
From: [REDACTED]
Sent: 30/07/2024 10:09:42 AM
To: Council Northernbeaches Mailbox
Cc: Philip Schmidt
Subject: TRIMMED: DA 2024/0876 32 NORMA ROAD PALM BEACH WRITTEN
SUBMISSION: LETTER OF OBJECTION SUBMISSION: TULLOCH
Attachments: 32 NORMA WS.pdf; IMG_3546.MOV;

Submission attached.

Also attached is a Video of a recent stormwater/flooding event caused by stormwater from the subject site above.

Kind regards,

Bill Tulloch BSc[Arch]BArch[Hons1]UNSW RIBA Assoc RAIA
DA Objection Pty Ltd
Director
[REDACTED]

DA OBJECTION

a written submission by way of objection

BILL TULLOCH BSC [ARCH] BARCH [HONS1] UNSW RIBA Assoc RAIA
Director
DA Objection Pty Ltd

prepared for

SCHMIDT PROPERTY LTD, 296 WHALE BEACH ROAD PALM BEACH NSW 2108

29 JULY 2024

CEO
NORTHERN BEACHES COUNCIL
725 PITTWATER ROAD,
DEE WHY
NSW 2099

council@northernbeaches.nsw.gov.au

RE: DA 2024/0876
32 NORMA ROAD PALM BEACH
WRITTEN SUBMISSION: LETTER OF OBJECTION
SUBMISSION: TULLOCH

Dear Sir,

This document is a written submission by way of objection lodged under Section 4.15 of the EPAA 1979 [the EPA Act].

I have been instructed by my client to prepare an objection to this DA.

I have been engaged by my client to critically review the plans and documentation prepared in support of the above development application and to provide advice in relation to policy compliance and potential residential amenity impacts.

Having considered the subject property and its surrounds and the details of the development application currently before Council, I am of the opinion that the proposal, in its present form, does not warrant support. In addition, I am of the view that amendments would need to be made to the development proposal before Council is in a position to determine the development application by way of approval.

Unless the Applicant submits Amended Plans to resolve all of the adverse amenity impacts raised within this Submission, my clients ask Council to REFUSE this DA.

IMPACTS UPON ADJOINING PROPERTIES: STORMWATER & DOWNSTREAM FLOODING

The proposal is contrary to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* as:

- Stormwater runoff will continue to cause downstream flooding
- The existing stormwater drainage system has not been designed, installed and maintained in accordance with Council's Water Management for Development Policy, and the Applicant is proposing to re-use the existing system
- Overland Flooding has not been resolved

The proposal is inconsistent with the objectives of the LEP and DCP.

My client states:

'Any additional water runoff will exacerbate the water run-off from the existing system which has never operated in accordance with the intent. Over a period, our complaints to Council have not been acknowledged.'

I contend that the existing stormwater drainage systems was never designed, installed and maintained in accordance with Council's Water Management for Development Policy.

Overland Flooding was not been resolved when the previous DA was built.

The existing stormwater drainage system was perhaps installed under:

- Private CC0378/09, Determined 12 May 2009

I contend that the soil types are predominantly not conducive to dispersal of stormwater and likely to induce landslip.

Considering my client's obvious concerns, over many years, my client asks Council to request that the Applicant resolve the problem by:

- To avoid the unacceptable existing situation, the Applicant to request a drainage easement from properties below, to provide a direct stormwater drainage direct to the Council Stormwater System to Whale Beach Road, and to install a stormwater system that avoids the need of a Dispersal Trench. My client will agree to such a drainage easement on their property.
- To better deal with uncontrolled Overland Flow, a stormwater trench to be positioned along the complete Northern Boundary, to collect all surface waters, and direct the stormwater to the new drainage easement stormwater lines

If the above two matters are not provided, I contend that an additional rainwater tank should be installed, along with a new Dispersal Trench, including additional dispersal measures, at the RL 55.5 contour, below the existing Dispersal Trench, from side boundary to side boundary.

I ask that the Stormwater Engineer be asked to inspect all works to certifier full compliance.

The proposed development does not accord with the DCP:

DCP B5.15 Stormwater states:

Applies to Land

All land in the Pittwater LGA not including Warriewood Valley land release area

Objectives

- *Improve the quality of water discharged to our natural areas to protect and improve the ecological and recreational condition of our beaches, waterways, riparian areas and bushland;*
- *Minimise the risk to public health and safety;*
- *Reduce the risk to life and property from any flooding and groundwater damage;*
- *Integrate Water Sensitive Urban Design measures in new developments to address stormwater and floodplain management issues, maximise liveability and reduce the impacts of climate change.*
- *Mimic natural stormwater flows by minimising impervious areas, reusing rainwater and stormwater and providing treatment measures that replicate the natural water cycle*
- *Reduce the consumption of potable water by encouraging water efficiency, the reuse of water and use of alternative water sources*
- *Protect Council's stormwater drainage assets during development works and to ensure Council's drainage rights are not compromised by development activities.*

Requirements

Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.

The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.

My client trusts that Council will support my clients' submission and direct the proponent to modify the DA plans, as outlined above.

My client asks Council Officers to make contact with my Client, to inspect the development site from my clients' property so that Council can fully assess the DA.

It is requested that Council inform both myself, and my client directly, of any amended plans.

Unless the Applicant submits Amended Plans to resolve all of the adverse amenity impacts raised within this Submission, my clients' ask Council to REFUSE this DA.

Yours faithfully,

Bill Tulloch

Bill Tulloch BSc [Arch] BArch [Hons1] UNSW RIBA Assoc RAIA
Director
DA Objection Pty Ltd
PO Box 440 Mona Vale NSW 1660

ATTACHED: PHOTOS OF THE STORMWATER OVERFLOWS FROM THE SUBJECT SITE









