



2 August 2007

Our Ref: 6096

General Manager
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Attention: Leanne Fuller

Directors

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Registered Land Surveyor

Dear Leanne,

Re: Le Clos Verdun Rural Residential Re-Subdivision
Sancrox Road, Sancrox

Reference is made to the abovementioned project, and to our meeting with Council officers earlier today.

We thank you for your time in discussing such a wide range of issues associated with this complex project. We anticipate scheduling a similar 'working party' type meeting with Council later this month to update you on further progress.

To move forward from here, it is necessary for us to obtain a clear understanding of the current position from Council's perspective. To that end, I attach below a summary of issues discussed at our meeting. We would ask you to confirm and/or clarify the following points as soon as you are able so we can gain a clear memorandum of understanding of Council's position.

- **One-stage linen release with limited services provision**

As discussed with Council officers on April 2nd, and with Cliff Toms and Geoff Metcalfe on 31 July 2007, the ability for this land to be re-subdivided relies on a single stage linen release of all 140+ lots under Community Title. This is reflective of the limitations in the provision/augmentation of additional infrastructure due to the current ownership arrangements within le Clos Verdun.



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As a result of these previous meetings, it was our understanding that Council does not have any reservations in principle to the release of a single linen plan for the entire estate's re-subdivision. Moreover, Council staff recognise that at the time of linen release, a number of lots within the estate will not immediately enjoy formed road frontage, or connection to essential services. This will be undertaken via the community titles legislation, with a community management scheme to be assessed, and endorsed by Council to ensure that future access to private servicing and establishment of formed road access within the re-subdivision can be appropriately managed.

As indicated by Cliff Toms, it is now a priority to complete the draft community management plan to a stage at which Council officers can provide some preliminary comment, and input into the document. I can advise that the draft plan is nearing completion, and should be forwarded to Council for review within the next two weeks.

- **Internal traffic circulation**

As suggested in the Director General's Requirements and as further discussed with Cliff Toms on 31 July 2007, there is a desire to establish greater connectivity within the latest subdivision layout shown to Council officers. During today's meeting, there was general acceptance from Cliff Toms in respect to the preliminary sketches produced by our client(s) which served to achieve this objective.

Subject to your endorsement of this approach, we will continue to explore this access option and prepare a more detailed layout for discussion prior to our next meeting.

- **Water supply**

Obviously there were serious concerns in respect to the advice from Council's Water Section regarding the limitations of the existing Sancrox water supply. While we recognise Council is currently undertaking a number of strategic investigations within the Sancrox Precinct, we have been pursuing the re-subdivision of this land for a number of years, and at no point has a limitation in available water credits been raised until now. Rather, it was our understanding Council recognised the need to assist the rationalisation of this land's re-subdivision, as reflected in Council's support for the rezoning of this estate. The 140+ lot subdivision layout has always been documented in support of this rezoning.

As indicated, due to the current ownership arrangements within le Clos Verdun, there is no ability to finance the further infrastructure works within the subdivision until such time as additional lots in excess of the existing 80 lot credit can be sold. Until this occurs, there can be no capital investment into the improvements of local roads, water supply, and other essential services.

It was our understanding from the meeting's discussions that Fiona Conlon would investigate the site's history further for us. We gained the impression Cliff Toms believed there had been consideration given to some movement within the water credit limits to benefit le Clos Verdun. Again, this is reflected in Council's support for the land's rezoning, as opposed to other rezoning applications within the Sancrox Precinct which are currently deferred pending resolution of this servicing issue.

We clearly need some direction from Council on this matter as a first priority so that alternative solutions can be fully explored should the available water credits prove limiting to the estate's re-subdivision.

- **Water mains**

Fiona Conlon also confirmed that Council has concerns regarding the quality of the present water service within the estate. Reports of past leakages indicate that use of the existing infrastructure could not be relied upon should there be intentions to transfer ownership of this infrastructure back to Council at some point in the future.

Notwithstanding, Fiona was to conduct some further investigations into whether individual sections of the existing main could perhaps be re-laid if found to be compliant with current standards.

- **Water circulation**

It is acknowledged that Cliff Toms and Fiona Conlon were both supportive of the notion of an internal circulatory water connection generally following the route of the amended road loop discussed above. It was recognised this arrangement would satisfy Council's water servicing requirements as it minimises the instances of dead-end service lines.

- **On-site effluent disposal**

While only preliminary review of the effluent disposal assessment prepared by Coffey Geotechnics has been undertaken by Council staff at this point, it was advised to us that the recommendations of the document, particularly in relation to the "cluster lot" system proposed to service Lots 46-50, was acceptable in concept.

- **Bushfire investigation report**

It was acknowledged that a bushfire hazard investigation has been completed and raises no concerns in respect to the site's development in its recommendations. The report will now need to be updated to reflect the likely changes to the internal road circulation, at which time a copy can be forwarded to Council's planning officers for preliminary

comment.

- **Recent amendments to SEPP (Major Projects) 2005**

The recent gazettal of amendment No.16 to State Environmental Planning Policy (Major Projects) 2005 on 27 July 2007 was also discussed in today's meeting. This amendment assigns the Minister the ability to declare that Part 3A no longer applies to a development which the Minister determines is of only "*local environmental planning significance*."

Our clients have since determined there is merit in seeking this determination given the extensive local history related to le Clos Verdun. A copy of our letter of application to the Minister has been forwarded to Council staff separately for your records.

In summary and as indicated earlier, we would anticipate meeting again with Council officers in a fortnight's time, at which point we would aim to present further information for discussion as per the above comments. Prior to that time, it would be appreciated if you could confirm that our understanding of Council's position in respect to the above matters is correct.

Should you have any queries in respect to the above advice, please don't hesitate to contact the under-signed.

Yours faithfully,

Andrew Lister
Town Planner

cc client