

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	DA2025/0150
<b>Proposed Development:</b>	Demolition works and construction of a dwelling house including swimming pool
<b>Date:</b>	04/03/2025
<b>To:</b>	Anaiis Sarkissian
<b>Land to be developed (Address):</b>	Lot 19 DP 8698 , 77 Central Road AVALON BEACH NSW 2107

### 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 the existing dwelling, and the construction of a new dwelling, including a garage and pool. 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 the High, Medium and Low Flood risk precincts. The relevant flood characteristics are as follows:

Flood Planning Level: 12.86m AHD

1% AEP Flood Level: 12.36m AHD

1% AEP Hydraulic Category: Floodway / Flood Fringe

Probable Maximum Flood (PMF) Level: 12.76m AHD

Max PMF Life Hazard Category: H5 – H1

The construction of the proposed dwelling is to occur outside the Flood Planning Area, and as such it is not subject to flood related development controls.

The proposed pool is within the Flood Planning Area, and the South-west corner crosses the floodway. 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.”*

The pool, its coping and its fencing are proposed to be within the floodway and thus they cannot comply with the DCP. Proposed pool, coping and fencing would need to be relocated or redesigned to be outside the floodway in order to be considered. The flood report proposes compensatory works in the form of skimming the surrounding wall, however this is not reflected in the masterplan. In order to

be assessed as a flood mitigation option this would need to be reflected in the property's master plan. The area is also referred to as a flood storage precinct when it is a floodway, as shown in the Flood Information Report provided by council.

Control F1 of the DCP states:

*"Fencing, (including pool fencing, boundary fencing, balcony balustrades and accessway balustrades) shall be designed so as not to impede the flow of flood waters and not to increase flood affectation on surrounding land. At least 50% of the fence must be of an open design from the natural ground level up to the 1% AEP flood level. Less than 50% of the perimeter fence would be permitted to be solid. Openings should be a minimum of 75 mm x 75mm."*

Plans describe a section of solid masonry fence around the pool which is within the Flood Planning Area. This is inconsistent with the DCP.

The 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.