

13 August 2013

**Honorable Mr. Brad Hazzard**

**The Minister for NSW Department of Planning and Infrastructure**

**23-33 Bridge Street, Sydney NSW 2000**

**GPO Box 39, Sydney NSW 2001**

Tel: 02 9228 6111

Fax: 02 9228 6455

Email: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)

Cc Mr. Chris Wilson, Executive Director, Development Assessment Systems & Approvals

c.c. Ms. Heather Warton, Director, Metropolitan and Regional Projects North

c.c. Ms. Joanna Bakopanos, NSW Department of Planning and Infrastructure

c.c. Mr. Brent Devine, NSW Department of Planning and Infrastructure

**Re: Modification to 06\_0258 (MOD 5) (Casuarina Town Centre, Casuarina) –  
Retaining Wall**

Dear Minister

I write in relation to your request for expressions of interest on the abovementioned modification proposal. As a resident of the immediate community impacted by the proposed works, I write to express my concerns about the work undertaken; the damage to property already being encountered and the risk to person; property and security that the proposed variations represent.

While I can only speak on behalf of my family, I am aware of concerns that have previously and presently been raised by our neighbours. My husband and I support those concerns raised by Mr Simon Phillips, particularly those articulated in his most recent correspondence relating to this modification notice.

To date, we have contacted the developer directly no fewer than 5 times about extreme vibrations being experienced inside our premises and damage that has occurred to our property as a direct result of the earth works taking place on the boundary of the Eclipse Lane properties. The developer has visited our property and conducted a cursory examination of our premises, while providing us verbal assurances that damage will be rectified at the end of the project. We have asked for these assurances to be captured in writing, but have received nothing to date. On that basis, we ask that your Department issue an order immediately for corrective action to be undertaken to repair the damage sustained as a result of the project prior to any approval or consideration for approval for this proposed modification.

Further we request you issue an order that the developer fund the engagement of a structural engineer of our choosing to conduct a review to determine:

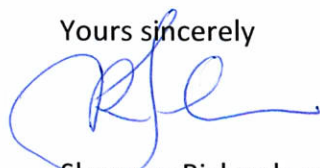
- If any structural damage is occurring or likely to occur as a result of the development project;
- The extent of cosmetic damage that has occurred as a result of the development project; and
- Any other property issue relevant to the development project

I would also like to highlight our concerns around the apparent diversions of the footpath from the new development to the footbridge adjoining numbers 32, 34 and 36 Eclipse Lane. This is unnecessary; inconvenient and potentially fraught with security risks. I have previously sought clarification from the Department on specific detail on how this thoroughfare would operate, but to date have heard nothing.

It is unacceptable that the developer divert the footpath from Road no. 6 on what is effectively a sharp right angle to marry up with the footbridge adjoining numbers 32, 34 and 36 Eclipse Lane. By encouraging pedestrian traffic to that location, the developer will be directly impacting on the noise, safety and security of our properties. This is a completely unnecessary action for the developer to take as it would be far more sensible and practical to install another footbridge directly in front of the proposed car parks. This will mean that pedestrians won't have to walk another 10 – 20 m and enter a secure space for those particular residents of Eclipse Lane.

We thank you for your immediate consideration of these issues and look forward to a timely response. Should you wish to contact me to discuss my concerns in more detail, please feel free to ring me on 0487 433 017.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'SR' or 'P.E.', written over the typed name.

Shannon Richards and Peter Ebbott

Property Owners of 32 Eclipse Lane, Casuarina.