

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	DA2021/0669
<b>Date:</b>	29/06/2021
<b>To:</b>	Jordan Davies
<b>Land to be developed (Address):</b>	Lot 7005 DP 1117451 , 1193 Barrenjoey Road PALM BEACH NSW 2108 Lot 7002 DP 1117592 , 1193 Barrenjoey Road PALM BEACH NSW 2108 Lot 298 DP 721522 , 1191 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

A prelodgement meeting was conducted prior to the lodgement of the application. The notes provided for the prelodgement application note that the property is subject to inundation associated with an Estuarine Planning Level (EPL) and catchment flooding or Flood Planning Level (FPL). The prelodgement meeting notes outline this by stating:

*"The Clause 4.6 variation notes that it is necessary to raise the lowest floor level of 2.8m to respond to the Future Flood Planning Level (FFPL). The Cardno Coastal Engineering Report refers to an Estuary Planning Level (EPL) of 2.8m, it makes no reference to the FFPL. In order to ensure the validity of the Clause 4.6 it is essential that the correct level is referenced.*

*For clarification there are two levels that apply to the site, namely the EPL and the FFPL. As such, the relevant sections of the Pittwater Development Control Plan and the associated requirements for flood and estuarine planning apply. The higher level, in this case the FFPL of 3.05m AHD, is the required level which must be used in the setting of design floor levels and structural design of the proposed development. The proposal, including all supporting documentation, therefore needs to be amended to correctly set the correct floor level."*

The application has not been updated to reflect the above feedback, with the design of the development being based on an estuarine planning level of 2.8m AHD rather than the higher Flood Planning Level being taken into consideration.

The Flooding and Estuarine Risk Management report prepared by Cardno dated 12 May 2021 notes:

*Due to the location of the site at the shoreline in Pittwater, and the very small runoff area between this building and the landward dune system, together with the pervious sandy soils, this site will not be*

*subject flooding by stream or overland flows. All rainfall runoff on the site will be directed to stormwater discharge beneath the building – as it presently is.*

The Avalon to Palm Beach Floodplain Risk Management Study and Plan, 2017 identifies the catchment flood regime for the site. The following non-compliances have been identified

- A flood management report considering catchment flooding and the impacts of the development on flooding has not been provided
- The finished floor level of the proposed restaurant needs to be set at or above the Flood Planning Level of 3.05m AHD
- The proposed ancilliary building housing toilets, bin room and utilities is below the Flood Planning Level of 3.05m AHD
- Potentially hazardous substances are stored below the Flood Planning Level of 3.05m AHD, namely the location and level of the sewer tank
- There is potential for reduction of flood storage in a 1% AEP event.

The above would need to be addressed prior to lodgement of any revised application.

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.