

# Infrastructure Works and Emergency Services

MinuteNumber: 501

Council Meeting Date: 22/10/01

**08/10/2001 WKS084-02**

**Dents Creek - Proposed Flood Notations  
for Section 149 Certificates**

**File Number: 98/1880**

**Director: Engineering (GCA)**

**Report Item**

## **REPORT IN BRIEF**

### **Purpose**

To attach flood notations to Section 149 Certificates for properties along Dents Creek, between President Avenue, Gymea, and the confluence of Dents Creek and Savilles Creek, Grays Point.

## **REPORT IN FULL**

### **Purpose and Background**

A Flood Study has been completed for Dents Creek between President Avenue and the confluence with Savilles Creek.

Investigation revealed that a number of properties are impacted upon by the Probable Maximum Flood (PMF) and are also affected by the 1% Annual Exceedance Probability (AEP) event.

There were one hundred and eleven (111) properties identified within the area inundated by the PMF and of these, ninety two (92) are affected by the 1% AEP event. The properties are listed in Table 1.0 (Appendix "A") and shown on Figure 1.0 (Appendix "B").

### **Policy**

Council is required under the Environmental Planning and Assessment Act to advise in the Section 149 Certificate for a property whether Council has resolved to restrict development of the property because of the likelihood of flooding.

The New South Wales Government recommends in its Floodplain Management Manual (January 2001), that for land above the flood planning level (minimum floor level based on the adopted 1% AEP flood standard together with a 500 mm freeboard), but below the PMF, councils should also advise in the Section 149 Certificates that the land may still be subject to flooding by rare storms.

### **Proposed Restrictions**

It is proposed that the following restrictions be applied to development of affected properties listed in Table 1.0 (Appendix "A") and shown on Council Drawing No. 14193 (available for inspection at the Meeting), that should be issued as an attachment with Section 149

Certificates:

1. There shall be no development within the floodway defined as the limit of the 5% Annual Exceedance Probability (AEP) floodplain plus 500 mm as shown on Council Drawing No. 14193.
2. The finished floor level for any residential, commercial, industrial or other habitable structure, or major addition to any such structure, shall be a minimum of 500 mm above the level of the 1% AEP flood.
3. No filling of the land shall be allowed within the floodplain of the 1% AEP event plus 500 mm.
4. Any structure within the 1% AEP floodplain plus 500 mm as shown on Council Drawing No. 14193 shall be supported on piers in such a way that the flow of water beneath the structure is not impeded.

### **Current Situation/Alternatives/Benefits**

The properties are not currently identified on their respective Section 149 Certificates as having any restrictions to development because of the likelihood of flooding.

### **Consultation - Community and Staff**

Discussions have been held between Council's Stormwater Management Branch, Coastal Assessment Team, Manager - Environmental Planning & Commissioning and Manager - Legal Services.

### **Strategic Issues**

#### Environmental and Economic

Notification of development restrictions will fulfil Council's statutory obligations in regard to Section 149 Certificates, so that property owners, purchasers, and developers can make prudent decisions in regard to the relevant properties. It is intended that minimum finished floor levels will be set and filling restricted for any proposed development affected by the 1% AEP flood event.

The flood notations will help to minimise flood damage to new development, consequent costs to the community and impacts on the environment.

### **Operational Issues**

#### Financial

There are no budgetary funds required.

#### Resources

The proposed notations can be applied "in-house".

Implementation and Communication of Decision(s)

Once notations have been placed on Section 149 Certificates, this information will be available to staff and the community in general. A letter will be sent out to each affected property owner informing them of the application of notations to the Section 149 Certificate for their property.

**Report Recommendation:**

1. That the flood study be extended upstream along Savilles Creek and downstream along North West Arm to identify any additional properties that may be affected by flooding and a further report be submitted.
2. That research be undertaken by the Manager - Environmental Services Planning and Commissioning to identify those Development Applications, received since 1 January 1996, that have included flood studies for trunk drainage systems comprising pipelines having a diameter of 900mm or more and open waterways of greater capacity.
3. That it be a requirement of Council that all flood studies submitted with Development Applications consider the 20%, 5% and 1% Annual Exceedance Probability events as well as the Probable Maximum Flood event and that the computer model program file used in the analysis also be submitted.
4. That the ninety two (92) properties affected by the 1% Annual Exceedance Probability flood event listed in Table 1.0 in Appendix "A" have the following notation attached to any Section 149 Certificate issued:
 

"Council has by resolution adopted a policy to restrict the development of the land because of the likelihood of flooding."
5. That those nineteen (19) properties affected by floods greater than the 1% Annual Exceedance Probability event up to the Probable Maximum Flood, listed in Table 1.0 in Appendix "A", have the following notation attached to any Section 149 Certificate issued:
 

"Council has by resolution adopted a policy not to restrict the development of the land because of the likelihood of flooding, as it considers the land to be above the flood planning level. However, the property may still be subject to flooding in rare flood events."
6. That all affected property owners be notified of the addition of flood notations to Section 149 Certificates for their properties.

## Dents Creek - Proposed Flood Notations for Section 149 Certificates

*(To view the document, double click on Icon and select '**Launch**'; select File, Print to print document. Select File, Close and then return to report via icon at bottom of screen).*

### APPENDIX "A"



DentsCreekFloodAffectedProperty.

*(To view the document, double click on Icon and select '**Launch**'; select File, Print to print document. Select File, Close and then return to report via icon at bottom of screen).*

### APPENDIX "B"



DentsCreekFloodAffectedPropertyMapRevise

**Drawing 14193 will be available for inspection at the Meeting.**

#### **Committee Recommendation:**

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**Council Resolution:**

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