

Our Ref: ID 3481
Your Ref: DA/2024/763

1 December 2025

Scott Fatches
Maitland City Council
PO Box 220
Maitland NSW 2320

Via email

email: Scott.Fatches@maitland.nsw.gov.au
CC: lisa.ignatavicius1@ses.nsw.gov.au

Dear Scott,

Review of Refusal of Development Application for 559 Anambah Road Gosforth

Thank you for the opportunity to provide comment on the Review of Refusal of Development Application for 559 Anambah Road Gosforth (Lots 177/874171, 55/874170). It is understood that:

- The site was the subject of a Planning Proposal which resulted in the rezoning of RU2 Rural Landscape land to predominantly R1 General Residential in December 2020 under Maitland Local Environmental Plan 2011 (Amendment No. 26).
- The DA seeks approval to create a new urban subdivision within the Anambah Urban Release Area (AURA), consisting of approximately 900 low and medium density residential Lots, open space, roads, pedestrian networks, utilities and services, intersection upgrades and drainage infrastructure.
- DA/2024/763, is a Concept Development Application for Two lots into nine hundred (900) Lot Staged Torrens Title Subdivision, and Stage 1 Torrens Title Subdivision of two hundred twenty lots (220). This DA does not result in more than 1,200 lots on land within the Anambah Urban Release Area.¹

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunami in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

¹ Thirdi Group, 2025. Report Review of Refusal of Development Application. Page 27

The NSW SES recommends that consideration of flooding issues is undertaken in accordance with the requirements of NSW Government's Flood Prone Land Policy as set out in the [Flood Risk Management Manual](#) 2023 (the Manual) and supporting guidelines, including the [Support for Emergency Management Planning](#) and relevant planning directions under the *Environmental Planning and Assessment Act, 1979*. Applying sound land use planning and flood risk management by considering the broader development context and infrastructure is essential in planning for a resilient community in the Hunter River catchment.

We have reviewed the following documents provided as part of the preparation of our additional advice:

- Thirdi Communities, 2025. Report Division 8.2 Review of Refusal of Development Application
- Thirdi Group, 2025. Emergency Access Traffic Management Strategy

We also refer to our previous advice letters dated 04 November 2024, 27 June 2025 and 5 August 2025 which should be included in the overall risk assessment. The points outlined in earlier advice remain relevant and should continue to inform the evaluation. As outlined in our previous advice, the site is a **High Flood Island**, with all proposed dwelling lots on land above the Probable Maximum Flood (PMF) event for both riverine and local catchment flooding². However, the site is currently frequently isolated (approximately 20% AEP) when Anambah Road, the current access route, becomes flooded by high hazard flood water for several days³⁴, as occurred as recently as May and August 2025.

In summary, we:

- **Emphasise** that NSW SES are not a consent authority and therefore **not able to endorse** the River Road interim connection proposal. Although NSW SES recommend improving the flood resilience of roads for future communities, the NSW SES **do not** recommend privately accessed and managed automated gate systems for flood emergency access and egress and as such the proposal is not as reported an “SES-compatible emergency egress and ingress”⁵ and there is not a “NSW SES-endorsed operating protocol”.⁶⁷ As per the Flood Risk Management Guideline EM01: Support for Emergency management, Principle 1 “Any proposed Emergency Management strategy should be compatible with any existing community Emergency Management strategy.”⁸
- **Recommend** infrastructure including roads should be in place prior to development occurring in locations which otherwise become isolated by flooding. An example is the

² Northrop. 2025. Flood Impact and Risk Assessment – Revision B, Figure BC6-1

³ WMA Water. 2010. Hunter River Branxton to Green Rocks Flood Study

⁴ WMA Water, 2015. Hunter River Floodplain Risk Management Study and Plan

⁵ Thirdi Group, 2025. Report Review of Refusal of Development Application. Page 8, 22, 31, 34.

⁶ Thirdi Group, 2025. Report Review of Refusal of Development Application. Pages 4, 7,

⁷ Thirdi Group, 2025. Emergency Access Traffic Management Strategy. Page 8

⁸ NSW Government. 2023. Flood Risk Management Guideline EM01: Support for Emergency Management Planning

Potential Wyndella Road Link from the Wider flood map.⁹ If the Wyndella Road link is delivered, then flood-free access would be provided by New England Highway / Wyndella Road, which would be used by all traffic. Access to River Road would be terminated at the Wyndella Road link.¹⁰

- **Recommend** robust Development Control Plans are adopted prior to consent, to enable careful consideration of the proposed development against the flood and isolation risks for the residents and community, and the resultant burden on the Maitland City Council and emergency services, particularly given the potential for high hazard, long duration flooding in the Hunter River floodplain. The NSW SES have also received the Maitland City Council DCP Section Anambah Urban Release Area Draft Area Plan November 2025 for review by 11 December 2025.
- **Advise**, that as the authority under *the Roads Act 1993* to close and maintain local roads, Maitland City Council must be satisfied with any proposed emergency access arrangements for the development at 559 Anambah Road, Gosforth.

In addition, the scale and evacuation constraints of this proposal for greater than 900 Lots may result in a significantly increased requirement for government spending on emergency management and response and flood mitigation measures, as further detailed in NSW SES previous advice.

Please feel free to contact Gillian Webber via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely,



Peter Cinque
Senior Manager, Emergency Risk Management
NSW State Emergency Service

⁹ Thirdi Group, 2025. Emergency Access Traffic Management Strategy. Page 6

¹⁰ Thirdi Group, 2025. Emergency Access Traffic Management Strategy. Page 9