

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 21 January 2025
LOCATION	MS Teams Videoconference

BRIEFING MATTERS

PPSHCC-338 – Central Coast – DA/773/2021 – 1 – 3 Wyong Road, Tuggerah 2259 – Fire Station

PANEL MEMBERS

IN ATTENDANCE	Alison McCabe, Tony McNamara, , Rachel Stanton, Doug Eaton
APOLOGIES	Roberta Ryan
DECLARATIONS OF INTEREST	Nil

OTHER ATTENDEES

APPLICANT REPRESENTATIVES	Darrell Tenbosch, Tom Graffham, Jon Webber, Frank Overton
COUNCIL ASSESSMENT STAFF:	Katrina O'Malley, Emily Goodworth, Andrew Dewar
DEPARTMENT STAFF	Leanne Harris, Holly McCann

COUNCIL BRIEFING

- This DA was lodged with Council in October 2021.
- It is referred to the Panel under Section 4.33 (2A) as it is a Crown application that Council do not support.
- An extensive RFI was issued to the applicant and Council have previously requested that the applicant withdraw the DA.
- The proposal is for replacement of an existing fire station with an upgraded and larger facility.
- The existing facility was approved in 1993. There is also a DA consent on this site from 2018 for a new facility (smaller than currently proposed) which will lapse in August 2025.
- The site is zoned Special Infrastructure (Fire Station and Wastewater Treatment Plant) and the proposal is permissible with consent.
- The key issue relates to flooding on the site.
- Applicant submitted a flood report in 2024 which has been reviewed by Council and is still not supported based on information in the May 2020 Ourimbah Creek Floodplain Risk Management Plan which has been adopted by Council:
 - The site is marginally inundated and impacted by 1% event (H1 hazard).
 - The whole area is impacted by the PMF and functions as a floodway with depths of close to 3 metres and high velocity up to 3m/sec.
 - Flood hazard - H5 and H6 in the PMF event.

- The Floodplain Risk Management Toolkit requires Council to consider the PMF - particularly for critical / sensitive development such as this.
- Clause 5.22 LEP also requires Council to consider the PMF for these types of sensitive / critical uses.
- During a PMF event the site will not be functional in a flood emergency when it needs to.
- Other issues and information required include:
 - Bushfire report.
 - Wastewater report.
 - Acid sulfate soils management plan.
 - Plans showing extent of cut and fill.
 - Clarification as to the staging of works and whether demolition and construction of a new car park form part of the current application.
 - Details of chemical storage on the site.
 - Risk assessment of dam wall failure to the north under the Dam Safety Act and Regulations.

APPLICANT BRIEFING

- There is an existing approval for a 2 bay Fire Station, and this proposal is now for a 3 bay Station.
- Council advised new DA would be required.
- A Flood Study has been submitted which supports the proposal.
- Have operated from the site for many years.
- Notwithstanding the RFS want to stay in this location given the proximity to their volunteer base other sites and options have been discussed with Council but nothing suitable identified to date.
- Understand the need for preparedness for flood events.

PANEL COMMENTS

- The Panel notes that as this a Crown application its role is limited in terms of refusal of an application or imposition of conditions without agreement.
- The flooding issue needs to be carefully considered and the Panel will need to be consistent with the relevant policy provisions, LEP and DCP clauses and requirements.
- The Panel will need comprehensive information and documentation to deal with the flood risk including structural engineering information, performance measures and a detailed plan of management including evacuation measures in addition to the submitted flood study. The flood study needs to have considered the latest documentation in respect to Ourimbah Creek.
- The Panel encourages the applicant to continue to explore alternative sites with Council.
- The application is not straight forward, and the applicant is encouraged to seek further planning advice and options in relation to the existing approval and current facility given there is only a short period of time before that consent lapses.

The Panel expects the applicant to liaise further with Council and comprehensively respond to all outstanding matters.