

Thanks

•Politicians who have supported us.

•Every politician who is responsible for our area and has supplied a statement of support. - If you have not made a statement of support yet, then please contact me.

•Council and Councillors, who put in tremendous effort and resources to support us.

•Residents, please thank councillors at every opportunity.

 Save Kingswood Group Team members, past and present.

• Michael Benjamin, for Legal Advice.

Until you have time to read all this document, please see pages 13, 14, 20, 21, 24, 40

Lesson 1



The present Government has an **ideology** that is rejected by many, including University Planning Professors

- ideology - that its better to force us to live like **sardines**, than living further out, like in many developed countries.

Because too many people object, the Government has decided to override councils and the people who elected them.

We are told Council and objections will have a say, but other statements from Government indicate a "done deal"



We are being forced by Government to have up to **900 three storey** apartments, where there currently is none.

8,000 objections and scores of their own rules have been TRASHED.

If Government followed their own planning rules, **nothing would be built on Kingswood**.

We have to accept the demise of democratic planning. Rather state why Kingswood **CANNOT** be built on: **Its on a volatile, relentless FLOOD PLAIN** that is fed floods from Clayton

Dingley Village and beyond will be flooded regularly

We have been tricked and DECEIVED since day one - by AustralianSuper and their contractors

AustralianSuper told many porkies, including in News, Submissions and Graphics

- "We consulted residents" Then not so long ago they had a Zoom-style meeting, where we were lectured to, and their Communications person said "we decided not to consult with residents!"
- A contractor in charge of the project said in the Media ...

"There will be no multi-storey buildings on Kingswood! In fact there are currently about 700+ in their plans!

- Many many other porkies, including about trees, flood control and most planning matters.
- Seen recently was the hugely understated floods that they appear to claim control of via a small extension of the retarding basin, or \$18 million dam rumoured to be considered
- Recently they said there is no need to provide recreational areas on Kingswood, due to Spring Park (but it cannot have ovals etc.)

More ... DECEIVED since day one - AustralianSuper...

- AustralianSuper have told porkies since day one, including
- Anonymous advertising, including in the Dossier. I asked the Dossier to at least to have the word "advertisement" above the deceptive ads.
- Their development plans are deceptive, but fool too many people in Government
- For example, Five lanes near the Course entry,
- no room for a single car outside the units
- Removal of trees in places that apparently suit them, but still they overlook trees that are a danger to residents.
- Employed QCs, Lawyers, VCAT and deception like removal of a tree near McClure road, when all that was needed was to trim and overhanging branch
- Set up a web page with Dingley Village 3172 in Dingley's name, to deceive some people into thinking it was Save Kingswood.





This is Boundary road, a main arterial - but my question to Vic Roads asking is it caused by Dingley Village floods, was never answered.

Why ask Vic Roads? Because at the time the freeway was being built and they appeared to be affecting watercourses.

More on AustralianSuper

They were so sneaky, for nearly 12 months even Council did not know who they were really dealing with.

I insisted "Follow the money" to see who makes the decisions. Finally AustralianSuper made an admission it was them

Kingswood floods regular undermining of house foundations



More on AustralianSuper

They were so sneaky, they continue to produce documents with no letterhead.

A recent example was their announcement via a flyer that they were selling, as this type of investment did not suit them any more.

There was much discussion on Facebook whether or not the flyer was fake, as it had no name or contact details. It turned out to be fact.

So what game are they up to?

After making a monumental real estate blunder of buying Kingswood with other people's money, without due diligence, they now want to profit heavily - rumours say: making \$100 million profit on their blunder.

Any developer purchasing would need to be out of their mind not to have

"subject to planning approval"



Developer's made over 100 Million litres underestimation

for just one 25mm precipitation of 1 to 7 days.

Multiply that by multiple downpours a year. SEE PAGES 4, 12 and 13

Kingswood stated they laid HUNDREDS of KILOMETRES of drains

Save Kingswood comment: Which will be removed!

El Niño was not to Kingswood's advantage, as it not often causes floods and people soon forget previous floods events.

We need not have worried, as Floods came in November 2023.

Mayor Steve Staikos said "While localised flooding can happen any time, historically most flooding events have occurred between December and February – so this is a timely reminder to be prepared." said Cr Staikos. "Preparation can reduce the damage caused by flooding and limit recovery costs."

Stormy Water Solutions - AustralianSuper's "expert" used the input data in Fig 1 (below), which is **immensely** inadequate, especially if the dams are not empty prior to a deluge



Fig. 2



The following huge capacity was overlooked and will be demolished if development takes place ...

Lackenheath dam 26 million Litres

Lee Andy Dam 3 Million Litres

Aquifer 70 Million Litres Ax7 times a year = 490ML

Sprinklers onto the greens when rain coming 10 ML

10 ML 40ha ❖
Direct precipitation

Water Tank 720,000 Litres Left: Total Aquifer system capacity at any one time ...

119.72 MILLION Litres – ignored by the proponent's "expert"!

Even with the facilities on the left, Kingswood and Dingley Village still flooded!

- ▲ "Only" 70 ML is included in the above total, as the x7 is through the year.
- See next page for calculation for precipitation.

Melbourne water calculated that 1-inch (25mm) of rain in Clayton filled the retarding basin to capacity

Unlike the proponent's guesstimation, many of the existing holdings can be drained and not at 1ML flow discharge as incorrectly stated, but 10ML

LOSS OF STORAGE, DIVERSION AND PERMEATE SOAK

Calculation of precipitation inundation when 25mm of rain falls directly onto 40Ha of the Kingswood course, but has nowhere to go. 40Ha area is nominated, as that will be covered with dwellings, footpaths, roads and more.

Rainfall Milimetres per Hectare 25 mm/ha Millimetre per Hectare **Decimal Rounding** 2 Calculate Reset Results: 15255850.00 **Cubic Inches** in³ **Cubic Feet** 8828.62 ft3 **Cubic Metres** 250.00 m³ Litres 249998.59 ⇒ 249,998.59 L - rounded to 250,000 Litres

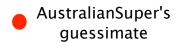
Therefore 25mm rainfall results in 250,000 litres per ha x 40ha = 10 million Litres

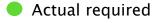
Calculated with https://www.spikevm.com/calculators/irrigation/rainfall-mm-hectare.php

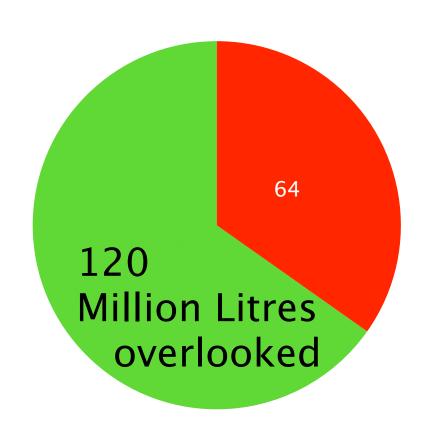
Until the developer thought they could infill the site, the rainfall that fell onto the Kingswood Golf course mainly soaked into the ground.

Kingswood cannot be built on, because

The site is a Flood Plain







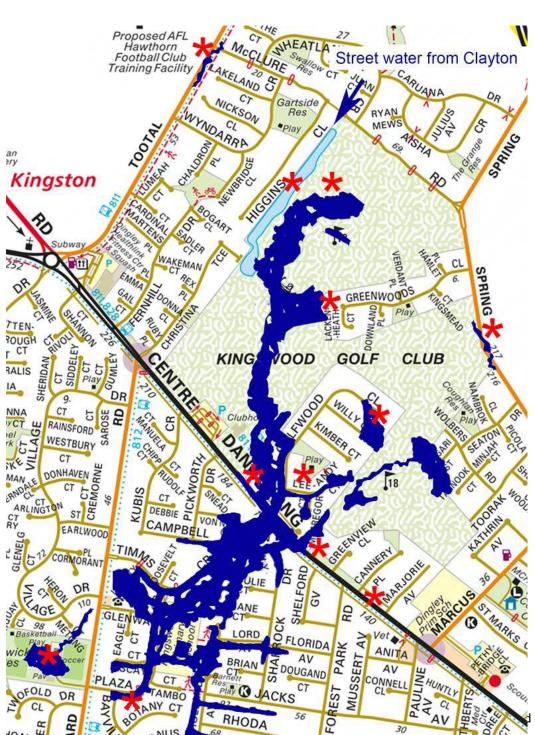
Far beyond Melbourne Water's wildest nightmares.

Proponent's and Melbourne Water data should be disregarded, as it's grossly inadequate, due to many floods not reported.

"Totally ignoring the aquifer and Greens soak"

However many floods are photographed and shown here. Plus maps and data are in this document.

This graph is to be viewed in conjunction with the diagrams on pages 9 and 10



1966!

Flood events in recent years - some are in the last few months

Key:



flood-prone areas. Substantially based on Melbourne Water's 1 in 100 years map, which is now revised to regular, due to actual events.

Actual events, including in the last months i.e. During 2021

All the water inundation comes from Kingswood, upstream from the north and from Clayton.

Further upstream the street water from Clayton is fed into the Retardation Basin.

When it rains 1-inch (25mm) in Clayton, that fills the Retardation dam.

♦ The Retarding Basin regularly floods

Why? Its role is to accept water from roads and gutters upstream in Clayton and to buffer Dingley Village and beyond from floods.

Problem is, the system already floods Dingley Village.

If the aquifer system is not in use now, that would explain why we continue to have floods.

The proponent and Melbourne Water have not taken the Aquifer dispersal facility into account and the greens soak!

Why does Kingswood Flood already?

The Kingswood Aquifer is largely an **enclosed-loop** water management system, capable of retaining most water on site.

The primary intent is to drought-proof Kingswood greens, to maintain up time for golf.

"The huge side-benefit is floods were reduced for the greens and therefore Dingley Village"

Melbourne Water estimated that one inch of rain (25mm) in Clayton totally fills the existing Retardation basin near McClure road.

- 1. There is a retarding basin near McClure road that accepts Clayton's street water
- 2. Of course this water volume has been growing year after year.
- 3. Up until recently when the Retarding Basin was about to overflow, water was pumped into the Aquifer, dams and tanks, plus sprinklers run on the grass.
- 4. This system MUST BE RETAINED, TO AVOID MASSIVE FLOODS in Dingley Village and beyond.
- 5. Australian Super and anyone it sells to wants to TRASH that system and build more rain catching roads and buildings.
- 6. Their consultants have admitted multiple times, the roads also serve as rivers! KP: and therefore abandoning their commitment to retain floods on site.

Aquifer introduction

The Kingswood Aquifer is largely an **enclosed-loop** water management system, capable of retaining most water on site.

The primary intent is to drought-proof Kingswood greens, to maintain up time for golf.

"The huge side-benefit is floods were reduced for the greens and therefore Dingley Village"

With a pass-through (PT) system only, as proposed by AustralianSuper, there is zero flood control once the 64 megalitre retarding dams are full.

The capacity of the Aquifer system Australian Super wants to demolish is infinitely greater than 64 megalitres.

To compare the two systems, a short timeline is required, as the past and proposed systems work differently. Also floods take time to disperse.

Proposed 64 ML system

The static "storage only" system proposed by the developer is 64 megalitres, end of story, full stop. MINUS water already lying in the system.

Melbourne Water estimated that one inch of rain (25mm) in Clayton totally fills the existing Retardation basin.

The proponent claims to have a further 39ML capacity, less the volume already in captivity. That is patently incorrect, as the Retardation basin and their other storage will be nearly at capacity at all times, or they would not have wetlands and lakes.

So there is very low buffering. According to Kingswood officials:

"Flood prevention was engaged 6-7 times a year"

The method was,

- when high levels of rain were predicted, water was pumped from the retarding basin, through the system, into the storages and the Aquifer. Thus leaving the retardation basin much lower tide and therefore much more able to cope.
- Water was not only in golf Course storage, it was pumped into sprinklers on the grounds.
- There was also huge, but **harmless overspill**, to the greens, as seen in the dramatic photos I suppled. This "safety net" will not occur under the developer's plans. The entire soak will be paved over and built on

The Club also installed (quote) "hundreds of kilometres of subterranean drainage" (which the developer will dig up)

AQUIFER STORAGE & RECOVERY data

- Investigated and installed ASR in 2009
- Injected 222ML
- Extracted 151 ML
- Most successful ASR in Victoria

Source: Robert Strain, Club captain for four years.

The proponent plans to provide for 64 ML ONLY

In addition, if they follow standard developer's practice, they will dig out the high quality sandy loam and sell it for a huge profit,

replacing it with clay soil that does not readily absorb water, AND building over the massive soak.

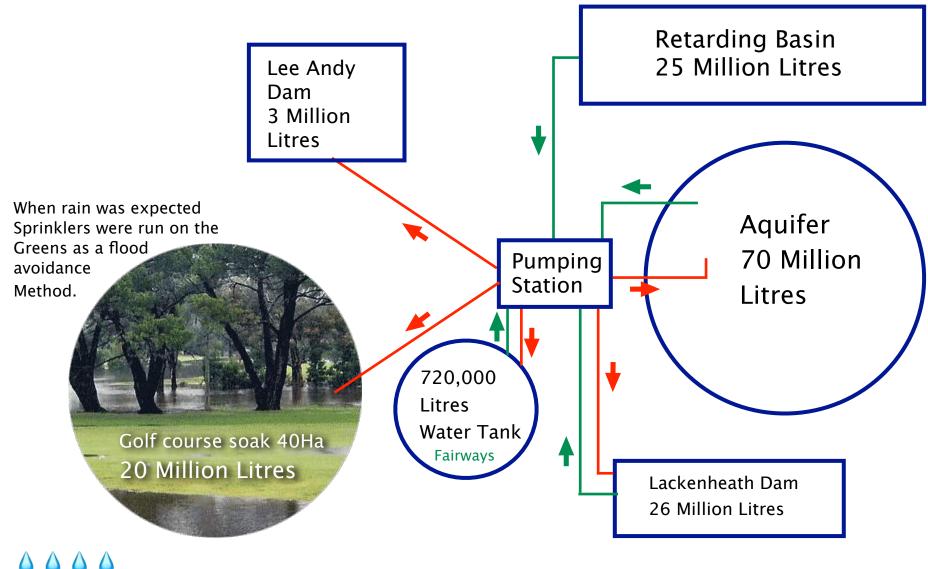
So the 184 Million Litres deficiency is conservative, because the sandy loam soak will be destroyed

"The main drain is grossly inadequate Recently industrial level cleaning of the pipe twice, for about a month each time, was followed by floods afterwards.

See photos

The Aquifer system

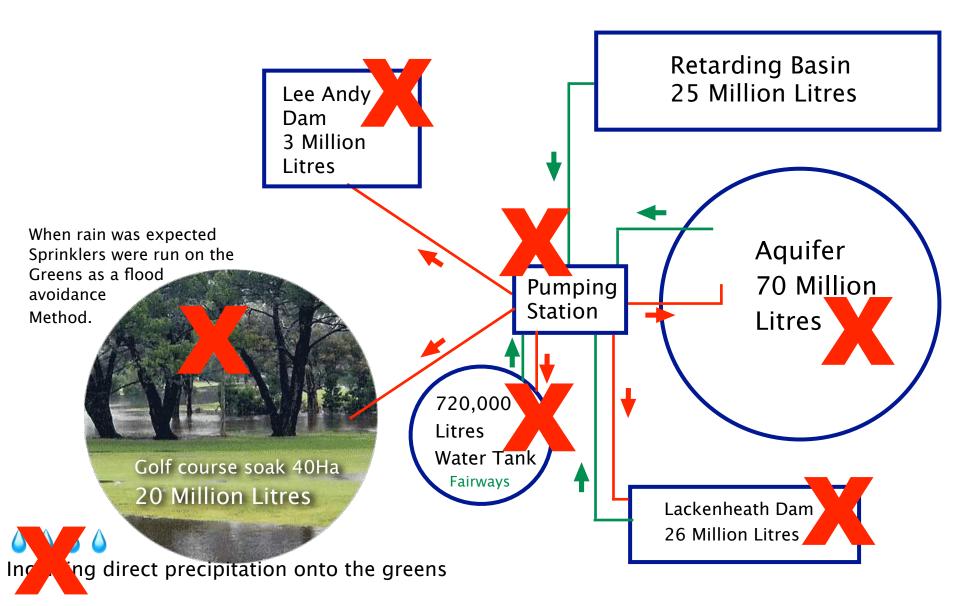
Installed with \$114,000 of Government funding



Including direct precipitation onto the greens

The Aquifer and Flood control

The proponent plans to eliminate as shown



The proponent

- offers no Aquifer, only 64ML of static storage LESS residual level, estimated at say, 40ML So their flood buffer could be 24ML, or much less after days of continued rain.

The Aquifer offers

A total of 120ML total capacity PLUS the greens soak, less the holdings at any one time.

"120 Million Litres of storage and aquifer will be bulldozed

- that alone is a much greater loss of flood prevention than the proponent offers

"Remember: the curator ALSO drew down water by running sprinklers on the greens

Purely as flood prevention,

when he knew rains were predicted.

This was employed six or seven times a year."

Cannot Build on a FLOOD PLAIN

Hydrologists are only as good as the input information in their calculations.

Flood protection for Dingley Village was not the first intent, but it was a brilliant bonus. That's how Kingswood tried to stop the flooding problems and guard against droughts. S.E. Water requires the developer to keep all water on the site and only release at a slow (specified) rate.

(Sources: Robert Strain, Captain at Kingswood for four years and ISPT)

Nature, including Climate Change has other ideas.

Ask the people of Maribyrnong, Lismore, Forbes, Brisbane, Gippsland and many other areas.

This plan, seen in the proponent's last Plans, looks a lot like the **1966 map** used in the previous application.

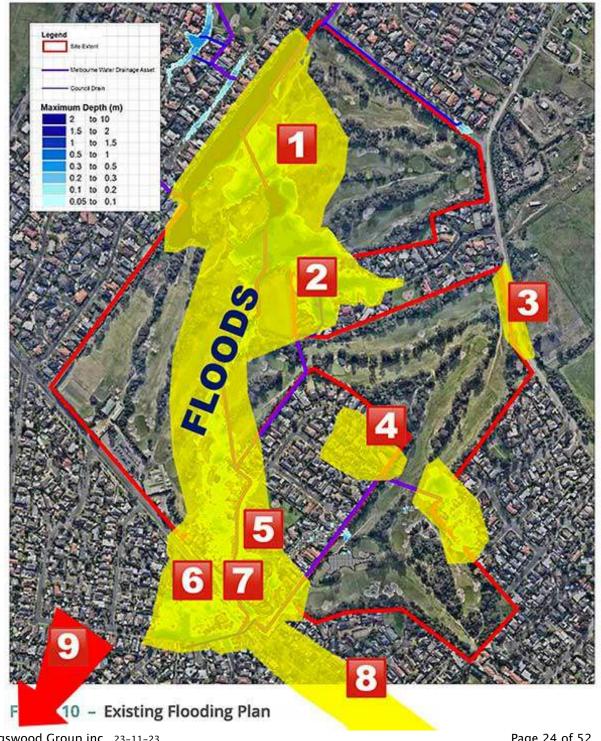
That's how old Melbourne Water's data is.

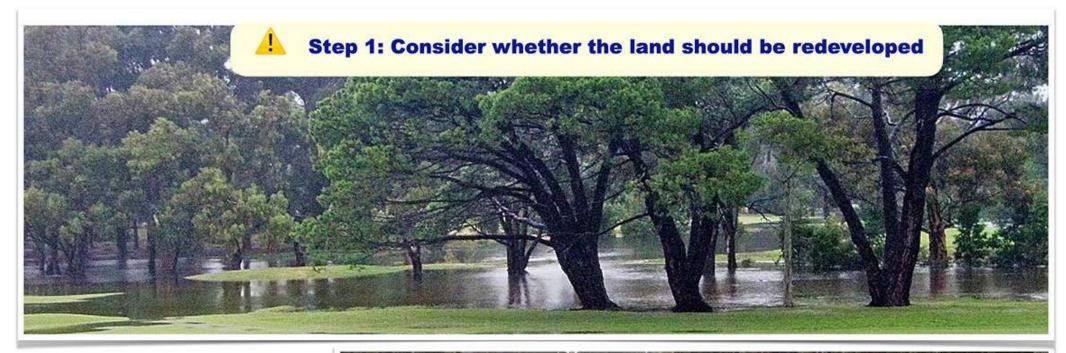
Save Kingswood has added the more accurate yellow highlight

Note there is also downstream flooding outside the lower left of this map, in homes and the Chadwick reserve.

The yellow overlay and numbers are by Save Kingswood

To Chadwick Reserve



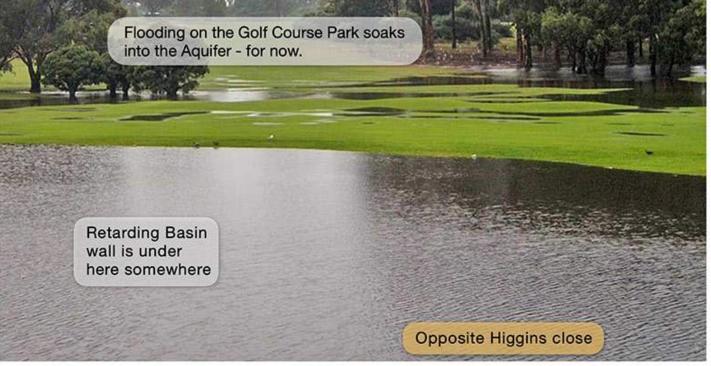




Above and Left: looking east from Higgins close

Below: west view.





1

Floods inundate Dingley Village Main Retarding Dam- Higgins close



In just one year the total stormwater water diverted into the Aquifer was 222 Million Litres!
Yet Dingley Village still floods.

The immense flood swing of millions of litres can be seen in these photographs. The retaining wall disappears.



Opposite
Higgins close.
Note the deck
under water



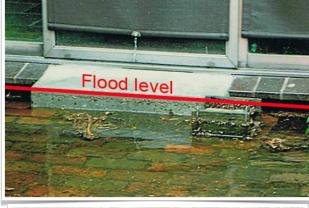




2

Lackenheath court













Kevin Poulter

Save Kingswood Group inc. 23-11-23





Spring Road





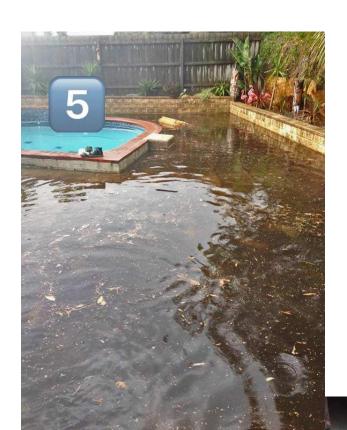
Above: November 2021 and regularly

Dingley Village Resident Steve Allan, also reports "the Flooding is a really bad issue. The end of Hobsons Place and Bayville Drive cop it every time there's a heavy rainfall..

This whole proposal is a joke."



Golfwood close and Willy court, knee deep. Photos coming.



Lee Andy court

After years of inundation, Melbourne Water has visited multiple times, but not offered a remedy.

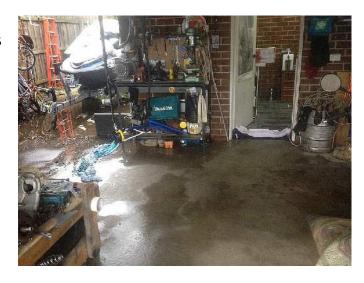
Melbourne Water reportedly said "the developer will have to build a better drain!"

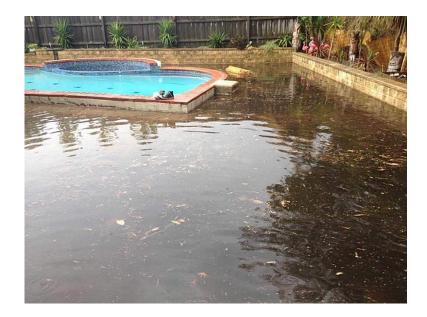
- But does AustralianSuper even know about that requirement?
- Will AustralianSuper remedy?

Or find some way to shirk their responsibilities?

Regardless, where will the floodwater go?

Below: undermining house foundations

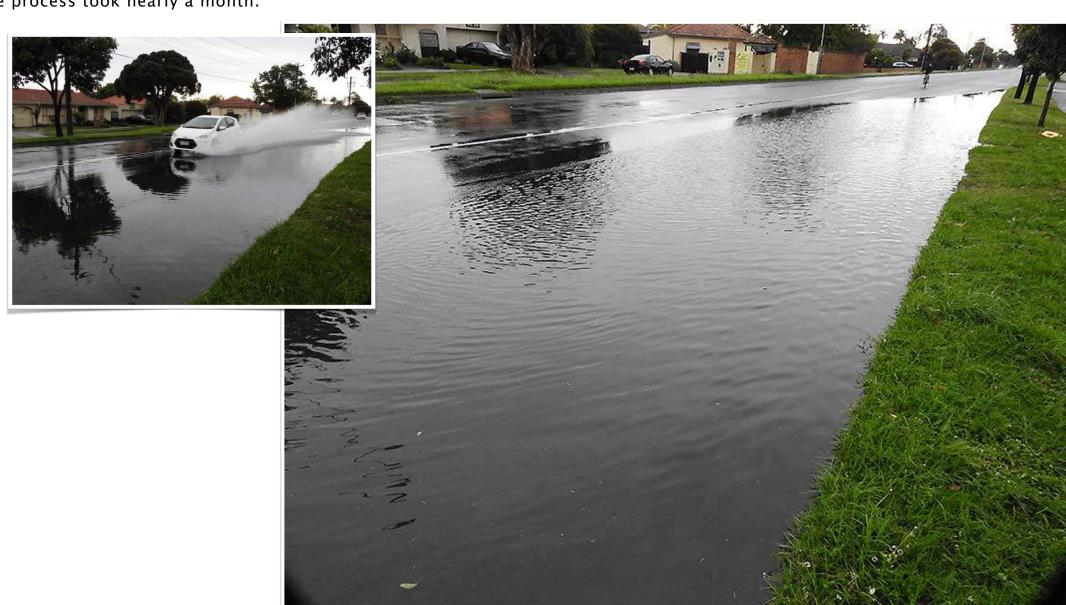






Centre Dandenong road, November 2021, after the main drain under Kingswood was cleared twice.

The process took nearly a month.



Centre Dandenong road, November 2021, after the main drain under Kingswood was cleared twice. The process took about a month.



"Planning policy states that flood risk must be considered in the preparation of planning schemes and in land use decisions, so as to avoid intensifying the impact of flooding through inappropriately located uses and developments"

7.photo coming

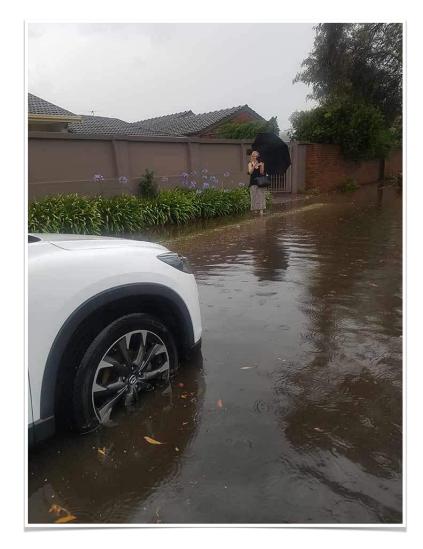


Step 1: Consider whether the land should be redeveloped



Centre Dandenong road near Dingley Primary School







Chadwick Reserve. A long way downstream

Floodways

Floodways are areas that are important for the discharge or storage of water during major floods. They are usually aligned with naturally defined channels and depressions and often carry relatively deep and high velocity flows.

"Filling or even partial blockage of floodways can redistribute flood flows causing increased flood levels and flow velocities & increased flood risk for nearby properties."

A blockage of a floodway can also have adverse environmental impacts, such as isolating wetlands, **destroying natural habitats**, eroding stream channels and increasing siltation.



Other areas .. may be liable to flooding, but are not shown on the planning scheme maps due to lack of information at the present time. All available local knowledge should be documented and a flood mapping investigation should be initiated.

Applying the Flood Provisions in Planning Schemes

Land use planning is recognised as being the best means of avoiding future flooding problems. Through careful planning, flood risks to life, property and community infrastructure can be minimised and the environmental significance of our floodplains protected.

Section 62(e) of the Planning and Environment Act 1987 enables planning schemes to 'regulate or prohibit any use or development in hazardous areas, or areas likely to become hazardous'. As a result, planning schemes contain State planning policy for floodplain management requiring, among other things, that flood risk be considered in the preparation of planning schemes and in land use decisions.

Floodways

The level of planning control in each provision is commensurate with the potential flood risk. For example, the UFZ is a restrictive provision that prohibits most uses and development. It is designed to be applied to urban environments where there is a high potential flood risk and only low intensity uses and development (such as recreation) are suitable.

Save Kingswood:

We request UFZ zoning.

Stormwater flooding

During severe storms in urban areas, land can be affected by overland flows. These occur when the rainfall run-off exceeds the capacity of the piped drainage system and no provision has been made for overland flows.

This is called stormwater flooding and often occurs in areas where there is a high density of existing development and a high flood damage potential.

Source: Applying the Flood Provisions in Planning Schemes



Photo: Kevin Poulter

Main drain inadequate already

The main drain under the Golf Course becomes clogged by roots and debris. Recently machines worked intensely for a month to clear it out with a truck-size Drain Auger and multiple water trucks.

"The main drain should be replaced with a much larger one by the proponent - regardless of cost - but where will the floodwater go?"

Urban Floodway Zone

The UFZ applies to mainstream flooding in urban areas where the primary function of the land is to convey

active flood flows.

It applies to urban floodway areas where the potential flood risk is high due to the presence of existing development or to pressures for new or more intensive development.

The UFZ restricts the use of such land, as the risk associated with flooding renders it unsuitable for any further intensification of use or development. The land use is therefore restricted to activities such as apiculture, animal husbandry and recreational activities. Most other uses are prohibited

STOP PRESS! FLOODS CAUSED BY AUSTRALIANSUPER'S OVERDEVELOPMENT DESTROYS DINGLEY VILLAGE

Kevin Poulter: The FLOOD solution presented is FAIL, FAIL. If given the go-ahead,

I will be proven right after the proponent has done their damage and bolted.



"Melbourne Water to provide a solution to the existing flooding issues downstream of the Site, flood storage of approximately 62,000m3, is required. If the site was only required to detain for increases in impervious areas as part of its redevelopment, a storage volume 11,800m3 would be required, with the remainder providing flood protection from upstream flows. This storage is provided in three locations:

An extension to the existing Melbourne Water basin at the northeastern corner of the Site A new large retarding basin at the southwest of the Site

A small basin at the south-east of the Site, dealing primarily with local inflows.

There are also drainage pipe works required to facilitate the safe flow of water between the basins and connecting to the existing Melbourne Water drains."

"It is anticipated that Melbourne Water will revisit the appropriateness of the extent of the current Special Building Overlay in the near future following the completion of the proposed redevelopment of the Site.

In the North West corner, adjacent to the Site, is a Melbourne Water reservoir and detention storage basin. In the western portion of the Site, an existing Melbourne Water 1200mm drain runs in a south east direction through the land, discharging through a vacant lot on Golfwood Close."

A so-called park is actually a drain!

"In the eastern portion a 450 mm diameter pipe runs through the Site, providing a point of discharge for properties in the vicinity of Mungari Street." (Source: AustralianSuper)

STOP PRESS! FLOODS CAUSED BY AUSTRALIAN SUPER'S OVERDEVELOPMENT DESTROYS DINGLEY VILLAGE

"Expect a class action from Dingley Village Residents when proposed flood management is proven wrong!"

When reading AustralianSuper's contractor reports, we implore you to ignore the name and reputation of the consultants, rather look closely at the content and what it is based on.

Be especially wary of comments like "it is estimated" or "approximately".

Deception, estimates and twisting of facts is the modus operandi we have encountered with Australian Super and their contractors.

If the "experts" are later proven wrong, they will just duck for cover and Dingley Village will suffer the catastrophe and have to deal with the physical angst and financial losses incurred.

At the downstream end of the Site and external to the Site, significant property flooding is experienced along Golfwood Close, Lee Andy Court, Campbell Grove and Timms Crescent.

In the 1% AEP event a peak flow of 5.43 m3/s is recorded as discharging off the Site with Melbourne Water flood mapping showing that this affects approximately 70 properties downstream of the Site.

Source: Cardno Victoria Pty Ltd



Their fantasy drawing shows a marsh – which they claim is good for birds. Unlikely to happen, due to considerable rise and fall – plus Apartments that are apparently **below retarding dam level on concrete slabs**. Certainly if this monster building overfill did appear ...

- (1) There is no way sub-ground level garages can be allowed and
- (2) There's huge dangers for children.

Residents throughout Dingley Village are required to have fences around pools, but there is no fence around this much greater danger. Even though at present AustralianSuper put up a temporary fence around the retarding basin, restricting access to wildlife like Straw Necked Ibis, but with nobody on site!

It is also policy to ensure that new development limits the impact of increased storm water run-off on drainage systems.

Not insurable

As the flood conditions are widely known, and the apartments would be built on low-lying concrete slabs, most of the development will be uninsurable by residents.

No basements or piling foundations are currently proposed as part of the redevelopment!!??

No ongoing monitoring or remedial works of the ... aquifer are considered necessary provided that it is not used extractive use purposes (i.e. potable drinking water, on-site irrigation or filling of swimming pools) and basements or piling foundations are not proposed as part of the future development.

Kevin Poulter's comment on above: Total rubbish!

Hydrology

The Site is currently partially inundated from overflow from an existing Melbourne Water detention basin in storm events.

At the downstream end of the Site and external to the site, significant property flooding is experienced along Golfwood Close, Lee Andy Court, Campbell Grove and Timms Crescent.

Also further south in Centre Dandenong road and Chadwick Reserve. Many homes in the south of Kingswood have a flood overlay.

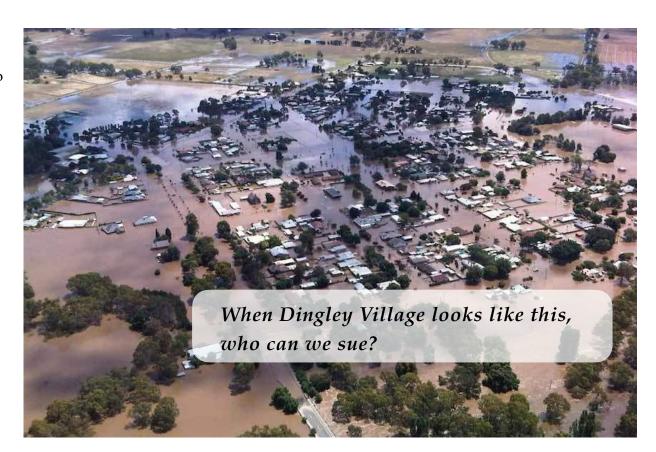
Melbourne Water flood mapping showing that this affects approximately 70 properties downstream of the Site.

Source Tract: Kingswood Dingley Village Development plan

KGC applied to SRW for a long term operating permit to inject up to 70ML per year.

On 17th June 2011, SRW approved two documents under Section 76 of the Water Act 1989:5

- Approval to Dispose of Matter Underground
- Licence to Operate Works
 Both approvals have an expiry date of 30 June
 2026
- The injection was exceeded regularly.



AQUIFER STORAGE & RECOVERY

In the Media ...

- Investigated and installed ASR in 2009
- Injected 222ML
- Extracted 151 ML
- Most successful ASR in Victoria
 From Robert Strain, Club Captain for four years.

The net capital cost of the water project is about \$306,000 as detailed below.

ASR project.

Total water project	\$306,000
Tank project	\$170,000
Sub-total ASR project	\$136,000
Less Smart Water Fund contribution	\$114,000
Completion	\$175,000
Preliminary study and new bore	\$75,000

(Smart Water Fund was a Government contribution)

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Melbourne Water flood mapping showing that this affects approximately 70 properties downstream of the Site.

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Kingswood managed aquifer recharge

CASE STUDY



The Kingswood Golf Club in Dingley Village needed an extra 30 ML each year to supply summer peak demand and maintain the quality of presentation of the golf course.

Managed aquifer recharge - the process of injecting water into an aquifer for later extraction - was adopted as it is suited to circumstances where there is limited space for above ground storage.

Generally, bores are drilled into sand and gravel aguifers, but in this case, there were additional challenges involved in drilling into fractured rock and determining whether the fractured rock aquifer would provide adequate capacity. An innovative approach which involved identifying linear features in the topography from stereographic aerial photographs – was used to best position the trial bore.

A new bore was successfully drilled on the golf course to 114 metres. Aquifer extracted stormwater is now pumped into an existing storage dam to supply the golf course irrigation scheme. If the salinity level of extracted groundwater exceeds the limit for irrigating greens, the water is diverted to a new above ground storage tank reserved for irrigating fairway turf only.

This project was assisted by South East Water and the Smart Water Fund and won a Waterwise award from Southern Rural Water in 2010 for demonstrating innovation in water. Photo courtesy of Kingswood Golf Course.



Floods

Melbourne Water advice allowed flooded retirement villas, inquiry hears

Nick Wimbush said he relied on Melbourne Water's "unequivocal" advice about flood levels to allow construction of retirement villas that were swamped last year.











Kevin Poulter Save Kingswood Group inc. 23-11-23 Page 46 of 52







Mr. Dreyfus is a huge supporter for us, but State Government don't listen

Loss of privacy and snakes will get into back yards. (They do already)





WHAT DOES IT TAKE TO GIVE RESIDENTS A SAY IN THEIR FUTURE?





Thousands have objected and hundreds attended our meetings. The folly has been on the covers of newspapers and on A Current Affair twice.

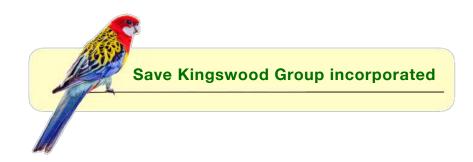
In a Democracy, how many residents need to object, before they are heard?

The previous application, which was less invasion than the latest one, resulted in 8,000 responses. Of those, 98 percent were against the development.

Of the 2% in favour, they were almost entirely in the Peninsula Golf Club whose members are desperately wanting the \$25 million bonus, and those looking for profiteering at Dingley Village's expense. (The date and the amount expired)

Yet still AustralianSuper would not engage in talks.

Still we are obliged to object.



No Net benefit for Dingley Village

Our consulting Architect said ...

"Dingley Village Residents should not have to suffer, due to an inappropriate purchase by AustralianSuper"

Prepared for the Save Kingswood Group inc By Kevin Poulter Save Kingswood Group inc 7 Greenview close Dingley Village 3172 Ph: 0435 378 678

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