

Natural Environment Referral Response - Flood

Application Number:	DA2019/0340
To:	Kelsey Wilkes
Land to be developed (Address):	Lot 96 DP 12578 , 2 Riverview Parade 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 generally complies with the requirements of the DCP and LEP.
The area excavated for compensatory flood storage is not to be filled at any time in the future.

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:

Flood Effects caused by Development – A3

There is to be no net loss of flood storage on the property below the 1% AEP flood level of 3.18
The excavated levels in the rear yard are to be as per Drawing DA04/A, ie in Areas A and B, to
The ground level in Areas A and B is to have a fall of 1:100 towards Nolan's Reserve, and is to

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 3.68m 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, or any other service pipes and connections
must be waterproofed and/or located above the Flood Planning Level of 3.68m AHD

Fencing – H1

Fencing (including pool fencing and boundary fencing) shall be open for the passage of flood water.

Pools – I1

The pool coping is to be not higher than 2.80m AHD.

All electrical equipment associated with the pool (including pool pumps) is to be waterproofed and/or located at or above the Flood Planning Level of 3.68m AHD.

All chemicals associated with the pool are to be stored at or above the flood planning level of 3.68m AHD.

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 area nominated as Areas A and B on Drawing DA03/A (also in Appendix A of the Flood Report by Accon Engineers dated 8 April 2019, rf 90201), restricting any alteration to the levels and/or any construction on the land following the compensatory excavation. 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. (DACNEFPOC1)