

Natural Environment Referral Response - Flood

Application Number:	Mod2025/0166
Proposed Development:	Modification of Development Consent DA2023/1289 granted for Demolition works and construction of Shop Top Housing
Date:	12/05/2025
To:	Maxwell Duncan
Land to be developed (Address):	Lot 21 DP 571298 , 1112 - 1116 Barrenjoey Road PALM BEACH NSW 2108

Reasons for referral

This application seeks consent for the following:

- All Development Applications on land below the 1 in100 year flood level;
- All Development Applications located on land below the Probable Maximum Flood levels.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

Officer comments

This proposal is for modifications to DA2023/1289, including changes to the layout out of the proposed basement carparks and retail tenancies. The proposal is assessed against Section B3.11 of the Pittwater DCP and Clause 5.21 of the Pittwater LEP.

The proposal is located within the Medium Flood risk precinct and the relevant flood characteristics vary across the property.

Control C1 of the DCP states:

“New floor levels within the development shall be at or above the Flood Planning Level.”

The proposed entry to the building has an RL of 2.4m AHD, which is below the relevant FPL for the area of 3.72m AHD. Additionally the RL for proposed Shop G01 is 3.12m AHD, which is below the FPL in that area of 6.62m AHD. These floor levels do not comply with the DCP.

Control D4 of the DCP states:

“Where there is more than 300mm depth of flooding in a car park or carport during a 1% AEP flood event, vehicle barriers or restraints are to be provided to prevent floating vehicles leaving the site. Protection must be provided for all events up to the 1% AEP flood event”

The proposed underground car park has potential flood depths of up to 0.38m and therefore vehicle barriers and restraints are required. Proposed plans do not describe such measures and as such it is not compliant with Control D4.

Control D6 of the DCP states:

“All enclosed car parks (including basement carparks) must be protected from inundation up to the Flood Planning Level. All access, ventilation, driveway crests and any other potential water entry points to any enclosed car parking shall be above the Flood Planning Level.”

The proposed driveway into the basement carpark is not at any point above the FPL, and the proposed roller shutter is not depicted as capable of preventing water from entering the carpark. This is not compliant with Control D6.

The proposal cannot comply with Section B3.11 of the Pittwater DCP and Clause 5.21 of the Pittwater LEP.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.