

Liverpool City Council  
Shop 1  
33 Moore Street,  
Liverpool, NSW 2170  
Att: Kevin Kim

RE: Reply to Email dated 2<sup>nd</sup> September 2021

Hi Kevin,

I thought I would reply separately to the various issues that have a raised out of your email of the above date.

### **Flood Risk Assessment**

This will be forwarded and is being handled by GHD, this should be with you shortly. Cut and fill have been completed and shows a zero net position between cut and fill. Refer to Architectural Drawing DA-B2.04 Revision B, dated October 2021. The pads have now been raised to RL46.10 with total.

### **Community Consultation**

**Point 1:** Additional water from the Airport: You will note that this is an issue that was discussed in our zoom meeting and your flood engineers are aware of this issue. The Airport will have large detention basins created which will catch the water run-off from the airport. This basin will allow for a regular controlled flow into Duncan's Creek, not adding any additional pressure to the Creek.

The flow will be the same as it is now. This will be further elaborated on in the amended flood risk assessment report.

**Point 2:** In our report dated May 2021, issued by GHD Air Quality Assessment, it clearly states in the conclusion the last paragraph states.

*"Given the result of the dispersion modelling assessment, emission to air during operation of the crematorium WITHIN the site are not likely to significant air quality impact on the cemetery ground or sensitive receptor locations"*

Plainly stated all our emissions are contained within our site, we can go as far to say within the crematorium. The omission that will be released from the stack are considered well within the EPA standards and the report clearly states that this would not travel any further than our immediate property.

This being the case it would lead to the conclusion that two Crematoriums within the area would have little to no impact to the receptor areas.

We can only deal with our site, we have no details of what type of crematorium the other property is proposing to use, but we do not have ANY impact in the environment at all. Then whatever impact 992 Greendale Road had at DA assessment would be the same impact it would have now.

As our report states our crematorium is best practises with a double burn to nullify omission.

### Height of Mausoleums

I have touched on this before and would like to clarify these heights.

The heights of the Mausoleum in our calculations are **NOT** 400%. We have attached drawings and elevations with RL's clearly indicating the height of the structures.

The height of 8.5m under the DCP is from existing natural ground level to 8.5m, because of the flood mitigation, we are finishing the Mausoleums at an RL 57.4, we have various natural ground levels that structures rest on from RL 37.79 to RL 33.42.

Once these are calculated the 8.5m needs to be deducted to form the height and this will give you the amount which is non-compliant with the guideline of the DCP.

In relation to the case law that you have referenced,

In Zhang, once the 12 months trial period was finalised in 2014 the case went back to the land and environment court and was successful. The DCP was a guide only and not referenced further. Zhang v Canterbury City Council [2004] file number 10449 of 2004.

In relation to Stockland (which I was privy too at the time) The case did not turn on the DCP but on the LEP that Manly council had amended for the site with community consultation and the vendor of the site. Point 82 of the Judgement is clear on what the case turns on and its focal point is the LEP and how it came about prior to Stockland's purchase of the site.

We note that we respect the DCP and its guidance but due to the flood heights that we must work to it, it's not possible to comply with the DCP.

If we had extended the pads to conceal the structures, then this would not be an issue that is at the for front of this discussion.

The structures are completely concealed with in the property and no visual from surrounding properties.

In the new rezoning of agricultural land surrounding the new Airport the heights there are far more excessive than what we are proposing. These structures within the agricultural zone will dominate the landscape once completed.

This is totally different on our case, as the mausoleum structures are sited within a valley and protrude 8.5m on top of the pads which gives an artistic and well-articulated farm like silo feel which is intended.

Additionally, we must remember that these stages are in future years anticipated to be some **60 to 90 years** away from construction.

Please feel free to contact me if you require anything further, it might be worth an additional team meeting to go through councils' final position on this matter.

I look forward to hearing from you shortly.

Kind Regards



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Tony Maiolo