

PART 6: PROJECT TIMELINE

Planning Proposal Milestone	Timeframe	Anticipated Completion Date
Date of Gateway Determination	6 weeks from Council decision to forward Planning Proposal to Department of Planning & Environment for Gateway Determination.	Mid-January 2015
Completion of required technical information	<i>Due to nature of proposal it is not anticipated that additional technical information will be required.</i>	N/A
Government agency consultation	Preliminary consultation with government landowners was undertaken as part of the exhibition of the <i>draft Warriewood Valley Strategic Review Addendum Report</i> . As required by the Gateway Determination, formal consultation with the NSW RFS will occur during the exhibition period.	Late February 2015
Public exhibition	28 days – 31 January to 28 February 2015	28 February 2015
Consideration of submissions	2 weeks from close of public exhibition	Mid-March 2015
Consideration of proposal post-exhibition and report to Council	Report matter to Council.	Late March – early April 2015
Submission to Department and PCO to prepare draft instrument	Following Council decision to finalise LEP.	Early April 2015
RPA to make plan (<i>Written Authorisation was issued 15 January 2015</i>)	4 weeks from Council decision to finalise LEP.	Late April 2015
Notification of LEP/LEP comes into force	1 week from RPA making plan.	Early May 2015

Appendix 1: Consideration of SEPPs

The following SEPP's are relevant to the Pittwater Local Government Area. The Table identifies which of the relevant SEPPs apply to the Planning Proposal (or not) and if applying, is the Planning Proposal consistent with the provisions of the SEPP.

Title of State Environmental Planning Policy (SEPP)	Applicable	Consistent	Reason for inconsistency
SEPP No 1 – Development Standards	NO	N/A	
SEPP No 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	YES	YES	
SEPP No 6 – Number of Storeys in a Building	YES	YES	
SEPP No 14 – Coastal Wetlands	NO	N/A	
SEPP No 21 – Caravan Parks	NO	N/A	
SEPP No 22 – Shops and Commercial Premises	NO	N/A	
SEPP No 26 – Littoral Rainforests	NO	N/A	
SEPP No 30 – Intensive Agriculture	NO	N/A	
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	NO	N/A	
SEPP No 33 – Hazardous and Offensive Development	NO	N/A	
SEPP No 44 – Koala Habitat Protection	NO	N/A	
SEPP No 50 – Canal Estate Development	NO	N/A	
SEPP No 55 – Remediation of Land	NO	N/A	
SEPP No 60 – Exempt and Complying Development	YES	YES	
SEPP No 62 – Sustainable Aquaculture	NO	N/A	
SEPP No 64 – Advertising and Signage	YES	YES	
SEPP No 65 – Design Quality of Residential Flat Development	YES	YES	
SEPP No 70 – Affordable Housing (Revised Schemes)	YES	YES	

SEPP 71 – Coastal Protection	NO	N/A	
SEPP (Affordable Rental Housing) 2009	YES	YES	
SEPP (Building Sustainability Index: BASIX) 2004	YES	YES	
SEPP (Exempt and Complying Development Codes) 2008	YES	YES	
SEPP (Housing for Seniors or People with a Disability) 2004	YES	YES	
SEPP (Infrastructure) 2007	YES	YES	
SEPP (Major Development) 2005	NO	N/A	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	NO	N/A	
SEPP (Rural Lands) 2008	NO	N/A	
SEPP (Temporary Structures) 2007	NO	N/A	
SEPP (Urban Renewal) 2010	NO	N/A	

The following is a list of the deemed SEPP's (formerly Sydney Regional Environmental Plans) relevant to the Pittwater Local Government Area.

Title of deemed SEPP, being Sydney Regional Environmental Plan (SREP)	Applicable	Consistent	Reason for inconsistency
SREP No 20 – Hawkesbury-Nepean River (No 2 -1997)	NO	N/A	

Appendix 2: Consideration of Section 117 Directions

1 Employment and Resources

	Direction	Applicable	Consistent
1.1	Business and Industrial Zones	NO	N/A
1.2	Rural Zones	YES	NO
1.3	Mining, Petroleum Production and Extractive Industries	NO	N/A
1.4	Oyster Aquaculture	NO	N/A
1.5	Rural Lands	NO	N/A

Justification for inconsistency with Direction 1.2

The Planning Proposal, so far as it relates to the rezoning of the battle axe portion of 4 and 5 Fern Creek Road (*Sector 901H*) and 5 Forest Road from a rural zone to another zone, is inconsistent with Direction 1.2. The proposed rezoning is consistent with State Government's Metropolitan Development Program which identified these lands for urban release in the early 1990s.

2 Environment and Heritage

	Direction	Applicable	Consistent
2.1	Environmental Protection Zones	NO	N/A
2.2	Coastal Protection	NO	N/A
2.3	Heritage Conservation	YES	NO
2.4	Recreation Vehicle Areas	NO	N/A

Justification for inconsistency with Direction 2.3

The Planning Proposal is largely an administrative amendment therefore the inconsistencies with this direction are of minor significance.

Provisions also already exist within the Pittwater LEP 2014 for the protection and conservation of environmentally sensitive areas and the conservation of heritage items, areas, objects and places. These provisions will continue to apply to the lands the subject to this Planning Proposal.

3 Housing, Infrastructure and Urban Development

	Direction	Applicable	Consistent
3.1	Residential Zones	YES	YES
3.2	Caravan Parks and Manufactured Home Estates	NO	N/A
3.3	Home Occupations	YES	YES
3.4	Integrating Land Use and Transport	YES	YES
3.5	Development Near Licensed Aerodromes	NO	N/A
3.6	Shooting Ranges	NO	N/A

4 Hazard and Risk

	Direction	Applicable	Consistent
4.1	Acid Sulphate Soils	NO	N/A
4.2	Mine Subsidence and Unstable Land	NO	N/A
4.3	Flood Prone Land	YES	NO
4.4	Planning For Bushfire Protection	YES	NO

Justification for inconsistency with Direction 4.3

Sector 802 is traversed by sections of Narrabeen Creek and Fern Creek respectively. It is the creek sections that have been identified as flood prone land.

Development controls within Pittwater 21 DCP prohibit vertical structures to be erected on land comprising the creek line corridor. Development controls also require that the creek line corridor be engineered to convey the 1% AEP flood event. This land is required to be rehabilitated and subsequently dedicated to Council in accordance with the *Warriewood Valley Section 94 Contributions Plan*.

Justification for inconsistency with Direction 4.4

Sector 901H, 802, 202, 203 and 10C are all identified as bush fire prone under Council's Bush Fire Prone Lands Map.

Sectors 202, 203 and 10C are already rezoned for its intended purpose and will not be altered. This Planning Proposal only seeks to amend the sector boundary/dwelling yield provision applying to this land.

Sector 901H is to be rezoned from a rural zone to R3 Medium Density Residential under this Planning Proposal. The land proposed to be rezoned does not contain Category 1 or 2 Vegetation and is not mapped as a Bushfire Buffer, but instead forms part of a parcel identified with these affectations.

Sector 801 is already developed as a school and proposed to be zoned to reflect this land use.

This Planning Proposal is inconsistent with this direction insofar as consultation has not yet occurred with the NSW Rural Fire Service. Consultation is expected to be undertaken during the statutory exhibition period.

5 Regional Planning

	Direction	Applicable	Consistent
5.1	Implementation of Regional Strategies	NO	N/A
5.2	Sydney Drinking Water Catchments	NO	N/A
5.3	Farmland of State and Regional Significance on NSW Far North Coast	NO	N/A
5.4	Commercial and Retail Development along the Pacific Hwy, North Coast	NO	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield	NO	N/A
5.8	Second Sydney Airport: Badgerys Creek	NO	N/A

6 Local Plan Making

	Direction	Applicable	Consistent
6.1	Approval and Referral Requirements	YES	YES
6.2	Reserving Land for Public Purposes	YES	YES
6.3	Site Specific Purposes	YES	NO

Justification for inconsistency with Direction 6.3

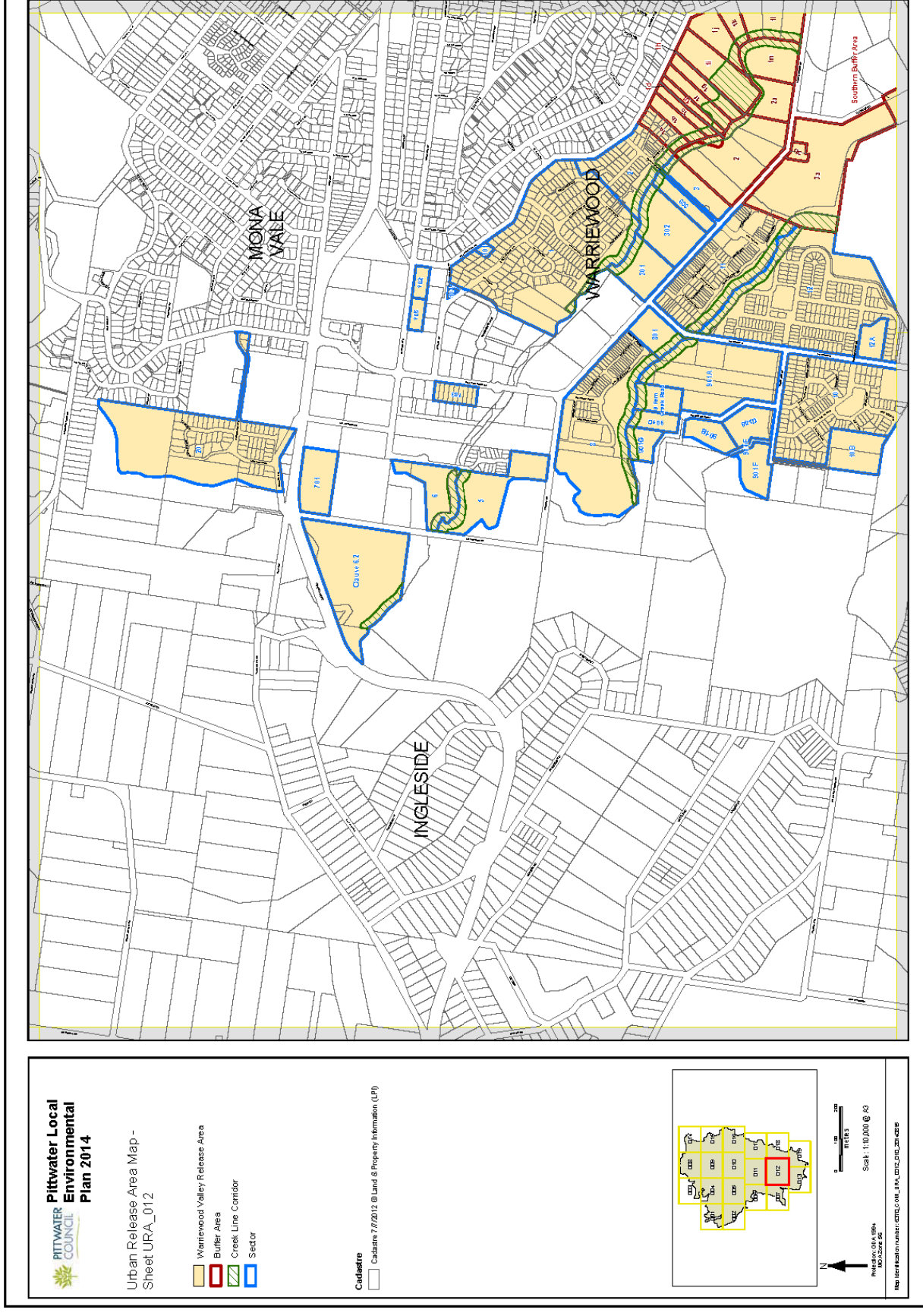
The Planning Proposal seeks to incorporate new dwelling yield provisions for Sector 10C, 901H, 202 and 203 and amend the existing dwelling yield provision applying to Sector 20.

The application of the dwelling yield provisions within the Pittwater LEP is well established for the Warriewood Valley Release Area. The dwelling yield provisions in Part 6 of the Pittwater LEP 2014 were translated from Pittwater LEP 1993 and are not new provisions.

7 Metropolitan Planning

	Direction	Applicable	Consistent
7.1	Implementation of a <i>A Plan for Growing Sydney</i>	YES	YES

Appendix 3: Current LEP Maps





**Pittwater Local
Environmental
Plan 2014**



**Lot Size Map -
Sheet LSZ_012**

Minimum Lot Size (sq m)

F	500
K	550
O	700
U1	1,000
U2	1,200
V	2,000
W1	4,000
W2	4,600
X1	5,800
X2	6,000
X3	8,000
Y1	10,000 (1.0ha)
Y2	11,000 (1.1ha)
Y3	18,000 (1.8ha)
Z	20,000 (2.0ha)
AB	200,000 (20.0ha)

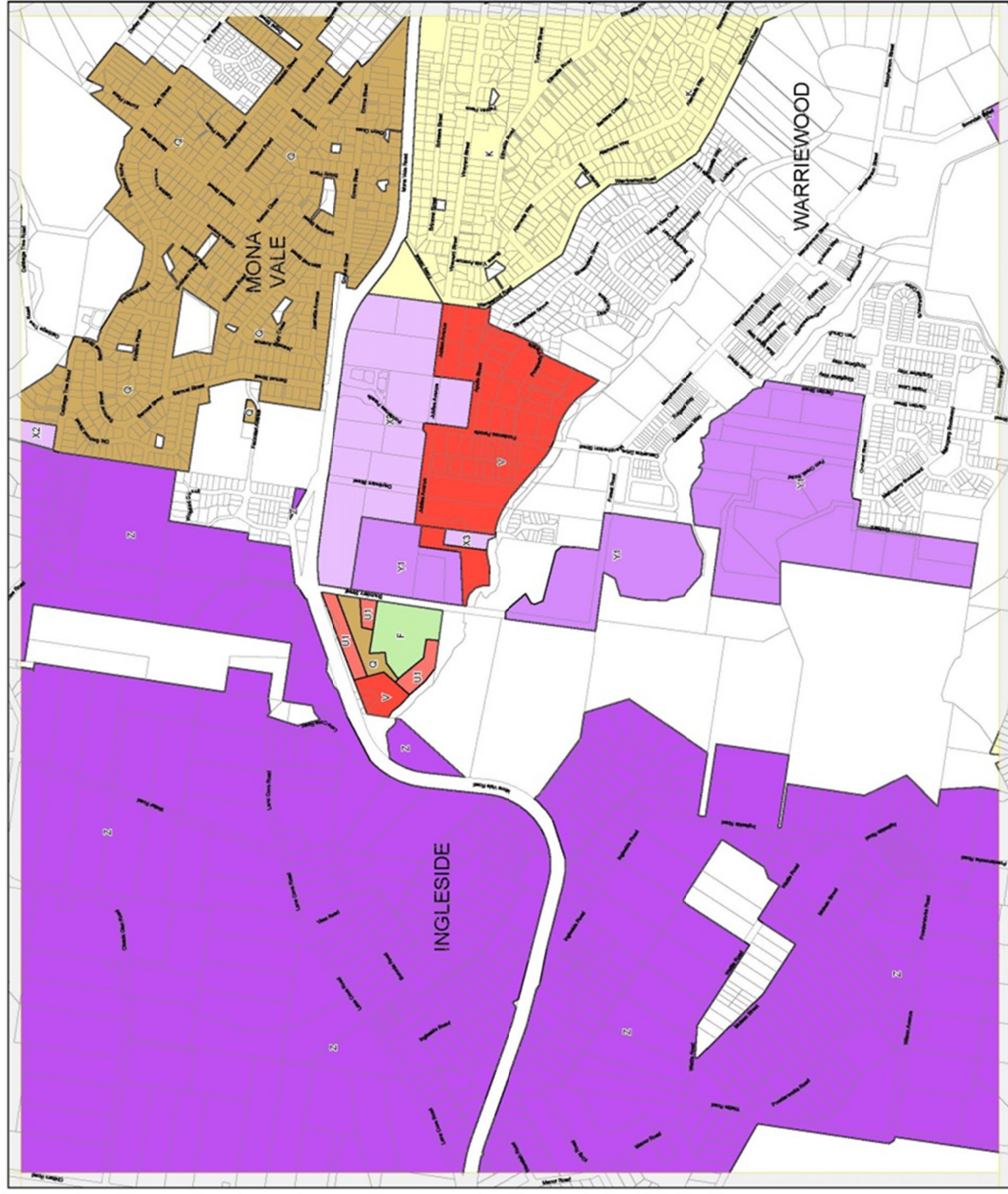
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MGA Zone 56

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Pittwater Council Environmental Plan 2014

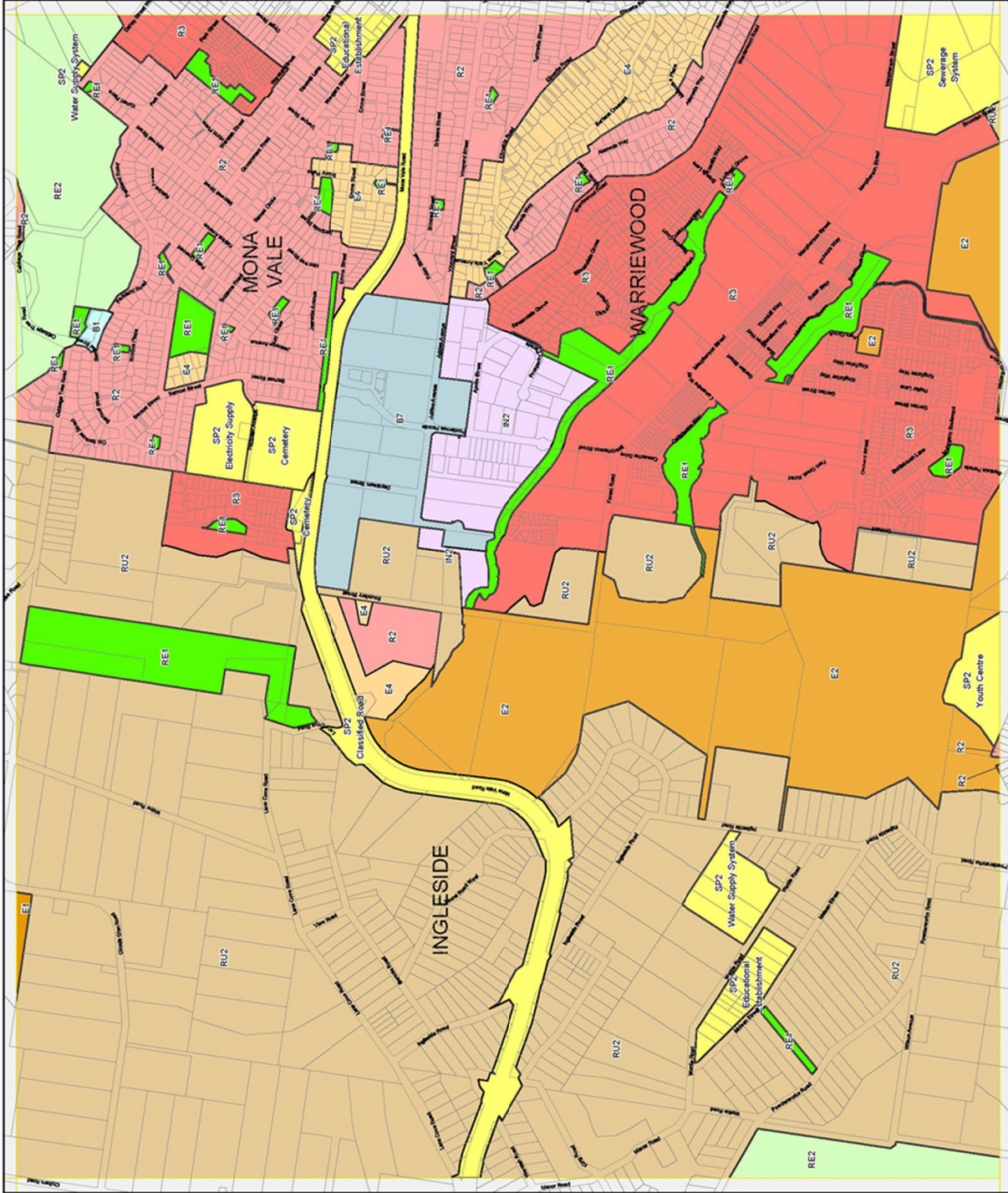
Land Zoning Map - Sheet LZN_012

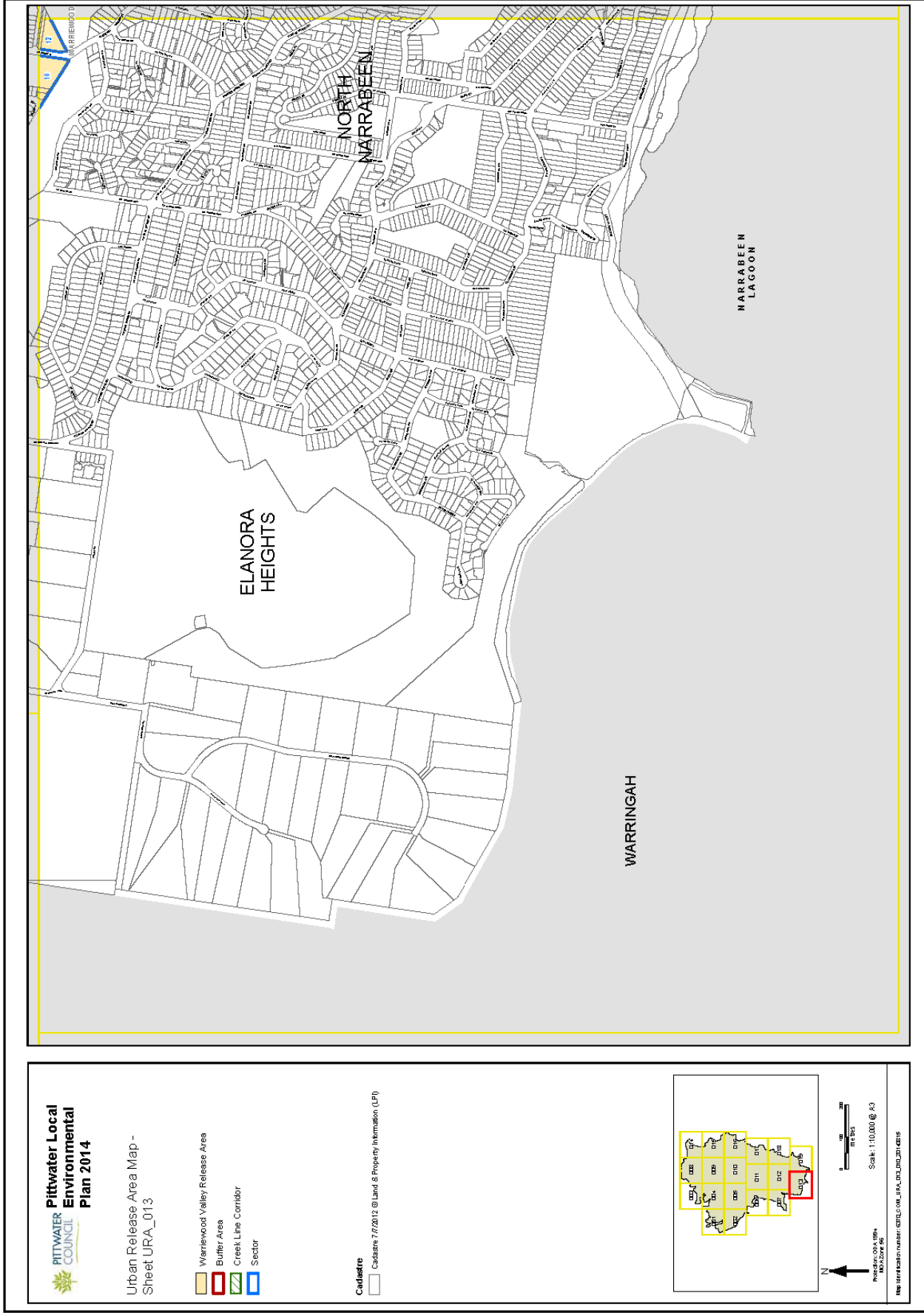
- Zone**
- RE1 Neighbourhood Centre
 - RE2 Local Centre
 - RE3 Mixed Use
 - RE4 Enterprise Corridor
 - RE5 Business Park
 - RE6 National Parks and Nature Reserves
 - RE7 Environmental Conservation
 - RE8 Environmental Management
 - RE9 Environmental Living
 - RE10 Light Industrial
 - RE11 Heavy Industrial
 - RE12 Low Density Residential
 - RE13 Medium Density Residential
 - RE14 Large Lot Residential
 - RE15 Public Recreation
 - RE16 Private Recreation
 - RE17 Rural Landscape
 - RE18 Special Activities
 - RE19 Infrastructure
 - RE20 Forest
 - RE21 Natural Waterways
 - RE22 Recreational Waterways
- Catchment**
- 001 Catchment 10/09/13
 - 002 Catchment 10/09/13
 - 003 Catchment 10/09/13
 - 004 Catchment 10/09/13
 - 005 Catchment 10/09/13
 - 006 Catchment 10/09/13
 - 007 Catchment 10/09/13
 - 008 Catchment 10/09/13
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 - 019 Catchment 10/09/13
 - 020 Catchment 10/09/13



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Pittwater Local Environmental Plan 2014

Height of Buildings Map - Sheet HOB_012

Maximum Building Height (m)

Maximum Building Height (m)	Refer Clause 4.3(2C)
4	Refer Clause 4.3(2C)
5	Refer Clause 4.3(2C)
7	Refer Clause 4.3(2C)
8	Refer Clause 4.3(2C)
8.5	Refer Clause 4.3(2C)
10.5	Refer Clause 4.3(2C)
11	Refer Clause 4.3(2C)
11.5	Refer Clause 4.3(2C)
13	Refer Clause 4.3(2C)

Refer Clause 4.3(2C) to 4.3(2F)

Refer Clause 4.3(2C)	Refer Clause 4.3(2D)	Refer Clause 4.3(2E)	Refer Clause 4.3(2F)
Refer Clause 4.3(2C)	Refer Clause 4.3(2D)	Refer Clause 4.3(2E)	Refer Clause 4.3(2F)
Refer Clause 4.3(2C)	Refer Clause 4.3(2D)	Refer Clause 4.3(2E)	Refer Clause 4.3(2F)
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Refer Clause 4.3(2C)	Refer Clause 4.3(2D)	Refer Clause 4.3(2E)	Refer Clause 4.3(2F)
Refer Clause 4.3(2C)	Refer Clause 4.3(2D)	Refer Clause 4.3(2E)	Refer Clause 4.3(2F)
Refer Clause 4.3(2C)	Refer Clause 4.3(2D)	Refer Clause 4.3(2E)	Refer Clause 4.3(2F)

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North Arrow

Location Map

Scale

0 100 200 meters

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Registration

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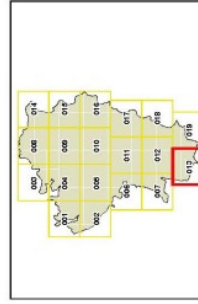
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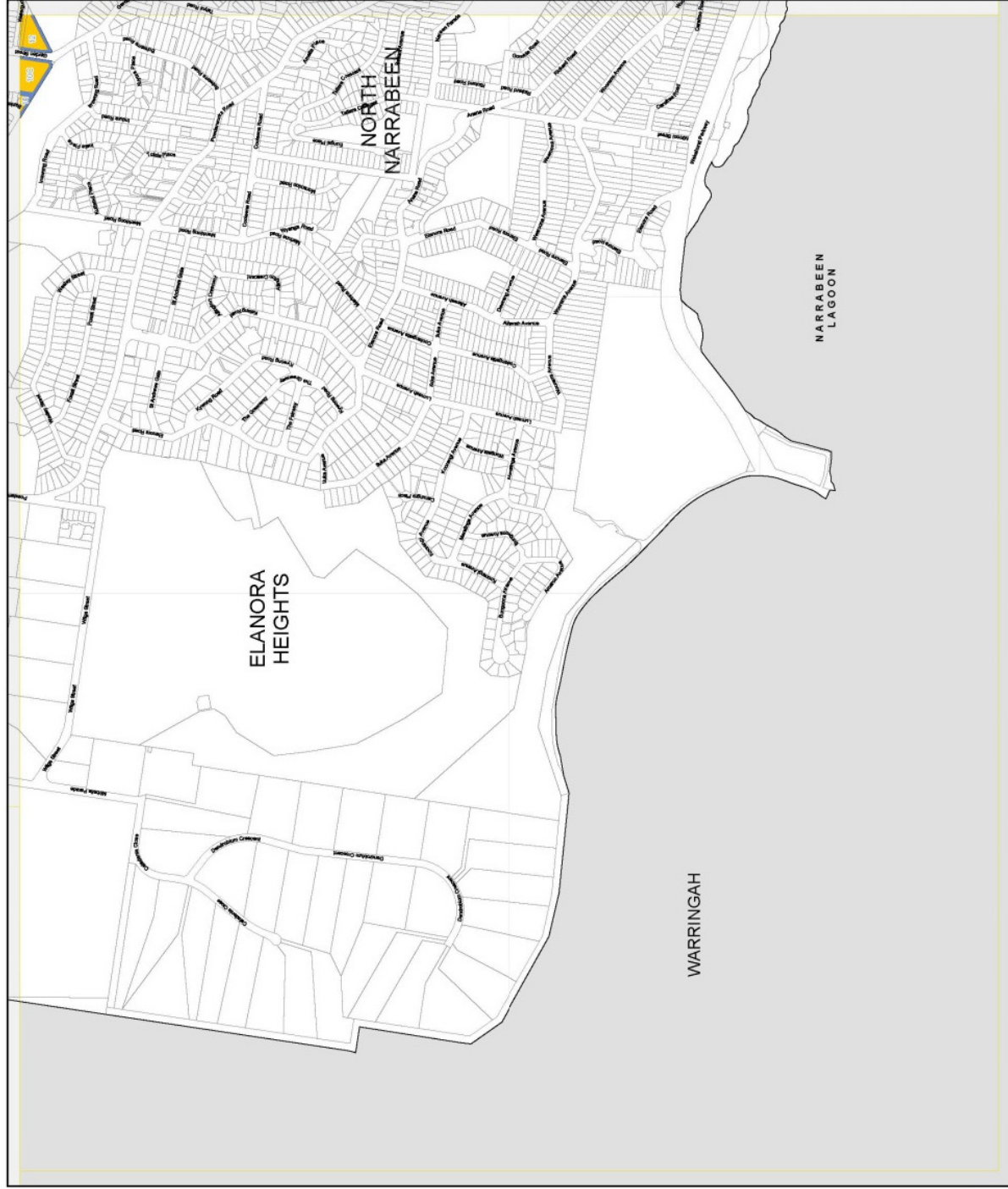


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 © Land & Property Information (LPI)



Prepared by: GDA 1984
 MGA 2020 86

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Pittwater Local Environmental Plan 2014

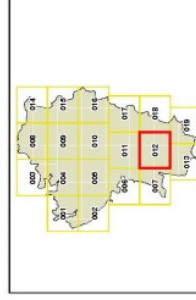
Land Zoning Map -
Sheet LZN_012

Zone

- RU1 Neighbourhood Centre
- RU2 Local Centre
- RU3 Mixed Use
- RU4 Enterprise Corridor
- RU5 Business Park
- RU6 Natural Parks and Nature Reserves
- RU7 Entertainment
- RU8 Environmental Management
- RU9 Environmental Living
- RU10 Light Industrial
- RU11 Working Waterfront
- RU12 Low Density Residential
- RU13 Medium Density Residential
- RU14 Large Lot Residential
- RU15 Public Recreation
- RU16 Private Recreation
- RU17 Rural Landscapes
- RU18 Special Activities
- RU19 Infrastructure
- RU20 Tourism
- RU21 Natural Waterways
- RU22 Recreational Waterways

Coastline

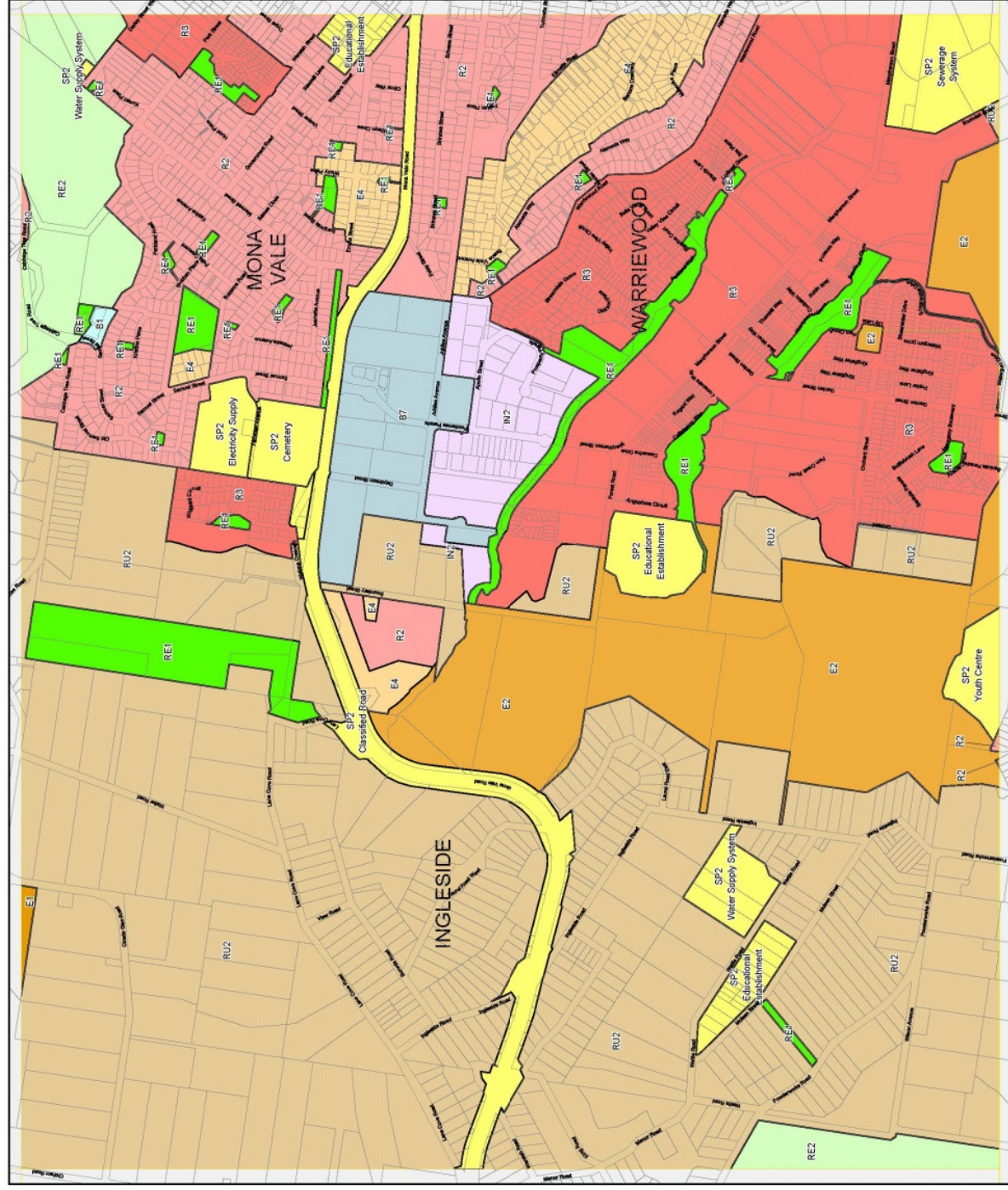
- Coastal 10/2012
- Land & Property Information (LPI)



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Pittwater Local Environmental Plan 2014

Plan Number: 6001_G004_LZN_012_000



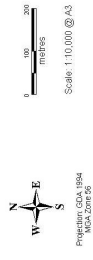
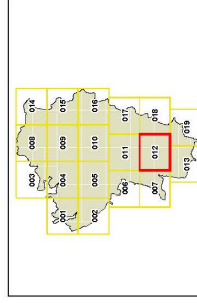
Maximum Building Height (m)

B	4
C	5
G	7
H	8
I	8.5
K	10.5
L	11
M	11.5
N	13

AREA 1	Refer Clause 4.3(5)
AREA 2	Refer Clause 4.3(5)
AREA 3	Refer Clause 4.3(5)
AREA 4	Refer Clause 4.3(5)
AREA 5	Refer Clause 4.3(7)
AREA 6	Refer Clause 4.3(10)

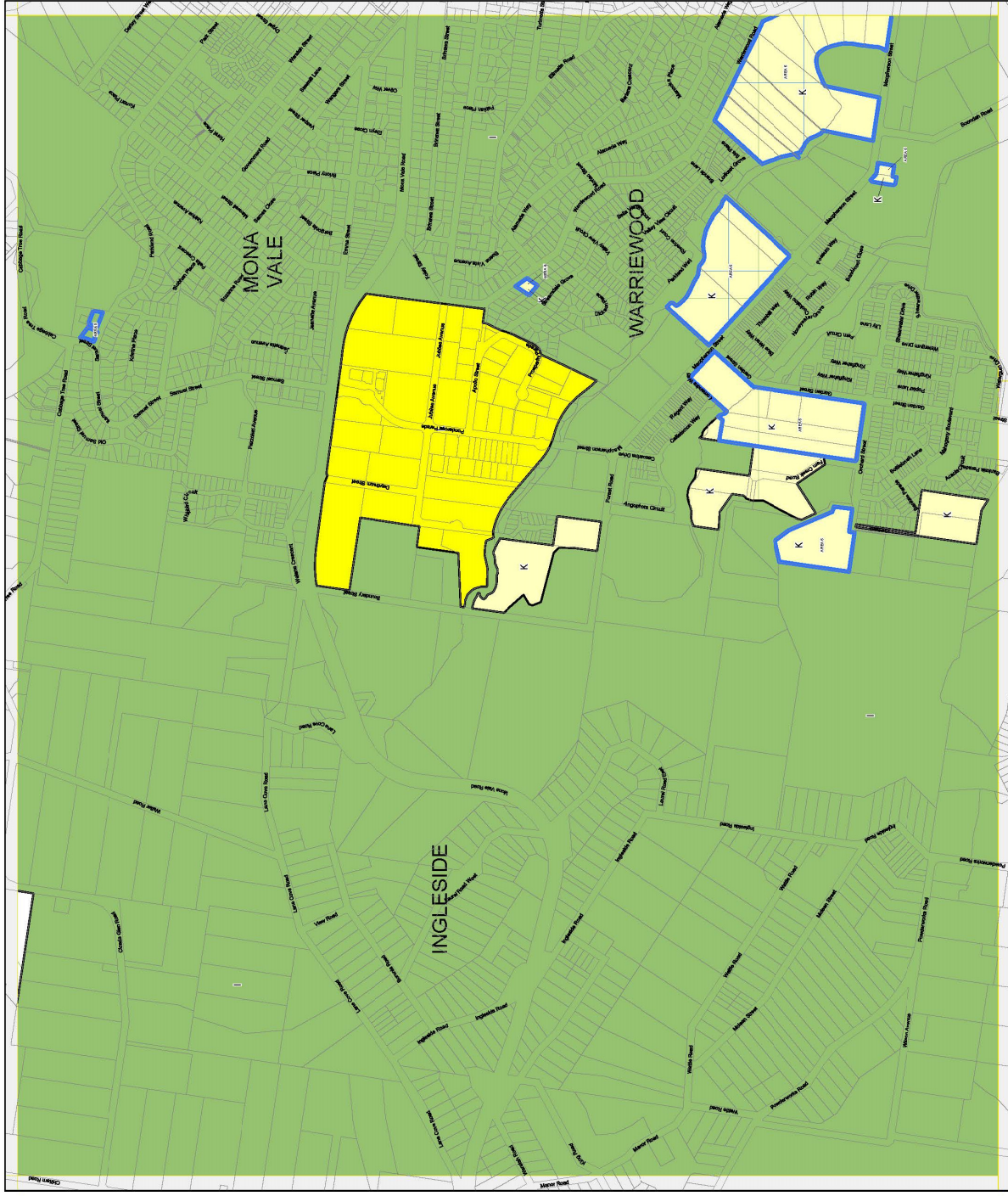
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 Cadastre 7/7/2012
 © Land & Property Information (LPI)



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 MGA Zone 56

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Appendix 5: NSW Rural Fire Service Submission



NSW RURAL FIRE SERVICE



The General Manager
Pittwater Council
PO Box 882
MONA VALE NSW 1660

Your Reference: PP0001/14
Our reference: L13/0004

24 February 2015

Attention: Robbie Platt

Dear Sir/Madam,

Planning Instrument for Public Exhibition of Planning Proposal - Warriewood Valley Release Area

I refer to your letter dated 30 January 2015 seeking comments on the Warriewood Valley Planning Proposal in accordance with section 56(2)(d) of the *Environmental Planning and Assessment Act 1979* and the gateway determination issued by the NSW Department of Planning & Environment.

The NSW Rural Fire Service (RFS) has reviewed the documentation and provides the following comments.

Based on Map 4: Residential Density Map on page 52 of the *Warriewood Valley Strategic Review Addendum Report* the following sectors are mapped under the current Pittwater Council Bush Fire Prone Land Map:

- Buffer Areas: 1b, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1M, 2 and 2A.
- Sectors: 3A, 6, 10, 10b, 12, 12A, 20, 26, 120, 202, 203, 501, 802, 901G and 901F

Any development of land within these areas is required to have regard to *Planning for Bush Fire Protection*. When determining minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings in bush fire prone areas, consideration is to be given the provision of asset protection zones within property boundaries in accordance with *Planning for Bush Fire Protection 2006* tables A2.4 (Subdivision) to achieve a maximum 29kW/m² radiant heat flux and A2.6 (Special Fire Protection Purpose developments) to achieve a maximum 10kW/m² radiant heat flux.

Council's zonings may permit with consent a number of special fire protection purpose (SFPP) developments in residential zones, the NSW RFS may not be able to support all SFPP developments in residential zones as the assessment process for SFPP developments varies to that of residential developments and requires greater asset protection zones.

Further, consideration of appropriate public and internal road networks and utility provision should be addressed in accordance with the relevant section of *Planning for Bush Fire Protection* for any future development or rezoning.

Postal address

NSW Rural Fire Service
Records Management
Locked Bag 17
GRANVILLE NSW 2141

Street address

NSW Rural Fire Service
Glendenning Customer Service Centre
42 Lamb Street
GLENDENNING NSW 2761

T 1300 NSW RFS
F (02) 8867 7983

www.rfs.nsw.gov.au

Email: csc@rfs.nsw.gov.au

For any enquiries regarding this correspondence please contact Iona Cameron on 1300 679 737.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'C. Ryland', followed by a horizontal line.

Catherine Ryland
Team Leader Development Assessment & Planning
Customer Service Centre (East)

C12.6	Avalon Beach Bowling & Recreation Club, Bowling Green Lane, Avalon - Purchase of Green 3 by Council
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Meeting: Sustainable Towns and Villages Committee

Date: 20 April 2015

COMMUNITY STRATEGIC PLAN STRATEGY: Town & Village

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To create a sense of place and enhance the village experience
- To improve the streetscapes and recreational qualities of the centres
- To ensure that Pittwater's villages remain vibrant as social, cultural and economic hubs

DELIVERY PROGRAM ACTION:

Action to be added into the 2015/2019 Delivery Program as appropriate

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

Avalon Beach Bowling & Recreation Club (the Club) currently owns the most Western Green -Green No.3 (Lot 2 DP 517185) at Bowling Green Lane, Avalon.

The subject lot has an area of 2,390 square meters and is currently zoned R2 Low Density Residential.

Pittwater Council own the adjoining property which is comprised of the Club House and No.1 and No 2 Greens leased to Avalon Beach Bowling & Recreation Club.

The Club House and Green No.2 are subject to a twenty one year lease (of which ten years are remaining), while Green No.1 is subject to an annual lease agreement.

The Club is exploring funding options to secure its financial future and has approached Pittwater Council as a party potentially interested in the purchase of their Green No 3.

On the 30 March 2015, Avalon Beach Bowling & Recreation Club submitted a proposal for the consideration of Pittwater Council (see Confidential Report on this Agenda).

2.0 RECOMMENDATION

That Council acquire Green No 3 being Lot 2 DP 517185 Bowling Green Lane, Avalon under the terms and conditions contained within the Confidential section of this agenda.

3.0 BACKGROUND

3.1 PURPOSE

To seek Council's approval to purchase Green No.3 being Lot 2 DP 517185 Bowling Green Lane, Avalon.

3.2 BACKGROUND

- a. Green No.3 (Lot 2 DP 517185) Bowling Green Lane, Avalon is currently owned by Avalon Beach Bowling & Recreation Club.
- b. The Club is considering selling this property to secure its financial future.
- c. While the Club has advised of other interested parties, members of the Board approached Council to ascertain whether it would be interested in acquiring the property.

3.3 POLICY IMPLICATIONS

- Policy No 195 – Leases over Council owned or controlled land

3.4 RELATED LEGISLATION

There is no related legislation that has prompted this report.

FINANCIAL ISSUES

Budget

If Council agrees to this land acquisition it can be partly funded by consolidated revenue and by funds allocated in the current budget for upgrades to the Club House. This can be included in the 2015/19 Delivery Plan and Budget. An amount of \$200,000 is currently in the draft Plan to undertake an external/internal refurbishment of the building and an additional \$50,000 per annum and lease waivers will be included also.

Resource Implications

If acquired, Council will need to add the subject land to its property asset register and associated financial accounting. The Club will continue to lease and maintain Green No.3 in line with their current lease over Green No.2.

As part of the proposal, Council will have potential to derive a financial return and net community benefit from the use of the Eastern Green No.1

4.0 KEY ISSUES

- If Pittwater Council acquires the subject land, it will secure an important recreational asset in the centre of Avalon. It will also add to the existing Dunbar Park and adjacent Council land.
- The sale of Green No.3 will also provide Avalon Beach Bowling & Recreation Club with a strategy to ensure the long term viability of the Club.
- It will enable the ongoing viability of the Avalon Beach Bowling & Recreation Club.

5.0 ATTACHMENTS / TABLED DOCUMENTS

ATTACHMENT 1 - Aerial photograph of subject property.

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

The proposal involves a direct dealing with the Board of the Avalon Bowling Club as owner of the land in question. The community engagement is specific to their proposal to sell the subject land and their current offer to Council to purchase.

6.1.2 Risk Management

An independent Valuer was engaged to determine the market value of the subject property. Subsequent negotiations have established a purchase price and associated financial arrangements.

6.2.1 ENVIRONMENT

6.2.1 Environmental Impact

The subject land is currently used as a bowling green and if this land is acquired by Council it is intended that this use will continue under a lease with the Bowling Club. As such there would be no net environmental impact.

If the subject land is sold to a private owner/developer the subject land would presumably be developed in accordance with its current RU2 zoning. This in turn would result in a significant environmental change. It is also noted that the subject land is somewhat 'land locked'. As such vehicle access to the subject land would need to be via the internal access aisles of the public carpark which could be problematic and involve an increase in 'private' traffic movements through these carparks on adjacent residential properties.

In addition, a private development immediately adjoining the Bowling Club may impact on the social activities conducted by the Bowling Club, in particular current activities that may generate some noise component and currently ameliorated by the separation distance.

6.2.2 Mitigation Measures

If the subject land is acquired by Council, no mitigation measures are required. The land will be managed in accordance with the management arrangements and current constraints on the land.

If the subject land is sold to a developer for housing the current open space utilisation/allocation will need to be readjusted.

6.2 SOCIAL

6.3.1 Address Community Need & Aspirations

The Avalon Bowling Club provides an existing recreational and social venue and important meeting space for the community.

Retaining the full quantum of land currently used for recreational activity, including the private land component to the west provides future flexibility to manage Dunbar Park, particularly in its Village Centre context.

Conversely, the potential development of the western green for housing (subject to Council approval) would have a potential negative impact on the current situation and significantly constrain future opportunities.

6.3.2 Strengthening local community

The potential acquisition of the subject land which is contiguous with the rest of Dunbar Park can provide long term surety, opportunities and flexibility for the local community. If acquired the land would be classified as Community Land and managed as part of Council's open space network and Dunbar Park Plan of Management.

6.3 **ECONOMIC**

6.4.1 **Economic Development**

The longer term viability of the Bowling Club and the social, recreational and employment benefits it provides is more sustainable if the Club divests its ownership of the subject land.

The community land can also be put to a broader range of uses that can attract other user fees.

Report prepared by
Bridget Bolewski, Senior Property Officer

Peter Stokes
ACTING MANAGER, CORPORATE DEVELOPMENT & COMMERCIAL



C12.7 Pittwater 21 Development Control Plan - Amendment 18

Meeting: Sustainable Towns and Villages Committee

Date: 20 April 2015

COMMUNITY STRATEGIC PLAN STRATEGY: **Land Use & Development and
Disaster, Emergency & Risk Management**

COMMUNITY STRATEGIC PLAN OBJECTIVE:

- To deliver a comprehensive suite of development controls that improve the liveability of the area
- To ensure development responds to hazards and climate change
- To promote a well-informed community and that the Council knows how to effectively respond to disaster and emergency situations before during and after
- To effectively respond to disasters, emergency situations and provide effective relief measures
- To increase community awareness on effective risk management
- To incorporate risk management in all business activities
- To plan for risks due to natural and manmade hazards

DELIVERY PROGRAM ACTION:

- Develop and implement programs to increase resilience to flood and coastal storms
 - Develop, review and implement flood and coastal storm risk studies and plans in accordance with NSW Government guidelines
-

1.0 EXECUTIVE SUMMARY

1.1 SUMMARY

On 2 March 2015, Council resolved to publicly exhibit Amendment 18 to the Pittwater 21 DCP relating to Flood Emergency Response Planning Policy and associated control. Amendment 18 was publicly exhibited between 6 March 2015 and 3 April 2015.

During the public exhibition period, Council received no submissions from the community.

Should Council support the recommendations of this report, the 'Flood Emergency Response Planning for Development in Pittwater Policy will be included as a new Appendix in the Pittwater 21 Development Control Plan (DCP) and a new control (Flood Hazard – Flood Emergency Response Planning) will be added to the Pittwater 21 DCP.

2.0 RECOMMENDATION

- 1. That Council adopts Amendment 18 to the Pittwater 21 Development Control Plan (DCP) (refer Attachment 1, 2 & 3).**
- 2. That a public notice be placed in the Manly Daily within 28 days of Council adopting Amendment 18 to the Pittwater 21 DCP, specifying when the will come into effect.**
- 3. That a copy of the Pittwater 21 DCP, as amended, be forwarded to the Secretary of the Department of Planning and Environment, once the plan comes into effect.**

3.0 BACKGROUND

3.1 PURPOSE

The purpose of this report is to provide Council with the results of the public exhibition of Amendment 18 to the Pittwater 21 Development Control Plan (DCP) and seek Council's endorsement that the proposed amendments be implemented.

3.2 BACKGROUND

On 2 March 2015, Council resolved to incorporate:

- That the statutory process to amend Pittwater 21 Development Control Plan be commenced.
- That Amendment 18 to the Pittwater 21 Development Control Plan be placed on public exhibition for 28 days with submissions invited from the public and notified in accordance with Council's Community Engagement Policies.
- That following the period of public exhibition and consideration of any submissions received, the draft Pittwater 21 Development Control Plan be reported back to Council for further consideration.

3.3 POLICY IMPLICATIONS

Should Council support the recommendations of this report, the 'Flood Emergency Response Planning for Development in Pittwater Policy will be included as a new Appendix in the Pittwater 21 Development Control Plan (DCP) and a new control (Flood Hazard – Flood Emergency Response Planning) will be added to the Pittwater 21 DCP along with the associated DCP Map.

3.4 RELATED LEGISLATION

- *Environmental Planning & Assessment Act 1979*
- NSW Government Flood Prone Land Policy and Floodplain Development Manual (2005)
- *Local Government Act 1993*

3.5 FINANCIAL ISSUES

3.5.1 Budget

- NIL implication

3.5.2 Resources Implications

- NIL implication

4.0 KEY ISSUES

- In accordance with Council's resolution on the 2 March 2015, a written notice was placed in the Manly Daily on 7 March 2015, documentation relevant to Amendment 18 was made available on the Pittwater Council website and copies were made available for viewing at the Customer Service Centres and Libraries.
- Amendment 18 to the Pittwater 21 DCP was publicly exhibited between 6 March 2015 and 3 April 2015.

- During the public exhibition period, Council received no submissions from the community.
 - Clause 21 of the *Environmental Planning and Assessment Regulation 2000* specifies that council must give public notice of its decision to approve the amended DCP in a local newspaper within 28 days after the decision is made. The DCP will come into effect on the date specified in the public notice.
-

5.0 ATTACHMENTS / TABLED DOCUMENTS

- **ATTACHMENT 1:** Flood Emergency Response Planning for Development in Pittwater Policy
 - **ATTACHMENT 2:** Flood Emergency Response Planning DCP Control
 - **ATTACHMENT 3:** Flood Life Hazard Map
-

6.0 SUSTAINABILITY ASSESSMENT

6.1 GOVERNANCE & RISK

6.1.1 Community Engagement

- A Public notice was placed in the Manly Daily outlining the public exhibition period.
- DCP amendments were placed on statutory public exhibition for a minimum of 28 days.

6.1.2 Risk Management

- The proposed DCP policy and associated development control enables a risk management approach to determine whether development that occurs on flood prone land can meet an acceptable level of risk.
- Risk matrix has been used in the development of the policy and is outlined in Attachment 1.

6.2 ENVIRONMENT

6.2.1 Environmental Impact

- NIL implication

6.2.2 Mitigation Measures

- The amendment to the Pittwater 21 DCP will assist in building resilience into dwellings/buildings located in Council's flood prone land through compliance with the proposed DCP control.

6.3 SOCIAL

6.3.1 Address Community Need & Aspirations

- The Pittwater 21 DCP amendment will enable the community to be better prepared and informed on the flood risk associated with their property.

6.3.2 **Strengthening local community**

- The Pittwater 21 DCP amendment will assist in building resilience in the community's knowledge and awareness of the risks associated with flooding.

6.4 **ECONOMIC**

6.4.1 **Economic Development**

- The Pittwater 21 DCP amendment provides the opportunity for flood affected commercial centre areas to manage flood risk by applying flood emergency management design principles.

Report prepared by
Melanie Schwecke, A/Principal Officer – Floodplain Management

Jennifer Pang
MANAGER, CATCHMENT MANAGEMENT & CLIMATE CHANGE



PITTWATER 21 DEVELOPMENT CONTROL PLAN

Appendix XX

PROPOSED Flood Emergency Response Planning for Development in Pittwater Policy

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1 Flood Emergency Response Planning for Development in Pittwater Policy

1.1 Purpose

In accordance with the Floodplain Development Manual (FDM) (NSW Government, 2005), in flood prone land the responsibility lies with Council to ensure new developments minimise flood risk through the implementation of effective flood emergency response measures.

To help minimise the flood risk to occupants, it is important that developments have provisions to facilitate flood emergency response. There are two main forms of flood emergency response that may be adopted by people within the floodplain:

- > Evacuation: The movement of occupants out of the floodplain before the property becomes flood affected; and,
- > Shelter-in-place: The movement of occupants to a building that provides vertical refuge on the site or near the site before their property becomes flood affected.

By establishing minimum requirements for evacuation and shelter-in-place strategies for new developments, including additions and alterations to existing developments, Council ensures that:

- > Flood risk associated with development is clearly identified; and,
- > Flood risk to life for development is appropriately managed.

In assigning what is an acceptable emergency response measure for a development, Council has taken into consideration:

- > Flood Life Hazard Category: Life hazard accounts for the potential hazard relating to the flood behaviour throughout the Local Government Area (LGA). If the floodplain were occupied at the time of flooding then the flood life hazard categories indicate the hazard occupants would be exposed to. Flood life hazard categories have been mapped for the entire Pittwater LGA (and available through Council Flood Information Request service);
- > Land-use: The land-uses within the floodplain provide an indication of the occupation of the floodplain which will influence the number and demographic of people exposed to flood risk. Therefore emergency response requirements should be tailored to each land-use; and,
- > Proposed emergency response: Consideration of emergency response measures relates to the likelihood of occupants within the floodplain being directly exposed to flood hazard. The emergency response requirements are dependent on if evacuation or shelter-in-place is the adopted emergency response.

By adjusting emergency response requirements for each development based on these considerations, the flood risk to life may be addressed in a targeted way while not being needlessly onerous on the developer / land owner.

1.2 Risk Assessment Categories

There are three subjective risk assessment categories:

- > Acceptable risk: Flood risk to life is considered negligible and the flood emergency response planning policy does not apply;
- > Tolerable risk: Flood risk to life is significant and the flood emergency response planning policy applies for all developments;
- > Unacceptable risk: Flood risk to life is severe, developments should not be permitted on a flood risk to life basis.

A graphical representation of the risk categories as they relate to flood life hazard categories are shown in Table 1-1. As seen in Table 1-1 this flood emergency response planning policy applies to all land assigned a flood life hazard category of H3-H4 or greater.

Table 1-1 Flood Risk Assessment Outcomes Summary

Adopted Emergency Response	Flood Life Hazard Category			
	H1 - H2	H3 – H4	H5	H6
Evacuation				
Shelter-in-Place				

Where, Green = Acceptable risk, flood emergency response planning policy does not apply;

Yellow = Tolerable risk, flood emergency response planning policy applies for all development; and,

Orange = Unacceptable risk, no development should be permitted in these areas due to severe flood risk.

1.3 Complying Development Certification (CDC)

In accordance with Clause 3.36C of the Exempt and Complying Development Codes SEPP (NSW Government, 2008), flood affected properties may be eligible for a complying development certificate if the development does not lie within a "high risk area".

For developments within the Pittwater LGA, "high risk areas" are defined as areas of flood life hazard category H3-H4 or greater. Therefore areas of flood life hazard category H1-H2 are considered "low risk areas" and Complying Development Certification may still be possible in these areas.

1.4 Developments to Which This Policy Applies

A summary of the land-use groups is included in Table 1-2.

Table 1-2 Land Use Groups

Critical	Vulnerable Uses	Residential
emergency services facility	child care centre	boarding house
hospital	educational establishment	dual occupancy
public administration building	home-based child care	dwelling house
sewerage system	Community health service facility	exhibition home
Telecommunications facility (SP2)	information and education facility	exhibition village
Public Utility Undertaking (SP2)	respite day care centre	hostel
electricity generating works	seniors housing	residential flat building
	caravan park	rural worker's dwelling
	group home	secondary dwelling
	residential care facilities	semi-detached dwelling
	correctional centre	multi dwelling housing
	tourist and visitor accommodation	shop top housing
		attached dwelling

Business & industrial		
boat building and repair facility	medical centre	waste or resource management facility
business premises	mortuary	management facility
car park	neighbourhood shop	waste water disposal system
crematorium	office premises	water recreation structure
depot	Patient Transport facilities	water supply system
entertainment facility	passenger transport facility	wharf or boating facilities
freight transport facility	place of public worship	wholesale supplies
function centre	port facility	animal boarding or training establishment
general industry	recreation facility (indoor)	charter and tourism boating facility
health consulting rooms	registered club	home business
heavy industrial storage establishment	restricted premises	home occupation
highway service centre	retail premises	home occupation (sex services)
industrial retail outlet	rural industry	community facility
industrial training facility	service station	research station
industries	sex services premises	camping ground
	storage premises	eco-tourist facilities
	transport depot	marina
	truck depot	cemetery
	turf farming	
	vehicle body repair workshop	
	vehicle repair station	
	veterinary hospital	
	warehouse or distribution centre	
	waste disposal facility	

Recreational and Environmental	Subdivision	Concessional	No controls
aquaculture	subdivision	development ancillary to residential development	signage
boat shed		occupation/change of use of an existing premises	intensive livestock agriculture
environmental facility			intensive plant agriculture
environmental protection works			open cut mining
extensive agriculture			jetty
extractive industry			mooring
farm building			mooring pen
flood mitigation works			recreation area
forestry			tree and/or bushland removal
horticulture			earthworks
recreation facility (major)			road
recreation facility (outdoor)			boat launching ramp
viticulture			demolition
			development/subdivision of a sector, buffer area or development site in a Release Area

The flood risk to life is considered significant for all developments under Land use categories "Critical and Vulnerable Uses", therefore it is preferred that these development types not be located within the PMF flood extent. Note that any alterations or additions to existing dwellings must consider this flood policy.

1.4.1 Land Release Developments

This Flood Emergency Response Planning for Development in Pittwater policy and the associated development controls does not apply to Development/subdivision of a sector, buffer area or development site in a Release Area. Flood affected land release developments such as those identified in the Warriewood Urban Land Release are expected to have a more significant impact on flood risk to life.

The development controls specified in this policy address flood risk to life accounting for moderate intensification of development within the floodplain. Development/subdivision of a sector, buffer area or development site in a Release Area are more likely to result in previously low density or unoccupied flood affected land having a major increase in occupation and therefore flood risk to life. The controls specified in this policy therefore do not address flood risk to life adequately to account for land release developments.

Development/subdivision of a sector, buffer area or development site in a Release Area should adopt the same emergency response principles within this policy however to a greater extent incorporating a more complex assessment to ensure future flood risk is not increased as a result of Development/subdivision of a sector, buffer area or development site in a Release Area.

1.5 Evacuation Requirements

1.5.1 Evacuation Feasibility

The main consideration of risk to life of occupants for evacuation is whether there is sufficient time to evacuate before flooding, if occupants can evacuate before flooding occurs then the risk to life may be considered acceptable.

It is recommended that the Pittwater LGA evacuation model (**Attachment A**) be adopted as the basis for assessing evacuation feasibility.

The assessment of evacuation feasibility for a development needs to also account for the Flood Emergency Response Planning classification (**Attachment B**) of the site, with evacuation via rising road access preferred.

1.5.2 Flood Risk Emergency Assessment

For evacuation to be considered an acceptable emergency response development and alterations and additions to existing development should demonstrate all occupants may evacuate safely through a Flood Risk Emergency Assessment that considers:

- > Proposed evacuation route and mode of transport, and the flood hazard along the route in the PMF.
Note that:
 - Evacuation routes must not be through private property that is not a part of the subject site;
 - Preferable evacuation routes are rising road access
- > Evacuation timeline including time required vs time available based on principles established in the NSW SES Evacuation Timeline Model and adapted for local evacuation ;
- > Intended evacuation destination, the flood hazard at the destination, the level of service provided by evacuation destination (medical, food, water, communication lines), and duration of isolation of the destination in the PMF event from any of these services;
- > Consideration of vulnerability of likely occupants, and their ability to evacuate;
- > Consideration of the number of occupants, ensuring sufficient capacity of evacuation route, and evacuation destination to facilitate all occupants;
- > Intended flood warning mechanism, potentially outlining concept design of warning systems taking into account flooding at all times of the day;
- > Identification of the depth of floodwater along the evacuation route in the 1% AEP and PMF events;
- > Intended flood evacuation awareness, if no obvious evacuation route is available then signage should assist occupants, particularly for business and commercial land uses; and
- > Identification of any buildings on site that are appropriate for shelter-in-place as an alternative emergency response (see **Section 1.6** for further details).

The combination of all these factors contribute to the acceptability of evacuation as an emergency response. Council's assessment of evacuation strategies will involve a merits based assessment based on the factors listed above.

1.6 Shelter-in-Place Requirements

The following sections outline the shelter-in-place requirements and to which development types the controls are relevant.

1.6.1 Flood Risk Emergency Assessment

For shelter-in-place to be considered an acceptable emergency response, a development should demonstrate that the development controls summarised in the following sections have been addressed through a Flood Risk Emergency Assessment report.

1.6.2 Minimum Floor Level for Shelter in Place

The adopted requirements for shelter in place minimum floor levels are equal to the PMF flood event. These requirements apply to all tolerable life hazard categories, H3-H4 and H5 categories.

1.6.3 Floor Space

The adopted requirements for shelter in place minimum floor space are:

- A floor space of the shelter-in-place area 2 m² per person is required for all long duration flooding unless it can be shown the development lies within this region but is only inundated for a "short duration" (less than 6 hours in the PMF); or,
- A floor space of the shelter-in-place area 1 m² per person is required for development located in short duration flooding (less than 6 hours in the PMF).

These requirements apply to all tolerable flood life hazard categories, H3-H4 and H5 categories, and all development types.

The definition of sufficient capacity is defined as floor space of 1 m² per person for short duration (less than 6 hours), and 2 m² per person for long duration (greater than 6 hours).

1.6.4 Accessibility

The adopted requirements for shelter in place for all developments are:

- > Shelter-in-place refuge must be intrinsically accessible to all people on the site, plainly evident, and self-directing, with sufficient capacity of access routes for all occupants.
- > There must be sufficient time for all occupants to access shelter-in-place refuges, with fail safe access provided with no reliance on elevators. Flood warning systems should be considered where the number of occupants is significant.

1.6.5 Building Stability

For all shelter-in-place refuge buildings proposed within flood risk to life category H3-H4:

- > Structural stability of the refuge building is to be verified by a suitably qualified structural engineer considering lateral flood flow, buoyancy, suction effects, and debris load impact of 1% AEP design flood depths and velocities; and
- > Refuge must comply with Building Code of Australia requirements, with external components rated appropriately for storm, wind, and moisture.

This requirement is relevant for all land-use types.

For all shelter-in-place refuge buildings proposed within flood risk to life category H5:

- > Structural stability of the refuge building is to be verified by a suitably qualified structural engineer considering lateral flood flow, buoyancy, suction effects, and debris load impact of PMF design flood depths and velocities; and

- > Refuge must comply with Building Code of Australia requirements, with external components rated appropriately for storm, wind, and moisture.

This requirement is relevant for all land-use types.

1.6.6 Serviceability

The following serviceability requirements only apply to long duration flooding unless it can be shown the development lies within this region but is only inundated for a "short duration" (less than 6 hours in the PMF). The serviceability requirements apply for all land-uses with the exception of subdivision:

- > Sufficient clean water; and
- > First Aid Kit; and
- > Portable radio with spare batteries; and
- > Torch with spare batteries.

In addition, land-use groups listed under Critical and Vulnerable Uses must also provide:

- > a practical means of medical evacuation; and
- > Emergency power.

2 Attachment A – Evacuation Timeline Model

Evacuation Time line model for the Pittwater LGA

The determination of the timeline model adopted for Pittwater LGA has been based on the *NSW SES Timeline Evacuation Model* as outlined in the paper *Technical Guideline for SES Timeline Evacuation Model* prepared by Molino S. et al in 2013. The *NSW SES Timeline Evacuation Model* relates to the regional evacuation of floodplains through doorknocking by SES volunteers through to the evacuation of all occupants for the region.

At the centre of the timeline methodology is the following concept:

$$\text{Surplus Time} = \text{Time Available} - \text{Time Required}$$

If surplus time is positive then evacuation of all occupants is feasible, while a negative value implies evacuation of all occupants is not likely to be able to be achieved.

The calculation of the two variables is as summarised below:

Time Required

The SES timeline approach to assess time required to evacuate is based on a specific sequence of events; SES monitor, and notify occupants of a region to evacuate following initial reluctance. Due to the flash flooding nature of Pittwater LGA it is assumed that evacuation will not be able to occur through co-ordinated SES door-knocking process.

However evacuation may occur at a more localised level through a different sequence of events; occupants visually see flooding in their vicinity and respond instinctively by moving to higher ground.

This sequence relies less on emergency services co-ordination and relies on the common sense of the occupant to respond to observed flooding through evacuation. It is not dissimilar to the expected sequence of events for shelter-in-place with the exception that occupants evacuate to higher ground rather than elevated buildings.

Based on this localised response approach the calculation of time required for Pittwater LGA is as follows:

$$\text{Time Required} = \text{Travel Time (TT)} + \text{Travel Safety Factor (TSF)}$$

Where the following values are recommended in the guideline:

TT = Variable – the number of hours taken for the evacuation of all vehicles based on road capacity. NSW SES recommend a road lane capacity of 600 vehicles per hour, i.e if there are 1200 vehicles to evacuate TT = 2 hours. A similar approach may be applied to pedestrian evacuation routes.

TSF = Variable – added to travel time to account for any delays along the evacuation route for example resulting from accidents, this value is a variable of TT between 1 hour and 3.5 hours.

Time Available

This variable is to be determined on a case by case basis derived from the following:

- > Evacuation route geometry;
- > Rate of rise of waters.

Localised evacuation is heavily dependent on Rising Road Access availability in accordance with classifications outlined in the Flood Emergency Response Planning classification guidelines (refer to **Attachment B**).

3 Attachment B – Flood Emergency Response Planning Classifications

The definition of Flood Emergency Response Categories has been based on those outlined in the Flood Emergency Response Planning (FERP) Classification of Communities Guideline (NSW Government, 2007).

The categories are focussed on SES requirements and look to classify land based on evacuation and access availability during flood events. The Flood Emergency Response Planning classifications assist emergency managers with identifying the type and scale of information needed for emergency response planning, and assist planners in identifying suitable areas for development.

The guideline provides a number of classifications, which are based on those utilised by the SES. These definitions are outlined below.

- > **High Flood Island:** The flood island is higher than the limit of flooding (i.e. above the PMF), no risk to life or property from inundation on the island, will require resupply by boat or air if not evacuated prior to road being cut;
- > **Low Flood Island:** The flood island is lower than the limit of flooding (i.e. below the PMF), if floodwater continues to rise after it is isolated, the island will eventually be completely covered, with a risk to life from inundation from people from who are not evacuated;
- > **Area with Overland Escape Route:** These are inhabited areas on flood prone ridges jutting into the floodplain or on the valley side, the access road/s cross lower lying flood prone land, evacuation can take place by road only until access roads are closed by floodwater. Escape from rising floodwater will be possible by walking overland to higher ground;
- > **Area with Rising Road Access:** These are similar to above, access road/s rise steadily uphill and away from rising floodwaters, people are not trapped unless they delay evacuation;
- > **High Trapped Perimeters:** These are inhabited areas above the PMF so there is no risk of inundation of homes by floodwater but the only access road/s are across flood prone land, similar issues to high flood islands, resupply may be necessary;
- > **Low Trapped Perimeters:** The inhabited area is lower than the limit of flooding (i.e. below the PMF), if floodwaters continue to rise, then property will be cut-off and eventually inundated, if no evacuation occurs, risk to life from inundation; and,
- > **Indirectly Affected:** There will be areas outside the limit of flooding which will not be inundated and will not lose road access, never the less they may be indirectly affected as a result of flood damaged infrastructure, due to the loss of transport links, electricity supply, water supply, sewage or telecommunications services they may require resupply or in the worst case, evacuation.

The Flood Emergency Response Planning classifications need to be considered for the PMF event as a minimum as it is the design event adopted within this Policy.

4 Attachment C – Form 1

FLOOD EMERGENCY RESPONSE PLANNING FOR DEVELOPMENT IN PITTWATER POLICY

FORM NO. 1 – To be submitted with Development Application

Development Application for

(Name of Applicant)

Address of site: _____

Declaration made by hydraulic engineer or engineer specialising in flooding/flood emergency response as part of a Flood Risk Emergency Assessment:

I, _____ on behalf of _____
(Insert Name) (Trading or Business/ Company Name)

on this the _____ (Date) certify that I am a hydraulic engineer or engineer

specialising in flooding/flood emergency response and I am authorised by the above organisation/ company to issue this document and to certify that the organisation/ company has a current professional indemnity policy of at least \$2million.

Flood Risk Emergency Assessment Details:

Report Title:

.....

Report Date:

Author:

Author's Company/Organisation:

I: _____
(Insert Name)

Please tick appropriate box (more than one box can be marked)

☐ have prepared the Flood Risk Emergency Assessment referenced on Form 1 in accordance with Council's guidelines and the Flood Emergency Response Planning for Development in Pittwater Policy.

☐ am willing to technically verify that the detailed Flood Risk Emergency Assessment referenced on Form 1 has been prepared in accordance with Council's guidelines and the Flood Emergency Response Planning for Development in Pittwater Policy.

☐ have examined the site and the proposed development in detail and have carried out a risk assessment (which has been attached to this form), and can confirm that:

☐ The addition/dwelling/building is located outside of the extents for Flood Life Hazard Categories H3-H4, H5 and H6 and a Flood Risk Emergency Assessment is not required.

☐ confirm that the results of the risk assessment for the proposed development are in compliance with the Flood Risk Management Policy for Development in Pittwater and a detailed risk assessment is not required for the subject site.

☐ have examined the site and the proposed development/alteration/addition in detail and I am of the opinion (after carrying out a risk assessment) that the Development Application does not require a Flood Risk Emergency Assessment and I have attached the risk assessment to this form.

☐ have reviewed (provide details of Report) the Flood Risk Emergency Assessment previously prepared for this property and can confirm it is up to date and is still current.

Documentation which relate to or are relied upon in report preparation:

☐ I am aware that the Flood Risk Emergency Assessment referenced on Form 1, prepared for the abovementioned site is to be submitted in support of a Development Application for this site and will be relied on by Pittwater Council as the basis for ensuring that the Flood Risk Management aspects of the proposed development have been adequately addressed to achieve an "Acceptable or Tolerable Risk" level for the life of the structure, taken as at least 100 years unless otherwise stated and justified in the Report and that reasonable and practical measures have been identified to remove foreseeable risk.

Hydraulic engineer or engineer specialising in flooding/flood emergency response details:

Signature

Name

Chartered Professional Status.....

Membership No.

Company.....

Number of years specialising in flooding/emergency response.....

PROPOSED DCP control

B3.XX Flood Hazard – Flood Emergency Response planning

Land to which this control applies

Land identified on the Flood Life Hazard Category Maps as H3-4, H5 and H6.

Uses to which this control applies

List (refer to Table 1.2 in the policy)

Outcomes

Protection of people. (S)

Protection of the natural environment. (En)

Protection of private and public infrastructure and assets. (S)

Controls

Areas of the Pittwater LGA potentially impacted by flash flooding or overland flow or lagoon flooding or a combination of flooding are to ensure development is undertaken in a way that is reflective of the flood risk.

Form 1 (Attachment C of the Flood Emergency Response Planning for Development in Pittwater Policy) is to be completed and submitted to Council

If safe evacuation can be demonstrated to Council's satisfaction through the submitted Flood risk Emergency Assessment, then the controls for shelter in place are not applicable.

Development Matrix

The following is a summary of the major steps to be followed in applying this part of the DCP:

- (a) Determine the Flood Life Hazard within which your site is situated. The Flood Life Hazards are divided into four categories, i.e. H1-2, H3 -H4, H5 & H6;
Note: Where a property is located in more than one Hazard, the assessment must consider the controls relevant to each Hazard.
- (b) Determine the *Land Use Group* relevant to your proposal. The various land use or development types have been grouped into *Land Use Groups* (refer table 1 below);
- (c) Address each of the prescriptive controls for the relevant land use category in the applicable Hazard.

Table 1 Flood Risk to Life Development Matrix

Adopted Emergency Response	Land-Use Group	Flood Life Hazard Category			
		H1 - H2	H3 – H4	H5	H6
Evacuation	All	No control	1a	1a	1a
Shelter-in-Place	Recreational and environmental	No control	1b, 2, 3, 4, 5a	1b, 2, 3, 4, 5b	Development not permitted
	Concessional	No control	1b, 2, 3, 4, 5a	1b, 2, 3, 4, 5b	Development not permitted
	Residential	No control	1b, 2, 3, 4, 5a, 6a	1b, 2, 3, 4, 5b, 6a	Development not permitted
	Business and Industrial	No control	1b, 2, 3, 4, 5a, 6a	1b, 2, 3, 4, 5b, 6a	Development not permitted

	Vulnerable Uses	No control	1b, 2, 3, 4, 5a, 6b	1b, 2, 3, 4, 5b, 6b	Development not permitted
	Critical	No control	1b, 2, 3, 4, 5a, 6b	1b, 2, 3, 4, 5b, 6b	Development not permitted

Where,

Green = Acceptable risk;

Yellow = Tolerable risk; and,

Orange = Unacceptable risk.

Evacuation

Control 1a – Flood Risk Emergency Assessment

Requires the preparation of a Flood Risk Emergency Assessment report for the evacuation strategy as outlined in the Flood Emergency Response Planning for Development in Pittwater Policy.

Shelter-in-Place

Control 1b - Flood Risk Emergency Assessment

Requires the preparation of a Flood Risk Emergency Assessment report addressing the shelter-in-place requirements as outlined in the Flood Emergency Response Planning for Development in Pittwater Policy.

Control 2 - Minimum Floor Level

Minimum floor level equal to the PMF flood event for shelter-in-place refuge

Control 3 - Floor Space Requirement

Minimum floor space of the shelter-in-place refuge is:

- 2 m² per person is required for all long duration flooding in a PMF event unless it can be shown the development lies within an area only inundated for a “short duration” (less than 6 hours in the PMF); or,
- 1 m² per person is required for shelter-in-place refuge impacted by short duration flooding in a PMF event.

Control 4 - Accessibility

Shelter-in-place refuge must be:

- Intrinsically accessible to all people on the site, plainly evident, and self-directing, with sufficient capacity of access routes for all occupants.
- There must be sufficient time for all occupants to access shelter-in-place refuges, with fail safe access provided with no reliance on elevators. Flood warning systems should be considered where the number of occupants is significant.

Control 5a - Building Stability

Structural stability of the building is to be verified by a suitably qualified structural engineer considering lateral flood flow, buoyancy, suction effects, and debris load impact of the 1% AEP design flood depths and velocities.

Control 5b - Building Stability

Structural stability of the building is to be verified by a suitably qualified structural engineer considering lateral flood flow, buoyancy, suction effects, and debris load impact of PMF design flood depths and velocities.

Control 6a – Serviceability

For developments with long duration flooding regions unless it can be shown the development lies within this region but is only inundated for a “short duration” (less than 6 hours in the PMF) shelter-in-place refuge is to provide:

- Sufficient clean water for all occupants; and,
- Portable radio with spare batteries; and
- Torch with spare batteries; and
- First Aid Kit.

Control 6b – Serviceability

For developments with long duration flooding regions unless it can be shown the development lies within this region but is only inundated for a “short duration” (less than 6 hours in the PMF) shelter-in-place refuge is to provide:

- Sufficient clean water for all occupants; and
- Portable radio with spare batteries; and
- First Aid Kit; and
- Torch with spare batteries; and
- Emergency power; and
- Practical means of medical evacuation.

Variation to the controls

Where in the opinion of a hydraulic engineer, or an engineer specialising in flooding/flood emergency response that a Flood Risk Emergency Assessment Report is not required and a variation to the controls is requested - This must be justified as a clear professional opinion with the supporting basis on which the opinion was formed submitted to Council. A completed Form 1 (Attachment C of the Flood Emergency Response Planning for Development in Pittwater Policy), must also be submitted with the development application.

Pittwater Council may also waive the requirement for a Flood Risk Emergency Assessment prior to a Development Application being lodged with Council, following a review of the proposed development, land use group and the Flood Life Hazard by Pittwater Council.

Advisory Notes

For additional information, applicants are referred to Appendix X Flood Emergency Response Planning for Development in Pittwater Policy of this DCP.

Obtaining Flood Life Hazard Categories

To apply this control the Flood Life Hazard Categories on the parcel of land/lot must first be established by:

Obtaining the Flood Life Hazard Category Map from Council through the Flood Information Request service;
or

An independent assessment undertaken by a Hydraulic Engineer to determine the flood life hazard categories based on consideration of the following factors:

- Flood hazard curves to identify the degree of flooding which poses a risk to life for demographics of

the population (refer to Updating National Guidelines on Best Practice Flood Risk Management by McLuckie, D et al, 2014), and

- The design flood event to be adopted as the basis of the life hazard categories as the PMF event

Developer Decision Tree

The decision tree shown in Figure 1 has been prepared to assist developers in determining whether or not flood risk to life development controls apply to their development and assist in the application of the development matrix shown in figure 1.

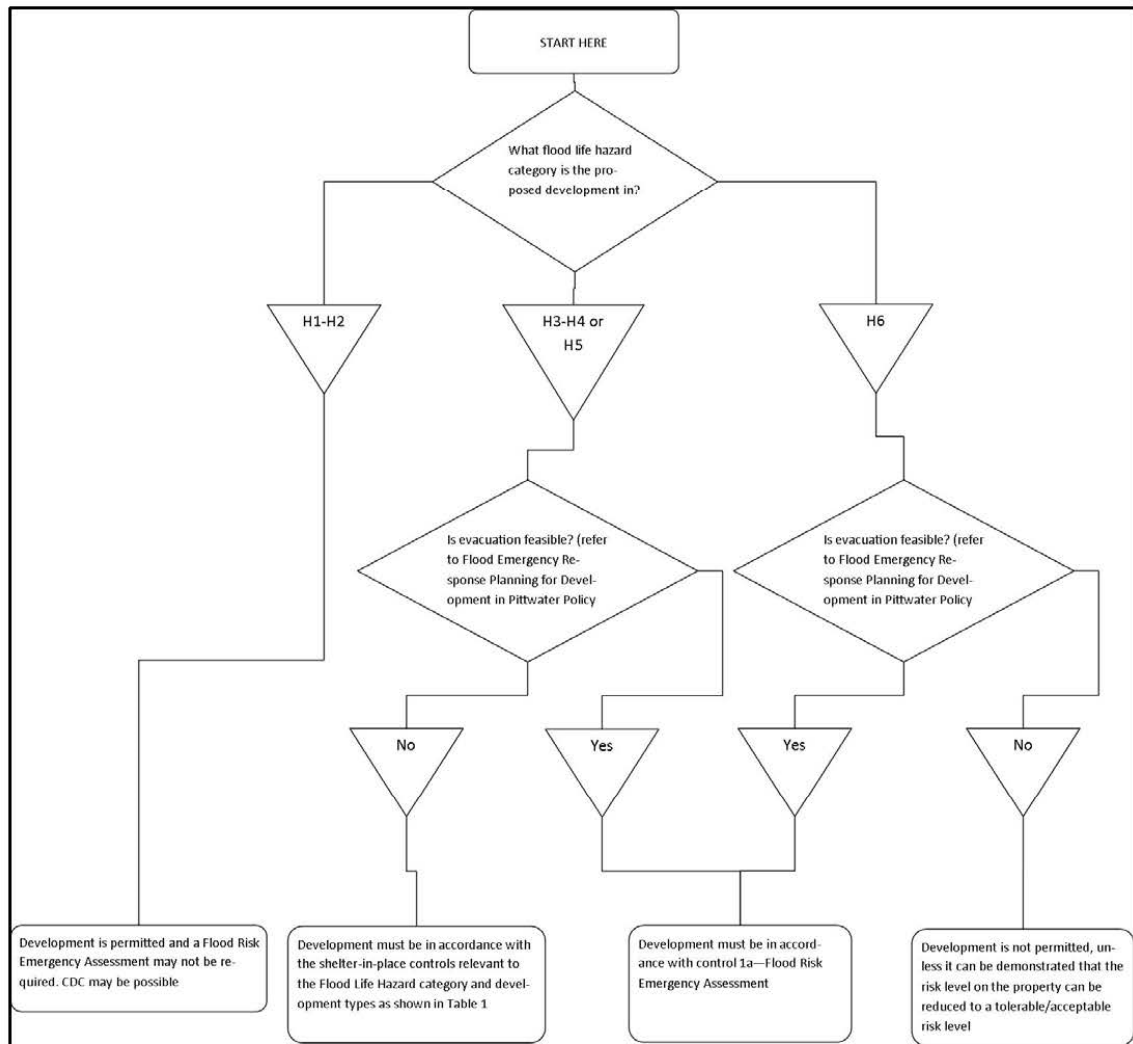
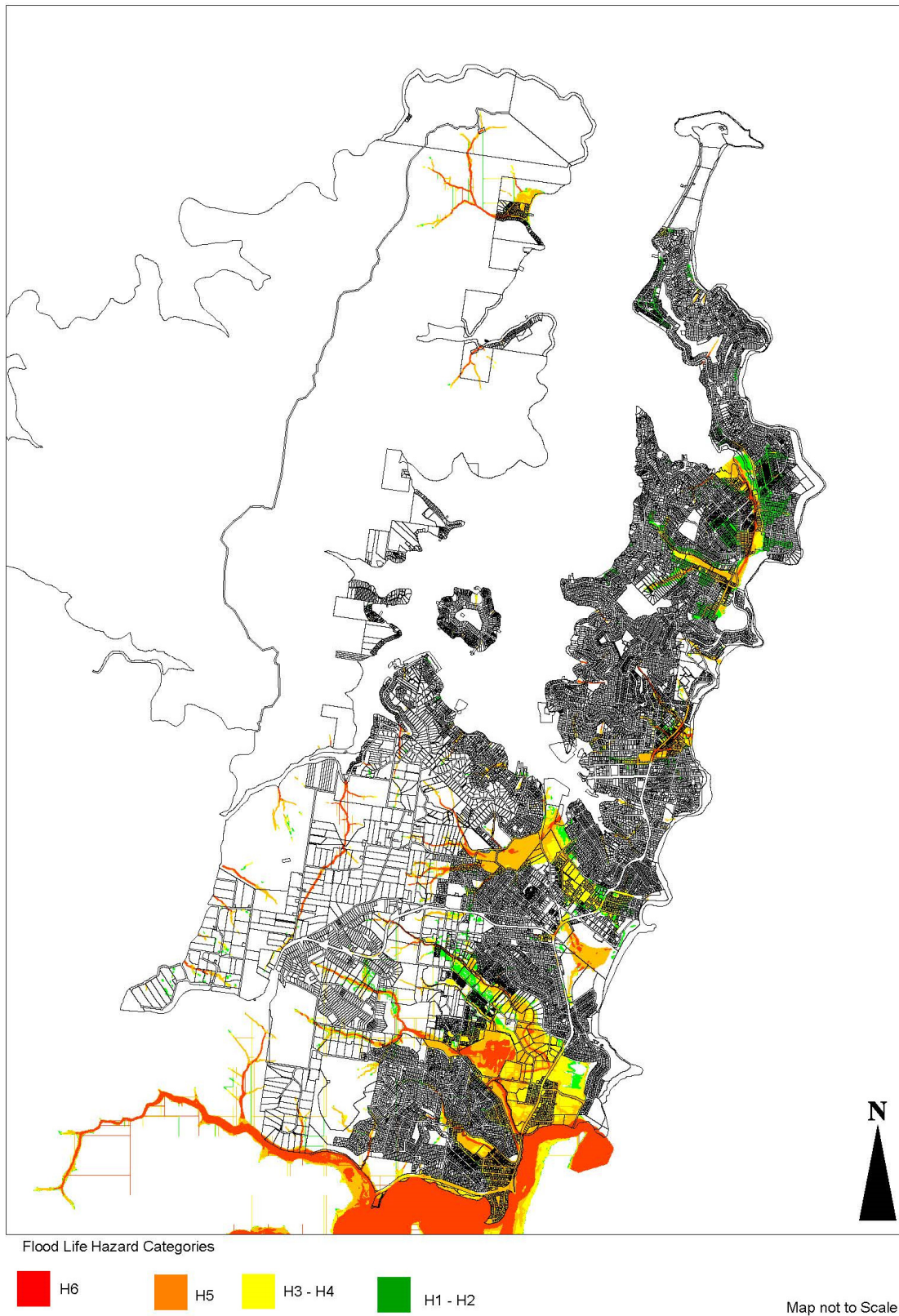


Figure 1 Developer Decision Tree



Council Meeting

**13.0 Adoption of Leading and Learning Committee
Recommendations**

**14.0 Adoption of Sustainable Towns and Villages Committee
Recommendations**

Committee of the Whole

15.0 Confidential Items

Pittwater Council is committed to, and has fostered, the practice of open local government. Some matters, however, are of a sensitive nature and are dealt with in Closed Session. The nature of such matters are contained within Section 10A(2) of the Local Government Act, 1993, the text of which is recorded within the recommendation hereunder.

1. That in the public interest, and pursuant to Section 10A(2) of the Local Government Act, 1993, the Council resolve into closed session to consider Item C15.1.
2. That pursuant to Section 10A(2) of the Local Government Act, 1993, the press and public be excluded from the proceedings of the Committee of the Whole on the basis that the items to be considered are of a confidential nature, which includes:
 - (i)
 - (a) personnel matters concerning particular individuals (other than Councillors);
 - (b) the personal hardship of any resident or ratepayer;
 - (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting business or proposes to conduct business.
 - (d) Commercial information of a confidential nature that would, if disclosed:-
 - prejudice the commercial position of the person who supplied it; or
 - confer a commercial advantage on a competitor of the Council; or
 - reveal a trade secret.
 - (e) information that would, if disclosed, prejudice the maintenance of the law;
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property.
 - (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land
 - (ii) The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.
 - (iii) A person (whether a Councillor or another person) is not entitled to be present at a meeting if expelled from the meeting by a resolution of the meeting.
3. That the correspondence and reports relevant items considered in Closed Session be withheld from access to the press and the public.
4. That upon resumption of the Council meeting in Open Session the General Manager (or nominee) report those resolutions made by the Committee of the Whole.

Mark Ferguson
GENERAL MANAGER

C15.1	Contractual Conditions of Senior Staff 2014-2015
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Meeting: Council

Date: 20 April 2015

CONFIDENTIAL CLAUSE

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the Council to close the meeting to the public for business relating to the following: -*

- (a) personnel matters concerning particular individuals.*
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