

File number: D23/169017

18 April 2023

Winten Property Group
Level 20, 100 Arthur Street
NORTH SYDNEY NSW 2060

Attention: Bill Sarkis

Dear Bill

General Flood Information for Marsden Park (Melonba) Lots in DP 1272735

I refer to your email on the 9th March 2023 regarding flood information for the above Deposited Plan.

Flood Assessment

Based on the latest information available to us from consultants and/or statutory authorities, a number of Lots in DP 1272735 are identified as being impacted by the State Environmental Planning Policy (SEPP) Flooding. A number of Lots in DP 1272735 are also currently identified in the Low, Medium and High Flood Risk Precincts of Councils flood mapping.

However, the lots in DP 1272735 have been filled to at least the flood planning level (1% Annual Exceedance Probability (AEP) flood level plus 500mm) and will not have flood planning controls affecting a residential dwelling. Councils current flood mapping will be amended once the State Government provides approval to adjust their mapping to suit the developed landform.

The department of Planning website has the Marsden Park Residential Precinct Post Exhibition Water Cycle & Flood Management Strategy Report available at <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/North-West-Growth-Area/Marsden-Park>. This will provide details of flood investigations undertaken for the Precinct planning.

Background

Flood related development controls apply to the land, which will be required to be complied with during the assessment of a development proposal.

Please read this letter in conjunction with Attachment A, General Flood Information and Attachment B, Complying Development Information

The SEPP maps (shown as light blue hatching) indicate the extent of flood prone land based on existing conditions at the time of preparing the precinct planning. Therefore, they may not include any changes resulting from subsequent development or infrastructure works.

A current Section 10.7(2) Planning Certificate would include the following paragraph: "This lot is shown flood prone on mapping provided by the Department of Planning. The investigation for this area has not been completed and all enquiries should be directed to the Department of Planning. Flood related development controls for this lot are provided in the Development Control Plan for this area, prepared by the Department of Planning. Where development is proposed within or adjacent to land that is shown on the Flood Prone Land figure as being affected by the 1% AEP level, Council may require a more detailed flood study to be undertaken by the applicant to confirm the extent on the flood affectation on that land."

The property is subject to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*. It is identified on the Development Control Map as "Flood Prone and Major Creeks Land". Clause 19 of the Growth Centres SEPP provides heads of consideration when a development application is lodged on land affected by "Flood Prone and Major Creeks Land"

A current Section 10.7(2) Certificate would also include the following paragraphs: "Council has adopted a Floodplain Management Policy which may restrict the development of the land subject to this Certificate, including development for the purposes of dwelling houses, dual occupancies, multi-dwelling housing, residential flat buildings and any other purpose that requires the placement or erection of any structure on the land. The Flood Risk Precinct Maps prepared under the policy are based on the results of Engineering Flood Studies commissioned by Government Authorities and Council. These maps indicate that the land subject to this Certificate lies partly or wholly within the Medium and High Flood Risk Precincts.

The term Medium Flood Risk Precinct is defined as land below the 100-year flood level that is not within a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties. Further details are provided in the NSW Government's Floodplain Development Manual and are available from Council. Council does not warrant that the information provided or made available to you is complete. Council strongly recommends that, in all cases, you seek independent professional advice to supplement your enquiries.

The term High Flood Risk Precinct is defined as the area of land below the 100-year flood event that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties. Further details are provided in the NSW Government's Floodplain Development Manual and are available from Council. Council does not warrant that the information provided or made available to you is complete. Council strongly recommends that, in all cases, you seek independent professional advice to supplement your enquiries."

Council's flood mapping is available on Council's web site. To start go to <http://maps.blacktown.nsw.gov.au>. Council's flood mapping only covers the areas where it has information. A property that is not identified does not mean that there are no flood issues. It is the responsibility of the person enquiring to check the natural fall of the land and to ensure that the subject property is not affected by local stormwater overland flows that might affect existing or future development on this land.

Please find attached a copy of an extract from Council's Geographical Information System (GIS) showing the approximate extent of Blacktown City's flood information in this area. Please note the disclaimer and the contour interval of 0.5 metres. For plans of the constructed landform you should contact the Winten Property Group.

However, please also be advised that there may be other non-flood related issues that might impact on the use of the land.

If you would like to discuss this matter further, please contact me on 9839 5963.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P McAteer', written in a cursive style.

Philip McAteer
Floodplain Management Engineer

Encl. Attachments A & B, Flood map

Disclaimer:

The information contained in this letter is only valid on the date of issue. This letter has been prepared with all due care and in good faith using the best information available to us.

We provide no warranties in relation to the completeness or accuracy of the information contained in this letter, and do not accept liability for any loss or damage resulting from, or in connection with, its contents or its use.

Attachment A

General Flood Information

The flood levels supplied are for the pre-developed existing conditions

The flood levels supplied do not take climate change into consideration. These flood levels should not be used to set floor levels or to identify the extent of flooding over the property as our current flood models may not have included blockage factors nor changes in land-use and landform since the date of the study.

Probable Maximum Flood

This is the largest flood that could conceivably occur at a particular location. The PMF defines the extent of flood prone land that is, the floodplain. The risk of it happening in any one year is extremely rare and is considered to be between a 1 in 100,000 to a 1 in 10,000,000 chance.

1% AEP flood

This is a flood that has a probability of 1% (or a 1 in 100 chance) of occurring in any given year.

Flood risk precincts

Precincts have been defined based on hydraulic and survey information available to Council. In many cases a more definitive indication of flood risk precinct extents can be determined by relating surveyed ground levels at AHD to the relevant hydraulic and/or flood level criteria.

The Low Flood Risk Precinct is all land within the floodplain, i.e. within the extent of the Probable Maximum Flood (PMF) but not identified as either a high flood risk or medium flood risk precinct.

Therefore, the Low Flood Risk Precinct is all the land between the 1% AEP and PMF flood extents.

The Medium Flood Risk Precinct is the land below the 1% AEP flood level subject to a low hydraulic hazard (in accordance with the provisional criteria outlined in the N.S.W. Government Floodplain Development Manual 2005). For more information on Complying Development see attachment B.

The High Flood Risk Precinct is the land subject to a high hydraulic hazard (in accordance with the provisional criteria outlined in the N.S.W. Government Floodplain Development Manual 2005) in a 1% AEP flood event and/or subject to potential evacuation difficulties during a flood. For more information on Complying Development see attachment B.

“Development on Flood Prone Land” guidelines

Our guidelines can be found in “Blacktown Development Control Plan (DCP) 2015 Part A” publication. This publication is available on Council’s Website “www.blacktown.nsw.gov.au”. To find this document click on the Planning and Development tab on the home page and then select Blacktown Development Control Plan 2015. This publication is currently under review in respect of floodplain planning issues.

Council’s flood mapping is available on Council’s web site

To start click the Discover Blacktown tab on the home page and then select Maps Online and follow the instructions. Council’s flood mapping only covers the areas where it has information. A property that is not identified does not mean that there are no flood issues. It is the responsibility of the person enquiring to check the natural fall of the land and to ensure that the subject property is not affected by local stormwater overland flows that might affect existing or future development on this land.

Flood Planning Level

The Flood Planning Level is a special area of the Low Flood Risk Precinct that is within the 0.5 m freeboard of the 1% AEP flood level.

We are currently reviewing the flood modelling in this area

Finalisation of this modelling work may result in a variation to the quoted flood levels and amendments to our current flood mapping extents. The flood levels shown are under review and therefore are preliminary information only.

Attachment B

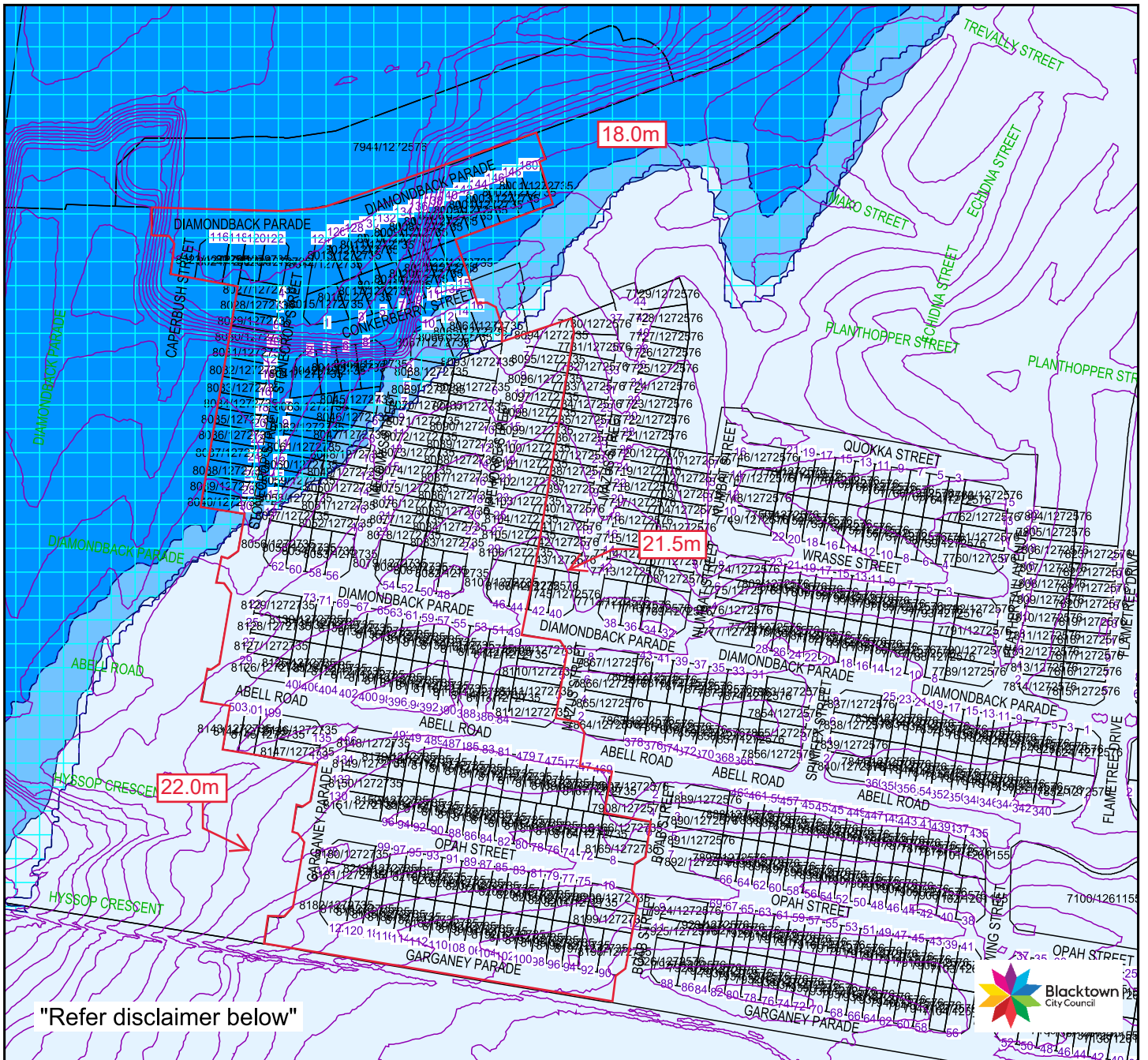
Complying Development Information

The information you seek may vary between “complying development” i.e.: routine development which has minimal environmental impact, providing the design complies with each relevant development standard of the pertinent State Environmental Planning Policy (SEPP) or “local development” i.e.: development, including State significant development, which may have significant environmental impact and for which a Development Consent and Construction Certificate are required under the Environmental Planning and Assessment Act 1979.

The property is identified on Council’s records as being a flood control lot as it is affected by “Flood Storage/Floodway/High Hazard Area” according to the latest information available to Council. The High & Medium Flood Risk Precincts are considered to be the equivalent of “a Flood Storage/Floodway/High Hazard Area” for the purposes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Where your enquiry relates to a proposed Complying Development Certificate (CDC), any flood control lot provisions of the relevant SEPP must be investigated.

The SEPP may provide that a CDC cannot be issued for any flood control lot until either Council or a professional engineer who specialises in hydraulic engineering (e.g.: a person holding the relevant accreditation under the NSW Building Professionals Board accreditation scheme) certifies that the land is not a flood storage area, a floodway area, a flow path, a high hazard area or a high-risk area.



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Plot Date: 31/03/2023

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BLACKTOWN CITY COUNCIL Flood Risk Map

This is Council's current flood map. However Council is currently reviewing the flood modelling in this area. Finalisation of this modelling work may result in a variation to the quoted flood levels and amendments to Council's current flood mapping extents.

DISCLAIMER: The flood risk precincts shown are based on information available to Council and should be regarded as an indicative guide only. A more accurate indication of the extent of the respective flood risk precincts can be determined by relating surveyed ground levels at Australian Height Datum (AHD) to the hydraulic and/or flood level criteria determining flood risk precinct boundaries. This information may be obtained by a written request to Council accompanied by a ground level survey to AHD prepared by a Registered Surveyor. Should flood risk precinct extents be required for the purpose of a financial transaction of any nature, then the parties to that transaction should apply to Council for formal certification and/or seek independent legal or professional advice.



Scale 1:4500

	Parcel Extent, Torrens Title Extent		DTM Contour, 12.5m Contour		DTM Contour, 19.0m Contour
	Parcel LPI Extent, Torrens Title Extent		DTM Contour, 13.0m Contour		DTM Contour, 19.5m Contour
	Local Government Area, Gazetted Boundary		DTM Contour, 13.5m Contour		DTM Contour, 20.0m Contour
	Waterway, Extent		DTM Contour, 14.0m Contour		DTM Contour, 20.5m Contour
	EP-FLD Flooding Planning, Flood Prone SEPP Extent		DTM Contour, 14.5m Contour		DTM Contour, 21.0m Contour
	Flood Extents, High Flood Risk Precinct		DTM Contour, 15.0m Contour		DTM Contour, 21.5m Contour
	Flood Extents, Medium Flood Risk Precinct		DTM Contour, 15.5m Contour		DTM Contour, 22.0m Contour
	Flood Extents, Low Flood Risk Precinct		DTM Contour, 16.0m Contour		DTM Contour, 22.5m Contour
	DTM Contour, 10.0m Contour		DTM Contour, 16.5m Contour		DTM Contour, 23.0m Contour
	DTM Contour, 10.5m Contour		DTM Contour, 17.0m Contour		DTM Contour, 23.5m Contour
	DTM Contour, 11.0m Contour		DTM Contour, 17.5m Contour		DTM Contour, 24.0m Contour
	DTM Contour, 11.5m Contour		DTM Contour, 18.0m Contour		DTM Contour, 24.5m Contour
	DTM Contour, 12.0m Contour		DTM Contour, 18.5m Contour		DTM Contour, 25.0m Contour