

Our Ref: ID 2805
Your Ref: SSD-63475709

19 December 2024

Lucinda Craig
Department of Planning, Housing & Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Via Major Portal

email: lucinda.craig@dpie.nsw.gov.au
CC: lisa.ignatavicius1@ses.nsw.gov.au;

Dear Lucinda,

Environmental Impact Assessment for Mingara Recreation Club Seniors Housing, Tumbi Umbi

Thank you for the opportunity to provide comment on the Environmental Impact Assessment (EIS) for Tumbi Umbi Retirement Living located at 14 Mingara Drive, Tumbi Umbi within part of Lot 13 DP 1204397. It is understood that the proposed development seeks subdivision of land and the construction and operation of a seniors housing development. The proposal is for thirteen villa buildings, three multi-storey independent living unit (ILU) buildings and one mixed high care and ILU building housing communal facilities together with car parking, open space and associated works including site preparation works and landscaping. The proposed SSDA seeks approval to redevelop the site to accommodate a seniors' living development inclusive of:

- Thirteen (13) townhouses/villa buildings, housing four (4) independent living units in each
- Three (3) multi storey independent living unit (ILU) buildings of:
 - Building 1 – undercroft car parking, 5 levels of 2-bed and 3-bed ILUs
 - Building 3 - undercroft car parking, 6 levels of 2-bed and 3-bed ILUs
 - Building 4 - undercroft car parking, 5 levels of 2-bed and 3-bed ILUs
- One (1) mixed high care and ILU building (Building 2) of:
 - Part undercroft car parking, part communal/amenities level at ground with 3 levels of high care suites and 3 levels of ILUs
 - Communal facilities including a café, residential lounge, multi-function spaces, consultation/therapy rooms, library, and staff/admin areas.
- Provision of 219 x 2-bed and 3-bed independent living units and 39 high care suites

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 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 and circulars relating to the *Environmental Planning and Assessment Act, 1979*. Some of the issues which are of concern to the NSW SES are detailed in Attachment A.

Flood Risk at the Site

The proposed development is located on a low flood island and would further **increase the complexity of flood operations** for the Central Coast LGA, and directly transfer the risk to NSW SES for warning, evacuation, and potentially rescue. This proposal may be considered a 'high risk proposal' as determined in the PS 24-001 Planning Circular¹ as it is for a **sensitive use** (vulnerable users) development located within a **floodplain** with **limited evacuation opportunities**.

Recommendation 22 and 15 of the NSW 2022 Flood Inquiry² advocates for a planned retreat from areas at most risk on the floodplain. The proposed development is essentially an advance into the floodplain. It is even more critical to **remove sensitive development from any known flood hazard risk**. The development is proposed within the current FPL. Filling the site to the FPL but leaving evacuation routes below the FPL does not remove the risk to life.

Recommendations

In summary, we:

- **Recommend** careful consideration of the flood risk of the proposed development, that seeks a significant increase in the number of people within the flood planning area, particularly as it is for a **sensitive use** development.
- **Recommend** that if the development proceeds, that the site design permits for flood free rising road access for the entire development due to the frequent flooding in the Tumby Umbi Creek catchment and limited to no warning time available³. NSW SES does not support strategies that rely on people entering floodwater.
- **Recommend** that any access/egress constraints are addressed at the EIS stage. The site is surrounded by H5 hazard for up to 2 hours during a PMF⁴.
- **Recommend** reconsidering basement carparking or redesigning it to ensure that it is passively protected to the Probable Maximum Flood (PMF) i.e., that all entrances and openings (vents, etc) are located above the PMF.
- **Recommend** the EIS should also consider how the project interacts with other existing or planned developments and the cumulative impacts on flood risk. Further guidance is provided in the [Flood Impact and Risk Assessment Guideline LU01](#).
- **Recommend** seeking advice from the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) regarding the impact of the proposed

¹ Department of Planning, Housing and Infrastructure (2024) Planning Circular PS 24-001 page 3

² NSW Government (2022) – 2022 Flood Inquiry Volume One: Summary report, findings and recommendations page 10

³ WMA Water. 2018. Tuggerah Lakes Southern Catchments Flood Study page 32, 49

⁴ Stantec. 2024. Tumby Umbi Retirement Living Flood Emergency Management Plan (FEMP) Figures 9-11

development including flood storage within the precinct on flood behaviour, including consideration of offsite impacts. We note to eliminate flood impacts as a result of the development, additional flood storage has been provided to the south of the development site.⁵

- **Note** that the proposed development will be subject to Clauses 5.22 Flood Planning and Clause 5.22 Special Flood Considerations of Cessnock LEP 2011. This will ensure that the flood risk to life and property is minimised as sensitive land-uses such as aged-care facilities will be located above the probable maximum flood (PMF) level. Pre-development, the entirety of the development site is located within the PMF flood extent⁶.
- **Recommend** considering the impacts of climate change. It is estimated that the actual probability of a 1 in 100 AEP for the Tumby Umbi Creek catchment area is approximately a 1 in 54.5 AEP event for the current 2024 scenario⁷. For the proposed development site, this could result in more frequent inundation and/or isolation than what is currently expected based on previous modelling.
- **Recommend** amendments to the Tumby Umbi Retirement Living Flood Emergency Management Plan (FEMP). Further detail is provided in Attachment A, Principle 1.

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,



Kirra Waite

A/ Senior Manager Emergency Risk Management

NSW State Emergency Service

⁵ Stantec. 2024. Tumby Umbi Retirement Living Flood Impact Assessment (FIA) Figure 6 and Figure 9

⁶ WMA Water. 2018. Tuggerah Lakes Southern Catchments Flood Study

⁷ WMA Water. 2024. Climate Change Calculator. Retrieved 17/12/2024 from <https://ccc.wmawater.com.au/>

ATTACHMENT A: Principles Outlined in the Support for Emergency Management Planning Guideline⁸

Principle 1 Any proposed Emergency Management strategy should be compatible with any existing community Emergency Management strategy.

Any proposed Emergency Management strategy for an area should be compatible with the evacuation strategies identified in the NSW State Flood Plan⁹ and the Central Coast Flood Emergency Sub Plan 2021.

There are considerable **risks associated with evacuating aged care residents**. Similarly, there are considerable **risks associated with sheltering in buildings** surrounded by flood water^{10 11 12}. Other secondary emergencies such as fires and medical emergencies may occur in buildings isolated by floodwater, and staff, visitors and residents will not be able to safely navigate to and from the site. To minimise disruption to essential services, the NSW 2022 Flood Inquiry recommends essential services infrastructure is situated as much as possible above the flood planning level. Hospitals, medical centres, **nursing homes, aged care facilities** and police stations should be situated above the probable maximum flood level. We note that post-development that the buildings will be located above the PMF.

In addition, we have some recommended amendments to the Flood Emergency Response Plan, noting NSW SES does not have authority to endorse or approve private flood emergency response plans:

- Remove all references to flood Watches and Flood Warnings, as there is no formal flood warnings currently in place for Tumby Umbi Creek.
- All references to “evacuation orders”, “evacuation warnings” and “flood bulletins” should be removed. NSW SES has adopted the Australian Warning System. The Australian Warning System uses three categories of hazard warnings: Advice, Watch and Act, and Emergency Warning. These categories replace the previous terminology and are available via the Hazards Near Me app, Hazard Watch Website, NSW SES Website and Social Media pages. The Hazards Near Me NSW App and Hazard Watch should be incorporated into the FERP for emergency information.
- Any actions need to be proactive and not rely on receipt of any warnings provided by NSW SES or calling NSW SES for advice. Clear triggers for any actions should be included in the FERP and regularly updated. Arrangements should be in place for staff contingency and incorporate the time required for residents to relocate if it is determined safe to do so.
- A regular testing, monitoring and review schedule should be developed for the flood emergency plan. FERPs should be regularly exercised, similar to building fire

⁸ NSW Government. 2023. Principles Outlined in the Support for Emergency Management Planning Guideline

⁹ NSW Government. 2021. NSW State Flood Plan. Section 1.6 – Key Principles. 1.6.2, page 5.

¹⁰ National Council for Australian Fire and Emergency Services (AFAC). 2018. Emergency Planning and Response to Protect Life in Flash Flood Events.

¹¹ NSW Government. 2016. Evacuation Decision Guidelines for Private Health and Residential Care Facilities.

¹² Rojek A, Little M. Review article: evacuating hospitals in Australia: what lessons can we learn from the world literature? Emergency Medicine Australasia.

evacuation drills and updated at regular intervals and whenever additional flood information is available or highlighted during the drills or flood events.

- All references to driving or walking through floodwater should be removed.

Principle 2 Decisions should be informed by understanding the full range of risks to the community.

Decisions relating to future development should be risk-based and ensure Emergency Management risks to the community of the full range of floods are effectively understood and managed. It is noted that the site itself is prone to flooding in a PMF with depths of up to 0.4m across the development site.¹³

The Wyong Road entrance into the site is classified as a H5-H6 hazard in the PMF flood event. The maximum flood depth over the road in the PMF flood event is approximately 110mm with a duration of approximately 1 hour. Wyong Road is also subject to multiple road closures due to flooding.

Evacuation of hospitals and aged care can be complex and is known to be associated with an increased rate of mortality in patients and nursing facility residents.^{14 15 16}

Principle 3 Development of the floodplain does not impact on the ability of the existing community to safely and effectively respond to a flood.

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.

Principle 4 Decisions on development within the floodplain does not increase risk to life from flooding.

Managing risks associated with low flood islands requires careful consideration of development type, likely users, and their ability respond to minimise their risks. This includes consideration of:

- Isolation – There is no known safe period of isolation in a flood, the longer the period of isolation the greater the risk to occupants who are isolated.
- Secondary risks – This includes fire and medical emergencies that can impact on the safety of people isolated by floodwater. The potential risk to occupants needs to be considered and managed in decision-making.
- Consideration of human behaviour – The behaviour of individuals such as choosing not to remain isolated from their family or social network in a building on a floor above the PMF for an extended flood duration or attempting to return to a building during a flood, needs to be considered.

¹³ Stantec. 2024. Tumby Umbi Retirement Living Flood Impact Assessment (FIA) Figure 6

¹⁴ Terui, T., Kunii, Y., Hoshino, H., Kakamu, T., Hikada, T., Fukushima, T., Anzai, N., Gotoh, D., Miura, I., Yabe, H. 2021. Long-term observation of mortality among inpatients evacuated from psychiatric hospitals in Fukushima prefecture following the Fukushima nuclear disaster. *Science Reports* 11, 14651.

¹⁵ Rojek A, Little M. Review article: evacuating hospitals in Australia: what lessons can we learn from the world literature? *Emergency Medicine Australasia*.

¹⁶ NSW Government. 2016. Evacuation Decision Guidelines for Private Health and Residential Care Facilities.

Principle 5 Risks faced by the itinerant population need to be managed.

Any Emergency Management strategy needs to consider people visiting the area or using a development.

Principle 6 Recognise the need for effective flood warning and associated limitations.

An effective flood warning strategy with clear and concise messaging understood by the community is key to providing the community an opportunity to respond to a flood threat in an appropriate and timely manner.

Principle 7 Ongoing community awareness of flooding is critical to assist effective emergency response.

Development in a floodplain will increase the need for NSW SES to undertake continuous community awareness, preparedness, and response operations.

The flood risk at the site and actions taken to reduce risk to life should be communicated to all site users (includes increasing risk awareness, community connections, preparedness actions, appropriate signage and emergency drills) during and after the construction phase. However, it is important to note that 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.