From:	Alison + Nick Edmonds
Sent:	15/08/2023 9:43:01 PM
To:	Council Northernbeaches Mailbox
Subject:	TRIMMED: Attention: Adam Croft. Submission in relation to DA2023/0995 at 52 and 54 Brighton Street, Freshwater
Attachments:	Feb 2010 Flood - Video - Manhole cover outside 54 Brighton St.m4v; 230815 To Adam Croft regarding DA2023 0995 at 52 and 54 Brighton Street, Freshwater.pdf;

Email for Adam Croft.

Hi Adam,

Please find attached our submission in relation to the proposed development at 52 and 54 Brighton Street, Freshwater.
Please also see the 2x videos attached that show Brighton Street flooding and the manhole outside #54 Brighton Street overflowing.

Please confirm receipt of this email and videos for our records and please inform us if you cannot view the videos.
Please don't hesitate to contact us with any queries.

Kind regards,
Nick and Alison Edmonds
65 Brighton Street, Curl Curl

March 2022 Flood - Video - Street - 65 Brighton...

15 August 2023

Adam Croft
Principal Planner
Northern Beaches Council
Via email (council@northernbeaches.nsw.gov.au)

Dear Adam,

RE: DA 2023/0995, 52 & 54 Brighton Street, Freshwater

We have been residents of Brighton Street since 2009 and our property has been in our family since 1950. We refer to your letter of 27th July 2023 and we wish to raise the following objections in relation to the subject development.

Increased flood risk

Flooding in Brighton Street within the immediate vicinity of the development has been a known issue to Council for many years. Because of the significant cost involved, to date Council have not been willing to upgrade the infrastructure required to fix the problem. As a result, there have been three significant flood events documented on the 20th May 2009, 12th February 2010 and 8th March 2022 (in other words not a 1 in 100 year event) since we have lived here. Each event resulted in the blockage of Brighton Street to traffic because of the depth of the water on the road. We attach videos of the 2022 and 2010 floods as a record and draw attention to the increase in likelihood of further events due to climate change.

Our videos show stormwater covering Brighton Street up to and including the vicinity of the proposed underground car park. There is currently a large manhole in front of the proposed development site (outside 54 Brighton Street) which can be seen overflowing powerfully onto the footpath in front of the development during these flood events. We believe fast flowing water from the manhole, the increased overland flow of water through the property and the flooding on Brighton Street will also cause flooding of the underground carpark.

We note the proposed development's driveway crest is not at a height that provides a 500mm freeboard from the 1% AEP and PMF flood events (300mm and 219mm respectively). Given the nature of the development (Seniors Living), this creates additional, and arguably unacceptable risk to the seniors residing at the property from major inundation of the basement carpark. Furthermore, we believe any development that exacerbates the blockage of Brighton Street to emergency vehicles is an unacceptable risk to the community generally, but especially where vulnerable or elderly residents may be located.

Page 24 *(8.0 Conclusion)* of the RTS Civil Flood Report submitted by the applicant states the water level on Brighton Street will *increase* as a result of the development: "***The increase in overland flow levels up to and including the PMF flood event is expected to increase marginally as a result of proposed structures located within the overland flow extent."*** This is undoubtedly because of its scale, the funnelling of overland floodwater around the bulk of the development, its location on a natural water course and the omission of any on-site detention.

With reference to the Flood Report prepared by RTS Civil, we also note the following:
a. This Report is based on 2016 data ("*ARR2016 design rainfall depth information was adopted for this study"*) and does not reflect the higher flood levels on Brighton Street in the March 2022 floods. Based on the higher water levels witnessed by residents in the three documented flood events and of which the Council will be aware, this suggests that the water levels referred to in the Flood Report are misleading.

b. *The Appendix C - Tuflow Model Flood Mapping Plan*s (pages 35-41) do not show **Point A** (refer to *Table 2.0 – Table of 1% AEP Flood Results* below*)* and downstream flood and flow mapping on the *Pre and Post*

Development drawings. This is unacceptable considering Point A is in front of the development on Brighton Street and is noted to have an increased flood level of **14mm** which will affect properties within the vicinity of the development and further downstream.

Table 2.0 – Table of 1% AEP Flood Results

Flood Level Location	1% AEP Flood Level (AHD)			1% AEP Flood Depth (AHD)		1% AEP Flood Velocity (AHD)	
	Pre-Developed (m)	Post-Developed (m)	Increase (mm)	Pre-Developed (mm)	Post-Developed (mm)	Pre-Developed (m/s)	Post-Developed (m/s)
Point A	10.384	10.398	14	79	93	0.060	0.084

Additionally, the 1% AEP flood level mentioned in the Flood Report is RL 10.384m. For water to reach the top of our driveway as we witnessed in the March 2022 flood event, the height of the water must have been RL 10.55m (this height is taken from our site survey submitted to Council in 2012 for renovations). An increase of 14mm caused by the proposed development will therefore breach our driveway and cause our garage at RL 10.48m to be inundated with at least 21mm of water causing damage to our property. Please also note that according to the applicant's own submission there is also a 40% increase from 0.060 m/s to 0.084 m/s in the velocity of the water. The development must therefore be REFUSED on the grounds that its approval will knowingly increase the likelihood of flooding and damage to properties.

Stormwater pipes

We note that the proposed development requires the relocation of stormwater pipes which currently run through a series of angles diagonally east to west across the two properties. In this current configuration, water charges up through the manhole cover located outside the development (54 Brighton St), demonstrating that the water is already running with considerable force (refer to videos). To enable the underground carpark to be built, the new design changes the pipe's angle to run in a straight line on the eastern side of the property then turn 90-degrees to the west. Common sense suggests that because of the straight line and the additional water in the system caused by the large impervious surfaces of the development, the new design will not only increase the velocity of the water but also cause it to back up the pipe onto Robert Street due to its 90-degree bend. Thus, causing further overland flow and further exacerbating flooding on Brighton Street. We request that the expected increase in overland flow caused by this should also be added to the increased height of the water in the applicant's report.

On Site Detention: We note that the proposed DA site is not mapped as flood affected by the 1% AEP or PMF lagoon/creek floodplain. So, all flooding is a reference to flood levels relating to overland flow paths of which Council has not mapped or formally recognised. On Site Detention (OSD) is required as per the Council's Water Management for Development Policy (WMPD) unless a site drains directly to the ocean. OSD is required under S9.2 and S9.3.2 of Council's WMDP and **there is no OSD noted on the site.**
The Stormwater Concept Design Statement does not provide an Appendix 16 *(On-site Detention Checklist; Part 4.2 Northern Beaches Stormwater Region 2*), as required by the WMDP, which would identify OSD being applicable.

The stormwater system is also directly inconsistent and non-compliant with Section 102(b) of SEPP Housing - Design of Seniors Housing. The lack of OSD increases risk to seniors and disabled persons, and the community, as there is an increase in flood levels associated with the unrestrained discharge of stormwater during peak flows along the overland flood route. Furthermore, it has not been demonstrated the inclusion of OSD is impractical as required by S.102 of Council's WMDP.

There can be no conclusions drawn from this Flood Report as it is incomplete and misleading and does not address water flow and flooding impacts created by the development to adjacent residents and residents further downstream.

Given both the Council and the applicant are aware of the flood issues, as well as the recent publication of the *Draft Greendale Creek Flood Study* highlighting the risk to this immediate vicinity, it is inconceivable to think that any development by its own admission will exacerbate flood levels and negligently cause property damage for residents could be considered for approval. The development should therefore be REFUSED.

Furthermore, we find the following statement in the Flood Report highly offensive and demonstrating a complete disregard for affected residents:

4.7 Cost of Flood Damage: *The additional economic and social costs that may arise from damage to property from flooding should not be greater than that which* ***can reasonably be managed by the property owner and general community.***

The Flood Report also states that: **"***The key objective of this report is to: Ensure the development does not significantly worsen the natural flow path* (of water) *within and adjacent the development site…"*
Council studies will show the development is proposed to be built right on the middle of the natural flow path. The inclusion of flood walls necessary in the applicant's own design is further evidence of this. The design therefore WILL significantly worsen the natural flow path through the redirection and channelling of existing overland flows including an increase in flood levels immediately downstream within the public domain and adjacent private homes increasing risks to life and property for particularly for elderly and disabled residents and the community. The DA should be REFUSED as development of sites accommodating overland flow paths are not allowed to increase impacts for neighbours.

Bulk, Scale and Precedent
The proposed plans are totally out of proportion with Brighton Street's existing architecture and modest 1-2 storey homes. The design of the development utilises the combined street frontage of 2 blocks to create a single monolithic structure which is without precedent in the immediate area. All other properties on Brighton Street consist of a single block street frontage and most properties bordering the proposed development are original cottages that will lose light, privacy and outlook. The proposal is already non-compliant with Council's requirements for scale, density and wall heights and exceeds the threshold considerations for "low density, low impact". The bulk, scale, density and height of the proposed development is excessive and inconsistent with the established and desired streetscape character and sets a dangerous precedent for similar developments on Brighton Street and the surrounding area.

Increased traffic
Brighton Street is already a busy street with a constant flow of cars, buses and trucks exiting or entering from the very congested Harbord Road or Oliver Street. The submitted Traffic Report has a number of inconsistencies relating to parking, existing traffic and traffic controls. Vehicles park on both sides of Brighton Street, which is not free flowing when buses/trucks/cars need to pass each other. One has to pull in behind a parked car to let a larger vehicle pass. Brighton Street is becoming more congested as students from Freshwater Senior Campus are often parking in front of properties. It is also difficult to exit driveways. The proposed development's driveway walls will cause limited visibility to pedestrians. Brighton Street is a major thoroughfare for children walking to and from Harbord Public School located on Oliver Street to the east, as well as students accessing Freshwater Senior Campus on Brighton Street to the west. It is also a major thoroughfare for children walking to and from Harbord Park (to the South) and Weldon Oval/Curl Curl Sports fields to the North. Any increase to traffic on Brighton Street will also contribute to further congestion at the already crowded intersections of Brighton Street and Oliver Street, and Brighton Street and Harbord Rd.

The proposed development should be REFUSED for the reasons stated above.

Kind regards,
Nick and Alison Edmonds
65 Brighton Street, Curl Curl