Natural Environment Referral Response - Flood

Application Number:	DA2025/0588
Proposed Development:	Construction of a dwelling house, swimming pool and secondary dwelling
Date:	03/06/2025
To:	Phil Lane
Land to be developed (Address):	Lot 2 DP 23311 , 34 Prince Alfred Parade NEWPORT NSW 2106 Lot LIC 520723 , 34 Prince Alfred Parade NEWPORT NSW 2106

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 the demolition of an existing dwelling and the construction of a new primary and secondary dwelling on the property. 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 a Floodway and a Flood Storage precinct and there are varying flood planning levels across the site. The proposal also discusses redirecting the conveyance of the floodway.

Control A1 of the DCP stated:
"Development shall not be approved unless it can be demonstrated in a Flood Management Report that it has been designed and can be constructed so that in all events up to the 1% AEP event:

(a) There are no adverse impacts on flood levels or velocities caused by alterations to the flood conveyance; and

(b) There are no adverse impacts on surrounding properties; and

(c) It is sited to minimise exposure to flood hazard."

The Flood Management Report (FMR) has not demonstrated points (a) and (b), and notes that a suitably qualified engineer has not yet been contracted to design and manage overland flows on the property, including the potential redirection of the floodway. This does not comply with Control A1.

Control A2 of the DCP states:
"Development shall not be approved unless it can be demonstrated in a Flood Management Report that in all events up to the 1% AEP event there is no net loss of flood storage.

Consideration may be given for exempting the volume of standard piers from flood storage calculations.
If Compensatory Works are proposed to balance the loss of flood storage from the development, the Flood Management Report shall include detailed calculations to demonstrate how this is achieved."
The lower half of the dwelling is within the floodway and flood storage precincts. The master set depicts the proposed dwelling's underfloor as enclosed which reduces the available flood storage on the property. No compensatory works for this loss of flood storage have been displayed in the master set nor in the FMR. This does not comply with the DCP.

Control C3 of the DCP states:
"All new development must be designed and constructed so as not to impede the floodway or flood conveyance on the site, as well as ensuring no net loss of flood storage in all events up to the 1% AEP event.

For suspended pier/pile footings:

(a) The underfloor area of the dwelling below the 1% AEP flood level is to be designed and constructed to allow clear passage of floodwaters, taking into account the potential for small openings to block; and

(b) At least 50% of the perimeter of the underfloor area is of an open design from the natural ground level up to the 1% AEP flood level; and

(c) No solid areas of the perimeter of the underfloor area would be permitted in a floodway"
As stated above, the lower half of the proposed dwelling and the proposed pool are within the floodway. The FMR notes that the floodway will be redirected around the proposed dwelling in a manner that does not increase the flood impacts of the existing property, nor the neighboring properties. The method of redirection has not been displayed in the master set however, and in the FMR it is noted that a suitably qualified engineer has not yet been contracted to design the redirection. This does not comply with the DCP.

Control H1 of the DCP states:
"Pools located within the 1% AEP flood extent are to be in-ground, with coping flush with natural ground level. Where it is not possible to have pool coping flush with natural ground level, it must be demonstrated that the development will result in no net loss of flood storage and no impact on flood conveyance on or from the site."
Whilst the top of the pool is flush with the landscaped ground level, the slope on the property results in the lower half of the pool being raised above the ground and reducing the amount of available flood storage. The pool is also within the floodway and will impact flood conveyance on the site. Compensatory works have not been proposed. This does not comply with the DCP.
The current 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.