

NSW Reconstruction Authority Act 2022 Review

Community Disaster Action Group Opening Statement

14 August 2024

Honourable Members of the Joint Select Committee,

The Community Disaster Action Group appreciates this opportunity to present our opening statement regarding the NSW Reconstruction Authority Act 2022 review. We represent a united voice for the 7 impacted Local Government Areas in the Northern Rivers, calling for a fully-funded, community-led flood recovery, adaptation and preparedness.

Our statement reflects the collective experiences and concerns of our community, gathered through weekly meetings, a community forum on the Act (6th August 2024), and our Community-led Flood Recovery/Adaptation Proposal endorsed by over 80 community organisations.

In addressing the terms of reference for this review, we will focus on the two key aspects:

Validity of Policy Objectives

We affirm the validity of the Act's policy objectives in Section 3. The goal to promote community resilience through disaster prevention, preparedness, adaptation, recovery, and reconstruction is vital. However, the implementation of these objectives has not met community expectations or needs.

Appropriateness of the Act's Terms

While the policy objectives are valid, the terms of the Act - specifically its functions and powers - are not appropriate for securing those objectives based on our first-hand experience. The overarching failure of the Act is its inadequacy in addressing the retraumatization of survivors. The slow and ineffective recovery process has led to ongoing trauma and mental health impacts on disaster survivors, an issue not sufficiently recognised or addressed in the Act's provisions. As a result, our community is not prepared for the next disaster.

This fundamental shortcoming is further evidenced by several critical issues that demonstrate the misalignment between the Act's objectives and its implementation:

Lack of Clarity, Transparency, and Efficiency:

- Vague terminology and lack of measurable outcomes in Section 3 (Objects of Act)
- Insufficient transparency in operations and decision-making (Section 10: Functions of Authority)

- Wasteful rebranding from Resilience NSW to NRRC to NSWRA
- Inadequate data collection on flood impacts across demographics

Recommendations:

- Amend Section 3 to provide clear, measurable definitions for key terms (particularly resilience, disaster, and adaptation), and strengthen Section 10 to mandate comprehensive data collection on flood impacts across demographics, ensuring community wellbeing and long-term impacts are addressed.
- Enhance transparency by requiring public access to Community Leaders Forum meetings and implementing robust reporting mechanisms for the Authority's operations and decision-making processes.

Inadequate Disaster Response, Recovery, and Preparedness:

- Limited eligibility and slow implementation of assistance programs (Section 10(1)(h): housing and infrastructure renewal).
 - Of 6,000 homes promised assistance, only 1,000 deemed eligible
 - By April 2024, only 1 house raise and 804 buybacks completed in 4 LGAs
- Poor coordination with existing plans such as the Disaster Adaptation Plan (DAP), and the State Recovery Plan (Section 10(1)(a): supporting collaboration).
- Insufficient funding: \$700m shortfall from promised \$1.5bn.
- \$438 Million spent on temporary housing rather than permanent solutions.
- Neglect of diverse housing needs, including renters (Section 10(1)(h)).
- Environmental impacts not sufficiently considered (Section 10(1)(e): consideration of environmental impacts).
- Emerging issues around long-term insurability not addressed.

Recommendations:

- Amend Section 10(1)(h) to broaden the Resilient Homes Program criteria and ensure swift allocation of the full \$1.5bn pledged (and more as needed), based on these expanded criteria, to achieve the Act's objectives and implement recommendations from major inquiries, including the Flood Inquiry Report 2022.
- Strengthen Section 10(1)(a) to improve coordination with existing emergency management structures and plans, mandate regular updates of flood data and projections across all affected LGAs, and require the installation and maintenance of comprehensive early warning systems.

Insufficient Community Engagement and Local Expertise Integration:

- Lack of genuine community involvement despite Section 10(1)(c) calling for community participation
- Failure to integrate local expertise in decision-making processes
- No explicit incorporation of First Nations knowledge and practices

- Inadequate consideration of vulnerable populations (elderly, disabled, economically disadvantaged)

Recommendations:

- Strengthen Section 10(1)(c) to mandate robust democratic mechanisms for community engagement and representation in recovery and adaptation, e.g. standing Community Advisory Boards with diverse representation (First Nations communities, local experts, affected residents, and general community) and mandating public representation on and access to Community Leaders Forum meetings.
- Amend Section 10 to require integration of local expertise and First Nations knowledge into all disaster-related decision-making processes, ensuring these perspectives are valued and centered in the Authority's operations.

Inadequate Support for Long-Term Community Wellbeing:

- Lack of provisions for long-term mental health support (Section 10(1)(g): psychosocial recovery)
- Insufficient focus on building long-term community resilience beyond immediate response
- Inadequate addressing of social and economic impacts over time

Recommendations:

- Strengthen Section 10(1)(g) to include comprehensive provisions for long-term mental health support and community resilience building, extending beyond immediate disaster response to address ongoing trauma and community needs.
- Amend Section 10 to mandate consideration and mitigation of long-term social and economic impacts in all disaster recovery planning, ensuring a holistic approach to community wellbeing and resilience.

In conclusion, the Act requires significant amendments to truly promote community resilience and enable effective disaster prevention, preparedness, adaptation, and recovery. Our community remains vulnerable and unprepared for future disasters.

We urge the Committee to recommend substantial changes to the Act, transforming it into an effective blueprint for disaster recovery and community resilience that centres the community at the heart of decision-making. Our community's future depends on it.

Thank you for your attention. We welcome any questions you may have.

Respectfully submitted,
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