

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	DA2023/0038
<b>Proposed Development:</b>	Use of an existing building as a yoga studio and associated alterations and additions
<b>Date:</b>	04/05/2023
<b>To:</b>	Kye Miles
<b>Land to be developed (Address):</b>	Lot 1 DP 502152 , 102 Old Pittwater Road BROOKVALE NSW 2100

### 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

Alterations and additions are proposed including a new deck, bifold doors, access ramp and internal reconfiguration.

The property is flood affected, with High and Medium Flood Risk Precinct at the south east corner of the site.

Relevant flood information is as follows:

1% AEP level: 14.84m AHD

Flood Planning Level (FPL): 15.34m AHD

Probable Maximum Flood (PMF) level: 15.44m AHD

Hydraulic Category: Floodway and Flood Storage

Flood Life Hazard Category: Up to H6

Deck level: 14.21m AHD

Ground level below deck: approximately 13.2m AHD to 14.2m AHD

Flood documentation related to the application includes the following:

Flood Impact Assessment Report - C&M Consulting Engineers (June 2022)

Referral comments - Council (07.03.2023)

Revised Flood Impact Assessment Report - C&M Consulting Engineers (March 2022)

The floor level of the existing building is 14.21m AHD, which is below the 1% AEP level of 14.84m AHD. The alterations and additions are permitted for a change of use provided that the building structure is maintained, ie that the floor, roof and external walls are not replaced.

The proposed deck and paved area are still non-compliant. The revised Flood Impact Assessment Report by C&M Consulting Engineers (March 2022) does not adequately address the flood related development controls listed in Section E11 of the Warringah DCP, in particular Controls A2 and C3.

Control A2 – "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 proposed deck is elevated above ground level but still well below the 1% AEP flood level. The volume of the deck and piers would result in a loss of flood storage.

The proposed pavers on the western side of the building would raise the level to 14.21m AHD and result in a loss of flood storage.

Storage calculations have not been provided, and the plans do not show any compensatory measures.

Control C3 –"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..."

The proposed deck is located within a floodway, elevated above ground level but below the 1% AEP flood level. It would impede the floodway and flood conveyance on the site (even more so when blockage is factored in), as well as reduce the flood storage.

The proposed development cannot be supported.

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.