

27 November 2025

The General Manager
Wagga Wagga City Council
PO Box 20
Wagga Wagga NSW 2650

Attention: Steven Cook

Via NSW Planning Portal

Dear Steven,

**Re: Submission of Additional Information – DA24/0075 – Civitas Stage 3
185 & 187 Morgan Street and 66-72 Murray Street, Wagga Wagga NSW 2650**

Habitat continues to act on behalf of the Applicant, Damasa Pty Ltd, in relation to a Development Application for a Mixed Use Development including a 9 Storey Building comprising Ground Floor Commercial Development and 8 levels of Residential Apartments (Shop Top Housing), a 7 Storey Building comprising Ground Floor Commercial Development, and 6 levels of Residential Apartments (Shop Top Housing), 8 x 3 Storey Attached Dwellings, and Two Levels of Shared Basement Carparking at 185 & 187 Morgan Street and 66-72 Murray Street, Wagga Wagga NSW 2650. The proposal is described as Stage 3 of the Civitas Development.

This submission follows directions from the Southern Regional Planning Panel briefing of 6 August 2025 for the Applicant and Council to discuss remaining matters regarding flooding impacts discussed at the Panel briefing as well as specific concerns regarding whether the development introduces any new wet floor areas under the 10%, 5% and 1% AEP flood events.

1. Background

On 6 August 2025, the Applicant attended a briefing with the Southern Regional Planning Panel regarding the progress of the application. Prior to this briefing, the Applicant had provided the Panel with a letter and supporting documentation on 10 July 2025 outlining the application's history and status.

It was determined through the briefing meeting that there were unresolved issues of Council regarding the frequency of events and the extent of additional inundation which could possibly be caused by the development, which had not been previously communicated to the Applicant. Council's residual concerns centred on its interpretation that the flood modelling indicated new wet areas on surrounding properties.

The Applicant notes, with significant concern, that this was the second occasion on which new or unresolved issues were raised by Council during a Panel meeting, despite prior explicit advice from Council that there were no outstanding matters requiring resolution. On both occasions, prior to the Panel meetings in July 2024 and August 2025, the Applicant sought and received confirmation from Council that all issues had been addressed and that no outstanding matters remained.

Notwithstanding these assurances, new or previously resolved issues were raised without notice during both Panel briefings, leaving the Applicant unable to respond adequately within the meeting. This pattern has caused unnecessary delay, imposed additional costs on the Applicant, and fundamentally undermined a fair and transparent assessment process. The Applicant has

consistently acted in good faith, responding promptly to each request from Council and relying on Council's stated position regarding application status.

In response to the Panel meeting and Council's comments made at this briefing, the Applicant engaged its flood engineer, Northrop, to undertake further work comprising detailed review of Council's concerns and a comprehensive assessment of model outputs. This work included preparation of property-specific flood impact tables incorporating surveyed floor levels, existing and post-development flood depths, and the differential between scenarios. Sensitivity modelling was also undertaken to minimise uncertainty.

To verify the accuracy of floor level data, the Applicant engaged Rivland Surveyors to conduct additional survey work, including a formal floor level survey of 166 Forsyth Street, one of the key properties referenced in Council's concerns. Rivland Surveyors completed the survey on 26 August 2025, which confirmed that the existing finished floor level (FFL) of 166 Forsyth Street is 179.370 m AHD, higher than Council's previously identified 179.095 m AHD confirming the floor does not become wet in any of the post-development 10%, 5% or 1% events. This independently verified level has been used in the updated assessment and is reflected in the property-specific flood comparison tables prepared by Northrop.

The verified floor level sits well above both the existing and developed flood levels for the 10%, 5% and 1% AEP events, confirming that this dwelling remains unaffected by over-floor flooding under all scenarios modelled. This provides further assurance that the development does not create any new inundation risk and no previously dry floors within the assessment area become newly wet as a result of the proposal.

The Applicant also investigated 81 and 81A Murray Street, which Council had identified as properties of concern. These sites are subject to redevelopment proposals, with construction works having commenced at 81 Murray Street. The correct floor levels for the proposed developments were identified and incorporated into the model, confirming that neither property will experience over-floor flooding post-development.

This technical work formed the basis for a further coordination between the Applicant and Council, culminating in the updated flood analysis tables accompanying this submission. These tables explicitly respond to Council's request to demonstrate whether any previously dry floors become newly inundated under the 10%, 5% or 1% AEP flood events.

The analysis confirms that no previously dry floors become newly wet as a result of the proposed development. This outcome is consistent with Council's accepted position that additional flood depth over an already-inundated floor does not constitute an adverse impact.

At a meeting on 2 September 2025, Council acknowledged that modelling of more frequent events (such as 20% or 50% AEP) is not feasible within the current city model, and that the Applicant is not expected to provide such information. This position was further reiterated in a follow up meeting with Council on 13 November. Accordingly, this submission addresses only the 10%, 5%, and 1% AEP events.

2. Floor Level Assessment

To support the proposal and respond to concerns raised at the Panel briefing, the Applicant has prepared property-specific flood impact tables incorporating surveyed floor levels, existing and post-development flood depths, and the differential between scenarios.

Northrop's modelling outputs were assessed against surveyed floor levels for properties within the study area of Murray and Forsyth Street. The assessment reviewed the three relevant AEP events of 10%, 5%, and 1%, and for each scenario identifies the existing flood level, developed flood level, the difference between these, and over-floor inundation under both conditions.

The detailed assessment table is provided with this submission. The results across all three AEP events are summarised below:

AEP Event	Flood Level Difference	New Floors Inundated
10%	0.000 m – 0.018 m	None
5%	0.012 m – 0.013 m	None
1%	0.002 m – 0.004 m	None

The 10% AEP results confirm that the proposed development does not introduce any newly inundated floors within the study area. The 'difference' values across all assessed properties range between 0.00 m and 0.018 m (0–18 mm), which is well within normal modelling tolerance and does not indicate any significant change in flood behaviour. It is noted that the higher end of this range is limited to isolated locations and is not the predominate depth throughout the assessment area, which is demonstrated within the attached technical analysis. The analysis confirms that every property that is dry under existing 10% AEP conditions remains dry under the developed scenario. Where small increases in flood depth do occur, these increases do not change dry floors to wet in comparing pre-development to post-development. As confirmed by Council, such minor additional depth over an already flooded floor does not constitute an adverse impact. Accordingly, the 10% AEP assessment demonstrates that no new wet floors are created as a result of the development.

A similar outcome is observed under the 5% AEP event. The differences between existing and developed flood levels are again minimal, measuring between 0.012 m and 0.013 m (12–13 mm). These variations occur within the broader tolerance of the model and do not reflect any change in flood behaviour that would affect property status. All properties that remain dry in the existing 5% AEP model also remain dry in the developed scenario, confirming that the proposal does not introduce any new inundation. Minor changes that do occur do not change dry floors to wet in comparing pre-development to post-development scenarios. This demonstrates that the 5% AEP event similarly produces no new wet floors, and therefore no adverse flood impact is attributable to the proposed development.

The 1% AEP assessment reinforces these findings, across all properties the variation in flood level is between 0.002 m and 0.004 m (2–4 mm), which is negligible and sits comfortably within the expected tolerance of the modelling system. All properties that are dry under the existing 1% AEP event remain dry under the developed scenario, and there are no instances where the development results in a new floor becoming inundated. Properties already affected by flooding in the existing model experience only inconsequential depth changes. The 1% AEP event therefore provides clear evidence that the development does not create any new wet floors.

Properties of concern identified by Council, 160 Forsyth Street and 73 Murray Street, have been incorporated into the property specific floor level assessment. The refined modelling indicates that at 160 Forsyth Street, flood levels surrounding the building footprint are higher than the spot elevation previously referenced in the submitted flood letter, and this updated information has now been reflected in the assessment. Further, analysis of 73 Murray Street confirms that flood levels remain below the finished floor level during the 10% AEP event, which is consistent with earlier expectations.

In summary, properties that are dry under existing conditions remain dry in the developed scenario across all three modelled events. The minor differences in flood depth recorded, ranging from 0 mm to 18 mm, do not result in any previously dry floors becoming wet when comparing pre-development to post-development conditions. These variations fall well within normal hydraulic modelling tolerances and do not represent any meaningful or adverse change in flood behaviour. Consistent with Council's advice, marginal increases in depth over already-inundated floors do not constitute an

adverse impact. Accordingly, the updated assessment confirms that the development does not result in any adverse off-site flooding impacts and meets Council's performance expectations.

It is also noted that discussions during the briefing and subsequent engagement involved Council raising the possibility that more frequent flood events may result in certain properties becoming inundated sooner. This matter has been discussed and considered by the Applicant and Council representatives. The Applicant is only required to model the 10%, 5%, and 1% AEP events, and these are the only scenarios for which Council's flood model is available. The Applicant formally requested access to model data for more frequent events; however, Council advised that this data was unavailable. In the absence of verified modelling, this view remains unsubstantiated. The Applicant has provided comprehensive analysis across all required flood scenarios, each of which demonstrates that no new wet floors result from the proposed development.

3. Building Height

During the Panel briefing, Council noted that a future RFI may be requested in relation to building height and that the proposal may exceed the maximum building height under the LEP and require a Clause 4.6 variation request.

Subsequent to this discussion, the Applicant has provided information to Council to demonstrate that the building does not exceed the maximum allowable building height, when measured from the existing natural ground level to the highest point of the proposed building. As a result, no further information is required in relation to this item.

4. Summary

The Applicant's response to Council's recent requests and updated requirements is supported by the attached technical assessment prepared by Northrop. The updated modelling shows no new instances of over-floor inundation, and only small, localised increases in flood depth (up to 18mm) in areas that already experience substantial existing inundation. These changes are negligible and fall well within normal modelling tolerance. The assessment confirms that the proposed development will not result in any practical or measurable impact on stormwater behaviour.

Since lodgement in March 2024, the Applicant has maintained an active and collaborative approach towards the proposal, providing multiple rounds of additional information and responding to evolving requirements. The proposal is now supported by comprehensive technical evidence that directly addresses all matters raised by Council and specifically the remaining matters from the Panel briefing in August.

The Applicant notes that the Flood Management Plan, is nearing completion and will be submitted shortly. In the interim, this correspondence and the accompanying Northrop modelling provide a complete and sufficient basis for Council to finalise its assessment.

Likewise, the Applicant also acknowledges that a Flood Emergency Response Plan will also be provided in support of the application. The provision of the FERP will also provide confidence to Council to address Clause 5.21 and 5.22 of the LEP in relation to flood response.

Accordingly, and in anticipation of the Flood Management Plan Strategy and Flood Emergency Response Plan, we request that Council consider this submission together with the attached technical information and progress the application for referral to the Southern Regional Planning Panel for determination at the earliest opportunity.

Should you have any queries please contact the undersigned directly on 02 6921 8588 or david@habitatplanning.com.au.



David Hunter
Director

Attachment A – Floor Level Modelling (Northrop 2025)

