

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	DA2023/1346
<b>Proposed Development:</b>	Use of part of the building as a dwelling house
<b>Date:</b>	18/04/2024
<b>To:</b>	Megan Surtees
<b>Land to be developed (Address):</b>	Lot 13 DP 1275411 , 1180 Barrenjoey Road PALM BEACH NSW 2108

### 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 proposal is for significant alterations to the property. This includes extensions to the lower ground floor with the addition of a new plant room, new laundry, new playroom, new cellar and two new storage areas all bellow the Flood Planning Level (FPL).

The front of property is within the identified Medium Risk Flood Planning Precinct. It has the following flood characteristics:

- 1% AEP Flood Level: 5.89m AHD
- 1% AEP Hydraulic Category: Fringe
- Flood Planning Level (FPL): 6.39m AHD
- Probable Maximum Flood (PMF) Level: 7.42m AHD
- PMF Life Hazard Category: H2

The plans show that the lower ground floor level is 4.63m AHD, which is below the Flood Planning Level. Considering the available information, it is the view of council that during a 1% AEP Flood Event, floodwaters would enter the newly proposed rooms on the lower ground floor via the garage and plant room ventilation vents on the northern side of the building. This does not comply with the following control from Section B3.11 of the Pittwater DCP:

C1: New floor levels within the development shall be at or above the Flood Planning Level.

Partridge provided additional information via a letter (dated 20/03/2024) addressing the latest flood referral comments on DA2023/1346 (dated 15/03/2024). In the letter Partridge proposes:

- The use of a self-actuating flood gate at the garage entrance

- Water tight materials up to the FPL to prevent inundation from the plant room vents
- Raising the garage retaining walls up to the FPL
- Waterproofing the new basement floor rooms up to the FPL

After considering the proposal, council does not support the use of a self-actuating flood gate to protect the lower ground floor. Flood gates are generally not accepted. Council does not support the use of flood gates to protect non-compliant illegal works such as the ones presented in DA2023/1346. The proposal would not comply with the following control from Section B3.11 of the Pittwater DCP:

D6: All enclosed car parks (including basement car parks) must be protected from inundation up to the Flood Planning Level. All access, ventilation, driveway crests and any other potential water entry points to any enclosed car parking shall be above the Flood Planning Level. Where a driveway is required to be raised it must be demonstrated that there is no net loss to available flood storage in any event up to the 1% AEP flood event and no impact on flood conveyance through the site. Council will not accept any options that rely on electrical, mechanical or manual exclusion of the floodwaters from entering the enclosed carpark.

The proposal to raise the driveway retaining wall to the FPL would have adverse impacts on flood behaviour and conveyance, causing floodwater to spill on to the adjacent road. This does not comply with the following control from the Section B3.11 of the Pittwater DCP:

A1: Development shall not be approved unless it can be demonstrated in a Flood Management Report that it has been designed and can be constructed so that in all events up to the 1% AEP event:

- (a) There are no adverse impacts on flood levels or velocities caused by alterations to the flood conveyance; and
- (b) There are no adverse impacts on surrounding properties; and
- (c) It is sited to minimise exposure to flood hazard.

Major developments and developments likely to have a significant impact on the PMF flood regime will need to demonstrate that there are no adverse impacts in the Probable Maximum Flood.

Council is not satisfied that the development can be compliant with Section B3.11 of the Pittwater 21 DCP 2021 and Clause 5.21 of the Pittwater LEP 2014.

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.