

## Natural Environment Referral Response - Flood

<b>Application Number:</b>	Mod2023/0473
<b>Proposed Development:</b>	Modification of Development Consent Land and Environment Court for N0267/16 granted by the Land and Environment Court for Demolition of all existing structures and the construction of a shoptop housing development, comprising 3 commercial units, 20 residential units and off-street parking.
<b>Date:</b>	18/09/2024
<b>To:</b>	Claire Ryan
<b>Land to be developed (Address):</b>	Lot 171 DP 16212 , 8 Rickard Road NORTH NARRABEEN NSW 2101 Lot 173 DP 16212 , 4 Rickard Road NORTH NARRABEEN NSW 2101 Lot 172 DP 16212 , 6 Rickard Road NORTH NARRABEEN NSW 2101 Lot 174 DP 16212 , 2 Rickard Road NORTH NARRABEEN NSW 2101

### 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 for modifications to development application N0267/16. The proposed works include extension to the basement car park and interior alterations to the ground and 1st floor. There are also alterations to the proposed flood storage tanks.

The flood characteristics defined by the Land and Environment Court (Case Number 2016/302237, Annex A) are as follows:

- Flood Planning Level: 4.25m AHD
- Probable Maximum Flood (PMF) Level, with Sea Level Rise: 5.3m AHD

The alterations to the storage tanks are sufficient to bring the flood storage above the volume required by the Court Approved plans.

Subject to the retention of the conditions attached to N0267/16, and the conditions attached, the

proposal generally complies with Section B3.11 of the Pittwater DCP and Clause 5.21 of the Pittwater LEP. The conditions attached replace the relevant conditions in TRIM Ref PW5647177.

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

**E: Matters to be satisfied prior to the issue of Occupation Certificate**

14. Certification is to be provided by a licenced surveyor that the flood storage offset tanks have been constructed to provide the appropriate volume of flood storage (930 m3).

15. Certification is to be provided by a suitably qualified person that all of the flood-related features of the development have been installed and are fully operable in accordance with the Flood Emergency Response Plan as referenced in this consent and amended by this consent.

16. A Section 88B instrument is to be placed on the title to refer to the following flood-related features of the development that are required for the life of the development:

- a. flood storage tanks and associated pump system,
- b. flood warning system and
- c. flood doors (on all external doors set below 4.25 mAHD).

Reason: To maintain flood resilience.

**ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

**B: Matters to be incorporated into the development and maintained over the life of the development:**

52. A Section 88B instrument is to remain on the title to refer to the following flood-related features of the development that are required for the life of the development:

- a. flood storage tanks and associated pump system,
- b. flood warning system and
- c. flood doors (on all external doors set below 4.25 mAHD).

Reason: To maintain flood resilience.