

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	DA2024/1171
<b>Proposed Development:</b>	Construction of a single storey building and use of premises as a recreational facility (indoor) and associated signage
<b>Date:</b>	13/12/2024
<b>To:</b>	Maxwell Duncan
<b>Land to be developed (Address):</b>	Lot 2742 DP 752038 , 2742 / 9999 Condamine Street MANLY VALE NSW 2093

### 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

The proposed development is for the construction of an indoor squash court. This proposal has been assessed against Section E11 of the Warringah DCP and Clause 5.21 of the Warringah LEP.

The proposal is located within the Medium Flood Risk precinct. The relevant flood characteristics are as follows:

Flood Planning Level: 3.60m AHD  
1% AEP Level: 3.30m AHD  
Flood Life Hazard Category: H5

The proposed site is wholly within the H5 Flood Life Hazard Category and as such Control E1 of the DCP applies.

Control E1 of the DCP states that "If the property is affected by a Flood Life Hazard Category of H3 or higher, then Control E1 applies and a Flood Emergency Assessment must be included in the Flood Management Report.[...] Where flood-free evacuation above the Probable Maximum Flood level is not possible, new development must provide a shelter-in-place refuge where...". At this site, flood-free evacuation above the PMF is not possible due to the land being affected by H5 hazard in the PMF and surrounding public land being below the PMF, including H3-H4 PMF Hazard.

The proposed justification that people could evacuate safely is not deemed a satisfactory flood risk response. This is due to inundation of the site and surrounding roads occurring in less than an hour in both a PMF and a 1% AEP flood (2 hour duration scenario) after rain commences. The use of rain forecasts for Evacuation warnings/orders prior to rainfall occurring is not currently reliable and not an appropriate measure.

The argument that the Golf Club could be a shelter-in-place refuge for the whole site is not satisfactory as there is no safe route above the PMF from the Squash Courts to the Golf Club.

Due to the lack of flood free evacuation above the PMF at this site, the proposal must contain a shelter-in-place refuge. Without one, it cannot comply with Control E1, Section E11 of the Warringah DCP.

The proposal does not comply with Section E11 of the Warringah DCP and Clause 5.21 of the Warringah 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.