

Natural Environment Referral Response - Flood

Application Number:	DA2020/0816
Date:	30/07/2020
To:	Tony Collier
Land to be developed (Address):	Lot 2 DP 748426 , 33 Bassett Street MONA VALE NSW 2103

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 proposal is to construct a new 118 bed residential care facility with basement car parking. The proposal involves "intensification of development", so climate change must be considered, as per Clause B3.12 of the Pittwater DCP.

The property is flood affected, with the following relevant flood data:

1% AEP flood level: 4.34m AHD

1%CC AEP flood level (including consideration of climate change): 4.37m AHD

Flood Planning Level (FPL): 4.87m AHD

Probable Maximum Flood (PMF) level: 4.91m AHD

Flood Risk Precinct: Medium

Flood Life Hazard Category: H1-H4

The proposed finished ground floor level of 5.0m AHD is above the PMF. The driveway crest of 5.0m AHD is above the PMF. The available flood storage on the site has not been reduced, with the undercroft (the underfloor area in the western half of the building envelope) designed to allow for inundation and temporary storage of flood waters. A restriction as to user and a positive covenant will be required, prohibiting the enclosure of the undercroft.

The proposed development generally complies with the requirements of Parts 7.3 and 7.4 of the Pittwater LEP, and Clauses B3.11, B3.12 and B3.13 of the Pittwater DCP.

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:

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 Probable Maximum Flood of 4.91m 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 4.87m AHD.

Storage of Goods – D1

Hazardous or potentially polluting materials shall not be stored below the Flood Planning Level of 4.87m AHD unless adequately protected from floodwaters in accordance with industry standards.

Floor Levels – F7

New floor levels within the development shall be set at or above the Probable Maximum Flood Level of 4.91m AHD

Floor Levels – F2

The underfloor area of the building where designated as "Flood flow below ground floor" on Drawing A-03 (25.06.20) is to be designed and constructed to allow clear passage of floodwaters below the 1% AEP flood level of 4.87m AHD. The underfloor perimeter of this area is to have a minimum of 50% open area from the natural ground level up to the 1% AEP flood level. Openings should permit a 75mm sphere to pass through.

Car parking – G9

The basement car park must be protected from inundation up to the Probable Maximum Flood Level of 4.91m AHD. The driveway crest shall rise to at least as high as the PMF and the driveway retaining wall must also be as high as the PMF level to ensure that flood waters do not top over from the landscape setback areas and into the basement car park. All other potential water entry points such as for ventilation and access, including the lift and all stairs to the basement, shall be protected from flood waters to at least as high as the PMF level.

Fencing – H1

Any new fencing on the property must be designed and constructed with a minimum of 50% open area from the natural ground level up to the 1% AEP flood level, to allow flood waters to pass through.

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 and Positive Covenant

Restriction as to User:

A restriction as to user shall be created on the title in order to prohibit the enclosure of the undercroft area, identified on the Basement Level Drawing A-03 (25/06/2020) as the flood flow zone. It includes all underfloor areas which are not associated with the basement car park. The undercroft must remain open to allow the clear passage of flood waters, and the screening must be flood compatible with a minimum of 50% open from the natural ground level up to the 1% AEP flood level of 4.37m AHD. Openings should be large enough to permit a 75mm sphere to pass through.

Such restrictions are to be detailed on the Section 88B instrument and submitted to Council for approval.

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

Positive Covenant:

The Applicant shall submit a positive covenant (under the provisions of Section 88B of the Conveyancing Act 1919) to be created on the final plans and accompanying 88B instrument, requiring the proprietor of the land to maintain the undercroft area as a flood flow zone to ensure ongoing flood protection. The terms of the positive covenant are to be prepared to Council's standard requirements, which are available from Northern Beaches Council. Northern Beaches Council shall be nominated as the sole authority empowered to release, vary or modify such covenant.

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