

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	DA2019/0330
<b>To:</b>	Thomas Prosser
<b>Land to be developed (Address):</b>	Lot 61 DP 12578 , 25 Lakeside Crescent NORTH MANLY NSW 2100

### Reasons for referral

This application seeks consent for the following:

- All Development Applications on land below the 1 in100 year flood level;
- All Development Applications located on land below the Probable Maximum Flood levels.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

### Officer comments

The proposed development includes alterations to the ground floor and the relocation of an existing pool. Whilst the proposed pool is semi above-ground, compensatory excavation has been undertaken to offset this impact on flood storage. Conditions are imposed to ensure that this 'cut' is maintained and cannot be modified without Council's authorisation.

### Referral Body Recommendation

Recommended for approval, subject to conditions

### Recommended Natural Environment Conditions:

## CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

### Flooding

In order to protect property and occupants from flood risk the following is required:

#### Building Components and Structural Soundness – C1

All new development shall be designed and constructed as flood compatible buildings in accordance with Reducing Vulnerability of Buildings to Flood Damage: Guidance on Building in Flood Prone Areas, Hawkesbury-Nepean Floodplain Management Steering Committee (2006).

#### Building Components and Structural Soundness – C2

All new development must be designed and constructed to ensure structural integrity up to the Flood Planning Level of 3.7m AHD, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Structural certification shall be provided confirming the above.

#### Building Components and Structural Soundness – C3

All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level of 3.7m AHD. All existing electrical equipment and power points located below the Flood Planning Level must have residual current devices installed cut electricity supply during flood events.

#### Storage of Goods – D1

Hazardous or potentially polluting materials shall not be stored below the Flood Planning Level of 3.7m AHD unless adequately protected from floodwaters in accordance with industry standards.

#### Floor Levels – F1

New floor levels within the development shall be set at or above the Flood Planning Level of 3.7m AHD.

#### Floor Levels – F2

The underfloor area of the proposed deck structure below the 1% AEP flood level is to be designed and constructed to allow clear passage of floodwaters. The underfloor perimeter of the deck is to have a minimum of 50% open area below the 1% level

#### Fencing – H1

New fencing (including pool fencing, boundary fencing, balcony balustrades and accessway balustrades) shall be open for passage of flood waters - All new fencing on the property must be designed with a minimum of 50% open area between the 1% flood level and natural ground level, to allow flood waters to pass through.

#### Recommendations

The development must comply with all recommendations outlined in:

- The Flood Management Report prepared by Stellen Consulting dated 4 April 2019.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses in accordance with Council and NSW Government policy.

### **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

#### **Restriction as to User (Flood Storage Excavation)**

The Applicant shall lodge the Legal Documents Authorisation Application with the original completed request forms (NSW Land Registry standard forms 13PC and/or 13RPA) to Council and a copy of the Works-as-Executed plan by a registered surveyor.

The Applicant shall create on the Title a restriction on the use of land and a positive covenant in respect of the 94.4m<sup>2</sup> of cut outlined in Appendix D of the Flood Risk Report prepared by Stellen Consulting dated 4 April 2019 ref 170508, restricting any alteration to the levels and/or any construction on the

land. The terms of the positive covenant and restriction are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Northern Beaches Council's delegate prior to lodgement with the NSW Land Registry Services. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction for the compensatory flood storage excavation as to user is to be submitted.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of final Occupation Certificate.

Reason: To ensure no modification of the cut area to achieve no net loss of flood storage without Council's approval.