

## Stephen Earp

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**From:** Siva Sivakumar <Siva.Sivakumar@cumberland.nsw.gov.au>  
**Sent:** Sunday, 22 December 2019 1:54 PM  
**To:** Stephen Earp; Daniel Anderson  
**Cc:** Michael Lawani; Izzet Anmak; Bill Yassine; Adrian Hall; Dimitri Gotsis  
**Subject:** RE: 2 Percy St, Auburn | SSDA | Overland Flow

Hi All

Good afternoon,

Council has reviewed the submitted document and Council engineers raise no objection to the proposed development and at sequence as stated in this email.

If the application to be approved, the subject condition to be imposed, Council will forward to Department of Planning.

Proposed Condition (DRAFT):

The overland flow through the subject property shall not be impeded. In this regard, prior to the issue of any construction certificate related to Stage 2 works of this approval, a detailed flood assessment and impact study shall be submitted to Cumberland Council Manager Engineering to the satisfaction of Council. If there is any deviation to the existing overland flow path, it shall be ensured that there is no impact on neighbouring properties.

Reason: to ensure that there is no impact on the floodplain.

Regards Siva



**SIVA SIVAKUMAR**

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**From:** Stephen Earp [mailto:[searp@dfpplanning.com.au](mailto:searp@dfpplanning.com.au)]

**Sent:** 19 December 2019 3:19 PM

**To:** Daniel Anderson <[daniel.anderson@cumberland.nsw.gov.au](mailto:daniel.anderson@cumberland.nsw.gov.au)>; Siva Sivakumar <[Siva.Sivakumar@cumberland.nsw.gov.au](mailto:Siva.Sivakumar@cumberland.nsw.gov.au)>

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**Subject:** 2 Percy St, Auburn | SSDA | Overland Flow

Good afternoon Daniel and Siva,

Thank you for your time on Monday and earlier today to discuss the overland flow flooding matters relating to the SSDA for a new ATMF school development at 2 Percy Street.

Further to our conversation, we have **attached** an Overland Flow Study Letter from TTW which summarises the findings of the investigations carried out this week, including a review of the flood mapping, site survey and contemplation of the potential flood impacts. This letter reflects the outcomes of the discussions this morning.

We are therefore proposing that on the basis of the above/attached information, Council may be agreeable to the inclusion of a condition of consent which would require the carrying out of a flood study to identify the extent of the minor impacts prior to the commencement of Stage 2 of the development (staging discussed below). We understand that your feedback this morning was that this condition should also reference that Stage 1 should have no impact on the existing overland flow conditions. To this end, we are proposing two (2) conditions for your review and comment:

“No works are to be carried out under Stage 1 of the project that would further exacerbate the overland flow conditions of the site” *(this condition to apply prior to the commencement/operation of Stage 1)*

“A flood study must be carried out to identify the nature of overland flow across or around the site. Measures required to mitigate any overland flow paths must be designed to Council’s satisfaction and incorporated into the project prior to issuing a Construction Certificate for Stage 2.” *(this condition to apply prior to the issuing of a CC for Stage 2).*

**As a matter of urgency, if you are able to review the above and advise if Council can provide in-principle support for the condition that would be helpful.**

Note that it is our understanding that this condition would be included in the consent, and that DPIE would be referring the draft conditions of consent back to Council (through Michael) for review and comment before they are adopted.

In regard to staging, the EIS and supporting plans have set out a ‘staged construction’ of the proposal over effectively four (4) stages of work. We have attached the Staging Plan which details the future staging of work (note that the existing building (Stage 1) is not shown, rather this indicates how all subsequent stages will be carried out), and below is an extract of the EIS which details the physical works proposed at each stage:

Table 3 Stages of Work and Planning Pathways		
Stage	Works	Planning Pathway
Stage 1	Internal refurbishment of existing office building.	Complying Development <sup>3</sup>
	Demolition of existing warehouse building.	Complying Development <sup>4</sup>
	External works consisting of landscape improvements, building signage and fencing.	Exempt development
	Install handrail to internal stair and external bicycle parking.	Development Application
	Change of use for whole of site to 'educational establishment'.	Development Application
Stage 2	Construction of basement and primary school building, including playground lift, podium playground, temporary bridge to lift, temporary stairs and temporary hoarding wall.	Development Application
Stage 3a	Demolition of existing parking area	Development Application
	Construction of multipurpose area, secondary school building and playground.	Development Application
Stage 3b	Demolition of existing office building	Development Application
	Construction of admin/staff facilities including 'heart' staircases, cultural rooms, admin, library, staff offices and Maarif offices.	Development Application

As you can see, aside from the installation of a handrail to the internal stair of the existing building, no other physical works are proposed as part of Stage 1 under this DA (a CDC may be obtained for the demolition of the warehouse building at some point). The Staging Plan then indicates that Stage 2 works, including the basement and primary school building, would be contained to the eastern side of the site. It would not be until Stage 3a that works would start to take place in the area of the mapped overland flow path.

Therefore resolving the matters prior to the commencement of Stage 2 would provide a high level of certainty to both ATMF and Council.

Please consider the above and let us know Council would like to proceed.

Regards,

**Stephen Earp | Partner**

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