7 Concord Avenue Planning Proposal
Schedule of Opinions

Issues	Viewpoints	Proponent	Lyall and Associates (Peer review)	Canada Bay Council	DPIE
What is a floodway?		1	2	3	4
		Definition is defined by: NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.	Definition is defined by: NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.	Definition is defined by: Flood Risk Management Guideline published by the Department of Environment & Climate Change (DECC) (2007)	Definition is defined by: Flood Risk Management Guideline published by the Department of Environment & Climate Change (DECC) (2007)
Is the site in a floodway?		1	2	3	4
		The proponent supports the peer review that outlined: The peer review approach has resulted in a discontinuous 'floodway' that traverses through residential properties upstream and over the site in a broken manner. Although this approach is inconsistent with industry-accepted methodologies for defining floodway's, the peer review concluded that the development is appropriate in that: » it is elevated above the flooded area, » does not have an adverse impact on the flooding on adjacent properties, and » any inconsistency is considered to be of minor significance.	The floodway areas on the site are modified bu the planning proposal which seeks to maintain flow paths albeit in a modified forme. The proposal locates development outside of the affected areas by way of elevating the development well above floodway areas, the inconsistency with Sub-clause 6(a) is considered to be of minor significance.	Council believes the site is in a floodway per the definition in the Flood Risk Management Guideline published by the Department of Environment & Climate Change (DECC) (2007).	The Department representatives believe the site is located within a floodway. Noting, the Chief Engineer supports the findings in the Peer Review Report.
Does the proposal constitute a significant increase in development of the land?		1	2	3	4
		Yes	Yes	Yes	Yes
If it constitutes a significant increase in development, then would an engineering solution to flooding risk permit or allow approval despite the Ministerial direction?		1	2	3	4
		The proponent believes an engineering solution will work and has outlined the response in the planning proposal.	> The proposed mitigation measures are appropriate for the site and inconsistencies with Ministerial direction 4.3 are of minor significance; > The proposal complies with, or can comply with, the requirements of Clause 6.8 Flood Planning of Canada Bay LEP 2013; > No adverse impacts on the existing transverse drainage of Homebush Bay Drive would be felt if an appropriately sized on-site detention and retention system were incorporated into the design to limit the rate and volume of runoff to no more than present day conditions; > The quality of the flow discharging to the receiving drainage lines would be generally improved; > The proposed void beneath the podium level would hinder maintenance given its large size and low ceiling height at 1 to 1.1m. Providing a greater clearance of to RL 3.8m AHD would result in better access and result in the podium level of the concept being flood free.	-	The Department maintains that the key issue for the proposal is flooding and the consistency of the proposal with section 9.1 Direction 4.3 Flood Prone Land. The Department considers the proposal is inconsistent with Sub-clause 6(c) of Direction 4.3 relating to permitting a significant increase in development on flood prone land. The Department does not consider the inconsistency to be of minor significance. This is because: > The proposal represents a significant increase in the FSR development potential of the land from an existing FSR of 1:1 to 1.6:1 to facilitate approximately 260 dwellings at the site; > The proposal would result in the site being converted from an existing industrial use to residential use which, despite flood mitigation measures, significantly increases the risk to life at the site during flood events which currently does not exist;
If so, is such an engineering solution desirable for operation, maintenance and community safety?		1	2	3	4
		There will be no substantial increase in government spending if the proposed design and flood mitigation measures are adopted.	The development will increase maintenance costs and requirements.	The proposal is likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services as the proposal would likely require substantial maintenance of the drainage area by way of removing sediment due to frequent inundation of the site. In addition, Council believes that floodway's are generally areas where development is undesirable due to: o The potential to redirect flows; o The level of potential danger to personal safety; and o Significant financial losses due to the damage potential.	The proposed flood mitigation measures would likely produce undesirable built form outcomes for the site and the surrounding area as a result of requirements to flood-proof the development.