

Natural Environment Referral Response - Flood

Application Number:	DA2024/1171
Proposed Development:	Construction of a single storey building and use of premises as a recreational facility (indoor) and associated signage
Date:	17/09/2024
To:	Maxwell Duncan
Land to be developed (Address):	Lot 2742 DP 752038 , 2742 / 9999 Condamine Street MANLY VALE NSW 2093

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 is for the construction of a squash court. This proposal has been assessed against Section E11 of the Warringah DCP and Clause 5.21 of the Warringah LEP.

The proposal is located within the Medium Flood Risk precinct. The relevant flood characteristics are as follows:

Flood Planning Level: 3.60m AHD
1% AEP Level: 3.30m AHD
Flood Life Hazard Category: H5

The proposed site is wholly within the H5 Flood Life Hazard Category and as such Control E1 of the DCP applies.

Control E1 of the DCP states that "If the property is affected by a Flood Life Hazard Category of H3 or higher, then Control E1 applies and a Flood Emergency Assessment must be included in the Flood Management Report.

If the property is affected by a Flood Life Hazard Category of H6, then development is not permitted unless it can be demonstrated to the satisfaction of the consent authority that the risk level on the property is or can be reduced to a level below H6 or its equivalent.

If the property is flood affected but the Flood Life Hazard Category has not been mapped by Council, then calculations for its determination must be shown in the Flood Management Report, in accordance with the "Technical Flood Risk Management Guideline: Flood Hazard", Australian Institute for Disaster Resilience (2012).

Where flood-free evacuation above the Probable Maximum Flood level is not possible, new development must provide a shelter-in-place refuge where:

- a) The floor level is at or above the Probable Maximum Flood level; and
- b) The floor space provides at least 2m² per person where the flood duration is long (6 or more hours) in the Probable Maximum Flood event, or 1m² per person for less than 6 hours;
- c) It is intrinsically accessible to all people on the site, plainly evident, and self-directing, with sufficient capacity of access routes for all occupants without reliance on an elevator; and
- d) It must contain as a minimum: sufficient clean water for all occupants; portable radio with spare batteries; torch with spare batteries; and a first aid kit

Class 10 classified buildings and structures (as defined in the Building Codes of Australia) are excluded from this control.

In the case of change of use or internal alterations to an existing building, a variation to this control may be considered if justified appropriately by a suitably qualified professional.

Note that in the event of a flood, occupants would be required to evacuate if ordered by Emergency Services personnel regardless of the availability of a shelter-in-place refuge."

Evacuation above the PMF, as proposed within the Flood Management Report, is not deemed suitable in this case. The only other option is a shelter-in-place refuge, and within this proposal there is nowhere appropriate to shelter-in-place.

The proposal does not comply with Section E11 of the Warringah DCP and Clause 5.21 of the Warringah LEP.

The proposal is therefore unsupported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Natural Environment Conditions:

Nil.