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**Sent:** 8/09/2021 11:44:05 AM

**Subject:** Attn Ms Julie Edwards re Re DA 2021/1176 for 201 McCarrs Creek Road, CHURCH POINT

Re DA 2021/1176 for 201 McCarrs Creek Road, CHURCH POINT

Alterations and Additions – Construction of a driveway and associated earthworks.

Attention Julie Edwards:

Dear Ms Edwards,

I refer to my objection below to the proposed DA and request I be permitted to make a further urgent submission. I understand Insight Certifiers has been engaged by the owner and they have been copied in.

In reviewing my earlier submission, you will be aware a major concern is the impact of stormwater run-off into, and through my property to the water's edge from the extensive development of 201 McCarrs Creek Road.

It was highlighted this week that block 201 has its own right-of-way to the water's edge (McCarrs Creek).

It is part of the Deposited Plan. It adds value to the property. It gives the owner access to the water.

All properties with access to the water are required to pipe their stormwater to the shoreline. Therefore, all stormwater from block 201 should also be piped to the water's edge.

There is a precedence for this, just two driveways to the north.

The water from this driveway was originally piped to the top of my property, to spill out an open ended pipe and find it's own way to the water's edge. This was despite a right-of-way being available immediately below the driveway to pipe the stormwater to the shoreline - the same as for 201.

The consequences of the Council not requiring use of the right-of-way were devastating to my property and ultimately cost the Council many thousands of dollars to address.

The Council was warned that if it continued to allow the stormwater to flow into my property, a tree 14 feet (4.2 metres) around the base would come crashing down with devastating consequences.

The Council took no notice. The tree came down and destroyed the neighbour's inclinometer. The Council needed to pay for the tree's removal and the inclinometer

repairs (although insurance may have covered the latter).

It then needed to pay for the cost of redirecting the water down the right-of-way as should have been undertaken originally, and repair (as best it could) my watercourse.

We have exactly the same situation again, only this time, huge boulders left exposed on my property by the fallen tree have the potential to be dislodged. There are two boatsheds below and should anyone be sheltering in them, they would almost certainly be injured or possibly killed.

The watercourse repair work originally undertaken by the Council has deteriorated and in one area, was never completed, leaving the watercourse/my property especially vulnerable to further degradation from excessive and unnatural flows.

It is highly questionable that natural run off from 201 would have ever entered my watercourse in the volumes proposed, and certainly at the level of McCarrs Creek Road, where both the current and planned piping ends.

The immediate run-off from 201 has the potential to be considerable and devastating, given the roof area of the dwelling, the current driveway and heaven forbid, any new driveway. What happens to the swimming pool water? None of this water should be piped either directly or indirectly into my property!

Why should I be left with the stormwater run-off from 201 when the property has its own right-of-way to the water?

Why should the owner reap the benefits of water access but not be held accountable to the same legal requirements as others with water access?

As you would be aware, there are laws surrounding the adverse impact of stormwater on a neighbouring property.

I therefore request that all stormwater from 201 McCarrs Creek Road be directed down its own right-of-way to the water's edge and NOT be directed to my property.

Given the urgency of this matter, a written reponse from both the Council and Insight Certifiers would be appreciated within one week.

Yours sincerely,

Phil Corbett  
158 McCarrs Creek Road  
CHURCH POINT, NSW 2105  
Phone: 0429 99 2973

----- Forwarded Message -----

**Subject:**Attn Ms Julie Edwards re Re DA 2021/1176 for 201 McCarrs Creek Road, CHURCH POINT

**Date:**Wed, 11 Aug 2021 22:33:18 +1000

**From:**Phil Corbett <[philcorbett@bigpond.com](mailto:philcorbett@bigpond.com)>

**To:**Council Mailbox <[council@northernbeaches.nsw.gov.au](mailto:council@northernbeaches.nsw.gov.au)>

Re DA 2021/1176 for 201 McCarrs Creek Road, CHURCH POINT

Alterations and Additions – Construction of a driveway and associated earthworks.

Attention Julie Edwards:

Dear Ms Edwards,

I totally oppose this proposed driveway and associated earthworks.

In any rain event this driveway, with its concrete retaining wall up to 1.8 metres high, will become a giant gutter. Even without the retaining wall, the impact will be severe.

It will direct immediate and fast-flowing run-off down to McCarrs Creek Road and ultimately into the environmentally vulnerable watercourse which runs along the northern boundary of my property.

Due to past ill-advised Council decisions, this watercourse has already been the subject of excessive and unnatural volumes of water, causing extensive and severe damage and costing the Council many, many thousands of dollars to address.

Historically, every 10 to 20 years there is a torrential rain event which the hillside cannot cope with, partly as a result of developments such as the one proposed here. In such events, existing driveways become channels for excessive water.

The existing driveway next door, at 203 McCarrs Creek Road, becomes a fast flowing river, spewing out dirt, rocks, sticks, leaves and anything else in its path across McCarrs Creek Road, from one side to the other.

The force of the water is such, that standing in it can be difficult as the water and debris shoot up the legs of anyone in its path. The resulting mess across McCarrs Creek Road has the potential to completely annihilate the design impact of the speed hump below, raising safety concerns..

This proposed driveway at 201 has the potential to seriously compound the problem. It appears to be far steeper than the driveway at 203, resulting in an even faster and potentially more devastating runoff.

I seriously question whether the steepness of the proposed driveway is even allowed under Council regulations. How would a Fire Tanker ever negotiate such a drive?

Then there is the added noise factor of vehicles, both light and heavy, endeavouring to negotiate such a steep entryway. There must also be questions of safety.

In heavy rain, no detention tank (or tanks) would ever cope with the run-off from the proposed driveway. For a start, any grate would quickly fill with debris and the fast-flowing water would simply skim across the top and continue its way to McCarrs Creek Road and ultimately into the highly vulnerable watercourse, or through the properties immediately below.

It should be noted that in many rain events, and especially in heavy downpours, it is not just the water off the hillside that is collected, but also from the escarpment above. The water follows the path of least resistance, which is often a driveway or path.

Further, there is the 'Natural Environment Referral Response – Biodiversity', which allows for the clearing of two more trees!

I acknowledge the Response states two trees, native to the area, must be planted in their place but who is going to monitor the establishment of these trees? The fact is there is no close monitoring and in many cases, as the Council would be aware, the trees are just not planted at all.

In the last six months this steep block has been drastically and alarmingly cleared of trees, including those of high cover and old growth. An extensive area of ground cover has also been cleared. The result is erosion, which can be clearly seen after rain events and through photo evidence.

Please compare the aerial photo of No. 201 provided with this DA, with what remains on the sadly denuded block today – the difference is stark and should be alarming.

Six months ago, the dwelling could barely be seen from the road due to the foliage – now the concrete and glass façade is in stark contrast to what is left of the leafy environment and for many, is a jolt to the senses.

If this proposed driveway is allowed to proceed it will further adversely impact the amenity of the area but more importantly, has the potential to cause enormous environmental damage over a wide area.

I therefore do not believe the proposal should be allowed to proceed under any circumstances.

Yours sincerely,

Phil Corbett

158 McCarrs Creek Road

CHURCH POINT, NSW 2105

Phone 0429 99 2973