# Natural Environment Referral Response - Flood

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| **Application Number:** | DA2022/1910 |
| **Proposed Development:** | Demolition work and construction of a Residential Flat Building including basement car parking. |
| **Date:** | 23/01/2023 |
| **To:** | Maxwell Duncan |
| **Land to be developed (Address):** | Lot CP SP 2492 , 61 North Steyne MANLY NSW 2095 |

**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 development proposes to demolish the existing dwelling and construct a 5 storey building with basement with landscaping.
Subject to conditions the development is complying to Council's development controls.

The proposal is therefore supported.

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

**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 – A2
There is to be no filling of the land or any other reduction of the available flood storage which results in a net loss of storage below the 1% AEP flood level of 5.10m AHD.

Building Components and Structural Soundness – B1
All new development below the Flood Planning Level of 5.60m AHD 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 – B2
All new development must be designed to ensure structural integrity up to the Flood Planning Level 5.60m AHD, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion.

Building Components and Structural Soundness – B3
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 5.60m AHD. All existing electrical equipment and power points located below the Flood Planning Level must have residual current devices installed to cut electricity supply during flood events.

Floor Levels – C1
New floor levels within the development shall be set at or above the Flood Planning Level of 5.60m AHD.

Car parking – D6
All access, ventilation and any other potential water entry points, including entry ramp crests to the basement car park shall be at or above the Flood Planning Level of 5.60m AHD.

Fencing – F1
New fencing (including pool fencing, boundary fencing, balcony balustrades and accessway balustrades) shall be open to allow for the unimpeded movement of flood waters. It must be designed with a minimum of 50% open area from the natural ground level up to the 1% AEP flood level. Openings should be a minimum of 75mm x 75mm.

Storage of Goods – G1
Storage areas for hazardous or potentially polluting materials shall not be located below the Flood Planning Level of 5.60m AHD unless adequately protected from floodwaters in accordance with industry standards.

Details demonstrating compliance are to be submitted to the Certifier 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 and Positive Covenant over the self-actuating flood gate**

(a) The basement car park must be protected from inundation up to the 1% AEP Flood Level of 5.60m AHD. This includes all potential water entry points such as for access and ventilation. The proposed flood gate is to install up to a level of 5.60m AHD and is to be self-actuating.

(b) A restriction as to user shall be created on the title over the self-actuating flood gate in order to prohibit the removal or modification of the self-actuating flood gate; and to ensure that the flood protection offered by the self-actuating flood gate is continuous and at a minimum level of 5.60m AHD. Such levels are to be detailed to Australian Height Datum on the Section 88B instrument and submitted to Council for approval. The terms of such a restriction are to be prepared to Council's standard

requirements at the applicant's expense and endorsed by Council prior to lodgement with NSW Land Registry Services. Northern Beaches Council shall be nominated as the sole authority empowered to release, vary or modify such restriction.

(c) A restriction shall be imposed on the title of the land, pursuant to S88B of the Conveyancing Act 1919 confirming that the undercroft area does not impede flows and is not to be enclosed, with any fencing having a minimum of 50% open area from the natural ground level up to the 1% AEP flood level. The terms of such a restriction are to be prepared to Council's standard requirements at the applicant's expense and endorsed by Council prior to lodgement with NSW Land Registry Services. Northern Beaches Council shall be nominated as the sole authority empowered to release, vary or modify such restriction.

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

Northern Beaches Council shall be nominated as the sole authority empowered to release, vary or modify such restriction.

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.