

**Submission
No 50**

REVIEW OF THE NSW RECONSTRUCTION AUTHORITY ACT 2022

Organisation: Institute of Public Works Engineering Australasia (IPWEA) NSW & ACT
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NSW & ACT

IPWEA

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17 June 2024

Mr Clayton Barr MP
Committee Chair
Joint Select Committee on the NSW Reconstruction Authority
Parliament House
Macquarie Street
SYDNEY NSW 2000

nswreconstructionauthority@parliament.nsw.gov.au

Dear Mr Barr,

Joint Select Committee on the NSW Reconstruction Authority

I write with reference to the Review of the *NSW Reconstruction Authority Act 2022* (“the Act”) and the subsequent call for submissions from interested parties.

As you are aware, the Institute of Public Works Engineering Australasia (NSW & ACT) (“the Institute”), has a long history of engaging with government on matters relating to disaster management and mitigation, noting that the Institute represents a significant number of engineers who are responsible for the local government preparedness for, and response to, natural disasters.

Introduction

Under Section 93 of the Act the NSW Parliament is obliged to review the Act to determine if

- (a) The policy objectives of the Act remain valid, and
- (b) The terms of the Act remain appropriate for securing the objectives.

We note that the review has already received submissions from a number of individual local government authorities and Council Groups, most of which are consistent with the views of the Institute.

We further note that a number of stakeholders have acknowledged the short period of time in which the Act has governed the Authority means that its intent and consequences may yet be fully realised.

Consideration

The Act was introduced by the previous Government with the view of improving the State's ability to respond to potential disasters following the *2022 Flood Inquiry*. It was passed with bi-partisan support following a number of amendments from both the then Opposition and cross-benches suggesting that without an outstanding claim of unintended consequences there is no mandate for the Parliament to significantly amend the existing legislation after such a short period.

However, the Institute does note that any recommendations from the Committee could include the following:

1. While there are no significant concerns with the Act, implementation of its objectives in a timely manner has been suboptimal and appears to require greater clarity around roles and responsibilities for inter-agency relationships between relevant NSW State agencies, including the Reconstruction Authority. Therefore, we would seek to centralise all natural disaster preparation, response and recovery operations under the Reconstruction Authority to improve efficiency and remove unnecessary touch points by other NSW government agencies. One option for this would be with the creation of a NSW Disaster Management Directorate to act as a forum for discussion and dissemination of best practice guidance on how local councils can better prepare for, respond to and recover from natural disasters in the same way the Institute works with Government on road, asset management and AI policy.
2. Basic capability. Further to point 1, at the present time the ability for councils to both prepare and respond to natural disasters varies significantly based on demographics, access to capital and grants, geographical location and workforce. It is the view of the Institute that the Act should consider how the capacity of individual local governments to respond be mandated with any shortfall covered by the Authority and/or benchmarked by a Directorate.
3. Build-back-better. The Institute notes that the *2022 Flood Inquiry* made a recommendation that "Build-back-better" makes for good public policy to not only mitigate the risk of infrastructure failing at the next natural disaster but to also improve evacuation and emergency services access. It is the view of the Institute that this be considered for inclusion in the Act.
4. Property Swap. We note that the current Act allows the Authority to mandate property swap and the Institute believes that this should be maintained and progressed to remove any uncertainty around government intentions to buy out property.
5. Harden property. The Institute notes that repeat disasters such as those seen around the Hawkesbury has damaged properties that may have been repaired using like-for-like materials such as gyp rock. Given Councils are inevitably called upon to dispose of damaged building materials the Committee may wish to consider providing inducements for property hardening when repairs are made noting that industry forecasts the cost for raising properties in extreme danger is currently estimated at \$10 billion.



Conclusion

Finally, it would be remiss of the Institute not to highlight to the Committee the deep concerns we have regarding the current short fall in engineers. With the engineering profession the cornerstone to all built and infrastructure reconstruction we would welcome an opportunity to have certainty in attracting, training, retaining, and developing the skilled workforce required to ensure the intent of the Act is achieved.

If you have any further questions regarding our submission, please do not hesitate to contact the Institute. We would welcome any opportunity to appear before a Parliamentary Hearing regarding this matter.

Yours sincerely,



The Honourable David Elliott
CHIEF EXECUTIVE OFFICER