



Your ref: SSD76555711
Our ref: DOC25/501451

Edwina Ross
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By email: edwina.ross@dpie.nsw.gov.au

16 July 2025

Dear Edwina,

Subject: Request for advice on EIS- Mixed use with infill affordable housing – 3-5 Help Street, Chatswood (SSD-76555711) (Willoughby City)

Thank you for your email dated 18 June 2025 seeking advice from the Conservation Programs, Heritage and Regulation (CPHR) group of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the State Significant Development Application (SSD-76555711) located in Chatswood.

CPHR has reviewed the Environmental Impact Statement prepared by Mecone Pty Ltd (dated May 2025) and accompanying technical reports and provides its comments and recommendations in Attachment A.

In relation to flooding, the following issues are to be addressed:

- The provided documents have partially addressed the flood related SEARs however the flood modelling does not meet the requirements of [NSW Flood Impact and Risk Assessment, Flood Risk management guideline LU01](#) and the provided mitigation strategies are not considered adequate.
- The design flood levels in flood risk assessment prepared by Stantec differs significantly from Willoughby City Council's draft Scotts Creek Floodplain Risk Management Study and Plan.
- The basement location is in a sag pit area of Help Street and both the Council study and the work by Stantec have shown that this location is very sensitive to increased rainfall.

CPHR is concerned that flood planning levels provided by the consultant may not be adequate to protect the building in the design flood event and that inadequate protection has been provided to the building basement.

Achievement of adequate protection is likely to require increase in finished floor level, basement crest level and/or relocation of the basement entry point and increased capacity for on-site detention and rainwater harvesting/reuse. These changes will impact the building design. Construction of a building of this size and occupancy without adequate floor levels and basement protection potentially exposes a significantly increased population to flood risk and increased flood damages.

Biodiversity

The development is consistent with the Biodiversity Development Assessment Report (BDAR) waiver granted by CPHR on 19 December 2024. Please note, if the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the applicant will need to lodge a new BDAR waiver request or prepare a BDAR.

If you have any questions about this advice, please do not hesitate to contact Khatera Tokhi Senior Conservation Planning Officer, via khatera.tokhi@dcceew.nsw.gov.au.

Yours sincerely



Louisa Clark
Director
Regional Delivery – Greater Sydney Branch
Conservation Programs, Heritage, and Regulation Group

CPHR response on the EIS - Mixed use with infill affordable housing – 3-5 Help Street, Chatswood (SSD-76555711)

In preparing this advice CPHR has reviewed the following documents:

- Environmental Impact Statement (Mecone Pty Ltd, May 2025) (EIS)
- SEARs Compliance Table, Appendix A EIS
- Integrated Water Management Strategy: Stantec Pty Ltd, Rev 2 dated 18 February 2025
- Architectural plans: Emece, dated 8 June 2025
- Flood Risk Assessment Stantec Revision dated 7 May 2025
- additional information has been sourced from Willoughby City Council's draft Scotts Creek Floodplain Risk Management Study and Plan.

Key Assessment Issues

Flooding

1.	The flood risk report by Stantec incorrectly states that the site is not flood impacted because it is subject to overland flow only not mainstream flooding	The NSW Flood Risk Management Manual 2023 notes in Section 1.1 that "Flooding can be due to water flowing within, out of or towards a waterway." This is further defined in Section 6, Glossary which defines Flood prone Land as land susceptible to flooding in the PMF event. The site is flood prone land. Recommended action: • Update the flood report and EIS to acknowledge that the site is flood prone land due to overland flooding. This risk requires addressing.
	<i>Extent and Timing</i>	Pre-determination
2.	Typical road profiles have been used in the DRAINS model to demonstrate overland flow depths and hazard in the roadway. One dimensional modelling has been used which may not be suitable. The results may not adequately represent depth of ponding at sag points	The maximum depth of ponding shown in the flood report indicates flow depth of up to 499 mm in Help Street however the road profile shows 213 mm in the Help Street frontage. This is noted to be H1 to H2 hazard in the 1% event. The draft Scotts Creek Floodplain Risk Management Study and Plan indicates significantly greater depth (0.5 to 0.8 m) and a hazard of H3 in the location of the basement entry. The location of the basement entry is the most flood impacted section of the frontage and accurate flood depths at this location are essential to ensure flood planning requirements are met. The software used for flood assessment is one dimensional modelling generally used for road drainage design and may not be suitable for flood risk assessment. Flood risk assessment is generally carried out using two dimensional modelling. The flood risk assessment has not provided results for the full range of flood events as required under Understanding and Managing Flood Risk FB01 (FB01). The location of the development with respect to the sag pit in Help Street indicates that the main access route will be impacted in flood events less than the 1% AEP and has a low level of service. Recommended actions: • Confirm the suitability of modelling method use. It is recommended a two dimensional model is used in accordance with current practice.

		Assess the full range of flood events. Additional road sections are required including continuation past the basement location to ensure full depth of flooding at the sag pit is determined.
	<i>Extent and Timing</i>	Pre-determination
3.	Rainfall data has not been upscaled to current conditions and may underestimate flood depths.	The rainfall data has not been upscaled as recommended in ARR4.2 to reflect current rainfall. Flood planning levels therefore may be underestimated by current analysis. Recommendation action: Upscale rainfall and rerun analysis to confirm required flood planning levels.
	<i>Extent and Timing</i>	Pre-determination
4.	The hazard for the probable maximum flood (PMF) is not stated. Assessment of risk to the occupants has not formed part of the report.	Determination of flood risk in accordance with the SEARs should be in accordance with the requirements of the FB01 which includes assessment of the full range of flood events. PMF depth has been given for the Help Street frontage however hazard has not been stated. The depth indicates that the roadway would be subject to H5/H6. Consideration of risk to occupants for the PMF is required. Recommendation actions: - The flood report addresses risk to occupants for the full range of flood events up to and including the PMF. - Risk assessment provides hazard mapping in the access roads and addresses the ability of residents to self-evacuate or shelter should be considered.
	<i>Extent and Timing</i>	Pre-determination
5.	The development has not met Willoughby City Council's (WCC) Guidelines with respect to minimum crest levels for basements.	WCC DCP requires that basements be protected to the PMF level. The proposed design reportedly provides protection to the flood planning level only which is based on the 1% AEP flood. This is stated in the flood report as 1.6 m below the PMF level. Section 6.16 of the EIS indicates that noncompliance with the basement crest levels poses a low risk of structural damage or harm to occupants. Noncompliance however significantly increases the risk of ingress of water into the basement, loss of utilities such as lift services, damage to vehicles and hazard to occupants who may be in the basement at the time of a flood event or may try to move their vehicle during a flood. It is noted that the gradient used on the driveway ramp is shallow and there is available head room (Drawings SSDA-4500 and SSDA-4051 in architectural plans). Although not a preferred option there has not been an attempt to consider flood gates to provide additional immunity. PMF protection of basement will become more important if it is necessary to shelter in place. Recommendation action: Improve flood immunity of the basement ramp.

	<i>Extent and Timing</i>	Pre-determination
6.	On site detention (OSD) will not perform to Councils requirements	The OSD system has been designed to manage flows up to the 1% AEP event, as required by Council. The roof drainage, drawing SW-304, however has been designed for only the 5% event. This means that the required tank will not collect the required flows and will remain unmitigated. The design has also not met Council permissible site discharge requirements due to constraints at outlets and the space required to provide OSD. Significant flooding occurs downstream of this site and OSD is important to mitigate downstream impacts of development intensification. Recommendation action: Upgrade roof and site drainage to collect the required design event. The performance of the OSD system to meet the requirements of Willoughby City Council with respect to permissible site discharge and outlet configurations/levels.
	<i>Extent and Timing</i>	Detailed design
7.	Erosion and sedimentation controls are not adequate for the degree of site disturbance.	The provided erosion and sediment control plan is suitable for site clearing only. The site will generate significant spoil (34,500 cubic metres) during basement excavation which will require a detailed staging plan for soil and water management during construction. Recommendation action: Prepare detailed staging plans for management of soil and water during each stage of construction.
	<i>Extent and Timing</i>	Detailed design
8.	The integrated water management strategy is not correct and overstates the ability of the development to meet council requirements.	Section 6 of the strategy repeatedly states that provision of OSD reduces volume of runoff from the site by 263% which meets the water quantity requirements of council. This is factually incorrect. OSD impacts flow rate only and does not reduce volume of runoff. A subsequent section of the Stantec strategy shows via MUSIC modelling that average annual runoff is reduced by 3.7% from the unmitigated development. This is still likely to exceed the predevelopment volume of runoff and provision of a rainwater reuse tank of only 5 KL appears to be of minimal value. 5 KL would typically be used for a single urban dwelling. Recommendation action: Revise the Integrated Water Management Strategy to correctly reflect the mitigation provided. Additional storage and reuse is required to reduce off site impacts to receiving waters.
	<i>Extent and Timing</i>	Detailed design
9.	Habitable portions of the building are cut into the site below the road level on McIntosh Street and may be subject to ingress of water	Architectural plans in particular the north south elevation plan and the east west elevation plan show outside levels and roadway levels higher than habitable floor level. In addition, floor levels of commercial spaces on the upper ground level are lower than the outdoor podium level of this floor 95 m AHD vs 95.24 m AHD. It is unclear how these portions of the building are protected from off site or on site flows.

		Recommendation action: • Provide stormwater drainage and adequate freeboard or demonstrate how habitable floor levels are protected.
	<i>Extent and Timing</i>	Detailed design

End of Submission