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Your Ref: PP-2022-3959

9 June 2023

email: sarah.connell@portstephens.nsw.gov.au
CC: rachel.murray@dpie.nsw.gov.au

Dear Sarah

**Planning Proposal for Lot 51 DP 1175028, Lot 3622 DP 622485 and Lot 2 DP 622229 -
Nelson Bay Road, Bobs Farm**

Thank you for the opportunity to provide comment on the Planning Proposal for Sunrise Lifestyle Village, Nelson Bay Road, Bobs Farm. It is understood that the proposal seeks to amend Port Stephens Local Environmental Plan 2013 (PSLEP) to permit caravan parks and approximately 62 additional dwellings on the subject land, specifically by:

- Rezoning Lot 51 DP 1175028, Lot 3622 DP 622485 and Lot 2 DP 622229, Nelson Bay Road, Bobs Farm.
- Rezoning part of site to C2 Environmental Conservation.
- Including the Subject Land within Schedule 1 as an Additional Permitted Use to permit a Caravan Park.

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.

The consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005 (the Manual). Attention is drawn to the following principles outlined in the Manual which are of importance to the NSW SES role as described above:

- **Zoning should not enable development that will result in an increase in risk to life, health or property of people living on the floodplain.**

The proposed site has a small amount of flooding in the Probable Maximum Flood (PMF), and isolated in more frequent events. The frequency, duration and hazard associated with the isolation should be assessed, up to and including the PMF.

Rezoning to C2 is supported by NSW SES, as it is not likely to result in an increase in risk.⁹

- **Risk assessment should consider the full range of flooding, including events up to the Probable Maximum Flood (PMF) and not focus only on the 1% AEP flood.**
- **Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes.**

To the south of the site, Nelson Bay Road access to Newcastle is likely to be cut by flooding from the Hunter River in floods more severe than 2% AEP¹. There is a risk to visitors staying on the site (accommodation in the caravan park) as the level of flood awareness of visitors to the area is likely to be significantly lower than within the resident community.

Vulnerable community members and/or visitors may be required to evacuate prior to isolation. The timeframe required for warning and evacuation depends on a range of factors including the population, resources, and route to nominated evacuation centres. Flood warning time has not been given in the Planning Proposal which would give the NSW SES the ability to warn and reduce the risk of people becoming trapped. The assumption that 'likely long warning times for the flood type would allow residents to 'stock up' or seek medical treatment prior to the peak of an event'² is not supported by the NSW SES. Even relatively brief periods of isolation, in the order of a few hours, can lead to critical personal medical emergencies that have to be responded to.

The estimated number of vehicles and people on the site in dwellings and accommodation at full occupancy has not been provided. Traffic generation rates for the Nelson Bay Road flood evacuation routes have not been modelled. All road access to the site is cut before a PMF flood event.

The vast majority of properties along Nelson Bay Road are flood affected³. During flooding it is likely that there will be a reduced capacity for the relevant emergency service agency to respond and may not be able to reach the future occupants that remain isolated as a result of the flood hazard on the roadways.

- **In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation.**
- **Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.**
- **Evacuation must not require people to drive or walk, through flood water.**

¹ Draft Port Stephens Local Flood Plan 2016 Volume 2 page 13

² Sunrise Lifestyle Village: Planning Proposal 2023 page 48

³ Sunrise Lifestyle Village: Planning Proposal 2023 page 11

While rising escape route exists along Trotter Road then Nelson Bay Road, the trigger for evacuation by vehicle will need to be established due to low points along Nelson Bay Road leading to Nelson Bay and Anna Bay townships. It is likely the road will be closed in a number of locations before a PMF flood event is reached.

- **Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.**

The proposed buildings are not likely to be surrounded by floodwater, however we would like to emphasise that during flooding it is likely that there will be a reduced capacity for the relevant emergency service agency to respond in these times. Even relatively brief periods of isolation, in the order of a few hours, can lead to personal medical emergencies that have to be responded to.

- **Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.**

The use of flood boats and helicopters may not always be feasible due to weather, resource availability or risks, which can result in large number of people trapped on the floodplain.

There are significant risks associated with mass rescue, including:

- Insufficient number of flood rescue boats for the number of people remaining on low flood islands.
 - Insufficient air lift capacity
 - Severe weather which makes rescue by boat or air more difficult e.g. wind fetch caused waves
 - Potential exposure to sewage, contaminants, disease, poisons, hidden snags, dead animals and debris etc.
 - Drowning or injuries related to floodwater hazards.
- **The NSW SES is opposed to the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.**
 - **NSW SES is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.**
 - **Consent authorities should consider the cumulative impacts any development will have on risk to life and the existing and future community and emergency service resources in the future.**

Continuing research by the Bureau of Meteorology and the CSIRO are predicting more intense, short duration heavy rainfall events which cause flash flooding. The projected

increase in heavy rainfall will increase flood risk in catchments including the Nelson Bay community, where extreme rainfall over hours to a day can quickly become flash floods.

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Reducing Vulnerability of Buildings to Flood Damage](#)
- [Designing Safer Subdivisions](#)
- [Managing Flood Risk Through Planning Opportunities](#)

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

A handwritten signature in black ink, appearing to read 'Elspeth O'Shannessy', with a horizontal line underneath.

Elspeth O'Shannessy

A/Hawkesbury Nepean Advisor and Future Risk Team Leader, Emergency Risk Management
NSW State Emergency Service