of Lot 6028 DP 1169449 to part 4,000mt² and part no minimum lot size, as well as the request to amend the maximum height of buildings on part of Lot 6028 DP 1169449 7 Fernadell Drive Pitt Town.

We also oppose creating a land reclassification (Part Lots) Map for the Hawkesbury Local Environment Plan 2012 to identify part 7 Fernadell Drive Pitt Town as being 'operational land'; amending the Land Zoning Map of Hawkesbury Local Environment Plan 2012 to rezone part 7 Fernadell Drive Pitt Town to RE1 Public Recreation; amending Lot Size Map of Hawkesbury Local Environmental Plan 2012 to permit a minimum lot size of 4000 mtr² for part 7 Fernadell Drive Pitt Town and removing the current 10ha minimum lot size provision applying to the rest of 7 Fernadell Drive Pitt Town; and amending Height of Buildings Map of Hawkesbury Local Environment Plan 2012 to remove the current 10m maximum height provision applying to part of Fernadell Drive Pitt Town.

We moved to this area of Pitt Town for its rural landscape, culture and small community living. The peace and quiet. We also paid a premium to build our home on Stables St and were advised by the developers that no commercial or residential buildings would be built adjacent to Stables St because of its zoning. The proposal to move from community to operation land and rural landscape to public recreation will be in direct conflict of this and the reasons, and additional investment myself and my family made, as well as many others living on Stables St, Bootles Lane and Buckingham Street and Fernadell Drive.

Our main concerns are, although not limited to:

- Competitive sports fields will bring hundred of cars and traffic through Pitt Town, and directly into the Vermont Estate.
- We don't have the roads or infrastructure even now to cater for the people that live here! Let alone additional traffic
- Impact will not only be on weekends, but weeknights with training sessions and anything else related to competitive sports
- The noise and pollution that not only hundred of cars will bring, but also the noise of hundreds of people on a Saturday and Sunday during full days of competitive sports matches
- There will not be enough parking for patrons, and therefore we will have cars constantly parked not just up and down Stables St, but on all adjacent roads to the sports fields and netball courts
- Road safety for local children and people in general, additional traffic brings more opportunity for accidents
- Everything noted in the Pitt Town Progress Assoc. Meeting minutes from 7th June 2021 from Mr [REDACTED] we 100% oppose
- We believe that people who do not live in the Vermont Estate or direct flanking areas and streets are lobbying on behalf of their own agendas and are not at all considering the people that stand to be directly affected and impacted daily by these proposed changes.
- A community centre in the same location will just add to more traffic, more noise, the need for yet more car spaces, the list continues
- Does the council believe it has the funds to continue the ongoing security, maintenance and upkeep of this proposed development?
- The need for any building commercial or residential, to be greater than 10meters in height concerns us greatly with the prospect of large buildings being erected in what is currently a rural location
- As per the SESL investigation amosite asbestos has been found at TP2, TP3, TP4 and TP8 and further investigation be conducted for the safety of ALL. (Page 60/588 of the report).
- Page 50 & 51/588 of the SESL report states "Although a significant number of test pits and boreholes were undertaken to investigate the site, SESL cannot rule out that additional ACM fragments or other types of contamination may be present on the site and therefore recommends applying the unexpected finds protocol outlined in Section 14 during any future excavation works within the site". Despite being considered that the site is suitable for the proposed land use, subject to additional recommendations.
- Page 50/588 of the SESL investigation also states "one bonded ACM fragment was detected in TP3 at a depth of 0.7m bgl. Further delineation of this location may be required". As a community, a 'may be required' is insufficient and we request that it be mandatory.
- That the site of the proposed development is well known to have been used to dump building materials during the building and construction of the estate.
- The Pitt Town Sports club is currently expanding their number of sports fields. Facilities and parking are already there. Not to mention the increased support, employment opportunities and business that Sports Club can in turn offer locals and the community in general.
- We have attended most meetings and public exhibitions in relation to this matter. We are truly disappointed that our request to arrange a meeting with the families that stand to be directly affected, was offered and is yet to happen. This was discussed during a face to face discussion between myself and my neighbours, with Sandy Hoy and Craig Johnson. This was also formally requested in an email sent to council on the 10th October 2019. Hopefully, this will come to fruition prior to any further progress.

Thank you for your time and consideration in this matter. I understand there are many people with many ideas and opinions, however, please consider the people and the community that this stands to directly effect and actually live here.

Should you have any questions please feel free to contact me on [REDACTED] or [REDACTED]

Kind Regards

[REDACTED]



From: Your Hawkesbury Your Say <notifications@engagementhq.com>
Sent: Saturday, 12 June 2021 2:47 PM
To: Melissa Barry; Hawkesbury City Council; Colleen Haron
Subject: Anonymous User completed Online Submission

Anonymous User just submitted the survey Online Submission with the responses below.

Your name



Email address



Your submission

7 Fernadell Dr, Pitt Town

From: [REDACTED]
To: [Hawkesbury City Council](#)
Subject: Reference: lep001/19
Date: Friday, 25 June 2021 8:16:25 AM

24-6-2021

[REDACTED]
Stables Street
Pitt Town
NSW 2756

PH. [REDACTED]

To whom it may concern
Reference LEP001/19

Dear, Colleen Haron - Senior Strategic Land Use Planner - Hawkesbury City Council

In regard to H.C.C. planning proposal at Lot6028 DP1169449 bordering Fernadell Dr. and Stables St. Pitt Town.

My family and my near neighbours are upset and seriously concerned about this proposal of the changes to the classification and land use in our area.

When we purchased the land in Stables St. Pitt Town we paid a substantial premium because of the unhindered outlook and tranquility of the land opposite, which we were told would never be built on as it was zoned rural.

Since that time I believe that some lobby groups have pushed for development of the site without due consideration towards the residents most disadvantaged by this proposal.

A recent flood situation with increased traffic flow and parking of vehicles in our area was a good indication of the inconvenience and loss of peace and tranquility in our area if your proposal goes ahead.

Prior to the current situation, where sewerage waste is being pumped onto the site opposite us on a daily basis, the area was in continual daily use by local residents in all forms of leisure and sporting activities, with no discrimination for who or what the area was being used for. We also believe that sewer waste especially when recycled multiple times could contain toxins and heavy metals detrimental to human health. We find this loss of use typical of what would happen with your changes.

With reference to your environmental and science tests, which were taken after upto 500mm of mud fill from the dam site was spread over the whole area, we noted that one piece of asbestos was found, we find this ludicrous as an inspection of the land opposite my neighbour and I walked the area in 2015 prior to the mud topsoil and noticed large amounts of building materials on the surface of the areas that had been filled. We thought at the time that substantial amounts of asbestos was present on the site possibly to a depth of approximately 4 metres. We also thought that the subsequent mud fill overlay would bury this problem as it was proposed to be a mown grass area and would not be an ongoing problem. It now appears your development proposal would disturb this potential problem and become a monumental problem for the residents in our area.

Also after speaking to some relatives of the original Pitt Town residents it became obvious to us that the land under the proposed development area, prior to white mans drainage of the area, was a swamp of significant aboriginal importance as an ancient hunting ground as numerous artifacts had been found in the area.

Developed sporting facilities as proposed would discriminate against the sports left out and would render the site unsuitable as a leisure area for local residents, who fly kites, play with their dogs and their children in all types of so called non sporting activities. It would also be in direct competition to our Pitt Town Sports club which is of no inconvenience to local residents and no ongoing cost to rate payers.

This district has many community halls and meeting places which are totally under utilised, including church halls and sporting clubs. Your proposal if it includes public toilets would bring undesirable and illicite drug use as has been proven in many other areas.

Kindly looking forward to your reply and hopefully a face to face meeting so I can verify and extrapolate on the references in this letter.

[REDACTED]

From: Your Hawkesbury Your Say <notifications@engagementhq.com>
Sent: Thursday, 3 June 2021 9:06 AM
To: Melissa Barry; Hawkesbury City Council; Colleen Haron
Subject: Anonymous User completed Online Submission

Anonymous User just submitted the survey Online Submission with the responses below.

Your name

Please do not build Any more it is shocking to see . The field's turned into homes and shops. People move this way to get away from the busy city life not to have it on their door step.

Email address

Your submission

Stop building and leave it the way it is no more house full stop