

16 August 2012

Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Mr. Robert Byrne

Dear Mr. Byrne

RE: OBJECTION TO APPLICATION (DA 277-PI-2004 MOD2) TO MODIFY
DEVELOPMENT CONSENT FOR STAGED 44 LOT SUBDIVISION AT 74 AND 92
ISLAND POINT ROAD ST. GEORGES BASIN

We refer to the consolidated application dated 17 July 2012 to modify the subject development consent generally in relation to stormwater and wildlife corridor within the site.

We hereby note our objection to the modification on the grounds of methods of stormwater disposal proposed.

Condition C3 of the existing consent requires creation of a drainage easement and piping of the 100 year discharge including allowance for 50% blockage through our property, being Lot 1 DP 1163559, No 62 Island Point Road.

The modification proposal requests release of the Stage 2 lots in advance of obtaining an easement by provision of a temporary detention basin on proposed Lot 211. The requested amendment to condition C3 also seeks to permit drainage of the 100 year flow by pipes **"and/or overland flow paths"**. We object to the proposed drainage and amended consent condition C3 for the following reasons;

1. The construction of an overland flow path over the proposed easement alignment results in a 900mm deep channel where it turns 90 degrees from heading north-south to heading west-east on our property. The channel would be close to our proposed buildings and would require some form of retaining wall to the buildings. The existing piped solution in the consent would not require those walls.
2. There is potential for scour of an overland flow path at the 90 degree turn noted above. The overland flow path could be protected by appropriate scour protection, however the piping of the 100 year flows within the easement as is required by the existing consent would not raise this concern.

3. The modification proposal claims that calculations demonstrate that as a result of the permanent and temporary detention basins flows will be reduced to less than pre-developed conditions.

Only post developed flows have been provided in the proposal and there is insufficient information to confirm this will be the case for flows onto our property.

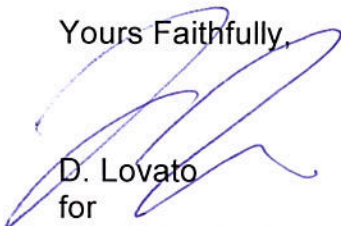
4. While the proposed detention basins may reduce flows to predeveloped conditions or less and the 30m overflow weir would provide some spreading of overflows, the overland flow path proposed along the eastern boundary of Lots 206 to 211 bypasses the detention basin entirely and would concentrate surface water directly onto our property.

While it may be noted that the existing fences to the rear of Lots 206-211 would contribute to some concentration of flows and direction along the natural slope towards our property, they could not be considered impermeable. The proposed swale will capture all flows from the surface catchment until such time as houses are built on lots 206-211 and roof flows are directed to the interallotment drainage. Therefore the flow to be directed by the swale will certainly be more than is currently being experience on our property.

We are concerned that if the swale in the rear of Lots 206-211 is constructed prior to creation of the easement or appropriate downstream drainage we will be burdened by the resultant drainage issues including scour, complaints from neighbours to the east and having to provide infrastructure for that runoff in advance of our building works in that area of the site.

Thank you for your referral in this matter. We request the right to review further information relating to the disposal of stormwater from this project or other matters affecting our property when received by the NSW Department of Planning and Infrastructure.

Yours Faithfully,



D. Lovato
for
Australian Retirement Homes Ltd