

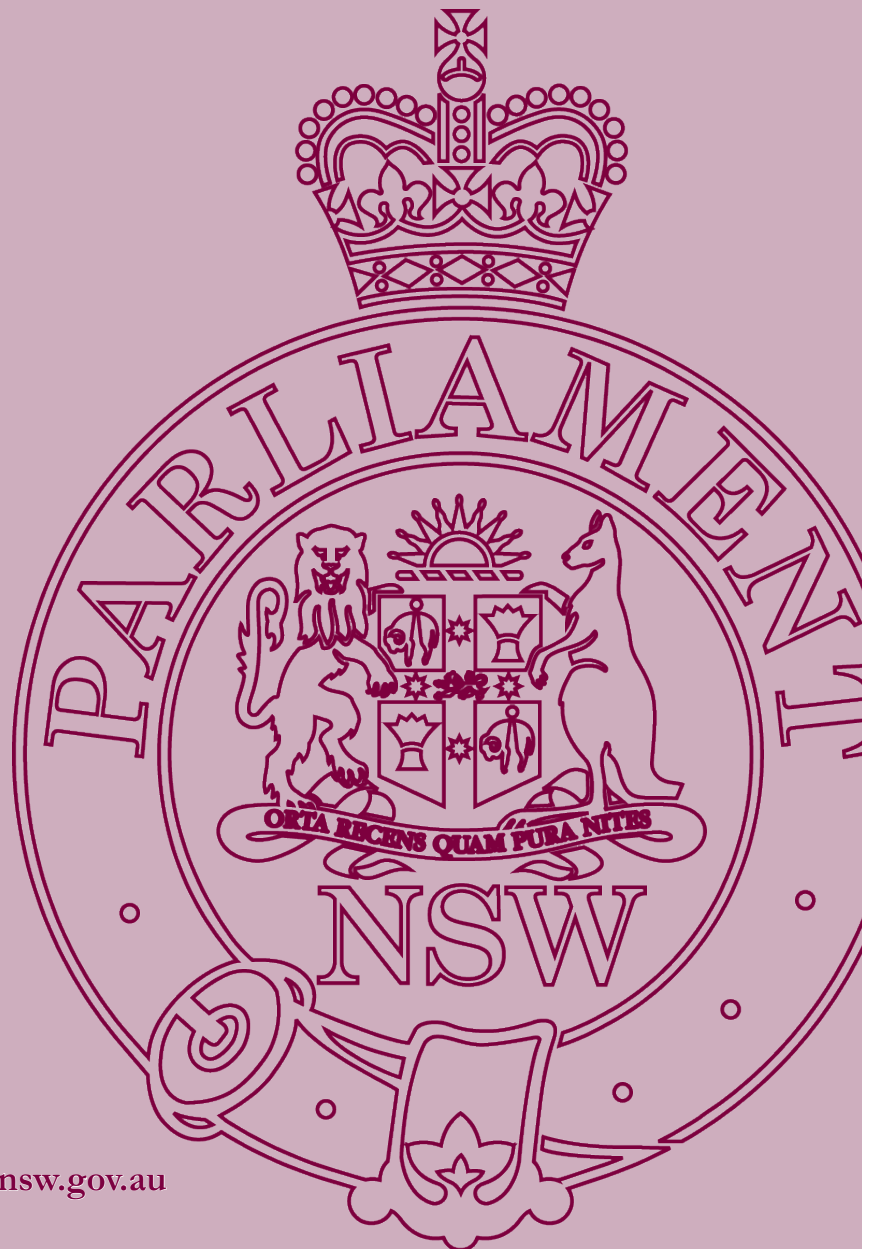


LEGISLATIVE COUNCIL

SELECT COMMITTEE ON THE RESPONSE TO MAJOR FLOODING ACROSS  
NEW SOUTH WALES IN 2022

# Response to major flooding across New South Wales in 2022

August 2022



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Select Committee on the Response to Major Flooding across  
New South Wales in 2022

# **Response to major flooding across New South Wales in 2022**

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Response to major flooding across New South Wales in 2022

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Chair: Hon. Walt Secord, MLC



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## Terms of reference

1. That a select committee be established to inquire into and report on the response to major flooding across New South Wales in 2022, and in particular:
  - (a) the preparation, coordination and response to the Western Sydney and North Coast floods by the Government,
  - (b) the role, composition and resource allocations of Resilience NSW, the NSW State Emergency Service and other relevant Government agencies,
  - (c) coordination between the New South Wales Government, New South Wales Government departments and agencies, the Federal Government, Federal Government departments and agencies, local governments, private sector operators and the community, including requests or offers of assistance,
  - (d) public communication, systems and strategies,
  - (e) the implementation of recommendations from inquiries into previous natural disasters,
  - (f) the overall effectiveness of the flood response, and
  - (g) any other related matter.
2. That the committee begin its inquiry after 10 April 2022 and report by 9 August 2022.

The terms of reference were referred to the committee by the Legislative Council on 23 March 2022.<sup>1</sup>

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<sup>1</sup> *Minutes*, NSW Legislative Council, 23 March 2022, pp 3059-3060.



## Committee details

### Committee members

<b>The Hon Walt Secord MLC</b>	Australian Labor Party	<i>Chair</i>
<b>The Hon Mark Banasiak MLC</b>	Shooters, Fishers and Farmers Party	<i>Deputy Chair</i>
<b>The Hon Scott Barrett MLC*</b>	The Nationals	
<b>The Hon Catherine Cusack MLC**</b>	Liberal Party	
<b>Ms Cate Faehrmann MLC</b>	The Greens	
<b>Ms Sue Higginson MLC***</b>	The Greens	
<b>The Hon Rod Roberts MLC</b>	Pauline Hanson's One Nation	
<b>The Hon Penny Sharpe MLC</b>	Australian Labor Party	

\* The Hon Scott Barrett MLC became a substantive member of the committee on 29 March 2022.

\*\* The Hon Catherine Cusack MLC became a substantive member of the committee on 29 March 2022.

\*\*\* Ms Sue Higginson MLC was a participating member from 18 May 2022 for the duration of the inquiry.

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### Secretariat

Shaza Barbar, Principal Council Officer

Stephen Fujiwara, Senior Council Officer

Andrew Ratchford, Council Officer

Tina Higgins, Director

## Chair's foreword

Major flooding in NSW in February-March 2022 was a catastrophic disaster, causing widespread devastation and damage – particularly in the Northern Rivers and Hawkesbury regions. Tragically, lives were lost, thousands of homes were damaged or destroyed, and significant local infrastructure was damaged.

Five months later, families are homeless with some still living in tents, businesses are still waiting for long-promised assistance, and there are still unresolved policy matters involving buy-backs and land swaps – to name just a few of the myriad remaining pressing problems.

This inquiry was set up to consider the NSW Government's preparedness, coordination, and response to the flooding events. While this report outlines many of the failures of the NSW Government, it also seeks to ensure that the Government is better prepared and coordinated when the next natural disaster of this nature inevitably occurs.

A considerable focus of this inquiry was on the performance of the NSW State Emergency Service (SES), as the leading agency for emergency response, and Resilience NSW as the leading agency in recovery.

Ultimately, the committee found that these two organisations failed to provide leadership and effective coordination in the community's greatest time of need. Demarcation disputes and a lack of integration slowed the roll-out of support and assistance to flood-affected communities.

The State Government's failure to implement a streamlined grants process also meant that applicants were repeatedly interviewed, and had to re-live their experiences, leading to further frustration and trauma as part of the support process.

With respect to the NSW SES, it is clear that the centralisation of this organisation, and a shortage of volunteers, significantly hindered the ability of the agency to lead the emergency response. In many cases, flood warnings and evacuation information were out of date, inaccurate and confusing. Further still, many community members felt that they had no choice but to conduct their own rescues in dangerous conditions as many calls for assistance to 000 and the NSW SES went unanswered.

Put simply, the community was forced to save themselves; neighbour saving neighbour. While this is an admirable testament to these communities, it is both unreasonable and undesirable as a matter of public policy. For these reasons, the NSW Government should consider restructuring the SES to ensure that it better harnesses local knowledge and networks, coordinates more closely with other rescue agencies, and increases resources, including by driving volunteer recruitment.

Resilience NSW demonstrated some of the biggest failures of the NSW Government's response to the floods. Witnesses repeatedly expressed frustration and were confused about the role of Resilience NSW, particularly in the recovery phase following the floods. The committee found that the NSW Government failed to comprehend the scale of the floods and treated the disaster response as a “nine to five” business operation – when it was one of the greatest natural disasters in generations.

The agency failed to engage or coordinate with community groups leading flood recovery efforts in their communities. This was despite Resilience NSW having been established almost two years ago.

Accordingly, the NSW Government must consider the viability of Resilience NSW unless it can ensure that the agency's role is clear after reviewing policies, objectives, and funding; and that the organisation and its policies are apt to actually meet community disaster response needs.

It is this chair's view that the NSW Government should abolish Resilience NSW.

Our focus is now on the enormous task of clean-up, restoration and reconstruction. Many flood-affected individuals, families and businesses still need assistance. The NSW Government must work with much greater urgency to secure temporary housing options as many continue to live in tents and cars near their homes.

The committee also calls on the government to finalise its long term housing options and ensure that it considers investing in supporting relocations, land swaps, and providing fair compensation for landowners who wish to relocate from severely flood-impacted areas. The committee also made practical recommendations such as providing satellite phones and satellite terminals to community hubs in flood-prone areas.

The committee has noted evidence that – following the appointment of NSW Police Force Deputy Commissioner, Mal Lanyon, to the role of Northern NSW Recovery Coordinator – recovery efforts significantly improved, and that he provided much-needed leadership. The Committee has accordingly recommended a senior police officer with 'combat' experience should lead recovery efforts in future natural disasters as a matter of policy.

On behalf of the committee, I would like to thank the flood-affected communities and individuals who took the time to share their stories with us. It is the committee's wish that this report will help to improve the NSW Government's response to future natural disasters to minimise adverse effects on local communities.

In total, the committee made 21 findings and 37 recommendations. The committee received almost 90 submissions and almost 120 responses to its online questionnaire. It held six public hearings. This included ones in Ballina; Lismore; Murwillumbah; Windsor; and two at Parliament House.

Significantly, the Committee held four public forums. We hope they were regarded as valuable by flood-stricken communities, given that they allowed 75 flood-affected individuals to speak directly under parliamentary privilege to the committee.

Furthermore, I wish to acknowledge the political leaders – at all three levels of government – who put aside their differences to support their communities. They all cooperated with this inquiry, providing forthright and honest views. This was appreciated.

Finally, I would like to thank my committee colleagues for their collaboration, and the secretariat—particularly Tina Higgins, Shaza Barbar, Stephen Fujiwara and Andrew Ratchford, as well as Hansard staff for their professional assistance on this important Inquiry.



The Hon Walt Secord MLC  
**Committee Chair**

## Findings

- Finding 1** **27**  
That the NSW State Emergency Service and Resilience NSW failed as lead agencies to provide adequate leadership and effective coordination during the major flooding of February-March 2022.
- Finding 2** **27**  
That NSW Government agencies lacked coordination, created confusion and responded poorly in the February-March 2022 floods, resulting in the North Coast community being let down in their greatest time of need.
- Finding 3** **27**  
That demarcation disputes and a lack of integration between NSW Government agencies slowed the roll-out of support and assistance to those affected by the February-March 2022 floods.
- Finding 4** **27**  
That NSW Government agencies and the Bureau of Meteorology were not prepared for, nor did they comprehend the scale of the February-March 2022 floods, and some agencies were criticised for treating it as a nine to five business operation.
- Finding 5** **28**  
That the centralisation of the NSW State Emergency Service and a shortage of volunteers significantly hindered the ability of the agency to lead the response to the major flooding of February-March 2022.
- Finding 6** **29**  
That the appointment of NSW Police Force Deputy Commissioner Mal Lanyon in the role of Northern NSW Recovery Coordinator significantly improved recovery efforts and provided much needed leadership.
- Finding 7** **60**  
That the NSW State Emergency Service failed in its public communication of flood warnings and evacuation information during the February-March 2022 floods, by issuing out of date, inaccurate and confusing messages.
- Finding 8** **61**  
That NSW Government agencies and telecommunications providers failed to ensure that communities affected by the February-March 2022 floods had adequate emergency communications capabilities.
- Finding 9** **63**  
That, notwithstanding the role of the NSW State Emergency Service to perform rescues, individual members of the community had no other option but to ignore government advice and save lives, which was only possible due to local and historical knowledge and local communication, given information from the NSW State Emergency Service and the Bureau of Meteorology was incorrect and out of date.

- Finding 10** 64  
That the NSW Government's management of evacuation centres in the February-March 2022 floods lacked coordination and leadership, and failed to clearly incorporate the role of community organisations.
- Finding 11** 65  
That the NSW Government's management of animal welfare – especially livestock - in the days after the February-March 2022 floods lacked visible leadership, and failed to leverage support from local practicing veterinarians.
- Finding 12** 86  
That Resilience NSW failed to engage and coordinate with community groups leading flood recovery efforts in their respective communities.
- Finding 13** 88  
That the NSW Government did not harness opportunities to streamline the provision of financial assistance for flood affected individuals following the February-March 2022 floods.
- Finding 14** 88  
That the NSW Government's lack of a streamlined grants process for applicants meant that they were repeatedly interviewed and had to re-live their experiences, leading to frustration and trauma as part of the grants process.
- Finding 15** 89  
That some of the processes surrounding the administration of grants following the February-March 2022 floods were insensitive and compounded the trauma of flood affected individuals given applicants had to provide documentation - washed away in the floods - and prove they were flood impacted and suffered loss.
- Finding 16** 89  
That the processes surrounding financial grants and support programs following the February-March 2022 floods were confusing and cumbersome for applicants, often preventing assistance from flowing to them in a timely manner.
- Finding 17** 89  
That the failure to have assessors on the ground during the February-March 2022 floods caused great challenges for those dealing with grant applications, it delayed the rollout of grants and was a missed opportunity to manage fraudulent claims.
- Finding 18** 123  
That the NSW Government failed to adequately prepare effective temporary and long term housing solutions for those who became displaced as a result of the February-March 2022 floods.
- Finding 19** 124  
That there was a lack of First Nations engagement and voice in the government-led rescue and recovery.
- Finding 20** 125  
That local councils in the Northern Rivers region will need significant support to repair private and public roads affected by flooding, potholes and landslips.

**Finding 21**

**127**

That better management of drainage channels could have reduced the severity of the February-March 2022 flooding event as well as the frequency and severity of future floods.

# Recommendations

- Recommendation 1** **28**  
 That the NSW Government consider a restructure of the NSW State Emergency Service with consideration to:
- realigning the focus of the organisation to harness local knowledge and networks
  - coordinating more closely with other rescue agencies to bolster its capacity to respond
  - increasing salaried staff and resources, and driving volunteer recruitment.
- Recommendation 2** **28**  
 That the NSW Government consider abolishing Resilience NSW if it is unable to ensure:
- the organisation's role is clear after reviewing its policies, objectives and funding
  - the organisation and its policies are focused on meeting community needs.
- Recommendation 3** **29**  
 That the NSW Government embed into its emergency plans the appointment of a senior police officer with combat experience to lead recovery efforts following natural disasters.
- Recommendation 4** **29**  
 That the NSW Government ensure that all emergency and recovery plans, including state plans, local emergency management plans and functional area plans, are reviewed and updated regularly and provide clarity on the role of non-government partners.
- Recommendation 5** **60**  
 That the NSW Government work with the Commonwealth to develop a national cross-agency app to integrate all community services and agencies into a single platform so that everyone can receive accurate and timely information from one source during emergencies.
- Recommendation 6** **60**  
 That the NSW State Emergency Service, in partnership with the Bureau of Meteorology, investigate ways in which local communities and local media with local knowledge can play a stronger role in flood predictions and warnings.
- Recommendation 7** **61**  
 That the NSW Government advocate through the National Cabinet for the Bureau of Meteorology to review its rain data infrastructure and flood modelling tools, to ensure forecasting locations, rain and flood gauges and other infrastructure are appropriately placed, maintained and updated.

- Recommendation 8** **61**  
That the NSW Government, in consultation with telecommunication providers and satellite communication providers, investigate ways to minimise the complete loss of telecommunication services in natural disasters, including:
- the distribution of satellite phones and satellite terminals to community hubs in flood prone areas
  - the prioritisation of services for communities that are highly likely to become isolated in a natural disaster
  - the establishment of appropriate protocols to ensure that this equipment is readily available and 'charged' for use with a battery supply.
- Recommendation 9** **62**  
That the NSW Government review its public awareness and communication strategies in relation to natural disasters.
- Recommendation 10** **62**  
That the NSW Government work with the community broadcasting sector to identify ways in which community broadcasters could be better supported to provide critical services during natural disasters, with a view to providing them adequate long term funding.
- Recommendation 11** **63**  
That the NSW Government invest in the required personnel, training and vessels to ensure that all agencies involved in flood rescue can be mobilised to their fullest potential.
- Recommendation 12** **63**  
That the NSW Government allocate funding to the improvement of the Pitt Town Evacuation Route and other key possible evacuation routes in Sydney's northwest.
- Recommendation 13** **63**  
That the NSW Government work with local governments to identify alternative routes to vulnerable roads, and that the NSW and Australian Governments fund the construction of these important routes to improve evacuation and access options in times of disaster.
- Recommendation 14** **64**  
That the NSW Government consider reimbursing Xavier Catholic College and other community groups and organisations that operated evacuation centres.
- Recommendation 15** **64**  
That the NSW Government ensure that the current review of evacuation centres considers the role, accreditation and support of community evacuation centres, with the outcomes of this review to be made public and incorporated into the update of state emergency plans.
- Recommendation 16** **65**  
That the NSW Government develop a more proactive, rapid response to manage animal welfare following natural disasters which includes improved collaboration and communication with local veterinarians and animal welfare organisations.



- Recommendation 17** **87**  
 That the NSW Government ensure that community groups, both existing and emerging, including First Nations groups, are well integrated into disaster recovery, by incorporating them into state recovery plans and engaging with them in between and in the lead up to natural disasters.
- Recommendation 18** **87**  
 That the NSW Government, in partnership with community groups, including First Nations groups, develop initiatives to build community resilience, particularly in regions at high risk of future natural disaster events.
- Recommendation 19** **88**  
 That the NSW Government establish a standing workforce from within the public service to staff evacuation and recovery centres, with this workforce to be trained ahead of time and mobilised as soon as a natural disaster occurs.
- Recommendation 20** **89**  
 That the NSW Government overhaul the way in which it conducts its grants process as it frustrated applicants and further traumatised them by repeatedly re-interviewing them and making them prove that they were flooded.
- Recommendation 21** **89**  
 That the NSW Government ensure that flood affected individuals can continue to access financial assistance for as long as there is demonstrated need.
- Recommendation 22** **89**  
 That Service NSW establish teams of assessors that can be on the ground to assess and approve grant applications.
- Recommendation 23** **89**  
 That the NSW Government consider entering into a service agreement with an organisation that has the resources and capacity to manage donations and activate quickly during natural disasters.
- Recommendation 24** **90**  
 That the NSW Government address the mental health needs of local communities following the February-March 2022 floods by:
- embedding within state emergency and recovery plans a strategy that provides surge capacity for mental health and social workers
  - prioritising funding for community groups that are currently providing social and mental health support to their local communities
  - ensuring all flood-impacted communities receive the mental health support they need to fully recover.
- Recommendation 25** **123**  
 That the NSW Government accelerate its caravan program and ensure it is made available as an option to all displaced residents from the February-March 2022 floods.

- Recommendation 26** **123**  
That the NSW Government consider investing in supporting relocations, land swaps and providing fair and adequate compensation for landowners who wish to relocate from severely flood-impacted areas.
- Recommendation 27** **123**  
That the NSW Government review the provision of temporary and long term housing options provided to those affected by the February-March 2022 floods, with a view to:
- ensuring a range of options are identified and embedded within emergency and recovery plans, so that solutions can be implemented as soon as possible after a natural disaster
  - ensuring that housing options meet individual and community needs
  - removing planning impediments that prevent those from accessing more safe and secure housing in times of crisis.
- Recommendation 28** **124**  
That the NSW Government work with First Nations peoples to support Aboriginal organisations in their capacity to operate and respond in times of natural disasters.
- Recommendation 29** **124**  
That the NSW Government work in partnership with key Aboriginal stakeholders, including the Jali Local Aboriginal Land Council, to prioritise the rebuild of Cabbage Tree Island, and ensure a safe and resourced evacuation plan is in place.
- Recommendation 30** **125**  
That the NSW Government prioritise support for the full restoration of sewage treatment facilities on the Richmond River, for the benefit of communities in the Northern Rivers region.
- Recommendation 31** **125**  
That the NSW Government provide an increased level of targeted support to flood affected communities contending with widespread mould.
- Recommendation 32** **126**  
That the NSW Government advocate through the National Cabinet to widen eligibility under the Disaster Funding Recovery Arrangements to allow local councils to build back better.
- Recommendation 33** **126**  
That the NSW Government invest in the restoration of the Wilsons and Richmond Rivers to include riparian restoration, water quality and river health improvement.
- Recommendation 34** **126**  
That the NSW Government provide immediate support to the Hawkesbury City Council to remediate the riverbank erosion affecting Cornwallis Road, Cornwallis without any further delay.

**Recommendation 35**

**127**

That the NSW Government significantly increase its investment in flood mitigation and preparation, including its support of local governments to do the same, by:

- increasing ongoing, long term funding and access to technical guidance and assistance for local councils
- ensuring that land-use planning and development takes a risk-based approach.

**Recommendation 36**

**127**

That the NSW Government work with local government, industry and sustainable planning experts, including the Government Architect, on policy initiatives in the New South Wales planning system that will help deliver more resilient and sustainable homes, buildings and places.

**Recommendation 37**

**127**

That the NSW Government work with relevant agencies and local landowners to find ways to improve the management of drainage channels including looking for recommendations to reduce red and green tape.

## Conduct of inquiry

The terms of reference for the inquiry were referred to the committee by the Legislative Council on 23 March 2022.

Being aware that many flood affected people still had limited access to services including electricity and telecommunications at the time of the inquiry, the committee put in place additional lines of communication to engage with flood affected communities. This included establishing a mobile-friendly online questionnaire, and a series of public forums in flood affected areas. The committee also sought to engage early in the inquiry process with elected representatives living and working in flood affected regions, in order to identify issues of key concern to local communities and to foster engagement with local community networks.

The committee received 87 submissions, 4 supplementary submissions and 119 responses from individual participants to an online questionnaire.

The committee held 6 public hearings, 1 each in Ballina, Lismore, Murwillumbah and Windsor and 2 at Parliament House, Sydney. The committee also held public forums in Ballina, Lismore, Murwillumbah and Windsor.

The committee also conducted site visits to:

- flood affected areas in Wardell, including East Wardell, Wardell Village and Patches Beach
- community hub WardellCORE
- flood affected areas in Mullumbimby, including a presentation at the Byron Shire Council Chambers
- a sugar cane farm in East Coraki
- flood affected areas in Lismore including Gordon Pavilion at Oakes Oval, Albert Park Baseball Complex, Lismore Regional Airport and residential areas in South Lismore
- flood affected areas in Tweed and Murwillumbah, including Chinderah Village Caravan Park, Condong Public School, Tumbulgum Public School and Prospero Street
- flood affected areas in Western Sydney, including Green Road, Pitt Town and Cornwallis

Inquiry related documents are available on the committee's website, including submissions, hearing transcripts, tabled documents, answers to questions on notice and the report for the online questionnaire.

# Chapter 1 The major floods of February-March 2022

Between late February and early April 2022, New South Wales experienced some of the worst flooding it has ever seen. The unprecedented scale and severity of floods caused significant devastation across many communities in the state, creating a long road ahead for recovery and reconstruction.

While this report focuses on the NSW Government's response to this major flooding event, this chapter sets out the severity and scale of the floods, including excerpts from stories of flood affected individuals.

## The severity and scale of the floods

- 1.1** Since 22 February 2022, New South Wales has experienced widespread, heavy to intense rainfall, resulting in an unprecedented and catastrophic natural disaster event. Major flooding, flash flooding and storm damage significantly impacted communities across the state, from the Northern Rivers and Mid North Coast through to the Central Coast, Sydney and the Hawkesbury-Nepean Valley, and down to Wollongong and Shellharbour.<sup>2</sup>
- 1.2** In some areas, the February-March 2022 floods were to a scale never seen before. In particular, the Wilsons River in Lismore reached a height of 14.4 metres on 28 February 2022, approximately 2.3 metres higher than the previous record of 12.11 metres and 2 metres higher than the predicted 1 in 100 year flood level of 12.38 metres. A second flood followed on 30 March 2022 with the river reaching 11.4 metres. During both floods, the flood levee, which protects Lismore CBD and South Lismore to river heights of approximately 10.6 metres, was breached.<sup>3</sup>
- 1.3** In the Hawkesbury region, flooding in Windsor peaked at 13.71 metres on 9 March 2022. This exceeded the last major flooding in March 2021 when floodwaters reached 12.91 metres.<sup>4</sup> At the time of drafting this report in July 2022, the region experienced its fourth flood in two years with floodwaters reaching 13.9 metres.<sup>5</sup> Accordingly, it became the highest flood since 1978 when floodwaters reached 14.46 metres.<sup>6</sup>
- 1.4** Throughout this inquiry, the committee heard that residents in the Northern Rivers and Hawkesbury regions are generally well-prepared for floods. However, the severity and scale of

<sup>2</sup> See, Submission 57, NSW Government, p 3; Evidence, Ms Carlene York, Commissioner, New South Wales State Emergency Service, 15 June 2022, p 2.

<sup>3</sup> Submission 63, Lismore City Council, p 3.

<sup>4</sup> Kim Chappell, 'How the 2022 deluge ranks in history for NSW flood veterans Windsor and Lismore', 9 March 2022, <https://www.hawkesburygazette.com.au/story/7651424>

<sup>5</sup> See, Freya Noble, 'Floodwaters in Windsor reach highest point since 1978', 5 July 2022, <https://www.9news.com.au/national/sydney-floods-windsor-highest-level-since-1978-nsw-weather/f4d5acaa-7231-4d14-8620-696af0cda68b>; Carla Hildebrandt and Jessica Kidd, 'Heavy rain eases over Sydney as natural disaster declared for flooded NSW', 5 July 2022, <https://www.abc.net.au/news/2022-07-05/heavy-rain-continues-over-sydney-and-nsw-flash-flooding-risk/101208074>.

<sup>6</sup> Sarah Falson, 'Flood erodes Hawkesbury riverbank at Windsor, exercise caution', 11 July 2022, <https://www.hawkesburygazette.com.au/story/7814372/flood-erodes-hawkesbury-riverbank-at-windsor-exercise-caution/>.

the February-March 2022 floods, in particular, meant that regions that were shielded from floods or experienced minor flooding in the past experienced significant damage on this occasion. As one Lismore resident stated:

The flood waters rose to the top of the doors. It has never flooded in this house in 100 years. The precautions taken followed the experience of the 2017 flood which were reasonable. But this weather event was beyond our experience.<sup>7</sup>

**1.5** A farmer from Woodburn similarly noted that the floods caught many people in his town by surprise:

The 2022 floodwater rose very quickly in the Woodburn area catching many people by surprise. Unlike previous floods, there was also a significant run in the flow of the water over my property. It resulted in a water tank near the old house being moved a distance of 360 metres from its stand.<sup>8</sup>

### Flood impacts

The impacts of the February-March 2022 floods were widespread. From rescues conducted by local neighbours off the top of roofs to community members losing everything they own, the committee heard devastating stories of people's experiences in the floods. Below are excerpts of some of these stories.

- 'I did rescues for three or four hours, pulling young families out of roof cavities, elderly people out of bathroom windows, stuff that keeps you awake at night. You'll hear it again. I had an SES bloke, the only SES bloke that I saw in South Lismore that morning, tell me to stop rescuing people, nobody's coming. At that stage we were pulling people out of houses and putting them on Ballina Street Bridge. Ballina Street Bridge—never thought I'd stand on that thing and have water run through my kneecaps. I dream about that. That's—gut wrenching is the word that I use'.<sup>9</sup>
- 'My house and my car were completely inundated by floodwaters and the high school where I'm a teacher ... was also completely inundated above the second storey roof. I have lost everything except a few possessions. We lost everything at our school and the majority of my students lost everything at home and were rescued off their rooftops'.<sup>10</sup>
- 'I think I lost about \$200,000 worth of stuff. Some of it is insured, some of it is not. ... you go into this mode where, "What do I rescue first? Do I rescue my taxation paperwork because I've got tax coming up? Forget any other things. Forget your personal stuff. Forget the cars; they're just going to float off. I'll deal with that in maybe two or three days' time. But what do I rescue first?" You start putting in this plan and then you raise it all up—but the floodwater keeps coming. You raise it up even higher and the floodwater keeps coming. You go, "My goodness! I was born here. I've never seen a flood like this and it's coming so fast." You get to 2.00 a.m.—well, you don't have lights. You cannot photograph anything for purposes later on, for insurance purposes or Service NSW. You cannot justify or prove that your place actually got

<sup>7</sup> Submission 62, Mrs Veronica Coughlan, p 6.

<sup>8</sup> Submission 8, Mr Ray Boland, p 3.

<sup>9</sup> Evidence, Mr Marcus Bebb, 31 May 2022, p 64.

<sup>10</sup> Online questionnaire report, Inquiry into the response to major flooding across New South Wales in 2022, p 3.

flooded because the next day the floodwater is gone. What happens is then you're just left with this smelly mess to clean up'.<sup>11</sup>

- 'We live on a road that was never meant to flood. We bought our farm 15 months ago. In the flood, we lost our farm completely. It was demolished. We had 15 sheds; we now have three left. We lost our home. We had 1.7 metres of water go through our home and just under three metres of water go through our farm. We lost everything bar a backpack with laptops, a pair of tracksuits, five pairs of work socks and two pairs of underpants. That is what we got out, plus our dog'.<sup>12</sup>
- 'I was flooded in for five days but my daughter and her family were renting in North Lismore; they lost everything. So many people I know lost everything. Every time you go through Lismore—because you have to go up to Goonellabah to go to the shops—it's dead and destroyed. It's devastating'.<sup>13</sup>
- 'We've been on the river now for 50 years, but lately it's becoming worse. There seems to be no solution. We end up with no power, which is understandable; we end up with no water, because power runs our pumps; and then we end up with no communications, because the internet goes down ... We were in the house by ourselves for quite a considerable amount of time— no power, no water, no phone, no communication at all. Where we live was like an island. The road was cut off. Up the mountain, the road was cut off. Just behind us, the road was cut off. Nobody could go anywhere...'.<sup>14</sup>
- '... the roof was slippery but I managed to get up there, my mum and partner hung onto the kayaks with the 2 dogs and cat. What felt like forever, having the thought that we aren't going to make it in the back of our heads but also trying to stay calm for the kids we [saw] a boat come. Our neighbours screamed out to them to come get us first, our miracle couple who came from Broadwater in their own boat to rescue people (who then lost everything themselves the next day) put us all in the boat along with our elderly neighbour. I can still hear the screams of people needing to be saved while going along Casino street'.<sup>15</sup>

**1.6** Sadly, 13 lives were lost during the floods between February and April 2022, based on information the committee received from NSW State Emergency Service Commissioner Carlene York. While it is unclear how many people overall were impacted by the floods, 4,055 properties were deemed uninhabitable with a further 10,849 properties assessed as damaged and 8,100 inundated with water.<sup>16</sup>

**1.7** The Northern Rivers region suffered some of the worst impacts. In particular, while communities in Lismore were well prepared for a major flood, the additional two metres of flooding led to unprecedented impacts. Many properties and businesses that were previously sold in flood-free locations were inundated with water. The additional floodwater meant that there were approximately 4,000 evacuees rather than an estimated 500 evacuees.<sup>17</sup>

<sup>11</sup> Public forum, Mr Geoff Finch, 30 May 2022, p 31.

<sup>12</sup> Public forum, Ms Kylie O'Reilly, 31 May 2022, p 58.

<sup>13</sup> Public forum, Ms Beth Shelley, 31 May 2022, p 68.

<sup>14</sup> Public forum, Mr John Champion, 3 June 2022, p 27.

<sup>15</sup> Submission 29, Dannielle Pickford and Sarah Moran, p 29.

<sup>16</sup> Evidence, Ms Carlene York, Commissioner, New South Wales State Emergency Service, 15 June 2022, p 2.

<sup>17</sup> Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 6.

- 1.8** In the Richmond Valley local government area, 800 homes were damaged with 450 deemed uninhabitable. More than 1000 local residents were displaced waiting for temporary housing.<sup>18</sup>
- 1.9** Byron experienced flash flooding, riverine flooding and significant landslips in the hinterland which at the time of the committee's visit to the region in May 2022 were still continuing. There were approximately 2,200 properties in the flooding areas, 1,600 of which were inundated with water. In addition, 192 properties were isolated in the hinterland when roads were closed due to landslips.<sup>19</sup>
- 1.10** Ballina also suffered significant rain damage and was completely isolated for three or four days making it difficult for support services to access the region. Over 700 properties were impacted and 2,500 people accessed evacuation centres.<sup>20</sup>
- 1.11** Also in the Ballina region, the floods severely impacted an Aboriginal community of about 200 people on Cabbage Tree Island, with the entire island requiring restoration and reconstruction. The school and 26 of the 27 homes were entirely destroyed, requiring demolition.<sup>21</sup>
- 1.12** In the Tweed Shire, the floods resulted in \$80 million of damage to roads, including 2,200 major faults such as landslips.<sup>22</sup> In addition to roads, public buildings, waste and wastewater infrastructure, waterways, sports fields and natural riparian areas all suffered significant damage.<sup>23</sup>
- 1.13** While the Hawkesbury may have suffered less damage than the Northern Rivers, the committee still heard that 627 homes were damaged, 164 of which were deemed uninhabitable. In addition, eight homes were completely destroyed.<sup>24</sup>
- 1.14** In terms of the immediate assistance provided to flood affected communities, the NSW State Emergency Service (NSW SES) led the response, with over 5,600 staff and volunteers providing support. Demonstrating the scale of the event, the NSW SES:
- issued over 500 evacuation-related communications and 1,500 flood bulletins
  - responded to over 33,400 requests for assistances
  - conducted more than 2,200 rescues
  - received more than 72,000 calls to the State Operations Centre.<sup>25</sup>
- 1.15** The NSW SES was supported by the NSW Rural Fire Service, Fire and Rescue NSW, NSW Ambulance, NSW Volunteer Rescue Association, the NSW Police Force, NSW National

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<sup>18</sup> Submission 83, Richmond Valley Council, p 2.

<sup>19</sup> Evidence, Cr Michael Lyon, Mayor, Byron Shire Council, 30 May 2022, p 2.

<sup>20</sup> Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 2.

<sup>21</sup> Evidence, Ms Tamara Smith, Member for Ballina, 30 May 2022, p 3.

<sup>22</sup> Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 1 June 2022, p 5.

<sup>23</sup> Submission 42, Tweed Shire Council, p 10.

<sup>24</sup> Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 2.

<sup>25</sup> Evidence, Ms Carlene York, Commissioner, New South Wales State Emergency Service, 15 June 2022, p 2.



Parks and Wildlife Service, Marine Rescue NSW, Surf Life Saving NSW, Resilience NSW and the Australian Defence Force. Several other government and non-government agencies also supported the response to the February-March 2022 floods.<sup>26</sup>

- 1.16** Many individuals and community groups volunteered to support their communities. Community members conducted rescues with their own boats, offered shelter and essential services to their neighbours, and established evacuation centres.<sup>27</sup>
- 1.17** Resilience NSW was the lead agency for recovery, supported by government agencies, not-for-profit agencies and community groups. As at 12 May 2022, Resilience NSW had established 63 recovery centres and assistant points which provided services for over 35,000 people.<sup>28</sup>

**Figure 1** Aerial view of flood affected properties on the Hawkesbury River



*Correspondence, Ms Rochelle Miller, Private individual, to the secretariat, 2 June 2022.*

<sup>26</sup> Evidence, Ms Carlene York, Commissioner, New South Wales State Emergency Service, 15 June 2022, p 2.

<sup>27</sup> See for example, Public forum, Mr Marcus Bebb, 31 May 2022, p 64; Public forum, Mr Joel Orchard, 30 May 2022, pp 28-29; Evidence, Ms Naomi Moran, General Manager, Koori Mail, 31 May 2022, p 48; Evidence, Ms Elly Bird, Coordinator, Resilient Lismore, 31 May 2022, pp 48-49.

<sup>28</sup> Submission 57, NSW Government, p 22.

**Figure 2** Photo of a tributary of the Hawkesbury River, with plastic debris showing the height of the February-March 2022 floods above the bridge



*Photo by committee secretariat, taken during site visit to Pitt Town Bottoms, 3 June 2022*

**Figure 3** Photo of flooding on Tamarind Avenue, Bogangar



*Submission 24, Mr Andrew Williams*

**Figure 4** Flood debris including rainwater tanks washed up onto rail bridge, Tweed Shire



*Submission 64, Name suppressed, p 2.*

**Figure 5** A dining room damaged by flood water in Lismore



*Submission 62, Mrs Veronica Coughlan, p 6.*

**Figure 6** Landslip on Tyalgum Road



*Submission 61, Tyalgum District Community Association, p 14.*

**Figure 7** Lismore resident inspecting flood damage



*Submission 29, Dannielle Pickford and Sarah Moran, p 11*

**Figure 8** Person wading through floodwater



*Submission 29, Dannielle Pickford and Sarah Moran, p 13*

**Figure 9** People inspecting inundation of floodwater inside a dwelling



*Submission 29, Danielle Pickford and Sarah Moran, p 15*

**Figure 10** Stripped house interiors and other debris on nature strip during clean-up after the floods



*Submission 29, Danielle Pickford and Sarah Moran, p 14*

## Approach to this report

- 1.18** The NSW Government's approach to the February-March 2022 floods can be categorised into the following key phases: preparation and coordination, the emergency response, immediate recovery and support, and reconstruction and planning. In effect, this report considers the performance of the NSW Government throughout each of these phases.
- 1.19** Chapter 2 considers the preparedness, coordination and leadership in the response to the floods, including the adequacy of flood plans and governance arrangements and the role of Resilience NSW.
- 1.20** Chapter 3 focuses on the emergency response, looking at flood warnings and communication, flood rescues and the establishment of evacuation centres. Chapter 4 centres on the recovery and support phase, highlighting the need for flood affected families and communication to be well supported into the future. In particular, this chapter will consider the need to support community led recovery efforts.
- 1.21** The final chapter of this report focuses on the government's approach to reconstruction and planning following the February-March 2022 floods. In particular, it considers housing needs, and the role of the Northern Rivers Reconstruction Corporation, which was established to coordinate reconstruction efforts in the Northern Rivers region.<sup>29</sup> This chapter also considers longer term flood planning and mitigation measures.

## Independent expert flood inquiry

- 1.22** Separate to this inquiry and report, on 21 March 2022, Acting Premier Paul Toole announced that the NSW Government commissioned an independent expert inquiry to 'examine and report on the causes of, preparedness for, response to and recovery from the 2022 catastrophic flood event'.<sup>30</sup>
- 1.23** The NSW Government engaged Professor Mary O'Kane, Chair of the Independent Planning Commission of New South Wales and former NSW Chief Scientist and Engineer, and Mr Michael Fuller APM, former Commissioner of the NSW Police Force, to lead the inquiry.<sup>31</sup>
- 1.24** The inquiry's focus included:
- the causes of and factors contributing to the frequency, intensity, timing and location of floods
  - preparation and planning by agencies and the community for floods in NSW
  - responses to floods, particularly measures to protect life, property and the environment
  - the transition from incident response to recovery

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<sup>29</sup> Submission 57, NSW Government, pp 23-25.

<sup>30</sup> Media release, Hon Paule Toole MP, Acting Premier, 'NSW Government establishes independent flood inquiry', 21 March 2022, <https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry>.

<sup>31</sup> NSW Government, *2022 NSW Flood Inquiry*, <https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry>

- recovery, including housing, clean-up, financial support, community engagement and longer term community rebuilding.<sup>32</sup>

1.25 The committee understands that the report from the independent inquiry was provided to the NSW Government on 31 July 2022 but as at 9 August 2022, was not publicly available.

## Committee comment

1.26 The major flooding of February-March 2022 was one of the worst flooding disasters New South Wales has ever seen, causing widespread devastation and damage. Sadly, 13 people tragically lost their lives during the disaster, and many others lost their homes, personal possessions, animals and vehicles.

1.27 The committee acknowledges the harrowing experience of many local communities preparing for and evacuating from the floods, as well as the long recovery and reconstruction process ahead. The committee understands that many individuals, families and communities continue to be displaced, and that the physical, mental and emotional impacts of these floods will likely be enduring.

1.28 The committee also acknowledges that during the drafting of this report, Windsor experienced yet another flood, its fourth in four years and worst since 1978. The Northern Rivers area has also experienced further rainfall and flooding since the major floods earlier this year. While the focus of this report is on the response to the February-March 2022 floods, the committee recognises that the additional flooding experienced in these regions has exacerbated previous impacts, and hindered the recovery and rebuild process.

1.29 As part of this inquiry, the committee visited the Northern Rivers and Hawkesbury regions and saw firsthand some of the devastation caused by the floods. The committee visited local roads and infrastructure which had been destroyed, and saw damaged homes awaiting restoration, schools closed down due to mould and waterways that were polluted. The committee thanks the local and state members who assisted with these visits, and the representatives from local government and communities for showing us their towns and taking us through what they need to recover from the floods.

1.30 Importantly, on our site visits and at our public forums, local residents generously shared their personal stories with us. The committee heard about the hardships experienced by local residents both during and following the February-March 2022 floods. The committee was moved by the numerous stories of local residents stepping up to support their neighbours and communities, through rescues, evacuations and recovery efforts. The committee also heard that the NSW Government, like residents of the area, were not prepared for an event of this scale and magnitude as such, fell short in many respects when responding to the community's needs.

1.31 The committee acknowledges that the priority now is on recovery and rebuilding, and that this is still an unfolding crisis in which many people are still seeking assistance and support. The

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<sup>32</sup> NSW Government, *2022 NSW Flood Inquiry*, <https://www.nsw.gov.au/nsw-government/projects-and-initiatives/floodinquiry>.

committee genuinely appreciates all inquiry contributions, and thanks flood affected individuals and communities for sharing their experiences and shaping this report.

- 1.32** While all of us accept that future floods are inevitable, evidence to this inquiry has shown that floods are also manageable and we can and should prepare for them better. The committee expects this report and its recommendations will prove valuable to improving the NSW Government's preparedness, coordination and response to future natural disasters, including future flooding events.



## Chapter 2 Preparation, coordination and leadership

The committee heard that the management of the response and recovery phases of the February-March 2022 floods were hindered by a lack of preparedness, coordination and leadership by the leading government agencies, particularly the NSW State Emergency Service (SES) and Resilience NSW. This chapter sets out the framework that governs flood management in New South Wales and considers the adequacy of flood plans and the performance of lead agencies during the response to and recovery from the floods.

### Lack of preparation and coordination

**2.1** Central to the effective management of natural disasters is comprehensive preparation to ensure that lead and support agencies are clear on their roles and responsibilities and can be mobilised as soon as a disaster strikes. This section considers the legislative and governance framework to flood management in New South Wales and explores whether the state's flood plans are adequate. It then moves onto an overview of the lessons management framework which incorporates lessons from past natural disasters.

#### The legislative and governance framework

**2.2** The legislative and governance framework for emergency management in New South Wales seeks to provide a whole of government approach to preventing, preparing for, responding to and recovering from natural disasters such as floods. This framework establishes governance arrangements including relevant plans. This section explores the framework relevant to the February-March 2022 floods and considers whether the plans under this framework were adequate ahead of the recent major flooding.

**2.3** Jointly administered by the Minister for Emergency Services and Resilience and the Minister for Regional New South Wales, the *State Emergency and Rescue Management Act 1989* (SERM Act) provides the foundation to the emergency management framework in New South Wales.<sup>33</sup> Under the SERM Act, a State Emergency Management Plan must be prepared 'to ensure the co-ordinated response to emergencies by all agencies having responsibilities and functions in emergencies'.<sup>34</sup>

**2.4** The State Emergency Management Plan describes the New South Wales approach to emergency management, the governance and coordination arrangements and the roles and responsibilities of relevant agencies.<sup>35</sup>

**2.5** One of the key principles of emergency management in New South Wales, as outlined in the State Emergency Management Plan, is that it takes a 'comprehensive approach' through prevention, preparation, response and recovery as outlined below.

<sup>33</sup> Submission 57, NSW Government, p 4.

<sup>34</sup> *State Emergency and Rescue Management Act 1989*, s 12(2).

<sup>35</sup> NSW Government, State Emergency Management Plan, December 2018, para 107. See also, Submission 57, NSW Government, p 4.

- Prevention: to eliminate or reduce the level of the risk or severity of emergencies
- Preparation: to enhance capacity of agencies and communities to cope with the consequences of emergencies
- Response: to ensure the immediate consequences of emergencies to communities are minimised
- Recovery: measures which support individuals and communities affected by emergencies in the reconstruction of physical infrastructure and restoration of physical, emotional, environmental and economic well-being.<sup>36</sup>

**2.6** The plan is based on an "all agencies" approach which recognises that while no single agency can address all the impacts of a particular hazard ... it is necessary for a lead agency to coordinate the activities of the considerable number of organisations' involved in responding to an emergency event, including resources from all levels of government and non-government sectors.<sup>37</sup>

**2.7** The State Emergency Management Plan also allocates roles that 'cover the spectrum of prevention, preparation, response and recovery'. According to the plan, allocating key roles enables agencies and stakeholders to understand the lead and supporting agencies, and 'allows early and full joint planning and preparation before an emergency and effective coordination of effort during and after an event'.<sup>38</sup>

**2.8** The State Emergency Management Plan sets out governance and coordination arrangements in accordance with the SERM Act. Central to the governance of emergency management in New South Wales is the State Emergency Management Committee, the 'peak committee of officials' responsible for developing emergency management policy and overseeing emergency management.<sup>39</sup>

**2.9** The roles and functions of the State Emergency Management Committee are also translated at a regional and local level through Regional Emergency Management Committees and Local Emergency Management Committees.<sup>40</sup> Some of the functions of the State Emergency Management Committee are to:

- provide strategic policy advice to the Minister
- review, monitor and develop emergency policy
- review the State Emergency Management Plan and recommend alterations to it
- endorse any state sub plans or supporting plans established under the State Emergency Management Plan.<sup>41</sup>

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<sup>36</sup> Submission 57, NSW Government, p 4. See also, NSW Government, State Emergency Management Plan, December 2018, para 109-110.

<sup>37</sup> Submission 57, NSW Government, p 4.

<sup>38</sup> NSW Government, State Emergency Management Plan, December 2018, para 123-124.

<sup>39</sup> NSW Government, State Emergency Management Plan, December 2018, para 205. See also, Submission 57, NSW Government, pp 5 and 6.

<sup>40</sup> Submission 57, NSW Government, p 5.

<sup>41</sup> Submission 57, NSW Government, pp 5 and 6. See also NSW Government, State Emergency Management Plan, December 2018, para 205.

**2.10** In addition to the State Emergency Management Committee, the State Emergency Management Plan also describes the roles and responsibilities of the relevant personnel and agencies in emergency management, pursuant to the SERM Act. The key personnel and agencies are listed below.

- State Emergency Operations Controller, Deputy State Emergency Operations Controller, Regional Emergency Operations Controller and Local Emergency Operations Controller, all of whom are senior police officers. The State Emergency Operations Controller is responsible for establishing the State Emergency Operations Centre, which for the February-March 2022 floods was established on 28 February 2022 as a central hub bringing together officers from across government response agencies to ensure a coordinated emergency response.
- State Emergency Recovery Controller, responsible for overseeing recovery efforts.
- Emergency Services Agencies, responsible for leading and supporting disaster management.
- Functional Areas and Functional Area Coordinators (as noted below).
- Participating organisations, such as government departments, statutory authorities, volunteer organisations and other organisations that have given formal notice that they are willing to participate in emergency response and recovery under the direction of a the controller of a combat agency or coordinator of functional area or an Emergency Operations Controller.
- Other supporting organisations that have indicated a willingness to participate and provide specialist services.<sup>42</sup>

**2.11** State sub plans can be provided for in the State Emergency Management Plan, and refer to action plans required for specific hazards or event. Such plans may be required where the planning is more specialised or detailed.<sup>43</sup> The sub plans relevant to the recent floods are outlined below.

- The NSW State Flood Plan - which outlines the roles and responsibilities of agencies in response to floods. The plan was last reviewed in 2021 and endorsed by the State Emergency Management Committee on 2 December 2021.
- The NSW State Storm Plan - which outlines the roles and responsibilities of agencies in response to storms. The State Emergency Management Committee endorsed the plan in June 2018.
- The State Rescue Policy - which provides the policy for flood rescue.
- The Hawkesbury-Nepean Valley Flood Emergency Plan and the 2017 Resilient Valley, Resilient Communities Hawkesbury-Nepean Valley Flood Risk Management Strategy, which set out arrangements for a flood emergency plan specific to each region. The Hawkesbury-Nepean Valley Flood Emergency Plan was endorsed by the State

<sup>42</sup> Submission 57, NSW Government, pp 5-6; NSW Government, State Emergency Management Plan, December 2018, para 401-450.

<sup>43</sup> NSW Government, State Emergency Management Plan, December 2018, para 306.

Emergency Management Committee on 4 June 2020 in recognition of the high flood hazard of the Hawkesbury-Nepean Valley.<sup>44</sup>

- 2.12** Supporting plans are prepared by NSW Government agencies or functional areas to describe the support to be provided to the controlling or coordinating authority during emergencies. These plans describe how the agency or functional area will operate to fulfil its allocated roles and responsibilities.<sup>45</sup>
- 2.13** Functional areas refer to business units within NSW Government agencies that perform specific emergency management functions, consistent with the scope of their portfolio. The Functional Area Controller who leads each functional area has authority to commit the resources of participating organisations and to lead their functional area in support of the combat agency.<sup>46</sup>
- 2.14** The State Emergency Management Plan establishes the following nine functional areas: Agricultural and Animal Services, Energy and Utility Services, Engineering Services, Environmental Services, Health Services, Public Information Services, Telecommunications Services, Transport Services, and Welfare Services.<sup>47</sup>

### **The adequacy of existing plans**

- 2.15** The NSW Government described the regular review of state sub plans and supporting plans by the State Emergency Management Committee as a 'key flood prevention and mitigation measure'.<sup>48</sup> However, the committee raised concerns with Resilience NSW about the currency of plans in regions affected by the February-March 2022 floods.
- 2.16** The committee noted that the North Coast subplan was last updated in 2019, the local Ballina flood plan was last updated in 2013, the Tweed Shire plan was last updated in 2014 and the Lismore plan was last updated in 2018. The committee questioned the effectiveness of Resilience NSW to prepare for the February-March 2022 floods, given a number of subplans and local plans are not up to date.
- 2.17** In answers to questions on notice, Resilience NSW Commissioner, Shane Fitzsimmons, responded that 'Local Emergency Management Committees are responsible for developing and updating Local Emergency Management Plans'. He added that while Local Emergency Management Planning Guidelines suggest that plans should be reviewed and submitted to the Regional Emergency Management Committee every three years, Local Emergency Management Plans do not expire and remain in force even if not formally reviewed by a Local Emergency Management Committee.<sup>49</sup>
- 2.18** The Byron Greens raised that the review and updating of plans and sub plans 'is essential' when new updated planning is conducted by council. It argued that the Byron Shire Flood

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<sup>44</sup> Submission 57, NSW Government, p 5.

<sup>45</sup> NSW Government, State Emergency Management Plan, December 2018, para 310.

<sup>46</sup> Submission 57, NSW Government, p 6.

<sup>47</sup> NSW Government, State Emergency Management Plan, December 2018, para 403.

<sup>48</sup> Submission 57, NSW Government, pp 5 and 6.

<sup>49</sup> Answers to questions on notice, Mr Shane Fitzsimmons, Resilience NSW, received 5 July 2022, p 6.

Plan 2013 should have been updated after the council undertook additional studies for floodplain management. In addition, the Byron Greens suggested that while the documents are detailed and valuable for councils and emergency services agencies, they are not user friendly. Accordingly, it recommended that the requirements for plans under the SERM Act are 'reviewed for effectiveness' and also provided in a user friendly and relevant format for the community.<sup>50</sup>

- 2.19** Similarly, St Vincent de Paul submitted that the Welfare Services Functional Plan is not up to date and does not 'offer a clear mechanism' through which organisations such as itself, who are not identified as a Participating Organisation but can still make a significant contribution, can 'connect with other agencies and providers with a state-wide remit'.<sup>51</sup>
- 2.20** Ms Joy Kyriacou, Manager, Volunteer and Member Programs, St Vincent de Paul, suggested that the plan should become a 'living and constant document' that helps pull together the roles of big and small organisations in disaster response and preparation. She also felt it should allow space for more 'constant coordination' so that there is communication throughout the year between the NSW Government and supporting organisations, to ensure all stakeholders get to know each other, understand each other's roles and can easily communicate during a disaster.<sup>52</sup>

### **Embedding lessons from previous natural disasters**

- 2.21** An important part of preparing for and responding to floods is learning lessons from previous natural disasters. The NSW Government described the consideration and implementation of lessons from previous storm seasons as 'an important phase when preparing for an upcoming storm season'. According to the NSW Government, doing so is 'critical to ensuring continuous improvement, information sharing, planning, emergency risk management and improving response and recovery'.<sup>53</sup>
- 2.22** The NSW Government noted that the embedding of a meteorologist from the Bureau of Meteorology in the NSW State Emergency Service followed a recommendation from the coronial inquest related to the Dungog flooding in 2015. It also noted that it is working to implement recommendations from the Royal Commission into National Natural Disaster Arrangements and the NSW Bushfire Inquiry, which arose following the 2019-2020 bushfire season.<sup>54</sup>
- 2.23** Lesson management in New South Wales is formalised through the Lessons Management Framework and the State Lessons Analysis Process. Endorsed by the State Emergency Management Committee in 2019, the Lessons Management Frameworks provides agencies in emergency management with a framework that 'captures and analyses information to develop lessons that can be applied to strengthen emergency management capability'. Following the

<sup>50</sup> Submission 50, Byron Greens, pp 3-4.

<sup>51</sup> Submission 26, St Vincent de Paul Society, p 3. See also, Evidence, Ms Joy Kyriacou, Manager, Volunteer and Member Programs, St Vincent de Paul, 14 June 2022, p 6.

<sup>52</sup> Evidence, Ms Joy Kyriacou, Manager, Volunteer and Member Programs, St Vincent de Paul, 14 June 2022, p 6.

<sup>53</sup> Submission 57, NSW Government, p 7.

<sup>54</sup> Submission 57, NSW Government, p 7.

endorsement of the Lesson Management Framework, the State Emergency Management Committee began a project to implement lessons management capability at a state level. Since 2019, State Lessons Analysis Reports have been produced annually to share state level learnings with stakeholders.<sup>55</sup>

## Inadequate leadership

**2.24** Notwithstanding the hard work of front-line staff and volunteers, many stakeholders were critical of the performance of the NSW SES and Resilience NSW at an organisational level during the February-March 2022 floods.

**2.25** While the NSW government submission to the inquiry described the major floods of February-March 2022 as 'unprecedented',<sup>56</sup> the Member for Lismore, Ms Janelle Saffin MP, suggested to the committee that the government agencies should have nonetheless been better prepared than they were:

The word 'unprecedented' has been bandied about a lot and has become code for it was 'unpredictable'. Therefore, 'we could not have been prepared'. This is erroneous at best and an abrogation of responsibility at worst. NSW Government's public agencies could have been better prepared, and part of that means working alongside the community so that our preparedness coalesces.<sup>57</sup>

**2.26** As captured in the State Emergency Management Plan, the NSW SES is responsible for leading flood response while Resilience NSW is responsible for flood recovery. This section considers the organisational structure of these agencies and whether they are equipped to lead in flooding disasters.

### Concerns with the NSW State Emergency Service

**2.27** As the combat agency for floods in New South Wales, the NSW SES is primarily responsible for the emergency response to floods. Under the *State Emergency Service Act 1989*, it is responsible for 'protecting persons from dangers to their safety and health, and for protecting property from destruction or damage, arising from floods, storms and tsunamis, across the state'.<sup>58</sup>

**2.28** Many inquiry participants questioned whether the structure of the NSW SES is appropriate to enable the organisation to lead the response to major flooding events. Stakeholders identified two key issues in this regard:

- the failure to meet local needs or utilise local knowledge during the February-March 2022 floods
- the capacity of the NSW SES, as a volunteer agency, to take a lead role in flood response.

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<sup>55</sup> Submission 57, NSW Government, pp 7-8.

<sup>56</sup> Submission 57, NSW Government, p 3.

<sup>57</sup> Submission 85, Ms Janelle Saffin, p 1.

<sup>58</sup> Submission 57, NSW Government, p 4.

- 2.29** Stakeholders also raised specific concerns with the way in which the NSW SES managed evacuation and rescue, and communicated with the public more broadly. These issues are discussed in more detail in Chapter 3.
- 2.30** Turning to the first issue, some stakeholders argued that the current structure of the NSW SES fails to meet local needs or utilise local knowledge due to its centralised approach. Putting this into the context, the Lismore Citizens Review Group explained that until about 2010, local volunteer SES units managed major and minor floods with the support of a salaried Regional Controller and local volunteers at a regional headquarters. Under this model, the community received regular hourly bulletins via local radio direct from the regional headquarters, based on information gathered from the catchment. Each volunteer SES unit had their own rainfall and river rise intelligence source, while the regional office coordinated the information and secured additional logistical requirements.<sup>59</sup>
- 2.31** The group claimed that the NSW SES has since been restructured with 'centralised policies, procedures, management and information that is far removed from the needs of the local community'.<sup>60</sup> In this respect, the Public Service Association noted that a restructure in 2017 saw 17 regions reduced to 5 zones and a 2019 restructure led to loss of skills, history, knowledge and the ability to actively respond to incidents.<sup>61</sup>
- 2.32** The Public Service Association also highlighted that the NSW SES has had known resourcing issues prior to the 2022 floods, linked to these restructures. The Association noted that the budget for the NSW SES in 2020-2021 was \$158,836,000 with 330 staff, of which 2.72 per cent were senior executives, and 10,214 volunteers.<sup>62</sup>
- 2.33** Reflecting on the February-March 2022 floods, stakeholders made a number of observations about how the NSW SES restructures have impacted flood management. Key concerns included:
- reduced capability for planning and preparedness<sup>63</sup>
  - disregard for local knowledge and requirements by fly in fly out operational staff, supported by the NSW SES headquarters<sup>64</sup>
  - reduced support for volunteers and local volunteer units including insufficient training and resources, increased administrative requests from headquarters, poor communication during the February-March 2022 floods with some smaller units left to manage alone, and a lack of coordination or understanding of what happens at the unit or region level for the community<sup>65</sup>
  - issues related to the capacity and priorities of the incident management team, including staff feeling overwhelmed with the size and scope of the response requirement, key

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<sup>59</sup> Submission 54, Lismore Citizens Flood Review Group, p 5.

<sup>60</sup> Submission 54, Lismore Citizens Flood Review Group, pp 5-6.

<sup>61</sup> Submission 50, Public Service Association of New South Wales, p 10.

<sup>62</sup> Submission 50, Public Service Association of New South Wales, pp 9-10.

<sup>63</sup> Submission 50, Public Service Association of New South Wales, pp 10 and 14.

<sup>64</sup> Submission 54, Lismore Citizens Flood Review Group, pp 5-6.

<sup>65</sup> Submission 54, Lismore Citizens Flood Review Group, pp 16-17; Submission 50, Public Service Association of New South Wales, pp 11-12.

roles being filled by staff from external agencies with little to no guidance, poor prioritisation of response assets to events, a lack of planning, training and coordination with other agencies, a focus on sending information upwards to headquarters rather than responding to the needs of local units and the community, a focus on media requirements and delayed or ignored responses to local unit requests for assistance.<sup>66</sup>

**2.34** The Tweed Shire Council argued that the current NSW SES response to emergencies 'does not follow the agreed principles of the EMPLAN (State Emergency Management Plan)'. The council highlighted that while agencies work well together locally, regionally led responses 'result in a disconnect with the engagement of local resources to support the response'. Ultimately, the council suggested that 'better coordination would result in a better use of overall resources particularly when resources are stretched during initial response'.<sup>67</sup>

**2.35** To re-focus the NSW SES on local knowledge and needs, the Lismore Citizens Review Group recommended a 'complete restructure of management' of the NSW SES by an internationally recognised disaster management specialist, including:

- a reduction in senior leadership
- a refocus on ground level coordination and response and the needs of the community
- the management of relationships with other emergency services agencies with consideration given to amalgamation of the NSW SES and Rural Fire Service
- ensuring that policies and procedures seamlessly link all disaster management agencies from the local, state and national levels into a common framework.<sup>68</sup>

**2.36** More broadly, Ms Beth Trevan, Coordinator of the Lismore Citizens Flood Review Group, argued that emergency services agencies 'have a system and make the community fit their system', when the 'the focus of every policy and procedure must be based on the community and built from that particular point'. Ms Trevan therefore recommended that the Northern Rivers region would be a good place to conduct a pilot program to look at the way emergency services agencies, including Resilience NSW, work.<sup>69</sup>

**2.37** Other stakeholders raised concerns with the reliance on volunteers in major natural disasters such as the recent major flooding, suggesting a range of alternative arrangements. Some believed that recruitment of volunteers and support for existing volunteers needed to be bolstered, while others suggested that the responsibility for flood response should be transferred to other agencies.

**2.38** Looking to the NSW SES specifically, stakeholders highlighted the dwindling number of volunteers in some regions. For example, in Murwillumbah and Tweed there were only 10 active members of the NSW SES with the average age of volunteers being 65.<sup>70</sup> The Tweed

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<sup>66</sup> Submission 54, Lismore Citizens Flood Review Group, pp 11-12; Submission 50, Public Service Association of New South Wales, p 11.

<sup>67</sup> Submission 42, Tweed Shire Council, p 6.

<sup>68</sup> Submission 54, Lismore Citizens Flood Review Group, pp 10-11.

<sup>69</sup> Evidence, Ms Beth Trevan, Coordinator, Lismore Citizens Review Group, 31 May 2022, p 45.

<sup>70</sup> Submission 42, Tweed Shire Council, p 7; Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 2.



Shire Council argued that more needs to be done to increase active members in the NSW SES and Rural Fire Service (RFS). The council suggested that the NSW Government:

- consider an amalgamation of all volunteer emergency response agencies, that is the NSW SES, RFS and Fire and Rescue NSW (FRNSW), into one response agency that works collaboratively with the police
- review the resourcing and structure of the NSW SES and increase volunteer recruitment, or more broadly review the provision and coordination of volunteer emergency services agencies to support paid staff
- consider ways to incentivise volunteer service such as tax incentives for businesses whose staff are active members of a volunteer service or FEE-HELP incentives for students.<sup>71</sup>

**2.39** The Fire Brigade Employees' Union took a strong view on the reliance on the NSW SES as a volunteer agency to take the lead during a major emergency. While the Union's State Secretary, Mr Leighton Drury, acknowledged that volunteers provide 'vital surge capacity and much-needed assistance', he expressed the view that 'the community of New South Wales should not, in 2022, with the scale of natural disasters we continue to see, need to rely on a volunteer workforce as their lead emergency response'.<sup>72</sup>

**2.40** The Fire Brigade Employees' Union argued that there are 'inherent difficulties' with a volunteer agency being nominated as the lead, including the reliability of volunteers and the lack of a command structure.<sup>73</sup> Instead, the Union submitted that Fire and Rescue NSW should be designated the lead combat agency for future flood, storm and major events.<sup>74</sup>

**2.41** The Fire Brigade Employees' Union was also critical that there was 'no clear command structure' in the response to the February-March 2022 floods, arguing that 'training in incident management and provisions were completely lacking in the SES volunteers who were placed in charge of this event'.<sup>75</sup>

**2.42** Union members observed that 'SES incident controllers were uncertain about the best and most appropriate action', resulting in delays and creating 'an air of uncertainty' throughout the entire response.<sup>76</sup> When the NSW SES did provide information to Fire and Rescue NSW officers on the ground, union members reported that information was vague, there was a lack of direction and it was sometimes unclear who was in charge on the ground. Members also reported that when an incident controller could be identified, they seemed to lack experience or training to make relevant decisions.<sup>77</sup>

<sup>71</sup> Submission 42, Tweed Shire Council, p 7.

<sup>72</sup> Evidence, Mr Leighton Drury, State Secretary, Fire Brigade Employee's Union, 14 June 2022, p 17.

<sup>73</sup> Submission 52, Fire Brigade Employees' Union, p 6.

<sup>74</sup> Evidence, Mr Leighton Drury, State Secretary, Fire Brigade Employee's Union, 14 June 2022, p 17.

<sup>75</sup> Evidence, Mr Leighton Drury, State Secretary, Fire Brigade Employee's Union, 14 June 2022, p 17; Submission 52, Fire Brigade Employees' Union, p 7.

<sup>76</sup> Submission 52, Fire Brigade Employees' Union, p 6.

<sup>77</sup> Submission 52, Fire Brigade Employees' Union, pp 7-8.

**2.43** The Police Association of NSW argued that there should be 'one agency always responsible for the control and coordination of emergency response operations' to ensure that there is no ambiguity over who is control. The Association contended that the NSW Police Force is best placed to be in this role. It further noted that the SERM Act and the State Emergency Plan already designates police officers as Emergency Operations Controllers, and that the recommended change 'is only regarding the circumstances under which the Emergency Operations Controllers are responsible for controlling and coordinating operations rather than supporting the combat agency'.<sup>78</sup>

### **Concerns with Resilience NSW**

**2.44** Established in 2020 following the 2019-2020 bushfires, Resilience NSW is responsible for coordinating emergency management policy and leading the whole-of-government prevention, preparedness and recovery efforts.<sup>79</sup> Key to the role of Resilience NSW is the implementation of the NSW Recovery Plan which provides a framework for recovery operations.<sup>80</sup>

**2.45** The majority of inquiry participants expressed the view that Resilience NSW was not equipped to perform its role. For example, Member for Lismore, Ms Janelle Saffin MP, described Resilience NSW as 'institutionally incapable of doing the job it is supposed to do by law' and 'not fit for purpose'.<sup>81</sup>

**2.46** Similarly, the Lismore Citizens Review Group reported that multiple agency representatives described the performance of Resilience NSW as 'chaotic', 'shambolic' and 'disorganised'.<sup>82</sup>

**2.47** These stakeholders, among others, contended that the role of Resilience NSW was unclear and that this was hindering its ability to provide support.<sup>83</sup> The Lismore Citizens Review Group also argued that the organisational focus of Resilience NSW was 'upwards not downwards' and that there was a lack of follow-up on community requests for help.<sup>84</sup>

**2.48** Looking to the emergency response phase, members of the Fire Brigade Employees' Union observed that Resilience NSW staff 'attempted to insert themselves within the command structure in the emergency phase of the response and in particular, within the incident management structure'. The union argued that this 'created further confusion on the ground' given the lack of clarity on the role of Resilience NSW and the lack of training and skills of their employees to be involved in the response phase.<sup>85</sup>

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<sup>78</sup> Submission 86, Police Association of NSW, p 8.

<sup>79</sup> NSW Government, Resilience NSW, 21 July 2022, <https://www.nsw.gov.au/resilience-nsw>. See also, Submission 52, Fire Brigade Employees' Union, p 10.

<sup>80</sup> Submission 57, NSW Government, p 4.

<sup>81</sup> Evidence, Ms Janelle Saffin, MP, Member for Lismore, 31 May 2022, pp 2 and 3; Submission 54, Lismore Citizens Flood Review Group, pp 23-24.

<sup>82</sup> Submission 54, Lismore Citizens Flood Review Group, p 24.

<sup>83</sup> See, Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 5; Evidence, Ms Janelle Saffin, MP, Member for Lismore, 31 May 2022, p 2.

<sup>84</sup> Submission 54, Lismore Citizens Flood Review Group, pp 23 and 24.

<sup>85</sup> Submission 52, Fire Brigade Employees' Union, pp 10-11.

- 2.49** Stakeholders also held that Resilience NSW failed to adequately prepare and coordinate other agencies including the NSW SES, other government agencies and non-government partners. Notably, in the transition between the response and recovery phases, the Lismore Citizens Review Group noted that there was a 48 hour vacuum of command and control from Friday 11 March to Monday 14 March 2022. The group argued that in this time a number of agencies had staff and counsellors ready, while Resilience NSW was building basic operating processes and organisational structures.<sup>86</sup>
- 2.50** Similar to its recommendation on the NSW SES, the Lismore Citizens Review Group recommended that there be a 'complete restructure' of Resilience NSW conducted by an internationally recognised recovery expert, with a focus on local community being embedded in all policies, procedures and decision making. The group added that a restructure should ensure that all policies and procedures seamlessly link all recovery agencies at the local, state and national levels and include the management of relationships with the police and other supporting agencies such as non-government organisations.<sup>87</sup>
- 2.51** There were also criticisms of Resilience NSW's performance during the recovery phase, including its:
- lack of preparation, coordination and engagement with other stakeholders including not-for-profit organisations and community groups<sup>88</sup>
  - repeated failure to respond to requests for assistance from the community<sup>89</sup>
  - lack of information sharing with stakeholders about which communities were impacted and who can provide support<sup>90</sup>
  - inadequate communication with the community about recovery efforts leading to victims not accessing support or understanding the difference between evacuation centres and recovery centres.<sup>91</sup>
- 2.52** Inquiry participants argued that there is a need for Resilience NSW to develop detailed recovery plans and better prepare for recovery. In particular, stakeholders from not-for-profit organisations sought plans that included them to ensure that their role in recovery is clear and formalised.
- 2.53** Ms Diana Bernardi, Emergency Services Manager, Red Cross, highlighted that planning for recovery should be considered well in advance so that agencies and community partners are

<sup>86</sup> Submission 54, Lismore Citizens Flood Review Group, p 23.

<sup>87</sup> Submission 54, Lismore Citizens Flood Review Group, p 24.

<sup>88</sup> See for example, Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 3; Evidence, Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, p 5; Evidence, Ms Clare Van Doorn, Regional Director, North-East, St Vincent de Paul Society, p 4.

<sup>89</sup> See for example, Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 6; Evidence, Cr Elly Bird, Coordinator, Resilience Lismore, pp 50-51.

<sup>90</sup> See, Submission 26, St Vincent de Paul Society, p 3; Evidence, Ms Jo Beadle, National Manager, GIVIT, 14 June 2022, p 9.

<sup>91</sup> See, Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 1 June 2022, p 7.

placed on 'alert' that recovery efforts are to commence as soon as roads open up and it is safe to activate.<sup>92</sup>

- 2.54** St Vincent de Paul Society similarly held that it would be beneficial for the government to play a role in establishing and maintaining connections between relevant stakeholders before an event. For example, the Society suggested that regular meetings at a state level would help build a stronger foundation for information-sharing and coordination that could then be scaled-up during a response.<sup>93</sup>
- 2.55** Ms Joy Kyriacou, Manager, Volunteer and Member Programs at St Vincent de Paul Society, pointed to the federal Government's consultative and collaboration approach during the COVID-19 pandemic which created community connections and clarity around points of contact.<sup>94</sup>
- 2.56** More specific concerns about the organisation and structure of recovery centres, the management of donations and coordination with non-government stakeholders and community led recovery, as overseen by Resilience NSW are detailed in Chapter 4.
- 2.57** Other stakeholders were less critical of Resilience NSW, although still held some concerns. For example, Member for Tweed, Mr Geoff Provest MP, highlighted that he still had faith in Resilience NSW but believed that some of their processes 'need to be refined'. He was critical of the slow pace at which Resilience NSW delivered.<sup>95</sup>
- 2.58** Considering the significant number of issues raised, some stakeholders questioned the budget and human resourcing of Resilience NSW.<sup>96</sup>
- 2.59** The Public Service Association noted that in 2020-2021 the budget for Resilience NSW was \$996,588,000 with 105 staff, of which 14.28 per cent were senior executives. The Public Service Association compared the composition and resource allocation of Resilience NSW and NSW SES, making the comment that there is a significant variation between the human resources and budget of the two agencies.<sup>97</sup> The Fire Brigade Employees' Union expressed concern 'with the level of funding granted to Resilience NSW' when their role in major events like the February-March 2022 floods is unclear.<sup>98</sup>
- 2.60** Notably, the budget for Resilience NSW in 2021-2022 was \$1,290,300 and increased in 2022-2023 to \$2,061,010.<sup>99</sup> The NSW Government noted that a majority of the budget for Resilience NSW is allocated to the Disaster Relief Account.<sup>100</sup>

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<sup>92</sup> Evidence, Ms Diana Bernardi, Emergency Services Manager, Red Cross, 14 June 2022, p 6.

<sup>93</sup> See, Submission 26, St Vincent de Paul Society, p 3. See also, Evidence, Ms Clare Van Doorn, Regional Director, North-East, St Vincent de Paul Society, 14 June 2022, p 10.

<sup>94</sup> Evidence, Ms Joy Kyriacou, Manager, Volunteer and Member Programs, St Vincent de Paul Society, 14 June 2022, p 10.

<sup>95</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 31 May 2022, p 5.

<sup>96</sup> See, Submission 52, Fire Brigade Employees' Union, p 11; Submission 50, Public Service New South Wales, p 9.

<sup>97</sup> Submission 50, Public Service Association of New South Wales, p 9.

<sup>98</sup> Submission 52, Fire Brigade Employee's Union, p 11.

<sup>99</sup> NSW Government, NSW 2022-2023 Budget, p x.

*Appointment of Mr Mal Lanyon as Northern NSW Recovery Coordinator*

- 2.61** It is important to note that while the committee heard significant criticism of Resilience NSW, many inquiry participants from the Northern Rivers praised Mr Mal Lanyon, NSW Police Force Deputy Commissioner, for his leadership when he was appointed as Northern NSW Recovery Coordinator.<sup>101</sup>
- 2.62** The committee questioned why Mr Lanyon was not appointed in the role until 8 March 2022, 8 days after the major flooding began in the Northern Rivers. Commissioner Fitzsimmons explained that on 1 March 2022 he initially appointed the Resilience NSW director of the northern region in the role. However, several days later Commissioner Fitzsimmons met with the Secretary of Premier and Cabinet who relayed to him conversations with the Premier and Deputy Premier that 'they would appreciate Mal Lanyon being appointed'.<sup>102</sup>
- 2.63** Commissioner Fitzsimmons outlined the reasons for Mr Lanyon's appointment as follows:
- the 'scale and complexity' of the recovery phase
  - the 'obvious and apparent high profile of the uniformed position' and the experience and skills that comes with it
  - 'the criticality of retaining the Emergency Operations Centre arrangements and the local area commanders working with the regional recovery coordinator' to see through the handover from response to recovery.<sup>103</sup>
- 2.64** When asked what he brought to the role that was not there before his appointment, Mr Lanyon stated: 'Probably to give leadership to the operational focus'. He explained that his role was to bring structure and an operational focus and to escalate and move things along 'a whole lot quicker'.<sup>104</sup> He added that he also sought to listen to and work with the community to solve problems. Reflecting on the engagement with the community, Mr Lanyon stated: 'Being a police officer, something that is an innate thing with me is that I like to solve problems for the community'.<sup>105</sup>
- 2.65** With regard to the structure of his team, Mr Lanyon outlined that he had two deputy coordinators, one from Resilience NSW and one from the Police Force, and a 'fairly lean team under that'. Rather, the team had a large number of resources available through emergency services and the Australian Defence Force to do the work, which needed to be coordinated and prioritised.<sup>106</sup>
- 2.66** When asked whether it would be appropriate to appoint a senior police officer to the role in future disasters, Mr Lanyon pointed to Queensland as a precedent. He argued that it helps to

<sup>100</sup> Submission 57, NSW Government, p 9.

<sup>101</sup> See for example, Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 5; Evidence, Ms Tamara Smith MP, Member for Ballina, 30 May 2022, p 5.

<sup>102</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, 15 June 2022, pp 56-57.

<sup>103</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, 15 June 2022, p 56.

<sup>104</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, pp 61 and 68.

<sup>105</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, p 61.

<sup>106</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, p 66.

'have a uniform presence' to drive recovery adding that it supports the functions of Resilience NSW and other agencies.<sup>107</sup>

**2.67** Reflecting on the performance of Mr Lanyon, the Police Association of New South Wales argued that the NSW Police Force is 'best placed to control and coordinate emergency recovery'. The Association outlined the advantages of the NSW Police Force leading emergency recovery including the skills, ability and experience of police officers 'in controlling and coordinating multi-agency operations' and the 'efficiency with which they can deploy the full resource of the NSW Police Force'.<sup>108</sup>

**2.68** In addition to their recommendation that the NSW Police Force be responsible for coordinating the emergency response, the Association submitted that the police could begin preparing for recovery while coordinating the response to the emergency without the need for a 'formal handover from one agency to another'.<sup>109</sup>

**2.69** Finally, to ensure that the NSW Police Force is properly resourced for response and recovery management, the Association recommended that further funding be allocated to the NSW Police Force for:

- an additional Deputy Commissioner – Emergency Management, to serve as a devoted State Emergency Operations Controller
- an additional Assistant Commissioner – Emergency Recovery, to serve as a devoted State Emergency Recovery Controller
- six additional Superintendents to serve as devoted Regional Emergency Operations Controller, with one in each region
- 12 additional Inspectors to serve as devoted specialist Local Emergency Operations Controller (with two per region) supported by the existing local structure
- support staff to assist the above structure, with the total number to be set through consultation with the NSW Police Force
- an expanded Emergency Management Unit with a total number of staff to be set through consultation with the NSW Police Force.<sup>110</sup>

**2.70** The Association also recommended that the NSW Police develop additional emergency response and recovery training for police officers.<sup>111</sup>

## Committee comment

**2.71** Effective preparation, coordination and leadership are critical components to successfully supporting local communities in the response to and recovery from floods. No single agency can effectively manage and respond to a flood disaster alone. A whole of government

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<sup>107</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, p 68.

<sup>108</sup> Submission 86, Police Association of NSW, p 9.

<sup>109</sup> Submission 86, Police Association of NSW, p 9.

<sup>110</sup> Submission 86, Police Association of NSW, p 9.

<sup>111</sup> Submission 86, Police Association of NSW, p 9.

approach is warranted and necessary in meeting the needs of flood affected individuals and communities, but it must be well coordinated and planned. This cannot happen unless there is clear and visible leadership with clarity around roles, responsibilities and effective decision-making.

- 2.72** This inquiry however, raised serious questions for the committee about whether the NSW SES and Resilience NSW were best placed to lead and coordinate the response to and recovery from the February-March 2022 flooding event. In the committee's view, it does not appear that either agency was effective in carrying out their responsibilities.
- 2.73** While the committee acknowledges the many volunteers and frontline staff who worked tirelessly to support response and recovery efforts, the committee ultimately believes that, from a structural perspective, the performance of both organisations fell short in their respective roles. It was particularly concerning to hear that there was a vacuum of leadership in the 48 hours between the response and recovery phases. This exemplifies the failure of the two leading agencies to effectively prepare and coordinate for the management of the floods.

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### **Finding 1**

That the NSW State Emergency Service and Resilience NSW failed as lead agencies to provide adequate leadership and effective coordination during the major flooding of February-March 2022.

### **Finding 2**

That NSW Government agencies lacked coordination, created confusion and responded poorly in the February-March 2022 floods, resulting in the North Coast community being let down in their greatest time of need.

### **Finding 3**

That demarcation disputes and a lack of integration between NSW Government agencies slowed the roll-out of support and assistance to those affected by the February-March 2022 floods.

### **Finding 4**

That NSW Government agencies and the Bureau of Meteorology were not prepared for, nor did they comprehend the scale of the February-March 2022 floods, and some agencies were criticised for treating it as a nine to five business operation.

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- 2.74** With respect to the NSW SES, the committee heard that the organisation failed to adequately lead or coordinate with local volunteer units. It was concerning to hear that the NSW SES often ignored or dismissed local knowledge which would have strengthened the organisation's response at the community level. Even more concerning is the evidence that the NSW SES headquarters failed to respond to local requests for assistance in some cases. In our view, the centralisation of the organisation was a contributing factor to these issues.
- 2.75** Stakeholders raised valid questions about the capacity of the NSW SES to lead the response to flooding given that it is a volunteer agency. Noting that a volunteer network relies on the availability and goodwill of people, the committee understands that volunteer shortages can impact the effectiveness of an emergency response.

- 2.76** This raises questions as to whether there is a need to drive NSW SES volunteer recruitment, whether the NSW SES needs to partner more closely with other agencies when responding to major flooding events, or whether an entirely different agency should lead the emergency flood response.
- 2.77** On balance, based on the performance of the NSW SES and Resilience NSW in dealing with the scale and severity of the February-March 2022 floods, the committee believes that the NSW Government should consider a restructure of the NSW SES, taking into consideration a number of factors, including whether the focus of the organisation needs to be realigned to harness local knowledge and networks. This restructure should also consider how the organisation can coordinate more closely with other rescue agencies.
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### **Finding 5**

That the centralisation of the NSW State Emergency Service and a shortage of volunteers significantly hindered the ability of the agency to lead the response to the major flooding of February-March 2022.

### **Recommendation 1**

That the NSW Government consider a restructure of the NSW State Emergency Service with consideration to:

- realigning the focus of the organisation to harness local knowledge and networks
  - coordinating more closely with other rescue agencies to bolster its capacity to respond
  - increasing salaried staff and resources, and driving volunteer recruitment.
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- 2.78** The committee is also of the view that as the lead agency for recovery, Resilience NSW failed to effectively lead and coordinate the recovery from the February-March 2022 floods. Indeed, the feedback on its performance was scathing in some cases. Inquiry participants repeatedly told the committee that Resilience NSW failed to coordinate with other government and non-government partners. They also questioned why it was funded so heavily and were unclear of the organisation's responsibilities or role.
- 2.79** Resilience NSW has had two years and significant funding to prepare and establish itself as a lead agency in recovery. Despite this, Resilience NSW has not demonstrated that it is fit for purpose and in some cases hindered recovery efforts. Notwithstanding their performance to date, the budget for Resilience NSW has been almost doubled, yet other agencies on the frontline are trying to do more with less. Therefore, the committee recommends that the NSW Government consider abolishing Resilience NSW if it is unable to ensure the organisation's role is clear after reviewing its policies, objectives and funding, and that the organisation and its policies are focused on meeting community needs.
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### **Recommendation 2**

That the NSW Government consider abolishing Resilience NSW if it is unable to ensure:

- the organisation's role is clear after reviewing its policies, objectives and funding
  - the organisation and its policies are focused on meeting community needs.
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- 2.80** Despite significant criticism of Resilience NSW, the committee commends the NSW Police Force Deputy Commissioner Mal Lanyon for the leadership he has shown in his role as Northern NSW Recovery Coordinator. He has listened to community concerns, prioritised recovery projects and added a much needed operational focus to the recovery efforts. Mr Lanyon's appointment was a turning point for the Northern Rivers region, and demonstrates the benefit of having a senior police officer with combat experience to lead the arduous task of disaster recovery.

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**Finding 6**

That the appointment of NSW Police Force Deputy Commissioner Mal Lanyon in the role of Northern NSW Recovery Coordinator significantly improved recovery efforts and provided much needed leadership.

**Recommendation 3**

That the NSW Government embed into its emergency plans the appointment of a senior police officer with combat experience to lead recovery efforts following natural disasters.

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- 2.81** In addition to concerns with the appointed lead agencies in flood management, the committee also questions the adequacy of the state's emergency plans and sub plans. The committee found that multiple plans have not been reviewed or updated for some time, and others fail to consider how non-government agencies fit into flood response and recovery. The committee therefore recommends that all emergency plans be reviewed regularly. It is also recommended that all relevant function area plans be updated to ensure the role of non-government partners in emergency response and recovery is clear.

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**Recommendation 4**

That the NSW Government ensure that all emergency and recovery plans, including state plans, local emergency management plans and functional area plans, are reviewed and updated regularly and provide clarity on the role of non-government partners.

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## Chapter 3 Flood warnings, rescues and evacuations

This chapter considers the adequacy of public communication during the February-March 2022 floods, examining stakeholders concerns about flood warnings and evacuation information, and the loss of telecommunication services. It also explores concerns raised in relation to evacuation and rescue efforts, along with the provision of animal welfare services during the emergency response.

### Public communication and flood predictions

**3.1** A majority of inquiry participants claimed that the timeliness, accuracy and clarity of information issued by the NSW State Emergency Service (NSW SES) and Bureau of Meteorology (BoM) was inadequate, and that communication issues were exacerbated by the loss of telecommunication services, particularly in the Northern Rivers region.

#### Timeliness, accuracy and clarity of flood warnings and evacuation information

**3.2** In its submission, the NSW Government explained the arrangements for flood warnings, evacuation warnings and evacuation orders. Flood warnings are issued by the BoM, while evacuation warnings and orders are issued by the NSW SES.

- The BoM issues weather and flood information before and during a flood, including severe thunderstorm warnings, severe weather warnings, flood watches, flood warnings, and tide and surf information. The NSW SES liaises with the BoM where necessary to discuss the development of flood warnings.<sup>112</sup>
- The NSW SES Incident Controllers issue flood information incorporating warnings from the BoM, expected consequences and safety messaging. This includes livestock and equipment warnings, local flood advice, flood bulletins, evacuation warnings, evacuation orders, all clear messages and advice to return safely or with caution.<sup>113</sup>

**3.3** Both agencies work closely together ahead of each storm season, with a BoM meteorologist embedded within the NSW SES State Headquarters, and soon also a hydrologist.<sup>114</sup>

**3.4** Ahead of the February-March 2022 floods, the NSW SES provided a seasonal briefing in October 2021 to all emergency services organisations and government partners on the potential for flooding between 1 October 2021 to 31 March 2022 (the 2021-2022 storm season). The NSW Government highlighted that the briefing notified that the BoM had declared the potential for a La Nina and outlined the preparations that the NSW SES was undertaking including the emergency response with COVID-19, resourcing and asset management, evacuation management, incident management, warnings, rapid damage assessment and flood awareness campaigns.<sup>115</sup>

<sup>112</sup> Submission 57, NSW Government, p 18.

<sup>113</sup> Submission 57, NSW Government, p 18.

<sup>114</sup> Submission 57, NSW Government, p 7.

<sup>115</sup> Submission 57, NSW Government, p 7.

- 3.5** With the February-March 2022 floods, the NSW SES issued 156 evacuation warnings, impacting 635,752 people and 174 evacuation orders, impacting 169,679 people.<sup>116</sup> The NSW Government stated that the NSW SES 'used a variety of methods to provide information to communities about the potential flooding', such as broadcast media, social media, door knocking, SMS and the NSW SES and BoM websites and emergency alerts.<sup>117</sup>
- 3.6** The NSW Government added that the NSW SES website provides 'up to date community advice on evacuation orders, evacuation warnings, flood bulletins and evacuation centres', with a flood bulletin developed for each warning the BoM issues, outlining the impacts of the predicted flooding and providing safety messaging. The government noted that 'due to the risk and speed of events, it is not always possible to issue an evacuation warning before an evacuation order'.<sup>118</sup>
- 3.7** Despite these communication measures, many stakeholders were dissatisfied with the communication from the BoM and NSW SES for the recent major flooding events, arguing that messaging was often slow, confusing and inaccurate, with some locations receiving no warnings at all.
- 3.8** A significant number of inquiry participants felt that many evacuation warnings and evacuation orders were out of date by the time they were issued, risking safe evacuation.<sup>119</sup> Ms Beth Trevan, Coordinator of the Lismore Citizens Flood Review Group, commented that the group has raised the timeliness of information with the BoM and were informed that 'it is not possible for them to produce their information any quicker than they do'.<sup>120</sup>
- 3.9** Some stakeholders also highlighted that it was difficult to access timely information from the ABC, the official emergency broadcaster, given it covers a large area, resulting in information that is either too general to be helpful for specific locations or not timely enough.<sup>121</sup>
- 3.10** Other participants felt that the emergency information issued was confusing or contradictory.<sup>122</sup> Member for Tweed, Mr Geoff Provest MP, highlighted an example in Tumbulgum and surrounding areas: 'You had three warnings in about six hours, saying, "Don't evacuate", and then "Evacuate" and then "Don't Evacuate", and it was just terribly confusing'.<sup>123</sup>

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<sup>116</sup> Submission 57, NSW Government, p 12.

<sup>117</sup> Submission 57, NSW Government, p 18.

<sup>118</sup> Submission 57, NSW Government, pp 18-19.

<sup>119</sup> See, Evidence, Ms Beth Trevan, Coordinator, Lismore Citizens Flood Review Group, 31 May 2022, p 43; Submission 42, Tweed Shire Council, p 7; Evidence, Cr Patrick Connolly, Mayor, Hawkesbury City Council, 3 June 2022, p 6; Public forum, Ms Rebecca Hughes, 1 June 2022, p 25; Evidence, Mr Christopher Gulaptis MP, Member for Clarence, 31 May 2022, p 2.

<sup>120</sup> Evidence, Ms Beth Trevan, Coordinator, Lismore Citizens Flood Review Group, 31 May 2022, pp 46-47.

<sup>121</sup> See, Evidence, Ms Mia Armitage, Anchor and Executive Producer, BayFM Community Radio, 30 May 2022, p 19; Submission 42, Tweed Shire Council, p 8; Submission 4, Lismore Citizens Review Group, p 19.

<sup>122</sup> See, Evidence, Ms Beth Trevan, Coordinator, Lismore Citizens Flood Review Group, 31 May 2022, p 46.

<sup>123</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 3.

- 3.11** Similarly, Cr Patrick Connolly, Hawkesbury City Mayor, noted that some evacuation orders used language or suburb names that were not familiar to residents, causing panic and the wrong people to evacuate or the intended evacuees failing to understand that they are in the location referred to in the evacuation order.<sup>124</sup>
- 3.12** Stakeholders also commented on the confusion of having to rely on multiple sources to access information. For example, the Lismore Citizen Flood Review Group noted that each emergency information service in New South Wales has its own communication system, 'forcing the community' to access multiple apps and sites to access emergency information. The group suggested that there is a need for a national cross-agency app and referred to VicEmergency in Victoria where approximately 200 agencies are integrated into a single platform with an app for the community so that everyone can receive accurate and timely information from one source.<sup>125</sup>
- 3.13** In addition to confusing messaging, some communities received inaccurate information about the extent of flooding to expect in their town, while others received no warnings at all. The committee heard at its public forums that, as a result, some communities were caught off guard when their towns began to flood.<sup>126</sup>
- 3.14** Mr Thomas Rehfield stated that about 300 houses and 200 cars were damaged in the floods in Bogangar, a town in the Tweed Shire, arguing that the main reason for the damage was that people were not warned of the floods. Mr Rehfield shared statistics about flooding in Bogangar over the last 37 years showing the extent of flooding events and the height of the lake which has been increasing over time. Acknowledging that the flood impacts were not as significant as those in Murwillumbah and Lismore, Mr Rehfield argued that Bogangar needed to be 'put on the radar'. He further contended that the flood maps which were created in 2009 are now out of date and that the Tweed Shire Council has looked at upgrading gauge networks for creeks in other areas but not in Bogangar.<sup>127</sup>
- 3.15** As highlighted in the following case study, Mr Daniel Ainsworth spoke to the experience in Broadwater, a small town in the Richmond Valley local government area, which received minimal warnings ahead of significant flooding.

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<sup>124</sup> Evidence, Cr Patrick Connolly, Mayor, Hawkesbury City Council, 1 June 2022, p 6.

<sup>125</sup> Submission 54, Lismore Citizens Flood Review Group, p 17.

<sup>126</sup> Public forum, Mr Paul Hession, 1 June 2022, p 24; Public forum, Ms Rebecca Hughes, 1 June 2022, p 25; Public forum, Ms Jean Higgins, 1 June 2022, p 25.

<sup>127</sup> Public forum, Mr Thomas Rehfield, 1 June 2022, pp 21-22.

**Lack of flood warnings for Broadwater<sup>128</sup>**

Mr Daniel Ainsworth shared with the committee that from Friday 25 February 2022 there was no mention of Broadwater in warnings for surrounding towns.

When he woke to the news on Monday 28 February 2022 that the Lismore levee had begun to overtop at a record height and that Woodburn may reach the height of the 1974 heights, he posted this to a local Facebook page in an attempt to warn people to be prepared for a flood in Broadwater. However, none of the messaging from the NSW SES at this stage mentioned Broadwater.

When the NSW SES issued an evacuation order for Woodburn and low-lying areas of Broadwater, Mr Ainsworth described the message as confusing and highlighted that it 'mentioned the height of 3.2 metres on the Wardell gauge in Broadwater, which does not exist'. He also referred to a text message which gave very little information, such that most people ignored it. People continued preparing their homes knowing that in the past it took two to three days for a peak from Lismore to reach Broadwater.

However, by 10.00 pm that night water had broken the banks south and north of the town and rose quickly. As the water entered Mr Ainsworth's garage, there was still no message from the BoM or NSW SES mentioning Broadwater, leaving him to guess the predicted heights from the Woodburn gauge. By Tuesday morning, private boats were going up and down the street rescuing people from their rooftops and verandahs, 'catching many by surprise and with no warning'.

Based on his experience, Mr Ainsworth recommended that an automatic flood gauge be installed in Broadwater, Cabbage Tree Island and Wardell, noting that the gauges currently there are manual and can become unsafe. He also recommended that NSW SES develop a community engagement strategy that included these towns for future floods as they were 'left off any public messaging that was released'.

**3.16** Many inquiry participants from both the Northern Rivers and Hawkesbury regions believed that the issues around timeliness, accuracy and confusion could partly be attributed to the centralisation of the NSW SES.<sup>129</sup> These stakeholders argued that communication issues could be resolved by empowering local SES units to be more involved in the communication of evacuation warnings and orders. They also argued that local SES input, either by taking responsibility for issuing the warnings and orders or reviewing communications before they are distributed, would help to prevent delays and ensure that information is communicated to local communities in a way that uses localised language.<sup>130</sup>

**3.17** The Lismore Citizens Flood Review Group highlighted that in previous years, before the centralisation of the NSW SES, local SES personnel were responsible for gathering information from their local catchment and broadcasting information locally. Ms Trevan

<sup>128</sup> Public forum, Mr Daniel Ainsworth, 30 May 2022, pp 26-27.

<sup>129</sup> See, Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 11; Submission 54, Lismore Citizens Flood Review Group, pp 5-6.

<sup>130</sup> See, Evidence, Ms Beth Trevan, Coordinator, Lismore Citizens Flood Review Group, 31 May 2022, p 43; Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 1 June 2022, p 6; Evidence, Cr Patrick Connolly, Mayor, Hawkesbury City Council, 3 June 2022, p 6.

argued that this 'worked very successfully for generations until the introduction of the control of all messaging from state headquarters'.<sup>131</sup>

- 3.18** The group also suggested that SES flood bulletins be locally produced, with local units providing information from their approved flood gauges to the ABC and local commercial radio stations, updated on an hourly or half-hourly basis until the river system reaches its peak.<sup>132</sup>
- 3.19** According to some inquiry participants in the Northern Rivers region, many flood gauges are poorly placed, unreliable and in poor condition, contributing to issues with the timeliness and accuracy of flood information. Member for Lismore, Ms Janelle Saffin MP submitted that there are several inoperable gauges along the Northern Rivers 'exposing communities to rising level of water and without warning'.<sup>133</sup>
- 3.20** Cr Steve Kreig, Mayor of the Lismore City Council, advised that the Council applied for a \$110,000 grant to upgrade gauges and warning systems in Lismore, including a CCTV to monitor water levels. However, the application was rejected three days before the first flood on 28 February 2022. Due to substantial damage caused by the first flooding event, the gauge readings for the second flood were inaccurate.<sup>134</sup>
- 3.21** With regard to the availability of gauges, Cr Robert Mustow, Mayor of Richmond Valley Council, stated that he had received many requests from people in his local community for more gauges on the Richmond River upstream and downstream of Casino.<sup>135</sup>
- 3.22** Ultimately, stakeholders recommended that there be better investment and management of flood infrastructure. Dr Hanabeth Luke suggested that real-time data capture could be useful, with information from real-time rain gauges fed back into a modelling system that can give people 'crucial information of when the flood peak will arrive and how high it will be'.<sup>136</sup>
- 3.23** Ms Saffin highlighted that there is confusion over who is responsible for flood and rain gauges, whether it be state, federal or local governments. She therefore suggested that 'a responsible public agency must ensure that flood gauges are in the right places, functioning and maintained'.<sup>137</sup> Lismore City Council, which owns a number of rain and flood gauges in its local government area, argued that such infrastructure should be owned and maintained by the state and federal governments.<sup>138</sup>

<sup>131</sup> Evidence, Ms Beth Trevan, Coordinator, Lismore Citizens Flood Review Group, 31 May 2022, p 43.

<sup>132</sup> Submission 54, Lismore Citizens Flood Review Group, p 19.

<sup>133</sup> Submission 85, Ms Janelle Saffin MP, Member for Lismore, p 15.

<sup>134</sup> Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 10. See also, Submission 63; Lismore City Council, p 5.

<sup>135</sup> Evidence, Cr Robert Mustow, Mayor of Richmond Valley Council, 31 May 2022, p 10.

<sup>136</sup> Public forum, Dr Hanabeth Luke, 31 May 2022, p 58.

<sup>137</sup> Submission 85, Ms Janelle Saffin MP, Member for Lismore, p 6.

<sup>138</sup> Submission 63; Lismore City Council, p 5.

**3.24** The committee questioned the NSW SES and BoM as to why messages were inaccurate or too slow to be issued, and why the extent of the February-March 2022 floods was not predicted ahead of time.

**3.25** NSW SES Commissioner Carlene York reiterated that the NSW SES takes information from the BoM, which predicts the weather conditions and uses information from river gauges and other data assets. The NSW SES then transfers that information into communication and warnings to the public.<sup>139</sup>

**3.26** Reflecting on the experience of the February-March 2022 floods, Commissioner York stated that there needs to be a change in what is considered the worst-case scenario for floods and how to communicate this with the public:

We need to raise the bar about what is the worst-case scenario for a flood in these areas into the future, and that will be taken into account in our decision-making, our warnings and out information that goes out to the public.<sup>140</sup>

**3.27** Commissioner York outlined a number of ways the NSW SES is seeking to improve communications during major flooding, including:

- programs to ensure that people are more aware of their decisions and risks in evacuating, noting that while people in the past could evacuate upwards, that is 'now in question'
- a national project for an Australian Warning System to improve warning systems and provide consistent messaging and icons across the country
- an app to be rolled out later in 2022 for the community to receive more timely and accurate information.<sup>141</sup>

**3.28** On why the extent of flooding was not predicted, Ms Jane Golding, Manager Hazard Preparedness and Response, BoM, advised that broadly 'the signals were there in the atmosphere and we were communicating that there was a heightened risk for a significant flood' but that 'it's very difficult to predict river heights in days ahead of a flood' as it often depends on where the rain will fall.<sup>142</sup> She added that up until the Sunday evening, different forms of computer modelling available at the time weren't 'forecasting those extraordinary rainfall rates that we received'.<sup>143</sup>

**3.29** When pressed on why Broadwater in particular received no warnings, Ms Golding responded: 'I don't think Broadwater is a formal forecast location on the Richmond River', noting that this 'could be a lesson that's come out of this event'.<sup>144</sup>

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<sup>139</sup> Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 9.

<sup>140</sup> Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 14.

<sup>141</sup> Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 14.

<sup>142</sup> Evidence, Ms Jane Golding, Manager Hazard Preparedness and Response, Bureau of Meteorology, 15 June 2022, p 8.

<sup>143</sup> Evidence, Ms Jane Golding, Manager Hazard Preparedness and Response, Bureau of Meteorology, 15 June 2022, p 13.

<sup>144</sup> Evidence, Ms Jane Golding, Manager Hazard Preparedness and Response, Bureau of Meteorology, 15 June 2022, p 9.



- 3.30** Ms Golding added that the BoM needs to review the forecast locations in the flooding warning service, explaining that this is something normally undertaken with the local government and NSW SES. Although there has not been a formal request from local or state government for such a review, Ms Golding confirmed that the BoM could 'take the initiative' and approach local and state government to conduct such a review.<sup>145</sup>
- 3.31** Noting stakeholders concerns, the committee explored how forecasting could be improved for future flood events. Ms Golding agreed that there would be benefit in having on the ground local knowledge feeding into flood predictions and monitoring. She also noted that after flooding events, the BoM reviews data infrastructure around catchments to identify if there is a need for more gauges. It also reviews classifications to ensure whether they were appropriate, given the impact these classifications can have on communities.<sup>146</sup>
- 3.32** With regard to gauges that the BoM relies on, Ms Golding explained that the governance of flood data assets, such as gauges, is subject to an intergovernmental agreement with split ownership between local, state and federal governments. Of the 1,500 flood data assets in New South Wales, the BoM owns 885. Ms Golding added that responsibility for these assets lies with the asset owner.<sup>147</sup>

### **Loss of telecommunications**

- 3.33** In addition to failures in the communication of flood warnings, evacuation warnings and evacuation orders, the committee heard that communication issues were exacerbated by a loss of telecommunication services.
- 3.34** Many people, in both the Northern Rivers and Hawkesbury regions, lost access to telecommunication services including fixed lines, mobile coverage and internet, with some communities becoming completely isolated.<sup>148</sup>
- 3.35** The NSW Government advised that 802 commercial telecommunications carrier sites were impacted, with most site outages restored within two weeks when it was safe to do so.<sup>149</sup>
- 3.36** More specifically, Telstra advised that its facilities throughout north-east New South Wales and Sydney were disrupted between 28 February 2022 and 21 March 2022, with 22 communities in north east New South Wales and one community in Sydney becoming isolated from the Telstra network. In the initial days of the February-March 2022 floods, Telstra noted

<sup>145</sup> Evidence, Ms Jane Golding, Manager Hazard Preparedness and Response, Bureau of Meteorology, 15 June 2022, p 9.

<sup>146</sup> Evidence, Ms Jane Golding, Manager Hazard Preparedness and Response, Bureau of Meteorology, 15 June 2022, p 13.

<sup>147</sup> Evidence, Ms Jane Golding, Manager Hazard Preparedness and Response, Bureau of Meteorology, 15 June 2022, pp 8-9.

<sup>148</sup> See, Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 2; Evidence, Cr Michael Lyon, Mayor, Byron Shire Council, 30 May 2022, p 2; Evidence, Ms Rochelle Miller, 3 June 2022, p 19; Public forum, Mr John Champion, 3 June 2022, p 27.

<sup>149</sup> Submission 57, NSW Government, p 17.

that the key reasons for network disruptions were loss of power and the inability to access flooded sites to connect and refuel back up power generators.<sup>150</sup>

**3.37** Some stakeholders outlined the impacts of losing telecommunication services during the floods.

- 'Our major issue to start with was communications— totally inadequate. For over a week we were totally isolated here. We had staff that had to go across the border to Queensland in order to communicate. We had runners going between evacuation centres'.<sup>151</sup>
- 'Where is the planning from large corporations and government to back up communication? It is a life-and-death necessity. People with no reception, needing life-saving medication, were uncontactable by community, inaccessible when valleys flooded with stormwater and river created their own islands'.<sup>152</sup>
- 'Major issues that were identified by our members and by our patients were telecommunication failures impacting on actually warning people about the floods and then locating missing people...'<sup>153</sup>

**3.38** Some stakeholders suggested communities, particularly those most at risk of becoming isolated during a flood, should be provided with satellite communications solutions such as satellite phones in anticipation of service disruption.<sup>154</sup>

**3.39** Inmarsat, a commercial provider of satellite communication solutions, described its satellite technology as the 'perfect solution' given its satellite infrastructure in space is unimpaired by network congestion or destruction during natural disasters. The provider considered that its portable satellite terminals and phones 'could be situated in strategic emergency response locations and rapidly deployed by first responders in local areas without the need to transport large trailer-based platforms, where quick access may be difficult'. Inmarsat also referred to a 'backpack solution' known as the BGAN Patrol which first responders can wear to provide wifi access for smartphones and wifi enabled radios.<sup>155</sup>

**3.40** The committee also received evidence on the preparedness and response of Telstra to service disruptions and the lessons that can be learned ahead of future floods.

**3.41** Telstra outlined its approach to the restoration of its services based on a three-day, three-week and three-month time horizon accordingly:

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<sup>150</sup> Submission 40, Telstra Corporation Limited, pp 3 and 5; Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 35.

<sup>151</sup> Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 2.

<sup>152</sup> Public forum, Mrs Rochelle Miller, 3 June 2022, p 20.

<sup>153</sup> Evidence, Dr Therese Grotowski, NSW Branch Representative, Royal Australian and New Zealand College of Psychiatrists Section of Rural Psychiatry, 31 May 2022, p 19.

<sup>154</sup> See for example, Public forum, Mrs Rochelle Miller, 3 June 2022, p 20; Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 2, Submission 87, Inmarsat, p 2.

<sup>155</sup> Submission 87, Inmarsat, p 2.

- the three-day time horizon focuses on service recovery with top priorities being support to government emergency networks, which includes ensuring that emergency services evacuation centres have communications, and restoring services to isolated communities
- the three-week time horizon includes:
  - service recovery which prioritises fibre repair and decisions on the deployment of temporary replacement infrastructure such as Cells on Wheels (COWs), mobile base stations mounted on trailers, and Mobile Exchange on Wheels (MEOWs), portable telephone exchanges mounted on trailers to provide temporary fixed line services
  - infrastructure repair and impact assessment including repair of minor damage to facilities, cable replacement, deployment of COWs and MEOWs and assessment of rebuild requirements
- the three-month time horizon focuses on rebuilding permanent infrastructure including clean-up of damaged sites and restoring the network to the 'desired longer term state'.<sup>156</sup>

**3.42** Telstra further submitted that deploying temporary infrastructure such as COWs and MEOWs are one way to provide services immediately following a disaster but highlighted that there are some limitations to their use, including:

- the limited numbers of temporary facilities
- the need to deploy most temporary facilities using roads which can be challenging following disasters where road access is limited
- the reduced capacity/coverage of temporary facilities compared with permanent infrastructure
- the timeliness of setting up of temporary facilities which can take a week to be deployed
- the timing for deployment which is usually after a disaster, not during, as technicians can only deploy temporary facilities when emergency service agencies declare it is safe to do so.<sup>157</sup>

**3.43** Telstra advised that, as of 14 June 2022, mobile phone reception and coverage had been fully restored, with the exception of Mullumbimby and Buckendoon, which are relying on COWs until the rebuild at these sites were complete.<sup>158</sup>

**3.44** Looking back at the disruptions, the committee questioned why phone services were disrupted to such a wide extent on the North Coast and whether Telstra had learnt from their experience with previous floods.

**3.45** In particular, the committee sought evidence as to why a mobile base station was placed in Woodburn when it is a flood-prone area and whether it was the reason for the loss of telecommunications across the region. Mr Peter Sutherland, Network Operations Executive, Telstra, clarified that the widespread disruption on the North Coast was not the result of the

<sup>156</sup> Submission 40, Telstra Corporation Limited, p 6; Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 38.

<sup>157</sup> Submission 40, Telstra Corporation Limited, pp 7-8.

<sup>158</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 40.

loss of the Woodburn mobile station but rather the result of power loss combined with 17 mobile base stations becoming inundated with water and 35 fibre optic cable connections breaking due to landslips.<sup>159</sup>

- 3.46** When further pressed about why the Woodburn mobile base station was located where it was, Mr Sutherland explained that it was built to serve the community of Woodburn, highlighting that telecommunications networks, particularly mobile networks, need to be close to the community they serve and that the further away they are, the less service they provide. Mr Sutherland also noted that if mobile networks are in flood-prone areas then all they can do is 'build the networks in a way that enables them to be restored as quickly as possible should an event occur'.<sup>160</sup>
- 3.47** With regard to what steps are taken following a flood, Mr Sutherland stated that Telstra conducts a review to determine the cause of the damage and what can be done to mitigate future events including steps to restore infrastructure in a way that is safer and less prone to incident in the future.<sup>161</sup>
- 3.48** The committee also questioned why satellite phones, which rely on radio communication, were not distributed to communities affected by the service disruptions.
- 3.49** While Telstra provided satellite phones when requested during the 2019-2020 bushfires, Mr Sutherland highlighted that Telstra did not receive requests for satellite phones during the February-March 2022 floods, noting that Telstra does not carry many satellite phones and that it is not a 'core business' of Telstra.<sup>162</sup>
- 3.50** At a hearing, Mr Sutherland agreed with the proposition that there could have been a role for the provision of satellite phones, adding that there 'could also be a role for pre-provisioning or pre-location of satellite phones to areas like police stations, council offices and ambulance centres to provide some form of emergency backup when communications fail' during a major disaster'.<sup>163</sup>
- 3.51** In answers to questions on notice, however, Telstra submitted that it was 'strongly of the view that the deployment of satellite phones ... during an emergency is not an accountability that should sit with Telstra'. The organisation argued that Telstra is not in a position to decide who should receive satellite phones nor does it have the logistics to transport the phones in an emergency. Telstra therefore recommended that the responsibility for this issue should sit with a government department or agency or other body with adequate visibility of the situation.<sup>164</sup>
- 3.52** Mr Sutherland accepted, though, that Telstra has a role to play in making communities aware of the risk to telecommunications networks in major disasters, and of the options available to communities to ensure they have emergency communications.<sup>165</sup>

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<sup>159</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 37.

<sup>160</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 37.

<sup>161</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 37.

<sup>162</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, pp 39 and 43.

<sup>163</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 39.

<sup>164</sup> Answers to questions on notice, Telstra, received 30 June 2022, p 4.

<sup>165</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 43.

- 3.53** In contrast to the telecommunications network for the general public, the committee heard that the Public Safety Network, which is a radio communications network for the use of emergency services agencies, worked 99.92 per cent of the time during the floods.<sup>166</sup>
- 3.54** The NSW Telco Authority maintains the Public Safety Network and operates the Telecommunications Emergency Management Unit (TEMU). Mr Greg Wells, NSW Government Chief Information and Digital Officer, explained that the TEMU acts as liaison between carriers, providers and emergency services to look for risks to provide safe access to sites for restoration and maintenance and to augment the public safety network for emergency responders as required.<sup>167</sup>
- 3.55** In response to questioning about why the Public Safety Network worked so well for the government while Telstra's systems failed, Mr Sutherland clarified that public safety networks are point-to-point radio networks that are typically built on high locations such as the tops of hills so they can communicate effectively between various regions. On the other hand, telecommunications networks are located within local communities to serve their communities and as a result may be built in areas that are more prone to flooding.<sup>168</sup>

### **Role of community radio**

- 3.56** While the ABC is the official emergency broadcaster, the committee heard that local radio played a significant role during the February-March 2022 floods, particularly in the Northern Rivers region. Stakeholders shared with the committee the benefits of community radio during a disaster and outlined ways in which the NSW Government can help strengthen their capacity.
- 3.57** The Community Broadcasting Association of Australia described community radio stations as a 'lifeline for their communities' during the floods. Keeping their communities up to date with emergency warnings and information when internet and phone lines were disconnected.<sup>169</sup>
- 3.58** The Association shared a number of examples of the role local radio stations played through the emergency and recovery phases of the floods:
- Richmond Valley Radio in Coraki shared urgent calls for help from people who could not get through to emergency services needing to be evacuated by boat
  - Paradise FM in Ballina shared hourly updates from the SES and connected people with clean up, accommodation and mental health advice
  - Bay FM in Byron helped connect people with services and information for those who were flood-affected, and coordinated relief efforts. It also provided a point of contact

<sup>166</sup> Evidence, Mr Greg Wells, New South Wales Government Chief Information and Digital Officer, 14 June 2022, p 39.

<sup>167</sup> Evidence, Mr Greg Wells, New South Wales Government Chief Information and Digital Officer, 14 June 2022, p 39.

<sup>168</sup> Evidence, Mr Peter Sutherland, Network Operations Executive, Telstra, 14 June 2022, p 42.

<sup>169</sup> Submission 20, Community Broadcasting Association of Australia, p 3.

where people could ask for help or volunteer their time, and shared information on the latest flood recovery information.<sup>170</sup>

- 3.59** According to stakeholders in the industry, the key benefit that differentiates community broadcasters from commercial and public broadcasters is the ability to use community contacts and local knowledge to provide timely information that is relevant to their local communities.<sup>171</sup>
- 3.60** Looking to the February-March 2022 floods specifically, Ms Mia Armitage, Anchor and Executive Producer at Byron's BayFM, highlighted that the ABC, as the emergency broadcaster, was unavailable in some parts of the Northern Rivers due to poor reception. In addition, the widespread nature of the floods meant that the ABC had to broadcast to a large geographical area and stop sharing information relevant to the North Coast at various times.<sup>172</sup>
- 3.61** Mr Vincent Stead, Committee Secretary at Lismore's River FM, stated that they were able to provide information on river heights before official information was coming out. Mr Stead further shared that the radio station had received feedback that people in their local community were able to evacuate in time due to the information that they had provided.<sup>173</sup>
- 3.62** While stakeholders spoke to the benefits of local radio during disasters, they also raised the need for a formalised model for the engagement of community broadcasters during emergencies, as well as the need for government support.
- 3.63** The Community Broadcasting Association of Australia highlighted that while the Royal Commission into National Natural Disaster Arrangements acknowledged the role of community radio when telecommunication services are not available, community radio stations carry out their work on an 'informal and ad hoc basis that is not well coordinated with the government response'.<sup>174</sup>
- 3.64** River FM suggested that there is a need for a centralised hub of information which is accurate, timely and complete, that both local broadcasters and emergency agencies can access.<sup>175</sup>
- 3.65** The Community Broadcasting Association of Australia and BayFM suggested that the NSW Government adopt the Victorian model which was implemented after a review of the 2009 Black Saturday fires. Under this model, community radio stations can be certified as official emergency broadcasters. These radio stations sign a memorandum of understanding with Emergency Management Victoria which outlines the key obligations of emergency broadcasters, including among other things: broadcasting warnings and information 24 hours

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<sup>170</sup> Submission 20, Community Broadcasting Association of Australia, p 3.

<sup>171</sup> Evidence, Mr Sean O'Shannessy, Present/Producer, 2NCR North Coast Radio Incorporated, River FM, 31 May 2022, p 31; Evidence, Mr Vincent Stead, Committee Secretary, 2NCR North Coast Radio Incorporated, River FM, 31 May 2022, p 31.

<sup>172</sup> Evidence, Ms Mia Armitage, Anchor and Executive Producer, BayFM Community Radio, 30 May 2022, p 19.

<sup>173</sup> Evidence, Mr Vincent Stead, Committee Secretary, 2NCR North Coast Radio Incorporated, River FM, 31 May 2022, p 31.

<sup>174</sup> Submission 20, Community Broadcasting Association of Australia, p 2.

<sup>175</sup> Evidence, Mr Sean O'Shannessy, Present/Producer, 2NCR North Coast Radio Incorporated, River FM, 31 May 2022, p 32.

a day, 7 days a week as directed; broadcasting the Standard Emergency Warning Signal when directed; and endeavoring to ensure that information broadcast during an emergency is accurate.<sup>176</sup>

**3.66** The Community Broadcasting Association of Australia stated that stations in Victoria have reported a strong working relationship with Emergency Management Victoria, that the information they receive is timely and the warnings and information they receive are read and broadcast verbatim.<sup>177</sup>

**3.67** Stakeholders also argued that there is a need for government support for local radio stations given that they are run by volunteers with little resources or infrastructure.<sup>178</sup> River FM advocated for better staffing as well as a change in communication culture and infrastructure including:

- power supply that is independent of the grid
- communications systems independent of the NBN and phone towers such as satellite networks
- a contact within the NSW SES
- integration into communications.<sup>179</sup>

**3.68** More broadly, the Community Broadcasting Association of Australia proposed that the NSW Government collaborate with the community broadcasting sector on a project to:

- identify the challenges, risks and needs of community broadcasters to ensure critical services remain resilient and on-air during natural disasters, emergencies and in recovery
- review the operating, funding and regulatory environment and how this can be improved to assist community radio stations perform their critical role both during and after natural disasters and emergencies.<sup>180</sup>

## Rescue and evacuation concerns

**3.69** A key element of the emergency response phase were evacuations and the rescue of flood affected residents and communities. Notwithstanding that many were rescued and evacuated safely, and evacuation centres were established to support those who were displaced, there were concerns that there was a lack of preparation, coordination and resourcing in relation to rescues and the establishment and operation of government evacuations centres.

<sup>176</sup> Submission 20, Community Broadcasting Association of Australia, p 5. See also, Evidence, Mr Nick Richardson, Management Committee, BayFM Community Radio, 30 May 2022, p 18.

<sup>177</sup> Submission 20, Community Broadcasting Association of Australia, p 5.

<sup>178</sup> See, Evidence, Mr Nick Richardson, Management Committee, BayFM Community Radio, 30 May 2022, pp 20 and 21; Evidence, Mr Sean O'Shannessy, Present/Producer, 2NCR North Coast Radio Incorporated, River FM, 31 May 2022, p 35.

<sup>179</sup> Evidence, Mr Sean O'Shannessy, Present/Producer, 2NCR North Coast Radio Incorporated, River FM, 31 May 2022, pp 34-35.

<sup>180</sup> Submission 20, Community Broadcasting Association of Australia, p 7.

**Rescues**

- 3.70** The NSW SES is responsible for coordinating and conducting flood rescues using trained personnel and specialist equipment, in accordance with the State Rescue Board Land Rescue Policy and the State Rescue Board Flood Rescue Policy.<sup>181</sup>
- 3.71** Notwithstanding the NSW SES's responsibility, a large number of rescues in the Northern Rivers region were undertaken by members of the public, who ignored government advice and took the matter into their own hands.
- 3.72** The NSW Government submitted that on 24 February 2022, the NSW SES requested assistance with flood rescues due to the volume of requests, seeking assistance from agencies including Fire and Rescue NSW, NSW Rural Fire Service, NSW Police Force, NSW Maritime, NSW Ambulance, Marine Rescue NSW, Surf Lifesaving NSW and the Volunteer Rescue Association.<sup>182</sup> As at 12 May 2022, 2,229 flood rescues were conducted from land, air and water, with 32,179 requests to NSW SES for assistance<sup>183</sup>
- 3.73** The committee heard concerns, however, around flood rescues, including concerns about a lack of resourcing and coordination with other emergency services agencies and tension with community-led rescues. There were also concerns about the lack of on ground evacuation support in some locations.
- 3.74** Flood affected residents spoke to their experience of seeking assistance from the NSW SES and 000. Some stakeholders were told that there would be no rescues until the morning. Others made repeated requests to emergency services agencies only to be rescued by community members instead, who were using their own boats and equipment.<sup>184</sup>

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<sup>181</sup> Submission 57, NSW Government, p 12.

<sup>182</sup> Submission 57, NSW Government, p 12.

<sup>183</sup> Submission 57, NSW Government, p 12.

<sup>184</sup> See for example, Submission 62, Mrs Veronica Coughlan, pp 2-6; Submission 29, Dannielle Pickford and Sarah Moran, p 29.



**An unanswered call for emergency assistance<sup>185</sup>**

At 5.30 am on Monday 28 February 2022, Mrs Veronica Coughlan, a Lismore resident, called 000 and asked for help as her son-in-law, Yoyok, was stranded on the roof of his home. Mrs Coughlan was connected to the NSW SES who assured her that 'an officer would be there as soon as possible'. She also called a friend with a small boat who went to rescue Yoyok. When the friend arrived at the edge of the water, the NSW SES asked him not to enter the water as it was too dangerous.

Mrs Coughlan and her family waited for the next five hours to hear from or see Yoyok. Eventually around mid-morning, Yoyok arrived at Mrs Coughlan's house with his dog, Hunter. Mrs Coughlan shared that 'the joyful ring of little girls' voices calling 'Daddy, Daddy, Daddy, Hunter' brought us all to tears'. Yoyok had been rescued by the son of a neighbour who had come in his fishing boat to rescue his mother on the same street.

On Tuesday afternoon, 1 March 2022, over 34 hours after her request for help, a police constable contacted Mrs Coughlan to check on the safety of Yoyok. Mrs Coughlan highlighted the distress of the situation, stating: 'The frightening experience was the false hope we had in our public services. It was very scary and has been the cause of some nightmares and sleepless nights'.

- 3.75** With regard to resourcing, the Lismore Citizens Flood Review Group reported that there were 17 NSW SES rescue boats during the height of the floods at the Lismore City Unit, but that the small number of trained boat rescue staff available restricted the number of people that were able to conduct water rescues.<sup>186</sup>
- 3.76** Mr Ed Bennett, Member of the Lismore Citizens Flood Review Group noted that for a local SES unit to cope with a major flood such as those in February-March 2022 it needs five times as much equipment and people to conduct boat rescues. He expressed the view that there would be a repeat of the situation if there was another flood of this magnitude due to the constraints in funding and problems with recruiting enough volunteers.<sup>187</sup> Mr Bennett also stated: 'Without that community response, the situation in terms of people being stranded and quite possible lives lost would have been much greater'.<sup>188</sup>
- 3.77** In addition to a lack of resourcing, some stakeholders felt that the NSW SES did not effectively coordinate with other rescue agencies such as Marine Rescue. Member for the Tweed, Mr Geoff Provest MP, contended that there were '\$2 million worth of Marine Rescue boats all keen and ready to go but they weren't tasked' because they were not trained in flood water.<sup>189</sup>

<sup>185</sup> Submission 62, Mrs Veronica Coughlan, pp 2-6.

<sup>186</sup> Submission 54, Lismore Citizens Flood Review Group, p 13.

<sup>187</sup> Evidence, Mr Ed Bennett, Member, Lismore Citizens Flood Review Group, 31 May 2022, p 44.

<sup>188</sup> Evidence, Mr Ed Bennett, Member, Lismore Citizens Flood Review Group, 31 May 2022, p 44.

<sup>189</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 3.

- 3.78** Inquiry participants expressed gratitude for those who performed rescues, but were largely critical of messaging from the NSW SES that the community should stop performing their own rescue.<sup>190</sup>
- 3.79** Ms Janelle Saffin MP, Member for Lismore, described community rescuers as the 'tinnie army'. She expressed dissatisfaction with the recission of a NSW SES Facebook post which encouraged locals with boats to help perform rescues. Ms Saffin argued that the NSW SES cannot do their job alone and that the local community must be incorporated in the flood response as a key feature of disaster preparedness.<sup>191</sup>
- 3.80** Mr Christopher Gulaptis MP, Member for Clarence, similarly suggested that this is an issue that needs to be reviewed, to better coordinate and train community members in emergencies, 'not just for their own safety, but to be more effective and efficient'.<sup>192</sup>
- 3.81** The Lismore Citizens Review Group highlighted that the NSW SES initially requested community assistance in rescues but later advised people to register and have their boats checked by NSW SES before heading out onto the water. The group argued that it showed 'how far removed from the result of the situation some decision makers were' and how important it was for flood management to be local.<sup>193</sup>
- 3.82** Some stakeholders observed that there was a lack of an emergency presence entirely in some First Nations communities. Mr Chris Binge, Chief Executive Officer of Jali Local Aboriginal Land Council, explained that the evacuation of Cabbage Tree Island near Ballina was a community evacuation effort by Jali Local Aboriginal Land Council staff who safely evacuated all 200 people from the island without support from emergency services. He described the safe evacuation of up to 200 people from the island as a 'miracle'.<sup>194</sup> Describing the evacuation efforts he stated:
- They gave us the alert, which was approximately between 5.30 a.m. and six o'clock on the morning of the floods ... From about six o'clock onwards we were out in the community doing the evacuations, knocking on doors, banging doors down, asking people to leave, which was an arduous task in itself, and then we had to go back on numerous occasions because we had people who were refusing to leave as well, who we eventually had to carry off in waist-deep water across the island.<sup>195</sup>
- 3.83** Similarly, Ms Arabella Douglas, Chief Executive Officer, Currie Country Group, spoke to the experience in the Tweed region, highlighting that the community played a role in rescuing and assisting people when this would normally be the role of rescue and support services. She

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<sup>190</sup> See, Submission 54, Lismore Citizens Flood Review Group, p 14; Evidence, Ms Janelle Saffin, Member for Lismore, 31 May 2022, p 2.

<sup>191</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 2.

<sup>192</sup> Evidence, Mr Christopher Gulaptis MP, Member for Clarence, 31 May 2022, p 3.

<sup>193</sup> Submission 54, Lismore Citizens Flood Review Group, p 14.

<sup>194</sup> Evidence, Mr Chris Binge, Chief Executive Officer of Jali Local Aboriginal Land Council, 14 June 2022, p 13.

<sup>195</sup> Evidence, Mr Chris Binge, Chief Executive Officer of Jali Local Aboriginal Land Council, 14 June 2022, p 13.

described the situation as 'diabolical and difficult and stressful', stating that she did not see 'any coordinated effort from government on the ground at all for the first seven days'.<sup>196</sup>

**3.84** NSW Government representatives largely disagreed with the characterisations put forward by inquiry participants of the government-led emergency rescues during the February-March 2022 floods.

**3.85** When asked about reports that there was confusion on the ground about rescues and a lack of coordination between agencies including Marine Rescue NSW, Commissioner York's response focused on the resources being limited and shared across the different locations affected by the February-March 2022 floods. She stated that the NSW Rural Fire Service aviation desk tasked the NSW SES with all available helicopters. She emphasised that this was across the east coast and that not all helicopters could be sent to Lismore as support was also needed on the Central Coast, in the Hawkesbury-Nepean Valley and in Shoalhaven. She added that 'as different events passed in urgency and criticality', resources were moved around.<sup>197</sup>

**3.86** Marine Rescue NSW Commissioner, Mr Stacey Tannos, clarified that the role of Marine Rescue, as a supporting agency to the NSW SES, is to provide support by way of boats, fuel trailers, logistics for moving people around, assisting in emergency operations centres or helping in evacuation centres. Commissioner Tannos acknowledged that some volunteers were 'very anxious' that they had boats that could not be used, explaining that not all vessels were appropriate for the situation. The committee heard that Marine Rescue NSW only deployed 24 of its approximately 80 vessels.<sup>198</sup>

**3.87** Similarly, Mr Mark Hutchings, Executive Director, Maritime NSW, advised that Maritime NSW is not a marine rescue agency but rather a support organisation. He highlighted that Maritime NSW staff are not trained to operate in swift water or do swift water rescues, nor are the vessels suitable for that kind of rescue. Rather, the key role of Maritime NSW was to provide logistical support, conduct evacuations where it was safe to do so and to move essential stores such as fuel. The organisation also responds to sunken vessels on request.<sup>199</sup>

**3.88** When asked why the NSW SES advised people not to conduct rescues in their own vessels, Commission York reflected on the danger of the situation and her safety obligations:

This is an extremely dangerous and perilous situation and event. As a commissioner of the SES, I must ensure that people are as safe as possible. Not only is there rubble, refuse, very swift flowing water, the contaminated water—going out is very dangerous. I have an obligation to try and keep the community safe, no matter what...<sup>200</sup>

**3.89** With regard to sending untrained staff and volunteers to conduct rescues, Mr Hutchings stated that 'there is no way that you would recommend or deliberately send staff in inappropriate boats, untrained, into that environment'. He advised that Maritime NSW has

<sup>196</sup> Evidence, Ms Arabella Douglas, Chief Executive Officer, Currie Country Group, 30 May 2022, p 10.

<sup>197</sup> Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 4.

<sup>198</sup> Evidence, Mr Stacey Tannos, Commissioner, Marine Rescue NSW, 15 June 2022, p 5.

<sup>199</sup> Evidence, Mr Mark Hutchings, Executive Director, Maritime NSW, 15 June 2022, p 8.

<sup>200</sup> Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 10.

legal responsibilities in this regard under work, health and safety legislation as a government agency. Commissioner York confirmed that the NSW SES has the same legal requirements.<sup>201</sup>

### Evacuation routes

- 3.90** Some inquiry participants identified concerns with evacuation routes, particularly for communities who became isolated due to flooding.
- 3.91** Turning first to the Hawkesbury local government areas, Cr Patrick Conolly, Mayor of the Hawkesbury City Council, identified eight major evacuation routes for Hawkesbury residents including: Pitt Town route, Windsor Road route, Hawkesbury Valley Way, Richmond Road route, The Northern Road route, Llandilo Road route, Londonderry Road route and Castlereagh Road route. These routes are a combination of local roads within the Hawkesbury, Blacktown and Penrith local government areas, access roads through the National Park, and state-controlled roads.<sup>202</sup>
- 3.92** The key concern for stakeholders in this area was the Pitt Town Evacuation route which uses local roads and access roads through Scheyville National Park. On its visit to the Hawkesbury region, the committee travelled along the route with Mr Peter Ryan, a representative of the Pitt Town Progress Association. In a video provided to the committee, the Progress Association explained that the condition of the roads on the evacuation route is 'extremely poor and deteriorating quickly with more rainfall and extensive use...'.<sup>203</sup>
- 3.93** The route is an unmarked, single lane road, with many potholes and trees in very close proximity to the road. Mr Ryan highlighted several potential hazards:
- that the close proximity of the trees presents a safety hazard in the event that trees block the road
  - the single lane means that if there were a collision, emergency services cannot easily access the incident
  - trucks and heavy vehicles travel through the route which breaks up the road.<sup>204</sup>
- 3.94** Cr Conolly also noted that at the time of writing answers to questions on notice to the committee in July 2022, the Hawkesbury region experienced further flooding during which issues with the evacuation route were 'exacerbated'.<sup>205</sup>

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<sup>201</sup> Evidence, Mr Mark Hutchings, Executive Director, Maritime NSW, 15 June 2022, pp 10-11; Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 11.

<sup>202</sup> Answers to questions on notice, Cr Patrick Conolly, Mayor, Hawkesbury City Council, received 8 July 2022, p 1.

<sup>203</sup> Video of Pitt Town Flood Evacuation Route, tendered by Mr Peter Ryan, Representative of Pitt Town Progress Association, 3 June 2022.

<sup>204</sup> Video of Pitt Town Flood Evacuation Route, tendered by Mr Peter Ryan, Representative of the Pitt Town Progress Association, 3 June 2022; Evidence, Mr Peter Ryan, 3 June 2022, p 20.

<sup>205</sup> Answers to questions on notice, Cr Patrick Conolly, Mayor, Hawkesbury City Council, received 8 July 2022, p 1.

- 3.95** Cr Conolly explained that the increase in urban development in Pitt Town, as approved by the state government has led to an increase in the use of the evacuation route. However, 'to date there has been no significant state government funding to improve the function and capacity of this evacuation route'.<sup>206</sup>
- 3.96** Mr Ryan argued that there is a need for a route that is two lanes the whole way through, and well drained, marked and maintained, without trees.<sup>207</sup> Cr Conolly noted that Transport for NSW is currently undertaking the Hawkesbury-Nepean Valley Road Resilience Program and 'strongly urged' that any available funding be allocated towards providing safe and reliable evacuation routes, particularly the Pitt Town Route.<sup>208</sup>
- 3.97** Looking to the Northern Rivers region where Ballina was completely isolated for three or four days, Mr John Truman, Director of Civil Services at Ballina Shire Council, stated that 'evacuation routes out of Ballina are essential, and also for resupply'. He highlighted that this was the reason why evacuation centres struggled with staffing as people could not physically come into town. Mr Truman concluded that the council had evacuation routes planned but had no funding source for the infrastructure.<sup>209</sup>
- 3.98** He also explained that the council usually invests in renewal and that it was difficult for the council to do more in terms of upgrading infrastructure.<sup>210</sup> Further discussion on the repair and funding of local infrastructure, including roads, is discussed in Chapter 5.

### Evacuation centres

- 3.99** Evacuation centres provide immediate emergency support, such as food, clothing and shelter for flood affected communities.<sup>211</sup> During the February-March 2022 floods, individuals sought emergency support from both government and community evacuation centres.
- 3.100** By way of background, the NSW Government advised that the Department of Communities and Justice (DCJ) is responsible for establishing and managing evacuation centres and coordinating the delivery of key welfare services. DCJ draws staff for its evacuation centres from its frontline staff in child protection and housing services who are trained in working with vulnerable people experiencing trauma. DCJ appoints an Evacuation Centre Manager, Disaster Welfare Team Leaders and Welfare Officers at every evacuation centre. In major evacuation centres, NSW Health also provides health services, including mental health services.<sup>212</sup>

<sup>206</sup> Answers to questions on notice, Cr Patrick Conolly, Mayor, Hawkesbury City Council, received 8 July 2022, p 1.

<sup>207</sup> Video of Pitt Town Flood Evacuation Route, tendered by Mr Peter Ryan, Representative of the Pitt Town Progress Association, 3 June 2022. Public forum, Mr Peter Ryan, 3 June 2022, p 20.

<sup>208</sup> Answers to questions on notice, Cr Patrick Conolly, Mayor, Hawkesbury City Council, received 8 July 2022, p 2.

<sup>209</sup> Evidence, Mr John Truman, Director of Civil Services, Ballina Shire Council, 30 May 2022, p 5.

<sup>210</sup> Evidence, Mr John Truman, Director of Civil Services, Ballina Shire Council, 30 May 2022, p 5.

<sup>211</sup> Submission 57, NSW Government, p 13.

<sup>212</sup> Submission 57, NSW Government, pp 13-14.

- 3.101** Evacuation Centre Managers lead and manage staff, government agency and community partner teams in the evacuation centre, escalate issues to the State Emergency Operations Centre or the DCJ Welfare District, and provide regular briefings to evacuation centre workers. Welfare Officers are responsible for:
- registering the welfare service of disaster affected people
  - assessing immediate needs and coordinating the provision of emergency support
  - identifying clients requiring referrals to other agencies according to established referral guidelines
  - conducting outreach to assess longer term recovery needs
  - providing information and assistance to facilitate access to other services.<sup>213</sup>
- 3.102** For the February-March 2022 floods, 80 evacuation centres were established, receiving 8,188 registrations.<sup>214</sup> Of these centres, 54 were located within the Northern Rivers region.<sup>215</sup> However, many inquiry participants indicated that there was a lack of preparedness, resourcing, staffing coordination and leadership across evacuation centres.
- 3.103** Local representatives from Byron and Ballina commented that there was a significant delay in staffing evacuation centres in their region, such that several facilities staffed and ran their own centres for up to a week before DCJ staff arrived.<sup>216</sup> Byron Shire Mayor, Cr Michael Lyon, highlighted that the NSW SES issued an evacuation warning advising that the evacuation centre at the Mullumbimby Ex-Services Club was ready to go when, in fact, there were no staff available when evacuees arrived. Many residents decided to go back to their flood-affected homes as a result.<sup>217</sup>
- 3.104** Lismore City Council stated that government agencies struggled to back-fill roles across emergency response facilities including evacuation centres. The Council pointed to an example at the Southern Cross University evacuation centre where a DCJ staff member was stood down (due to fatigue and to allow them to tend to their own damaged home) with no replacement, leading to a member of the public to appoint themselves as the Evacuation Centre Manager for some time. The Council also highlighted that it was asked to establish a second evacuation centre in Lismore using its own staff as DCJ did not have sufficient staff. Council staff ran the centre for two weeks before government support was offered.<sup>218</sup>
- 3.105** Professor Tyrone Carlin, Vice-Chancellor of Southern Cross University which accommodated the primary evacuation centre in Lismore, noted that many agencies were present at the centre but that there was a lack of a sense of authorised leadership, coordination and capacity. The

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<sup>213</sup> Submission 57, NSW Government, p 14.

<sup>214</sup> Submission 57, NSW Government, p 14.

<sup>215</sup> Evidence, Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, 15 June 2022, p 19.

<sup>216</sup> Evidence, Cr Michael Lyon, Byron Shire Council, 30 May 2022, p 4; Evidence, Ms Tamara Smith MP, Member for Ballina, 30 May 2022, p 4.

<sup>217</sup> Evidence, Cr Michael Lyon, Byron Shire Council, 30 May 2022, pp 4-5.

<sup>218</sup> Submission 63, Lismore City Council, pp 13-14; Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 5.

university found that they undertook 'some of that coordinating work whilst that capacity was being built up'.<sup>219</sup>

- 3.106** Some stakeholders expressed concern that there were no health support workers at the evacuation centres and that it was difficult to share vital health information and resources with evacuation centres.<sup>220</sup> Mr Wolfgang Smith, who provided mental health support to evacuees, contended that health responsibilities were not clear. Similarly, local health district involvement was limited and often arrived over a week after evacuation centres were set up. Instead, these roles were assumed by volunteer nurses, doctors and other health professionals.<sup>221</sup> (See Chapter 4 for a further discussion on the role of volunteer mental health professionals).
- 3.107** Other stakeholders highlighted additional staffing and resourcing issues, including the absence of security staff at evacuation centres,<sup>222</sup> and a shortage of essential items which charities provided instead.<sup>223</sup>
- 3.108** Some inquiry participants were particularly critical of Resilience NSW in their involvement with evacuation centres. Member for Lismore, Ms Janelle Saffin MP, argued that Resilience NSW was 'missing' in setting up and coordinating the centres. Ms Saffin acknowledged that it was difficult to bring staff in as some were flood affected themselves, but was critical that there were no contingency plans. She also alleged that Resilience NSW staff 'ordered out' DCJ staff from the Southern Cross University evacuation centre.<sup>224</sup>
- 3.109** When asked why this occurred, Ms Saffin responded that it appeared to be a 'demarcation issue':
- It appeared to be just a demarcation issue, like, "This is our job, we're in charge and we'll do it." That's the conversation I heard, which made no sense because in a disaster response you use the best people for the job at hand.<sup>225</sup>
- 3.110** Cr Steve Kreig, Mayor of Lismore City Council, believed it was a 'challenge' to have a public service agency run an evacuation centre because it is treated like a nine to five job when evacuation centres at the height of a disaster are a 24 hours a day, seven days a week job.<sup>226</sup>
- 3.111** The committee questioned NSW Government representatives about all of these concerns. With respect to the preparedness of DCJ in the establishment of evacuation centres, the committee sought clarification on how evacuation centres are established and operated, noting

<sup>219</sup> Evidence, Professor Tyrone Carlin, Vice Chancellor, Southern Cross University, 31 May 2022, p 15.

<sup>220</sup> See, Submission 67, Mr Wolfgang Smith; Evidence, Mr Simon Stahl, Chief Executive Officer, The Casino Food Co-Op, Northern Rivers Co-operative Alliance and Business Council of Co-operative and Mutuals, 1 June 2022, p 16.

<sup>221</sup> Submission 67, Mr Wolfgang Smith, pp 4 and 6-7.

<sup>222</sup> See, Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, pp 2 and 5; Public forum, Mr Big Rob, 31 May 2022, p 62.

<sup>223</sup> See, Public forum, Ms Sophie Devine, 3 June 2022, p 28.

<sup>224</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, pp 2 and 5

<sup>225</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 5.

<sup>226</sup> Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 5.

that the State Flood Plan identifies the NSW SES as responsible for establishing evacuation centres with no mention of Resilience NSW.

- 3.112** Commissioner Fitzsimmons explained that there is a pre-identified list of locations that can be used as evacuation centres, as determined by the Local Emergency Management Committee and Local Emergency Management Plan.<sup>227</sup> In a disaster, Commissioner York outlined that the NSW SES, in collaboration with the local emergency operations controllers which are local police commanders, determine the evacuation centres to be used based on whether they are safe for the community to access and are out of floodwaters.<sup>228</sup>
- 3.113** As per the Welfare Services Functional Plan, which describes the management and coordination of evacuation centres, DCJ manages evacuation centres with the police, particularly for major evacuation centres. Commissioner Fitzsimmons explained that the role of Resilience NSW under the Welfare Services Functional Plan is to make arrangements for emergency management including policy setting, training and coordination of local resources.<sup>229</sup>
- 3.114** The committee questioned what Resilience NSW staff were doing to support to evacuation centres when evidence suggested that they were missing during the operations. Commissioner Fitzsimmons stated that they provided assistance to local managers where needed, such as in logistics, triaging, organisation and management, welfare services or supporting DCJ and non-government organisations. He added that Resilience NSW fell under the control of local evacuation centre managers.<sup>230</sup>
- 3.115** When questioned about why the Mullumbimby Ex-Services Club was not appropriately resourced when the NSW SES issued its evacuation order, Commissioner Fitzsimmons explained that DCJ attempted to access the site but 'were all cut off due' to the floodwater on the night of 27 February 2022. He noted that DCJ instead managed the site remotely in 'constant engagement' with the club manager, with DCJ staff accessing the site on 1 March 2022 as soon as floodwaters receded.<sup>231</sup>
- 3.116** NSW SES Deputy Commissioner Daniel Austin, added that the evacuation order was issued earlier than anticipated, highlighting that the triggers for an evacuation order were met 'significantly before the expectation that that centre was going to be required to actually open'.<sup>232</sup>
- 3.117** The committee also asked for a response to Ms Saffin's evidence that Resilience NSW staff 'ordered out' DCJ staff at the Southern Cross University evacuation centre. Commissioner Fitzsimmons advised that he had 'no indication' from his team that 'any such thing occurred with us ordering DCJ out'.<sup>233</sup> In answers to questions on notice, DCJ stated that it was

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<sup>227</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, pp 6 and 21-22.

<sup>228</sup> Evidence, Ms Carlene York, Commissioner, NSW State Emergency Service, 15 June 2022, p 6.

<sup>229</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 6.

<sup>230</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, pp 6-7.

<sup>231</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 20.

<sup>232</sup> Evidence, Mr Daniel Austin, Deputy Commissioner, NSW State Emergency Service, 15 June 2022, p 10.

<sup>233</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 30.



'unaware of calls requesting more DCJ staff be provided for the Southern Cross University evacuation centre'. The department added that DCJ remained on site until its closure.<sup>234</sup>

- 3.118** The committee raised with NSW Health concerns that there is no support for those with mental health issues in evacuation centres who cannot readily see their doctors or access necessary medication. In response to questioning about whether the department would consider preparing advice for the government about how to address this issue, Dr Michael Bowden stated: 'We can provide that, but my understanding is that there are mental health workers within the evacuation and the recovery centres who are able to provide support so that people can access medications and so on...'<sup>235</sup>
- 3.119** More broadly, Commissioner Fitzsimmons stated that he had engaged a formal review into the management of evacuation centres.<sup>236</sup>
- 3.120** The committee explored ways in which the management of evacuation centres could also be improved. The committee questioned whether the NSW Government could better prepare evacuation centre staff by providing them with essential information on the role of evacuation centres and contact details of support services. Commissioner Fitzsimmons was open to this, and responded: 'I won't proffer the solution now, but that's exactly the sort of thing we are seeking to explore about how that gets better'.<sup>237</sup>
- 3.121** In addition to concerns with government-run evacuation centres, stakeholders provided evidence on the experience of community-run evacuation centres and their interaction with government agencies. Ultimately, the committee heard that there was no formal recognition or interaction with community-run evacuation centres by DCJ or other government agencies.
- 3.122** Reflecting on community-led evacuation centres in Nimbin, The Channon and Dunoon, Lismore City Council highlighted that because these centres were not formally established or staffed by government agencies, they were not formally recognised in the processes of the emergency operations centre. The council argued that the absence of formal recognition means that statistics for these centres are not recorded and the cost of response activities is therefore underestimated.<sup>238</sup>
- 3.123** As outlined below, the Principal of Xavier College Ballina, Mr Kevin Lewis, shared his experience of opening up the College as an evacuation centre and his interactions with DCJ.

<sup>234</sup> Answers to questions on notice, Department of Communities and Justice, received 15 June 2022, p 8.

<sup>235</sup> Evidence, Dr Michael Bowden, Acting Chief Psychiatrist, NSW Health, 15 June 2022, p 33.

<sup>236</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, pp 33-34.

<sup>237</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 34.

<sup>238</sup> Submission 63, Lismore City Council, pp 14-15.

**Xavier Catholic College**<sup>239</sup>

Following a Facebook post on 1 March 2022 requesting new evacuation centres, Mr Kevin Lewis, Principal of Xavier Catholic College, opened the college as an evacuation centre only to be informed soon after that the school should cease operations as it was not officially accredited as an evacuation centre. Evacuees were then relocated and staff sent home.

However, 'not five minutes' after Mr Lewis arrived home, a DCJ representative contacted him requesting that he reopen the school, advising that the relevant accreditation would be completed. Mr Lewis stated: 'He pleaded and indicated that all necessary documentation was being completed on our behalf, so what could I do? We reopened'.

The school accommodated up to 700 people at any one time, and housed, in addition to flood affected families and individuals, individuals from two nursing homes and a hospital. Staff and families fed evacuees and provided specialised meals for hospital staff and volunteers. Staff toileted and washed aged care residents who had no support. Families collected laundry and washed them at home. Students provided respite for families with movie rooms, game rooms and outside play to allow parents to rest. Staff acted as security, used their own data and social media accounts for communications, and received, sorted and stored donations, and registered names and contact details on the Red Cross site for evacuees with little to no guidance.

According to Mr Lewis, the involvement and follow up from DCJ was limited. Mr Lewis was complimentary of the DCJ staff member who was actively involved in the initial stages. However, he described the replacement crew as 'a little confronting' and felt that the involvement in the entire school site was 'lacking'.

Following the site's closure as an evacuation centre, the school received thank you letters and emails from the North Coast local health district, the Ballina hospital and evacuees, and words of support from surrounding schools and other connections. As of 30 May 2022, the school had received no official communication from DCJ.

The school incurred costs of \$30,769.26 for use as an evacuation centre including cleaning, relocating donated goods, disposing unusable goods and replaced equipment that was broken or had gone missing, none of which was covered by insurance.

**3.124** The committee sought clarification from DCJ as to the circumstances relating to Xavier Catholic College's accreditation as an evacuation centre. On the issue of who provided the accreditation, Ms Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, confirmed that DCJ staff ended up providing the necessary accreditation: 'My understanding is that it was our staff who accredited the thing, and it was done in an ongoing discussion with the principal and deputy principal in light of an emerging situation'.<sup>240</sup>

<sup>239</sup> Evidence, Mr Kevin Lewis, Principal, Xavier Catholic College, 30 May 2022, pp 44-46; Answers to questions on notice, Mr Kevin Lewis, Xavier Catholic College, received 27 June 2022, p 1.

<sup>240</sup> Evidence, Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, 15 June 2022, p 19.

**3.125** DCJ elaborated that the assistant principal of the school suggested to DCJ that it could be used as an evacuation site. The department then consulted with the Local Emergency Management Committee, and sought approval and authorisation for the college to be accredited. DCJ also clarified that it is not responsible for accreditation but will liaise with relevant emergency management stakeholders 'should there be an urgent need to think and act quickly to support the community'. DCJ added that it was 'not aware of any prior conversations with the Xavier Catholic College principal regarding the site being used as an evacuation centre'.<sup>241</sup>

### Animal welfare concerns

**3.126** In addition to houses being damaged and people being displaced, the February-March 2022 floods also had a significant impact on animals, particularly in the Northern Rivers region. The committee heard of large numbers of animals being killed, displaced, isolated and/or injured.

**3.127** Several submission authors highlighted the impact of the floods on animals.

- 'Hundreds of cattle we estimate were displaced onto other farms different from their original farm. Many cattle were isolated in areas not visible by anybody except from the air. Many cattle were isolated on roads, on crown lands, on buildings'.<sup>242</sup>
- 'Conservatively, it is estimated that between 8,000 and 10,000 animals were lost due to flooding. Ongoing animal health and welfare issues were observed, including foot issues and mastitis. Injuries to livestock were also common as stock were required to move through water littered with debris'.<sup>243</sup>
- 'Many animals have gone missing, many pets have gone missing, many animals are unaccounted for, pet owners who have lost their homes are struggling to find pet friendly accommodation'.<sup>244</sup>
- 'Thousands of cattle, many horses and numerous other animals were swept away and it was left to volunteer vets and community members to raise funds for helicopters to go looking for them and to help with rescuing them'.<sup>245</sup>

**3.128** The committee further heard that animal welfare remains an ongoing concern of communities affected by the floods.

- 'Cattle ... need urgent agistment to get them out of this prolonged wet weather, because they are losing body condition, many are lame, they are cold from being in cold mud constantly, and they are short of feed'.<sup>246</sup>

<sup>241</sup> Answers to questions on notice, Department of Communities and Justice, received 1 July 2022, p 2.

<sup>242</sup> Submission 27a, Dr Bruno Ros, Senior Veterinarian and Director, North East Equine Veterinary Services, p 2.

<sup>243</sup> Submission 43, NSW Farmers Association, p 7.

<sup>244</sup> Submission 55, North Byron District Activation, p 15.

<sup>245</sup> Submission 38, Susie Header, p 2.

<sup>246</sup> Submission 27, Dr Bruno Ros, North East Equine Veterinary Services, p 4.

- 'These floods have held water for over a month on some farms with many animal welfare issues now coming forward due to access and the duration of the wet weather which brings disease'.<sup>247</sup>
- 'The flood waters brought silt and debris onto pasture. This has resulted in loss of hay production and immediate fresh feed. One dairy farmer has estimated that for a herd of 200 dairy cattle, 4 tonnes of fodder will be required per day before the pasture regrowth occurs – conservatively next spring'.<sup>248</sup>

**3.129** Veterinarians involved in responding to the February-March 2022 floods suggested that the immediate government response to animal welfare concerns was not timely, well communicated or coordinated.

**3.130** The committee heard from Dr Bruno Ros, Senior Veterinarian and Director, North East Equine Veterinary Services, who gave evidence that he was on the ground from 'day one' of the crisis, and repeatedly tried to contact the Department of Primary Industries in order to provide local information and assist the crisis response. Mr Ros explained that he was not able to establish lines of communication with the Department and instead had to rely on his own resources and local community to carry out a response.<sup>249</sup>

**3.131** These concerns were shared by Dr Philippa Johnston, Veterinarian, Tenterfield Veterinary Clinic, who reported to the committee that despite registering to participate in the emergency response on a professional volunteer basis, she did not receive any communication from relevant government agencies:

As a veterinarian, I followed the correct albeit convoluted pathway to register and participate on a professional volunteer basis ... I went that correct pathway and I still received no instruction, no daily updates and no information was given to me.<sup>250</sup>

**3.132** Dr Johnston argued that, in the absence of any directions, coordination or information from government agencies, she was obliged to self-fund and self-organise a response to the acute animal welfare crisis, collaborating directly with other local veterinarians.<sup>251</sup>

**3.133** Dr Johnston had a specific concern that the failure of the government to respond within the critical 72 hour window, in terms of providing food and shelter in an emergency context, was a breach of the Prevention of Cruelty to Animals (POCTA) Regulation 2021.<sup>252</sup>

**3.134** Dr Johnston explained to the committee, 'early provision of fodder needs to be addressed in a timely manner to increase the survivability of flood affected stock'.<sup>253</sup>

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<sup>247</sup> Submission 25, Ms Debra Novak, p 4.

<sup>248</sup> Submission 43, NSW Farmers Association, p 8.

<sup>249</sup> Evidence, Dr Bruno Ros, Senior Veterinarian and Director, North East Equine Veterinary Services, 31 May 2022, p 38

<sup>250</sup> Evidence, Dr Philippa Johnston, Veterinarian, Tenterfield Veterinary Clinic, 31 May 2022, pp 37-40.

<sup>251</sup> Submission 28, Dr Philippa Johnston, p 2.

<sup>252</sup> Answers to questions on notice, Dr Phillipa Johnston, Veterinarian, Tenterfield Veterinary Clinic, received 7 July 2022, p 5.

<sup>253</sup> Submission 28, Dr Philippa Johnston, p 1.

**3.135** Noting that timely provision of fodder can result in improved welfare outcomes for flood affected animals, Dr Ros stated:

Early provision of quality hay to stressed/displaced/shocked/injured livestock improves their chances of survival. It helps restore energy, helps with thermoregulation which is important given the fact stranded animals have been in cold water for extended times and have often either swum or floated for many kilometres in cold water.<sup>254</sup>

**3.136** Dr Johnston and Dr Ros both asserted that government agencies did not activate aircraft for the provision of fodder to isolated livestock until five or six days after the flood event, expressing concern that this was well beyond the critical 72 hour window.<sup>255</sup>

**3.137** In response to these claims, the government advised that 'from 5 March [5 days post-flood] we had helicopters available to distribute fodder',<sup>256</sup> and that this was in addition to fodder being available from 'a pick up site at Norco [that] was operational from day three'.<sup>257</sup>

**3.138** Providing context, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, NSW Department of Primary Industries, suggested that although 'the priority for us was to get in there as soon as we could', flood affected livestock were 'typically animals that, in this case, were in quite good condition'.<sup>258</sup>

**3.139** Mr Tracey provided further clarification that helicopter deployment is coordinated through the State Air Desk, and that 'the priority there is on rescue attempts'.<sup>259</sup>

**3.140** The committee also heard concerns that the government response was overly reliant on a 1800 hotline number for livestock owners to request assistance, which may have resulted in an underestimate of the scale of the crisis, and the under provision of emergency assistance to animals in need.

**3.141** Dr Ros explained several problems that emerged, in his view, due to the overreliance on a hotline phone number to coordinate the government response to the post-flood animal welfare emergency.

- Farmers were evacuated and isolated from their properties due to floodwater, and therefore may not know the location or condition of their animals in order to report them.

<sup>254</sup> Submission 27a, Dr Bruno Ros, Senior Veterinarian, Director, North East Equine Veterinary Services, p 2.

<sup>255</sup> See Submission 28, Dr Philippa Johnston, pp 1-3 and Submission 27a, Dr Bruno Ros, pp 1-2.

<sup>256</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 2022, p 83.

<sup>257</sup> Answers to questions on notice, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 5 July 2022, p 82.

<sup>258</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 2022, p 82.

<sup>259</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 2022, p 82.

- Animals were often stranded on the sides of roads, or a long way from their farm, and could only be identified by aerial survey.
  - At the time of the crisis, livestock owners often did not have electricity or telecommunications, so even if the locations of the animals were known, farmers would not be able to access the hotline.
  - Awareness of the hotline number was low amongst the community.<sup>260</sup>
- 3.142** Dr Phillipa Johnston supported the view that the hotline-based approach was insufficient, and that proactive aerial surveys were required to identify stock in need of attention.<sup>261</sup>
- 3.143** Dr Johnston contended that the barriers to reporting via the hotline may have contributed to the perception that 'the scale of the animal welfare event was underestimated, especially by the government, particularly in the initial stages'.<sup>262</sup>
- 3.144** To provide aerial surveillance and provision of veterinary attention and fodder to isolated animals, Dr Ros privately organised two helicopters, fuel and volunteers, and was able to assist 'hundreds of cattle and horses'.<sup>263</sup>
- 3.145** In its submission, the NSW Government noted that animal welfare support was provided by 395 personnel deployed via the Department of Regional NSW as part of the Animal Services Functional Area. The support provided included:
- 3,403 calls to the Agriculture and Animal Services hotline
  - 2,011 requests for assistance received (100% complete as of 14 April 2022)
  - distribution of 2,453 tonnes of fodder, in response to 885 landholder requests
  - direct rehoming of nearly 1,000 head of cattle displaced by floodwaters, and rehoming facilitated for another 5,000 head of cattle.<sup>264</sup>
- 3.146** The NSW Government further noted that the Environment Protection Authority has undertaken removal of 1258 animal carcasses, to 18 May 2022.<sup>265</sup>
- 3.147** The committee asked Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, to comment on public criticism of the Chief Veterinarian for not visiting flood affected areas as part of the government response. Mr Tracey explained that:

It was 25 February when we initiated the flood response. On that same day we had a detection, or multiple detections, of Japanese encephalitis confirmed. It's a category 1

<sup>260</sup> Evidence, Dr Bruno Ros, Senior Veterinarian and Director, North East Equine Veterinary Services, 31 May 2022, pp 39-40.

<sup>261</sup> Answers to questions on notice, Dr Phillipa Johnston, Veterinarian, Tenterfield Veterinary Clinic, received 7 July 2022, p 4.

<sup>262</sup> Evidence, Dr Johnston, Veterinarian, 31 May 2022, p 37.

<sup>263</sup> Submission 27, Dr Bruno Ros, p 4.

<sup>264</sup> Submission 57, New South Wales Government p 16.

<sup>265</sup> Submission 57, New South Wales Government, p 22.

exotic animal disease and that means that it has human health implications... That triggered a national response. There was, as you would imagine, a very urgent need for the chief vet to put an emergency structure in place for the Japanese encephalitis response in relation to that.<sup>266</sup>

**3.148** The committee also requested Mr Tracey respond to allegations that 'the government was missing in action' in the days immediately after the February-March 2022 floods. In response, Mr Tracey explained that the Department of Primary Industries:

- 'initiated a response on 25 February, which was three days prior'
- had 13 staff on the ground by 28 February in the local control centre
- 'overall, had 395 staff engaged at different parts in the response'.<sup>267</sup>

**3.149** Mr Tracey further explained that veterinary assistance is arranged via an existing memorandum of understanding with organisations such as the Animal Welfare League and the RSPCA. This led to these organisations being engaged on 28 February 2022 to assist, with district veterinarians from Local Land Services also activated to respond.<sup>268</sup>

**3.150** Mr Tracey also sought to explain to the committee what action the Department of Primary Industries is taking post-event, in order to improve the animal welfare response in future floods. Mr Tracey explained that an 'after-action' review is being undertaken by an 'independent person' to identify learnings from the event. Regarding this review, Mr Tracey explained the scope and some initial findings.

- In excess of 400 interviews have been conducted with 'farmers, private vets and internal staff'.
- Use of, and access to, Department research stations by other government agencies including NSW Police has been noted as highly valuable during the response to the floods.
- To deal with multiple concurrent crises, expansion of Department training programs might be required, to build on the current network of 500 'highly trained' staff and 1600 staff with 'foundational training'.
- The 'critical' importance of well-developed local relationships, with local commercial operators such as Norco or with private veterinarians, should be leveraged in an emergency to assist 'immediately'.<sup>269</sup>

<sup>266</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 202, p 75.

<sup>267</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 202, p 78

<sup>268</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 202, p 78

<sup>269</sup> Evidence, Mr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW, 15 June 202, pp 75-76.

## Committee comment

- 3.151** Timely, accurate and clear public communication is critical for safe evacuation and rescue in serious flooding events. It is therefore especially concerning to hear about the failures in public communication during such a catastrophic flooding event.
- 3.152** In the committee's view, the NSW SES issued warnings that were out of date and contained confusing or inaccurate information, hindering flood preparation and evacuation efforts. Alarming, some locations did not receive any warnings at all, and communities were caught off guard as the flooding worsened. There is no doubt that this contributed to the risks posed to people's lives, and hindered opportunities some may have had to evacuate and limit property damage.
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### Finding 7

That the NSW State Emergency Service failed in its public communication of flood warnings and evacuation information during the February-March 2022 floods, by issuing out of date, inaccurate and confusing messages.

### Recommendation 5

That the NSW Government work with the Commonwealth to develop a national cross-agency app to integrate all community services and agencies into a single platform so that everyone can receive accurate and timely information from one source during emergencies.

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- 3.153** The committee agrees there would be benefit in having local community input into public communication of flood warnings and evacuation orders. The committee also believes that there would be merit in the NSW SES partnering with the Bureau of Meteorology to investigate ways in which local community can play a stronger role in flood predictions and warnings.
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### Recommendation 6

That the NSW State Emergency Service, in partnership with the Bureau of Meteorology, investigate ways in which local communities and local media with local knowledge can play a stronger role in flood predictions and warnings.

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- 3.154** At the end of the day, flood warnings and evacuation orders by the NSW SES are based on the information provided by the Bureau of Meteorology. If current rain data infrastructure and flood modelling failed to predict the magnitude of flooding experienced in February-March 2022, then clearly there is a need to enhance our approach, technology and infrastructure. The forecasting locations need to be reviewed, the placement of rain gauges needs to be considered and we need to have the most sophisticated and up to date rain data infrastructure available.
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### Recommendation 7

That the NSW Government advocate through the National Cabinet for the Bureau of Meteorology to review its rain data infrastructure and flood modelling tools, to ensure forecasting locations, rain and flood gauges and other infrastructure are appropriately placed, maintained and updated.

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- 3.155** The committee acknowledges that disruptions to essential services such as telecommunications are inevitable during a natural disaster. However, it was extremely concerning that there were several communities completely isolated for a lengthy period of time.
- 3.156** In our view, Telstra has not learnt from previous flood experiences. Instead of relocating mobile phone towers to higher ground, it continues to place support equipment and energy supply at ground level, rendering them useless during floods.
- 3.157** The committee appreciates that telecommunication services such as Telstra worked hard to restore services as soon as it was safe to do so, but more needs to be done to mitigate a complete loss of communication in natural disasters. The committee therefore recommends that the NSW Government, in consultation with telecommunication providers and satellite communication providers, investigate ways to minimise the loss of telecommunication services in natural disasters. In doing this, particular consideration should be given to the distribution of satellite phones and satellite terminals to community hubs in flood prone areas and other strategies which would assist communities highly likely to become isolated in a natural disaster.
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### Finding 8

That NSW Government agencies and telecommunications providers failed to ensure that communities affected by the February-March 2022 floods had adequate emergency communications capabilities.

### Recommendation 8

That the NSW Government, in consultation with telecommunication providers and satellite communication providers, investigate ways to minimise the complete loss of telecommunication services in natural disasters, including:

- the distribution of satellite phones and satellite terminals to community hubs in flood prone areas
  - the prioritisation of services for communities that are highly likely to become isolated in a natural disaster
  - the establishment of appropriate protocols to ensure that this equipment is readily available and 'charged' for use with a battery supply.
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- 3.158** The committee recognises the valuable role community broadcasters played in the emergency response, particularly in the Northern Rivers region, where many people were without phone or internet services. Local radio stations are an example of community organisations that the government needs to better incorporate into emergency responses. Even though the ABC is
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the national emergency broadcaster, it clearly does not have capacity to reach or assist all flood affected communities at once, particularly at a very localised level over many days. We also cannot solely rely on information distribution via social media, websites and mobile phones.

- 3.159** There is a need to ensure that public communication strategies are accessible and diverse, meeting the needs of all individuals and communities. The NSW Government should look broadly at its public awareness and communication strategies in relation to natural disasters including the information it provides as a crisis is unfolding.
- 3.160** The committee also agrees with stakeholders that it would be beneficial for the NSW Government to engage with the community broadcasting sector to identify ways in which community broadcasters could be better supported to provide critical services during disasters.
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### **Recommendation 9**

That the NSW Government review its public awareness and communication strategies in relation to natural disasters.

### **Recommendation 10**

That the NSW Government work with the community broadcasting sector to identify ways in which community broadcasters could be better supported to provide critical services during natural disasters, with a view to providing them adequate long term funding.

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- 3.161** The committee was especially concerned that calls to 000 and NSW SES went unanswered and emergency requests were unfulfilled, with some people stranded on their roof, rescued only through the goodwill of neighbours who went into dangerous floodwaters using their own vessels to conduct lifesaving rescues.
- 3.162** Although the committee acknowledges the bravery of those volunteers, the fact that there was such a large contingent of volunteer rescuers demonstrates a failure of government rescue agencies. Communities deserve to feel confident during any natural disaster that they will receive emergency help from government agencies when they need it. Calls to emergency providers should not go unanswered, and assistance should be timely, well planned and coordinated at all levels.
- 3.163** The committee understands that in many cases supporting rescue agencies did not have the skilled personnel or the required vessels to conduct dangerous rescues in swift waters. Considering that climate change means more frequent and severe floods, the NSW Government needs to invest in the required personnel, training and vessels to ensure that all agencies involved in flood rescue can be mobilised to their fullest potential.

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**Finding 9**

That, notwithstanding the role of the NSW State Emergency Service to perform rescues, individual members of the community had no other option but to ignore government advice and save lives, which was only possible due to local and historical knowledge and local communication, given information from the NSW State Emergency Service and the Bureau of Meteorology was incorrect and out of date.

**Recommendation 11**

That the NSW Government invest in the required personnel, training and vessels to ensure that all agencies involved in flood rescue can be mobilised to their fullest potential.

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- 3.164** Evacuation routes are important features, particularly for communities that are likely to be isolated in the event of a natural disaster. Having travelled along the Pitt Town Evacuation Route in the Hawkesbury region, we saw that the route is not fit for purpose and in fact can hinder safe evacuation. The committee agrees with the Hawkesbury City Council that the NSW Government should allocate funding for the improvement of the Pitt Town Evacuation Route and other key possible evacuation routes in Sydney's northwest.
- 3.165** More generally, local councils need greater funding that enables them to invest in betterment projects and other flood mitigation measures. This is considered in more detail in Chapter 5.
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**Recommendation 12**

That the NSW Government allocate funding to the improvement of the Pitt Town Evacuation Route and other key possible evacuation routes in Sydney's northwest.

**Recommendation 13**

That the NSW Government work with local governments to identify alternative routes to vulnerable roads, and that the NSW and Australian Governments fund the construction of these important routes to improve evacuation and access options in times of disaster.

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- 3.166** The committee was deeply concerned to receive evidence that evacuation centres were under-resourced and under-staffed. Evacuation centres are vital to providing immediate assistance to flood affected victims, many of whom have nowhere to live, no food or money, and understandably, are distressed, overwhelmed and needing physical and mental support.
- 3.167** Based on the evidence, the establishment and operation of evacuation centres fell short of expected standards, characterised only by poor planning and a lack of co-ordination, particularly with external stakeholders such as not-for-profit and community partners. There was also evidence that evacuees were not consistently registered when they arrived at evacuation centres, making it difficult to ascertain the real impact of the floods. Perhaps most importantly, there was no sense of authorised or consistent leadership in the management of many of these centres, leading to confusion in roles, expectations and service delivery.
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- 3.168** While the NSW SES identifies the evacuation centres to be established and the Department of Communities and Justice is in charge of operations, it is still unclear to the committee where Resilience NSW fits into this picture.
- 3.169** While many evacuation centres were operated by the NSW Government, others were, thankfully, established and run by community groups. The case study about Xavier Catholic College was extraordinary. Staff, students and families rallied to set up and run an evacuation centre which accommodated aged care facilities and a hospital in addition to families and individuals. It was therefore disappointing to hear that the College has received no formal recognition or reimbursement for their efforts. The situation around the College's accreditation was perplexing and speaks to the government's lack of planning for community established evacuation centres.
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**Recommendation 14**

That the NSW Government consider reimbursing Xavier Catholic College and other community groups and organisations that operated evacuation centres.

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- 3.170** Failing to prepare for community evacuation centres also means that the full impact of the February-March 2022 floods was not captured. The number of evacuees at and the costs of operating these centres were not recorded in official figures. Additionally, community evacuation centres did not receive much support through funding or training.
- 3.171** New South Wales has experienced natural disasters before, and it is unacceptable that the management of evacuation centres, a critical feature of any major natural disaster, fell so short during the February-March 2022 floods.
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**Finding 10**

That the NSW Government's management of evacuation centres in the February-March 2022 floods lacked coordination and leadership, and failed to clearly incorporate the role of community organisations.

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- 3.172** We understand that Resilience NSW is conducting a review into the management of evacuation centres. This review should take a holistic approach and consider the NSW Government's support of community evacuation centres. We recommend that the outcomes of this review be published and that any plans relating to evacuation centres be updated accordingly.
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**Recommendation 15**

That the NSW Government ensure that the current review of evacuation centres considers the role, accreditation and support of community evacuation centres, with the outcomes of this review to be made public and incorporated into the update of state emergency plans.

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- 3.173** Finally, the committee notes with concern the perception among local professional veterinarians in the Northern Rivers that relevant government agencies, such as Local Land Services and the Department of Primary Industries, were not quick to respond to animals and livestock in need after the floods.
- 3.174** The committee acknowledges the evidence provided by government witnesses that the relevant agencies did undertake a significant number of operations to assist flood affected livestock and owners. However, it is clear that there were no lines of communication with local veterinarians on the ground during the immediate response to the floods to explain the extent of these operations or how they could be involved. In the absence of any clear communication about the government response, local veterinarians provided much needed animal welfare support.
- 3.175** The government undertook a largely passive approach to animal welfare, relying on animal owners to ring a hotline to request assistance. The committee can see the problems with such a system when owners may be isolated from their properties or unable to access telecommunications. The committee heard that local veterinarians tried to contact relevant government agencies with critical information to no avail. It is unacceptable that in a time of crisis that government agencies would refuse to accept information from experts on the ground that are able to provide local intelligence. The NSW Government should develop a more proactive, rapid response to manage animal welfare following natural disasters which includes improved collaboration and communication with local veterinarians and animal welfare organisations.

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**Finding 11**

That the NSW Government's management of animal welfare – especially livestock - in the days after the February-March 2022 floods lacked visible leadership, and failed to leverage support from local practicing veterinarians.

**Recommendation 16**

That the NSW Government develop a more proactive, rapid response to manage animal welfare following natural disasters which includes improved collaboration and communication with local veterinarians and animal welfare organisations.

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## Chapter 4 Recovery and support

After the emergency response in a natural disaster, the focus turns to recovery. This chapter focuses on the support provided to flood affected individuals in the recovery phase following the February-March 2022 floods. With Resilience NSW responsible for flood recovery, this chapter sets out concerns related to the adequacy of recovery centres, financial assistance and mental health support, which are critical to the long term recovery of flood affected residents and communities.

### Integrating communities into recovery

- 4.1** While Resilience NSW is the lead agency for flood recovery, many community groups provided much needed support to flood affected individuals. The committee heard that Resilience NSW failed to effectively engage with these groups which would have appreciated government support and collaboration.
- 4.2** The committee received a significant amount of evidence supporting the need for community groups to be embedded within the government's recovery response and framework. Some community groups who stepped up to assist communities after the February-March 2022 floods noted that they had very little interaction with Resilience NSW.
- 4.3** Ultimately, Cr Elly Bird, Coordinator at Resilient Lismore, expressed disappointment that Resilience NSW was not set up to work alongside or support community groups:

When Resilience NSW was set up, I was very hopeful that they would have a place-based, community-led model and that the people who were employed for Resilience NSW would be situated within the community and then willing, ready and able to stand up alongside the community to coordinate the recovery. That has not been the experience, and I think that is a great loss because best recovery is community-led recovery and is based on trust and relationships within the community.<sup>270</sup>

- 4.4** Cr Bird shared that one of her 'biggest complaints' was that she did not have 'a point person [at] Resilience NSW'. She added that she had repeatedly made this request to Resilience NSW to no avail. Rather she was given a generic email address with all her emails left unanswered.<sup>271</sup>
- 4.5** Similarly, Ms Naomi Moran, General Manager at Koori Mail, stated that the engagement of Resilience NSW with Koori Mail has been 'extremely little'.<sup>272</sup>
- 4.6** Reflecting on their experiences, these inquiry participants highlighted that recovery work should be led by community, with the government providing resources and support to community groups to assist with this function. For example, Ms Moran suggested that there is a need to establish and support a First Nations responder team which can provide support to First Nations communities during a disaster in a 'culturally safe and appropriate' way.<sup>273</sup>

<sup>270</sup> Evidence, Cr Elly Bird, Coordinator, Resilient Lismore, 31 May 2022, p 52.

<sup>271</sup> Evidence, Cr Elly Bird, Coordinator, Resilient Lismore, 31 May 2022, p 49.

<sup>272</sup> Evidence, Ms Naomi Moran, General Manager, Koori Mail, 31 May 2022, p 51.

<sup>273</sup> Evidence, Ms Naomi Moran, General Manager, Koori Mail, 31 May 2022, p 50.

- 4.7 Mr Joel Orchard, a volunteer coordinator at Wardell Community Organised Recovery Effort (Wardell CORE), highlighted that government literature on recovery demonstrates that 'community-led recovery centres are absolutely the best and most agile way for recoveries to be successful'. He subsequently questioned why the government has not put this into action or why support has not been available for community-led recovery to be sustainable.<sup>274</sup>
- 4.8 The committee explored whether community groups would benefit from a standing agreement with Resilience NSW so that they can receive funding and support as soon as a disaster occurs. Reflecting on the Northern Rivers as a flood-prone region, Ms Moran stated: 'It just blows my mind that this hasn't happened already'.<sup>275</sup> Cr Bird was supportive of the idea but noted that 'government needs to prepare for emergent groups'.<sup>276</sup>
- 4.9 At the committee's hearing on 15 June 2022, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, highlighted that the NSW Government 'recently finalised and announced funding support' for community groups with money to be delivered from the beginning of July 2022.<sup>277</sup>
- 4.10 With regard to setting up standing arrangements with community groups ahead of time, Commissioner Fitzsimmons outlined that Resilience NSW 'is seeking to formulate MOUs [memorandums of understanding] at state and local levels to see how we fully utilise and work together to understand what's on offer and how we can best work together as government and non-government organisations'.<sup>278</sup>

### **Building community resilience**

- 4.11 In addition to supporting community groups during recovery, stakeholders advocated for the support of community resilience initiatives to better prepare communities for and minimise the social and mental impact of future floods.
- 4.12 In its submission, the Red Cross highlighted that following Tropical Cyclone Debbie in 2017, it has been mentoring and supporting communities to apply its Community Led Resilience Team (CRT) model. The organisation highlighted that other agencies have also supported the development of this model, including the NSW SES and Resilience NSW.<sup>279</sup>
- 4.13 Following the February-March 2022 flooding, the Red Cross interviewed community members and representatives from councils and emergency services agencies to discuss the implementation of CRTs and whether they had been effective. The Red Cross stated that 'feedback has been overwhelmingly positive' with community members consistently reporting the benefits of CRTs as outlined below.
- CRTs offered a valuable communication pathway between local emergency services contacts and CRT members in preparedness, response, and recovery periods.

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<sup>274</sup> Public forum, Mr Joel Orchard, 30 May 2022, pp 28-29.

<sup>275</sup> Evidence, Ms Naomi Moran, General Manager, Koori Mail, 31 May 2022, p 56.

<sup>276</sup> Evidence, Cr Elly Bird, Coordinator, Resilient Lismore, 31 May 2022, p 56.

<sup>277</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 51.

<sup>278</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 52.

<sup>279</sup> Submission 76, Australian Red Cross, p 76.



- Established CRT strategies kept communities informed and connected.
- CRT members were trusted and known to both their community and to emergency services. Therefore, they were able to provide trusted information, make decisions, and coordinate numerous initiatives to provide immediate relief and recovery services when their communities were cut off to outside help.
- Preparedness actions minimised impact on individuals and property losses.
- CRTs provided a centralised connection point for response agencies, particularly to communities who were isolated from outside support.<sup>280</sup>

**4.14** Ms Miriam McGregor, Response Coordinator at the Red Cross, argued that 'communities who were more resilient and better prepared fared better than those who weren't'. She contended that this demonstrated the 'effectiveness of community-led resilience programs and community-centric preparedness programs'.<sup>281</sup>

**4.15** The Red Cross noted that there is a 'strong demand' from CRTs for 'additional training, particularly in grant writing, PFA [psychological first aid] and communication contingency planning'.<sup>282</sup>

**4.16** The Red Cross recommended that the CRT model should be implemented across New South Wales for communities likely to be isolated following natural disasters.

**4.17** Several local representatives similarly highlighted the need for the government to support local communities prepare for disasters, particularly those likely to become isolated. These stakeholders called for more support and resources, such as by providing satellite phones and generators, for community groups who have taken the initiative to prepare for floods.<sup>283</sup>

### **Supporting First Nations communities**

**4.18** Aboriginal organisations representing the Bundjalung Nation in the Northern Rivers region provided evidence about the importance of working with First Nations communities in service delivery and recovery during disasters.

**4.19** Currie Country Social Change, Jali Local Aboriginal Lands Council, Bogal Local Aboriginal Lands Council Coraki and the Native Title Group Bandjalang PBC Coraki recommended that the NSW Government form a Human and Social Recovery Group with Aboriginal representation from state agencies and experienced local networks. The four organisations envisaged that the Human and Social Recovery Group would be responsible for leading coordination and service delivery for First Nations communities during and after disaster, including functional recovery groups to protect human wellbeing and mental health and

<sup>280</sup> Submission 76, Australian Red Cross, p 11.

<sup>281</sup> Evidence, Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, p 2.

<sup>282</sup> Submission 76, Australian Red Cross, p 11.

<sup>283</sup> See, Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 1 June 2022, p 6; Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 6; Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, pp 6-7.

coordinate triage support with local non-government organisations. The key responsibilities of the functional recovery groups would include:

- providing advice on priority focus areas for human and social resilience
- monitoring and providing advice on current and potential public and mental health issues which may impact the local community in concert with Aboriginal agencies in health and housing to prevent mental health acts
- enabling access to information and/or coordinated government and non-government human and social recovery services through a range of service delivery channels
- engaging additional human and social recovery services where local capacity is exhausted
- facilitating the matching and enabling of emergency volunteering, to include education and oversight of racism and bias and poor attitudes affecting service and delivery into Aboriginal communities
- matching donated goods, services, and offers of assistance
- facilitating access to emergency and temporary accommodation assistance
- administering financial support to individuals
- managing community recovery hubs.<sup>284</sup>

**4.20** The First Nations organisations also suggested that the NSW Government develop a registry of First Nations people in New South Wales who have held senior public service roles in natural disasters for membership in the functional recovery groups.<sup>285</sup>

**4.21** To help improve resilience ahead of a disaster, the organisations further recommended that the NSW Government review Aboriginal land rights legislation to 'improve and enhance the resilience and capacity of Local Aboriginal Land Councils during times of natural disaster'. These organisations suggested that the review should focus on the development of a disaster policy based on cultural information from Traditional Owners and consider insurance of Local Aboriginal Land Council assets.<sup>286</sup>

## Recovery centres

**4.22** Evidence to this inquiry demonstrated that recovery centres were a central component in the recovery phase following the February-March 2022 floods. According to the NSW Government, recovery centres are 'one-stop-shop for families, individuals and business to

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<sup>284</sup> Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, pp 28-29.

<sup>285</sup> Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 29.

<sup>286</sup> Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 34.

access disaster support services from a range of NSW Government agencies, community organisations and welfare bodies'.<sup>287</sup>

- 4.23** Service NSW staff were available at the recovery centres and assistant points to register flood affected individuals and connect them to NSW Government services or grants with support from a support service specialist for individuals or a business concierge for small business. Individuals who could not access the recovery centres were able to call Service NSW for support.<sup>288</sup>
- 4.24** The NSW Government submitted that as of 12 May 2022, Resilience NSW had established 63 recovery centres and assistant points which provided services for over 35,000 people.<sup>289</sup>
- 4.25** While inquiry participants were grateful for the efforts of recovery centre staff, they were critical that recovery centres were not planned or operated effectively. Key criticisms included inadequate resourcing and support and a lack of integration between agencies and processes resulting in flood victims having to tell their story more than once.

#### **Inadequate resourcing and support**

- 4.26** Turning first to the issue of resourcing and support at recovery centres, stakeholders argued that recovery centres did not have sufficient staff or resources and that there was a lack of coordination with not-for-profit and business partners that victims may have benefited from.
- 4.27** The committee explored whether recovery centres were appropriately staffed given reports that individuals had to wait for extended periods of time for assistance at the centres. For example, Mr Lindsay Cornish, a public servant who managed the Ballina Recovery Centre in May 2022, noted that the recovery centre manager before him indicated that lines for the centre 'were out the door' with 'people waiting for several hours'.<sup>290</sup>
- 4.28** Mr Cornish suggested that the recruitment process for volunteer staff could be improved. He contended that the expression of interest process for recovery centre staff 'emerged many weeks after the flood events, took some time to manage and was wholly dependent on the agreement of the host agency to release staff to Resilience NSW'. He also argued that the skills, experience and qualifications of staff were not necessarily best matched to available roles.<sup>291</sup>
- 4.29** Mr Cornish suggested that the NSW Government consider establishing a contingent workforce that could be called on immediately, rather than weeks after a disaster, and could be deployed in roles that match their skills, experience and qualifications.<sup>292</sup>

<sup>287</sup> Submission 57, NSW Government, pp 21-22.

<sup>288</sup> Submission 57, NSW Government, p 22.

<sup>289</sup> Submission 57, NSW Government, p 22.

<sup>290</sup> Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, p 25.

<sup>291</sup> Submission 59, Mr Lindsay Cornish, p 3.

<sup>292</sup> Submission 59, Mr Lindsay Cornish, p 3. See also, Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, p 25.

- 4.30** Stakeholders also noted that there were issues with continuity which meant that as staff left their posts, information, knowledge and experience gained at the centre was lost. There were also reports of constant changes in how centres were operated.<sup>293</sup>
- 4.31** Mr Cornish highlighted that Service NSW staff took on additional tasks and enquiries beyond their scope, particularly enquiries about housing. He explained that Service NSW had to call a number and wait on hold to help organise emergency housing for flood affected residents. Mr Cornish indicated that there had been a DCJ representative responsible for housing up until the point that he arrived at the centre but did not know why they had left.<sup>294</sup>
- 4.32** Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services at the Department of Communities and Justice, advised that housing representatives were withdrawn from the recovery centres due to analysis that showed fewer inquiries coming from the recovery centres and more through other mechanisms.<sup>295</sup>
- 4.33** Mr Lance Carden, Director, Customer Service and Business Improvement, Department of Communities and Justice, added that the department established the Housing Flood Recovery Service using housing specialist staff that were in recovery centres. Mr Carden noted that these staff were moved from the centres to provide 'on the ground support' for people in motorhomes, camps and commercial accommodation.<sup>296</sup>
- 4.34** In addition to concerns about staffing, Mr Cornish considered that some of the equipment in recovery centres was not 'up to scratch' and many things that did not 'quite work seamlessly'.<sup>297</sup>
- 4.35** Several not-for-profit agencies involved in disaster recovery also expressed frustration with the coordination and interaction of recovery centres with not-for-profit partners. These stakeholders argued that:
- operations at recovery centres were inconsistent due to the rotation of staff<sup>298</sup>
  - there was a lack of a clear, formalised role for them in the recovery process, which hindered the capacity of not-for-profit agencies to provide recovery support including at recovery centres<sup>299</sup>
  - staff at recovery centres were not always prepared for not-for-profit agencies to be present at the centres.<sup>300</sup>

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<sup>293</sup> Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, p 29; Evidence, Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, p 2.

<sup>294</sup> Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, pp 25 and 27.

<sup>295</sup> Evidence, Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, 15 June 2022, pp 28-29.

<sup>296</sup> Evidence, Mr Lance Carden, Director, Customer Service and Business Improvement, Department of Communities and Justice, 15 June 2022, p 29. See also, Answers to questions on notice, Department of Communities and Justice, received 1 July 2022, p 5.

<sup>297</sup> Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, p 29.

<sup>298</sup> See, Evidence, Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, p 2.

<sup>299</sup> See, Evidence, Major Paul Hateley, Head of Government Relations, The Salvation Army, 14 June 2022, p 3.

- 4.36** Similarly, Mr Graham Fitzpatrick, Business Advisor, Western Sydney Business Centre, considered that business partners had been left out of the recovery phase. He observed that referrals from Resilience NSW and Service NSW that the Western Sydney Business Centre would normally receive 'seemed to dry up this time around'. Mr Fitzpatrick also highlighted that there were some occasions where service providers like himself could not get a table at recovery centres to provide help.<sup>301</sup>
- 4.37** In addition, Mr Fitzpatrick raised that there were only two centres in the Western Sydney region when there had been four or five in the past. Mr Fitzpatrick argued that this 'alienated a lot of businesses from other areas that could not get to those locations', suggesting that vans would be 'a better idea next time' to travel to flood affected regions.<sup>302</sup>

### **Lack of integration between agencies and processes**

- 4.38** Many stakeholders raised that there was a lack of integration between agencies and processes which meant that flood victims often had to retell their stories to multiple personnel or agencies when accessing support. The committee heard that in the course of reliving these experiences, trauma could be unnecessarily amplified.
- 4.39** Stakeholders explained that flood victims would first tell their stories at evacuation centres. They would then have to retell their story at recovery centres to each agency from which they sought support. This included establishing a claim and producing evidence each time victims applied for financial grants.<sup>303</sup>
- 4.40** Stakeholders expressed concern about the mental health impact of repeated retelling of traumatic stories. For example, Mr Cornish stated:

I became concerned with disaster affected people having to re-live the disaster over and over again by producing the same photographs and other evidence particularly when the damage was to their family home, often triggering an emotional response.<sup>304</sup>

- 4.41** Similarly, Member for Lismore, Ms Janelle Saffin MP, suggested that a poorly designed grant process 'retraumatizes people who already are suffering when they have to go through inordinate questions that are really not necessary'. Ms Saffin went on to share the story of a member of her community who was affected by the grants process in this way:

After being asked repeatedly to give the same documents that that person kept giving, that person of course had a bit of a meltdown, as you would. The police were notified

<sup>300</sup> See, Evidence, Major Sue Hopper, Strategic Emergency & Disaster Management Specialist, The Salvation Army, 14 June 2022, p 7; Submission 76, Red Cross, p 7.

<sup>301</sup> See, Evidence, Mr Graham Fitzpatrick, Business Advisor Western Sydney Business Centre, 3 June 2022, p 12.

<sup>302</sup> See, Evidence, Mr Graham Fitzpatrick, Business Advisor Western Sydney Business Centre, 3 June 2022, p 12.

<sup>303</sup> See, Submission 59, Mr Lindsay Cornish, p 1; Evidence Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, pp 4-5; Evidence, Ms Diana Bernardi, Emergency Services Manager, Red Cross, 14 June 2022, p 5.

<sup>304</sup> Submission 59, Mr Lindsay Cornish, p 1.

and sent to do a mental health check on that person. I was furious... it's obvious by what I'm saying why they were being retraumatised.<sup>305</sup>

- 4.42** Mr Michael Bowden, Acting Chief Psychiatrist, NSW Health, confirmed the risk of exacerbating mental health issues when requiring victims to revisit traumatic events repeatedly. He stated that it would be preferable to avoid if possible.<sup>306</sup>
- 4.43** Several stakeholders suggested that there should be a central database that could be accessed by multiple government and non-government agencies which includes relevant information on the individual's circumstances and supporting documents. Stakeholders argued that this would ensure disaster victims do not have to retell their story or reproduce documents every time they seek support.<sup>307</sup>
- 4.44** Mr Shane Fitzsimmons, Commissioner, Resilience NSW, advised that Resilience NSW is cognisant of this issue, and as such commenced the 'tell your story once' project in November 2021, in collaboration with Service NSW. Commissioner Fitzsimmons explained the intention is that a person affected by disaster would be able to identify themselves and apply for multiple grants using the same platform with different 'arms of government'. Commissioner Fitzsimmons informed the committee that the beta version of this database will be available in September of 2022.<sup>308</sup>

## Financial assistance

- 4.45** The committee received a substantial amount of evidence highlighting various issues associated with the NSW Government's financial assistance to flood affected individuals, including delays in receiving payments, overly cumbersome documentation requirements, confusion about eligibility guidelines and a general lack of awareness as to the financial grants available. Some stakeholders also felt that donation management could have been stronger.
- 4.46** Before moving onto a discussion of these issues, it is important to note that the Australian Government provides financial assistance through the Disaster Recovery Funding Arrangements to states and territories to 'assist with costs associated with providing certain disaster relief and recovery assistance measures'. According to the National Recovery and Resilience Agency, the Disaster Recovery Funding Arrangements seek to 'alleviate the financial burden on states' following natural disasters.<sup>309</sup>
- 4.47** On 28 February 2022, Resilience NSW notified the National Recovery and Resilience Agency that the severe weather and flooding in New South Wales from 22 February 2022 was an

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<sup>305</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 4.

<sup>306</sup> Evidence, Mr Bowden, 15 June 2022, p 26.

<sup>307</sup> Submission 59, Mr Lindsay Cornish, pp 1-2; Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, pp 24 and 28; Evidence, Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, pp 4-5; Evidence, Ms Diana Bernardi, Emergency Services Manager, Red Cross, 14 June 2022, p 5; Evidence, Ms Joy Kyriacou, Manager, Volunteer and Member Programs, St Vincent de Paul Society, 14 June 2022, p 5.

<sup>308</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, pp 28, 36-37.

<sup>309</sup> Submission 84, National Recovery and Resilience Agency, p 1.

eligible disaster under the Disaster Recovery Funding Arrangements. A number of funding arrangements were activated including:

- support to individuals and families to alleviate hardship
- funding for state agencies and local governments to restore damaged essential public assets and undertake counter disaster operations
- financial assistance to primary producers, small business and not-for-profit organisations.<sup>310</sup>

**4.48** The NSW Government later requested additional support for 'extraordinary relief and recovery assistance measures' including:

- an Enhanced Clean-Up Package
- Property Assessment and Demolition Program
- extraordinary recovery grants for small business and non-profit organisations, primary producers
- \$1 million payments to local governments
- the engagement of Community Recovery Officers
- a Temporary Housing Recovery Package
- Back to Home Grants
- a Primary Industry Support Package
- a Northern Rivers Business Support Package, including funding for anchor, medium and small businesses
- Rural Landholder Grants
- funding to improve roads and transport assets
- funding for new Aboriginal Housing and to repair Aboriginal community infrastructure
- funding to repair riparian sites and community owned assets
- funding for new flood levees.<sup>311</sup>

**4.49** Given the magnitude of the floods, particularly in the Northern Rivers region, the Australian Government announced additional assistance measures on 9 March 2022 to respond to community recovery needs including financial support for mental health programs, legal assistance, financial counselling and small business assistance.<sup>312</sup>

<sup>310</sup> Submission 84, National Recovery and Resilience Agency, p 2.

<sup>311</sup> Submission 84, National Recovery and Resilience Agency, p 2.

<sup>312</sup> Submission 84, National Recovery and Resilience Agency, p 4.

## Grants

**4.50** The NSW Government administers a range of grant programs for those impacted by the February-March 2022 floods, including households and small businesses. With regard to support for households, the key programs that the committee received evidence about included the:

- Back Home Grant administered by Service NSW, which offers up to \$20,000 per household to repair or replace essential household goods or restore home to a habitable condition
- Disaster Relief Grant administered by Resilience NSW, which offers a grant to those whose home or contents were damaged or destroyed by the floods for either household contents or structural damage.<sup>313</sup>

**4.51** There is also support for land owners and primary producers, as administered by the Rural Assistance authority, including the:

- Special Disaster Grant, which offers up to \$75,000 for primary producers
- Rural Landholder Grant, which offers up to \$75,000 (originally \$25,000) to further support primary industry, businesses, rural landholders, councils and residents.<sup>314</sup>

**4.52** Despite these grants being available, many inquiry participants expressed frustration, confusion and disappointment with grants processes. As highlighted in the case study below, participants had various complaints, including concerns about significant delays in receiving grant money and restrictive eligibility criteria, resulting in many applicants missing out on financial assistance altogether.

### Difficulties accessing financial assistance after the February-March 2022 floods

In public forums in the Northern Rivers and Hawkesbury regions, the challenges of obtaining grants emerged as a common theme, with examples of comments below.

- '... the hoops that people have to jump through to try and get assistance are insurmountable and frustrating, and are now leading to despair, in my view'.<sup>315</sup>
- 'It is incredibly frustrating and damaging to people's mental health. We applied for the grants months ago, and we are yet to receive any funding. I understand the requirement to handle public money professionally, but I think that it has been prohibitive and restrictive, and is having the opposite effect. I think consideration should be given to getting more money out sooner ...'.<sup>316</sup>
- 'We have currently applied for \$200,000 small business grant. We are not valid for that because we don't employ 21 staff; we only employ 12 local staff. We have applied for the \$75,000 special disaster grant. Our application is still being assessed. We applied for that three days after the flood. We applied for the \$10,000 small business grant. We're not valid for that because if

<sup>313</sup> Submission 59, Mr Lindsay Cornish, p 2.

<sup>314</sup> Evidence, Mr Sean O'Connell, Chief Executive Officer, Rural Assistance Authority, Department of Regional NSW, 15 June 2022, p 43.

<sup>315</sup> Public forum, Ms Jude Forsyth, 31 May 2022, p 66.

<sup>316</sup> Public forum, Mr Robert Commens, 30 May 2022, p 23.



you apply for that, you can't go for the \$75,000. We applied for the \$50,000 small business grant. We're not able to get that because we are a primary producer. Lastly, we applied for the \$25,000 rural landholders grant—not valid for that because our land size is not 10 hectares. On a win, we applied for the \$20,000 Back Home grant and we got it. We paid \$27,000 to live in a caravan outside our house. That's not really going to help us'.<sup>317</sup>

- 'Now I am in financial hardship. Where do I go? I am making huge financial decisions ... We have to make so many financial decisions—the largest financial decisions, the most important financial decisions—and we are getting no answers'.<sup>318</sup>
- 'I am having great difficulty obtaining financial help ... I lost three-quarters of my backyard, and every time it rains more of my backyard slides away and goes out to the continental shelf ... I have been unsuccessful in gaining a grant to repair the damage or even put towards the make safe that the engineers have stated is essential to prevent further damage'.<sup>319</sup>

- 4.53** Some stakeholders claimed that application processes were disjointed and convoluted. In terms of grants available to households, Mr Cornish highlighted his concern that the Back Home Grant and Disaster Relief Grant were exclusive, meaning that once an applicant has been approved for either grant they are immediately ineligible to receive the other. However, Mr Cornish noted that there is no published cap or formula for determining the amount that a disaster affected person may be entitled to under the Disaster Relief Fund which made it difficult for recovery centre staff to advise people on which grant would be most appropriate for their situation.<sup>320</sup>
- 4.54** In addition, Mr Cornish was particularly critical of the application process for the Disaster Relief Grant as it relied on manual processes. He explained that applicants had to complete a paper form which was then scanned by recovery centre staff and emailed to a central Disaster Relief Grant email address. Staff would later mail hard copies of the forms and accompanying evidence to Resilience NSW.<sup>321</sup>
- 4.55** Stakeholders also raised concerns about applicants having to retell their crisis stories and reproduce evidence, such as photographs of their destroyed homes, every time they applied for financial assistance. As discussed earlier, some stakeholders argued that a central database where applicants can input their information once would greatly assist, thereby minimising the risk of further trauma.<sup>322</sup>

<sup>317</sup> Public forum, Ms Kylie O'Reilly, 31 May 2022, p 59.

<sup>318</sup> Public forum, Ms Jean Higgins, 1 June 2022, p 26.

<sup>319</sup> Public forum, Ms Jeanette Hayden, 3 June 2022, p 23.

<sup>320</sup> Submission 59, Mr Lindsay Cornish, p 2.

<sup>321</sup> Submission 59, Mr Lindsay Cornish, p 4.

<sup>322</sup> See for example, Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 4; Submission 59, Mr Lindsay Cornish, p 1; Evidence Ms Miriam McGregor, Response Coordinator, Red Cross, 14 June 2022, pp 4-5; Evidence, Ms Diana Bernardi, Emergency Services Manager, Red Cross, 14 June 2022, p 5.

- 4.56** There were also concerns about the evidence required to meet eligibility criteria, given some people were not in a position to produce identification and supporting information, this having been lost or destroyed in the floods.<sup>323</sup>
- 4.57** The committee also heard criticisms of grants processes for businesses and primary producers. Mr Geoff Pye, Chairman of the Richmond River Cane Growers Association, outlined the concerns he had with the grants available to farmers:
- farmers can only seek funding for repair or restoration work conducted by a third party
  - farmers must spend the money first and provide invoices for reimbursement which has proven difficult as 'cashflow is very short at the moment'.<sup>324</sup>
- 4.58** Other stakeholders raised that there were gaps in the grants processes leaving some small businesses ineligible for support. For example, Ms Susan Templeman MP, Member for Macquarie, highlighted that there was no support available for businesses in the Hawkesbury who were not directly impacted by flood water but still experienced a loss in turnover. Ms Templeman also raised that many people in the Hawkesbury region questioned why people in other parts of New South Wales who had suffered a significant drop in their turnover were entitled for support.<sup>325</sup>
- 4.59** Similarly, Mr Fitzpatrick noted that microbusinesses, small businesses which employ a particularly small number of employees and have a small turnover, had been left out in the grants process as they had been after the bushfires and during the COVID-19 pandemic.<sup>326</sup>
- 4.60** At its hearing on 15 June 2022, the committee noted that many grants had a very low approval rate with a very low percentage of available funds being distributed. For example, the committee heard that the \$248 million rental support scheme received 11,719 applications to the value of \$109.6 million. However, only 1,869 applications had been paid out to the value of \$17.7 million with 7,468 applications deemed ineligible.<sup>327</sup>
- 4.61** When asked whether it is acceptable that less than 2000 people have received support out of almost 12,000 applications, Ms Ellis responded: 'We have 7,468 applications due to ineligibility. We have 1,116 applications where we are waiting for further information from customers'.<sup>328</sup>

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<sup>323</sup> See for example, Evidence, Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina, 14 June 2022, p 25

<sup>324</sup> Evidence, Mr Geoff Pye, Chairman, Richmond River Cane Growers Association, 30 May 2022, p 40.

<sup>325</sup> Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 2.

<sup>326</sup> Evidence, Mr Graham Fitzpatrick, Business Advisor, Western Sydney Business Centre, 3 June 2022, p 12.

<sup>327</sup> See, Evidence, Ms Catherine Ellis, Executive Director, Risk, Strategy and Performance, Service NSW, 15 June 2022, p 39.

<sup>328</sup> Evidence, Ms Catherine Ellis, Executive Director, Risk, Strategy and Performance, Service NSW, 15 June 2022, p 40.

- 4.62** When pressed further on why applications were deemed ineligible, Ms Ellis stated that 'in 63 per cent of cases, customers have been unable to demonstrate that they've been impacted by the floods'.<sup>329</sup>
- 4.63** The committee questioned whether the NSW Government had considered ways to make the grants process easier for applicants particularly for those who cannot provide paperwork and other evidence due to flood damage. Commissioner Fitzsimmons responded that there had been 'a push by the government to see grants being delivered and administered as easily as they can' striking the balance between preventing fraud and targeting the right funding to the people that need it most.<sup>330</sup>
- 4.64** More specifically, the committee raised with Commissioner Fitzsimmons the concern that flood affected businesses and primary producers must spend money upfront to receive funding when cash flow is minimal at the moment. Commissioner Fitzsimmons confirmed that the requirement to spend up-front has been removed and replaced with 'quotes, estimations or approximations'.<sup>331</sup>

### **Donations**

- 4.65** In addition to overseeing financial assistance, Resilience NSW managed donations in support of communities impacted by the floods.
- 4.66** The NSW Government submitted that Resilience NSW has managed over 258 offers of donations and corporate assistance, including more than \$4.4 million raised for exclusive use in New South Wales. As of 2 June 2022, over \$2 million of donated funds had been spent including essential items to local communities such as grocery and fuel vouchers, furniture, white goods and computers.<sup>332</sup>
- 4.67** Inquiry participants praised the generosity of the general public in donating goods to those impacted by the February-March 2022 floods. However, they also highlighted that there is a need for improved donation management to ensure that donated items are stored and distributed efficiently.
- 4.68** The Lismore Citizens Floods Review described the management of donations in Lismore as a 'logistical nightmare' due to the extensive damage to storage facilities. The group recommended that Resilience NSW develop a donations management plan to ensure that it considers the coordination of donations including storage options, distribution plans and a focus on ensuring that donations reach their target audience as soon as possible.<sup>333</sup>
- 4.69** Ms Jo Beadle, National Manager of GIVIT, a national not-for-profit organisation that provides an online solution to match corporate and public donation to needs, argued that the

<sup>329</sup> Evidence, Ms Catherine Ellis, Executive Director, Risk, Strategy and Performance, Service NSW, 15 June 2022, p 40.

<sup>330</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, pp 49-50

<sup>331</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 50.

<sup>332</sup> Submission 57, NSW Government, p 21.

<sup>333</sup> Submission 54, Lismore Citizens Flood Review Group, pp 24-25.

lack of pre-arrangements for donation management resulted in communities being inundated with unsolicited, unwanted donations and significant delays in the distribution of aid.<sup>334</sup>

- 4.70** Ms Beadle shared with the committee that as of Friday 10 June 2022, GIVIT received \$15.27 million nationally including \$4.58 million for exclusive use in New South Wales. The organisation spent \$4.29 million for the purchase of essential items, coordinated 233,000 items that have been received by the communities and supported 120 organisations.<sup>335</sup>
- 4.71** Ms Beadle recommended that the NSW Government consider entering into a partnership with GIVIT. Ms Beadle pointed to a service agreement that the organisation has with the Queensland Government. Through the agreement, GIVIT is funded all year, has the capacity to prepare and coordinate and is included in state plans, meaning that once a disaster occurs, the organisation can activate quickly.<sup>336</sup>
- 4.72** By contrast, in New South Wales, GIVIT was called in for assistance about eight days after the flooding. Ms Beadle highlighted that Resilience NSW gave the organisation funding for three months but it was organised via email with little guidance about the expectations of GIVIT.<sup>337</sup>
- 4.73** Member for Macquarie, Ms Susan Templeman MP praised GIVIT as a platform for donation management. She believed that 'it has avoided the problems we saw in 2021 where people ended the recovery period ... with a warehouse full of stuff that didn't have a home to go to'. One particular improvement she saw was 'greater channelling through GIVIT and connecting in with really food community groups ... to be able to channel that support where it is'.<sup>338</sup>

## **Mental health support**

- 4.74** Mental health was widely reported as a key concern across all flood affected locations visited by the committee, with many stakeholders emphasising the importance of providing mental health support for long term recovery.<sup>339</sup>
- 4.75** Lismore City Council noted that mental health was 'regularly identified at most briefings by almost every agency involved' in responding to the February-March 2022 floods. Further, the Council suggested there will be an 'ongoing need' for mental health support in the community following the event.<sup>340</sup>
- 4.76** Local and state representatives noted the high level of need for mental health services for communities affected by the floods:

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<sup>334</sup> Evidence, Ms Jo Beadle, National Manager, GIVIT, 14 June 2022, p 3.

<sup>335</sup> Evidence, Ms Jo Beadle, National Manager, GIVIT, 14 June 2022, p 4.

<sup>336</sup> Evidence, Ms Jo Beadle, National Manager, GIVIT, 14 June 2022, p7.

<sup>337</sup> Evidence, Ms Jo Beadle, National Manager, GIVIT, 14 June 2022, p 4.

<sup>338</sup> Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 8.

<sup>339</sup> See for example, Evidence, Mr Steve Krieg, Mayor, Lismore City Council, 31 May 2022 p 4; Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 2; Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 2; Evidence, Cr Sharon Cadwallader, Mayor, Byron Shire Council, 30 May 2022, p 3.

<sup>340</sup> Submission 63, Lismore City Council, p 16.

- 'People lost their lives, thousands of people have been traumatised and displaced, and many are suffering and will suffer from long term mental health impacts, as well as poverty and homelessness'.<sup>341</sup>
- '...people cannot go to sleep with the sound of rain at the moment. The long term devastation caused to people by this disaster is—we're not going to know the effects for another 12 to 18 months'.<sup>342</sup>
- '...the last floods were very horrific for a lot of people. It affected virtually everyone in the valley. People lost their houses, lost their incomes and lost many things, and also the significant impact on mental wellbeing is still being felt across [the community]'.<sup>343</sup>

**4.77** Comments put to the committee in public forums held across regions affected by the February-March 2022 floods demonstrate wide concern about mental health and trauma in the community, as shown below.

### **Mental health impacts on individuals**

Members of the community directly expressed to the committee their struggles with mental health, anxiety and trauma, arising from the floods.

- 'Again, with everyone else, the trauma of the event—the stress from current and ongoing financial hardship. I agree with everyone, personally, and I've heard anecdotally from lots of people, every time it rains at night we worry'.<sup>344</sup>
- '... we lost everything... We are still living in temporary accommodation... Quite frankly, I just do not know how my family's health would go if we went through a third flood'.<sup>345</sup>
- '... the mental health of our people across this region is terrible. People are in a state that they need so much help, in terms of that. Certainty and a pathway forward in terms of whether they move, whether they rebuild or whether they re-raise their houses will go a very long way to taking people out of what is for many a catatonic state of depression'.<sup>346</sup>
- 'I did rescues for three or four hours, pulling young families out of roof cavities, elderly people out of bathroom windows, stuff that keeps you awake at night... Rain on my head reminds me of sitting on my roof. Rain on my head reminds me of sitting on the bridge, sitting in the boat. Laying at night in a caravan, because that's what we're living in, rain on that roof or that canvas is driving us insane'.<sup>347</sup>
- 'We were not prepared for what we went through on 28 February. It was real. It was traumatic. I feared for our lives'.<sup>348</sup>

<sup>341</sup> Submission 56, Ms Tamara Smith, MP, Member for Ballina, p 1.

<sup>342</sup> Evidence, Mr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 2.

<sup>343</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 2.

<sup>344</sup> Public forum, Mr Thomas Rehfeld, 1 June 2022, page 22.

<sup>345</sup> Public forum, Ms Gemma Martin, 1 June 2022, page 30.

<sup>346</sup> Public forum, Dr Hannabeth Luke, 31 May 2022, page 58.

<sup>347</sup> Public forum, Mr Marcus Bebb, 31 May 2022, page 64.

<sup>348</sup> Public forum, Ms Kirsty Medina, 31 May 2022, page 70.

- '... when you knock on somebody's door, if they are home, they greet you and you can't help but see the despair in their eyes. These people have been terribly affected. They've been affected, from youngsters who—thankfully or hopefully—will have the chance to rebuild and go on. But we've come across 70- and 80-year-old people, very staunch, not really wanting any help. But, by God, they need it. What you see in their eyes is, "I don't know what I'm going to do'.<sup>349</sup>

**4.78** The committee also received evidence that exposure to several disasters over recent years has had a cumulative impact on the mental health of those communities affected by the February-March 2022 floods.

**4.79** The Royal Australian and New Zealand College of Psychiatrists outlined the effect of cumulative disaster events on the mental health of the community, and the process whereby impacts can accumulate:

... people exposed to multiple disasters can experience accumulative stress and may perceive a sense of injustice or abandonment when services are unable to respond to their immediate needs. Over time, these events can erode community economic and social resources which are important for maintaining mental health and wellbeing. This, in turn, can increase disadvantage and precipitate a decline in social support, both of which are associated with an increase in mental health problems.<sup>350</sup>

**4.80** This was a concern also raised by Ms Susan Templeman MP, Member for Macquarie, who described the multiple disasters faced by the community in the Hawkesbury over the previous few years:

... the context I want you to have is that our 2022 flood came on the back of fires in 2019-20, a small flood in that year, and a year later a major flood in 2021. So it cannot be seen in isolation. This community has been through those multiple traumas, three natural disasters in the space of two years. That gives a different context to what people are experiencing now and still trying to recover from.<sup>351</sup>

**4.81** Similar views were expressed by non-governmental organisations, such as The Australian Red Cross, who gave evidence that their volunteers, staff and the communities they service have experienced significant disruption due to ongoing disasters since 2017. The Australian Red Cross shared a comment from a volunteer and recovery officer in the Tweed/Byron area: 'They (the community) have so much compound trauma that it's difficult to know which event to focus on'.<sup>352</sup>

**4.82** The cumulative impact of multiple disasters on mental health was also directly acknowledged by individual community members. For example, Ms Lisa Sullivan, who gave evidence at the public forum held in South Windsor, stated:

... we are finding that the layering of not only bushfires, but multiple floods in this area has meant that people's mental health here has suffered significantly over the last

<sup>349</sup> Public forum, Mr Wayne Crawford, 30 May 2022, p 36.

<sup>350</sup> Submission 46, The Royal Australian and New Zealand College of Psychiatrists, p 4.

<sup>351</sup> Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 2.

<sup>352</sup> Submission 76, Australian Red Cross, p 4.

few years. What we are finding is with this flood is the clean-up recovery has been really tough on individuals and communities as a whole.<sup>353</sup>

- 4.83** Similarly, in the Northern Rivers area, mental health concerns were commonly reported by local residents and volunteers. Murwillumbah resident Ms Leesa Halligan shared with the inquiry her personal experience of resilience becoming depleted after living through multiple flooding disasters:

I was in the 2017 and the 2022 floods... I put everything I had into my home again just to have it taken away. I wasn't given insurance. I'm now trying to build my home again but I'm losing hope. I don't know what to do. I don't have the money and I don't have the mental capacity to lose it three times... We're losing energy; we're just giving up. We're trying to work, we're trying to build, we're trying to support each other but we just can't anymore.<sup>354</sup>

- 4.84** The committee also heard evidence about the mental health conditions that could be experienced by those who are displaced from their home for long periods. Dr James Bennett-Levy, Professor of Mental and Psychological Wellbeing, from the University Centre for Rural Health, University of Sydney, explained that research suggests that people displaced for extended periods are particularly at risk in terms of mental health:

In 2017 we undertook research on the 2017 floods. We did a six-month follow-up and a two-year follow-up. As far as this committee's concerned right now, we want to highlight the fact that people who are displaced from home for more than six months have a very highly elevated chance of mental health problems. You could say around 40 or 50 per cent, at least, of those people are going to be having depression, anxiety, PTSD—some variants of those.<sup>355</sup>

- 4.85** Expressing similar concern about the mental health and wellbeing of flood affected communities in the near term, Ms Janelle Saffin MP, Member for Lismore, recommended that a 'dedicated, professional community trauma service' should be established in Lismore for the next 18 months, 'to support the community as they come to terms... with the future of Lismore'.<sup>356</sup> Ms Saffin characterised efforts to address mental health issues to date as 'well-intentioned' but 'very individualistic' and recommended mental health should be addressed 'as a community'.<sup>357</sup>

### **Workforce challenges**

- 4.86** Compounding the difficulty of addressing these cumulative impacts on community members, the committee also received evidence on the pressures faced by the mental health and social workers remaining in regions affected by the February-March 2022 floods, with worker shortages before the floods, and increased demand for services afterwards.

<sup>353</sup> Public forum, Ms Lisa Sullivan, 3 June 2022, p 24.

<sup>354</sup> Public forum, Ms Leesa Hallahan, 1 June 2022, p 31.

<sup>355</sup> Evidence, Dr James Bennet-Levy, Professor of Mental and Psychological Wellbeing, University Centre for Rural Health, University of Sydney, 31 May 2022, p 19.

<sup>356</sup> Submission 85, Ms Janelle Saffin MP, Member for Lismore, p 6.

<sup>357</sup> Submission 85, Ms Janelle Saffin MP, Member for Lismore, p 21.

**4.87** The committee heard that the mental health workforce in flood affected areas, particularly in the Northern Rivers, was depleted prior to the floods. Dr Michael Bowden, Acting Chief Psychiatrist, NSW Health, acknowledged that in Northern NSW it has been an ongoing challenge to 'attract and retain [a] workforce' of mental health clinicians:

You are quite right that there are shortages of specialist mental health clinicians, including medical, nursing and allied health. That is something that we've been attempting to address over a long period of time.<sup>358</sup>

**4.88** The committee also heard that many mental health workers in flood affected areas were themselves directly impacted, and that access to relief staff was limited during the immediate aftermath of the flooding. Dr Michael Bowden, Acting Chief Psychiatrist, NSW Health, noted that 'we heard of 33 mental health clinicians who'd lost their homes at that time' and that at times staff were 'unable to get in or out of the area' resulting in some staff working for extended periods.<sup>359</sup>

**4.89** The Royal Australian and New Zealand College of Psychiatrists also noted mental health workforce challenges, stating that 'high vacancy rates, particularly in rural areas' created additional challenges in responding to the floods. The College highlighted that 'some staff were unable to return to work because they had lost their home, and staffing levels were low'.<sup>360</sup> The College also noted that NSW Health 'moved quickly' to deploy staff from other local health districts to address this need.<sup>361</sup>

**4.90** Professor of Mental Health and Psychological Wellbeing, James Bennett-Levy, put forward his concern about the limited availability of mental health workers and additional stress faced by the mental health workforce in regions affected by the floods:

Already these workforces, due to the housing crisis locally and due to COVID, were really thin on the ground, and then this has happened. A large number of those people have been directly impacted, and their houses. Others have got clients and friends staying with them. They're then in the position where they're faced with really very distressed clients, traumatised clients, the potential for vicarious trauma, absolutely, and the very high potential of burnout.<sup>362</sup>

**4.91** Evidence was put to the committee that following the February-March 2022 floods, gaps in the availability of mental health workers were filled by volunteers, in both the evacuation and recovery phases following the flooding events.

**4.92** One volunteer mental health worker described to the inquiry very limited provision of health or mental workers at evacuation centres across the northern rivers, and a heavy reliance on self-recruited volunteers. Mr Wolfgang Smith provided 'voluntary mental health support' to the community at evacuation centres across the Northern Rivers and described 'either no response from the Local Health District or the Public Health Network (PHN) at all or an

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<sup>358</sup> Evidence, Dr Michael Bowden, Acting Chief Psychiatrist, NSW Health, 15 June 2022, p 27.

<sup>359</sup> Evidence, Dr Michael Bowden, Acting Chief Psychiatrist, NSW Health, 15 June 2022, p 27.

<sup>360</sup> Submission 46, Royal Australian and New Zealand College of Psychiatrists, p 3.

<sup>361</sup> Submission 46, Royal Australian and New Zealand College of Psychiatrists, p 4.

<sup>362</sup> Evidence, Dr James Bennet-Levy, Professor of Mental and Psychological Wellbeing, University Centre for Rural Health, University of Sydney, 31 May 2022, p 19.



equally slow and limited response'. For example, Mr Smith described one volunteer nurse not being relieved by Public Health Network staff until the 9th of March, or nine days post-flood.<sup>363</sup>

- 4.93** Mr Simon Stahl, Chief Executive Officer, The Casino Food Co-Op, Northern Rivers Co-operatives Alliance and Business Council of Co-operative and Mutuals, also gave evidence to the committee that when people were seeking counselling at evacuation centres 'there was no-one there' and subsequently his organisation 'had our own counsellors go down because we just knew it made sense that there would be people stressed'.<sup>364</sup>
- 4.94** Volunteer coordinator at Wardell Community Organised Recovery Effort (Wardell CORE) Mr Joel Orchard, explained the ongoing, high level of demand for mental health services that has been provided by volunteers: 'We took on the coordination of a number of full-time mental health service professionals that have provided absolutely critical mental health support in our community. They're still continuing to provide up to 20 caseload visits a day and they now do outreach throughout that region as well'.<sup>365</sup>
- 4.95** The committee met with Mr Joel Orchard at Wardell CORE on 29 May 2022, and heard that the organisation has had the pressing issue of trying to obtain funding in order to retain one mental health worker who has been working on a pro-bono basis since the floods.
- 4.96** In response to questions from the committee on why Wardell CORE cannot access funding to ensure continuity of these mental health services, Mr Shane Fitzsimmons advised that a '\$20 million or \$25 million mental health package' had been announced by the government, with 'NGOs that were factored into that'.<sup>366</sup>
- 4.97** The Royal Australian & New Zealand College of Psychiatrists suggested 'adequate funding' should be provided to develop 'surge capacity' that can be deployed to respond to 'mental health support needs' in future disasters.<sup>367</sup>
- 4.98** Workforce challenges were also noted in relation to social workers, with the Department of Justice and Health noting that their Lismore office and staff were both directly affected by the floods. In evidence to the inquiry, Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, stated that:

... in northern New South Wales we have 90 child protection, housing and NGO support staff who work in our Lismore office. That entire office was lost to the flood. Seven of the staff there lost their homes; many others lost cars, caravans and possessions. Eighteen of our staff were isolated because of where they live.<sup>368</sup>

<sup>363</sup> Submission 67, Mr Wolfgang Smith, p 5.

<sup>364</sup> Evidence, Mr Simon Stahl, Chief Executive Officer, The Casino Food Co-Op, Northern Rivers Co-operatives Alliance and Business Council of Co-operative and Mutuals, 1 June 2022, p 19.

<sup>365</sup> Public forum, Mr Joel Orchard, Volunteer Coordinator, Wardell Community Recovery Effort, 30 May 2022, p 29.

<sup>366</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 33.

<sup>367</sup> Submission 46, The Royal Australian & New Zealand College of Psychiatrists, p 6.

<sup>368</sup> Evidence, Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, 15 June 2022, p 19.

- 4.99** The disruption to the Department of Communities and Justice workforce was reflected in comments at the public forum in Ballina. Local resident Mr Daniel Ainsworth gave evidence to the inquiry that government social workers in the area were few in number to deal with the housing crisis after the floods and unable to deal with the large number of displaced persons:

The Department of Communities and Justice had two staff members covering Broadwater, Woodburn, Coraki and Evans Head. Normally this would be okay. However, now they had to deal with five separate evacuation centres and a population of nearly 7,000, all looking for places to shelter. Resilience NSW didn't arrive on the ground for three weeks after the event, and only provided one staff member to cover the entire Richmond Valley and Kyogle shires. The staff member did their best, but they really had no support and became overwhelmed.<sup>369</sup>

- 4.100** In response to these challenges, the NSW Government gave evidence that a number of staff were redeployed from other areas to respond to the crisis. Regarding replenishment of Department of Communities and Justice staff, Ms Morgan-Thomas explained:

Eventually, we were able to bring in 35 staff from other areas, and that was as soon as we could, noting the difficulties of getting into many of the locations and finding accommodation for those staff. We also stood up a team in our Housing Contact Centre in Sydney to source and book accommodation... We still have around 50 frontline staff in the Housing Contact Centre dedicated to supporting the 2022 flood response.<sup>370</sup>

## Committee comment

- 4.101** Throughout this inquiry, the committee repeatedly heard criticism of Resilience NSW, particularly in its role as the lead agency in recovery. Resilience NSW failed to effectively communicate with the community or engage with not-for-profit and community stakeholders, such that there was a perception that Resilience NSW was absent in all respects of the government's response to the February-March 2022 floods.
- 4.102** By contrast, the committee repeatedly heard about the hard work of volunteers and community groups that provided recovery support for their local communities. As many stakeholders and witnesses highlighted, recovery is most effective when it is community led. The committee also believes that community led recovery can be a pathway to wellness following a disaster. Therefore, the failure of Resilience NSW to effectively acknowledge, engage and coordinate with these stakeholders at a local level was, in the committee's view, a significant downfall.

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### Finding 12

That Resilience NSW failed to engage and coordinate with community groups leading flood recovery efforts in their respective communities.

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<sup>369</sup> Public forum, Mr Daniel Ainsworth, 30 May 2022, p 27.

<sup>370</sup> Evidence, Ms Eleri Morgan-Thomas, Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice, 15 June 2022, pp 19-20.

- 4.103** It is clear that there is a need for the NSW Government to develop recovery plans that ensure community led recovery is well integrated into the government's efforts. The committee is encouraged to hear that Resilience NSW is working to arrange memorandums of understanding with community groups to ensure that support can be provided to these groups when the next disaster strikes. In addition to supporting community led recovery, the NSW Government should also support communities to build resilience ahead of natural disasters so that they are as prepared as they can be, to minimise the social, physical and mental health impacts as much as possible.
- 4.104** The committee emphasises, however, that these arrangements should also anticipate and embrace community groups that emerge during disasters, as community led recovery efforts are and always will be a key feature of emergency response.

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**Recommendation 17**

That the NSW Government ensure that community groups, both existing and emerging, including First Nations groups, are well integrated into disaster recovery, by incorporating them into state recovery plans and engaging with them in between and in the lead up to natural disasters.

**Recommendation 18**

That the NSW Government, in partnership with community groups, including First Nations groups, develop initiatives to build community resilience, particularly in regions at high risk of future natural disaster events.

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- 4.105** A key responsibility of Resilience NSW was the establishment and operation of recovery centres. However, like evacuation centres, recovery centres were understaffed and underresourced, with a visible lack of coordination between government and non-government stakeholders. While the committee acknowledges the hard work of frontline staff who managed and serviced the recovery centres and provided much needed support to flood victims, it is clear that Resilience NSW's preparation, coordination and management of these centres fell significantly short.
- 4.106** Resilience NSW failed to adequately prepare for the needs of individuals and communities presenting at these centres. Staff were not always adequately trained or informed before being deployed to the centre, and there was clear confusion in the community about the assistance that could be obtained at these centres.
- 4.107** In our view, there would be benefit in having a standing workforce trained ahead of time, that could be mobilised when a disaster is predicted or as soon as a disaster strikes. The committee understands that other jurisdictions take this approach, and we should learn from their experiences.

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**Recommendation 19**

That the NSW Government establish a standing workforce from within the public service to staff evacuation and recovery centres, with this workforce to be trained ahead of time and mobilised as soon as a natural disaster occurs.

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- 4.108** Throughout the inquiry, several non-government agencies appeared frustrated with the lack of engagement from government in relation to the services provided at recovery centres. The lack of coordination between agencies meant that flood affected individuals had to tell their crisis stories several times to multiple agencies to access assistance. As the committee heard, this can have a retraumatising effect, exacerbating mental health issues for those who are clearly in crisis.
- 4.109** In our view, a better approach would have been for flood affected individuals to be assessed for assistance on the spot in evacuation or recovery centres. Doorknocking by government representatives was a lost opportunity to provide immediate support to those affected and would have also assisted to streamline the process.
- 4.110** The committee understands that the NSW Government is working on developing a central database that enables individuals to apply for multiple grants and assistance, without the need to make multiple applications, reshare their story or repeatedly submit supporting documents.
- 4.111** The committee hears the frustration of community members who have been seeking financial assistance only to be met by application rejections and substantial delays in receiving money. It is unacceptable for the government to expect that people spend money upfront on repairs and restoration before accessing support. It is also extremely unreasonable for the government to expect flood victims to have evidence and paperwork on hand when they have been damaged or lost in the floods.
- 4.112** While the committee acknowledges that the NSW Government has taken steps to relax some of the eligibility and evidence requirements, the committee remains concerned that grants processes and financial assistance programs should be further streamlined and communicated to flood affected individuals and communities.
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**Finding 13**

That the NSW Government did not harness opportunities to streamline the provision of financial assistance for flood affected individuals following the February-March 2022 floods.

**Finding 14**

That the NSW Government's lack of a streamlined grants process for applicants meant that they were repeatedly interviewed and had to re-live their experiences, leading to frustration and trauma as part of the grants process.

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**Finding 15**

That some of the processes surrounding the administration of grants following the February-March 2022 floods were insensitive and compounded the trauma of flood affected individuals given applicants had to provide documentation - washed away in the floods - and prove they were flood impacted and suffered loss.

**Finding 16**

That the processes surrounding financial grants and support programs following the February-March 2022 floods were confusing and cumbersome for applicants, often preventing assistance from flowing to them in a timely manner.

**Finding 17**

That the failure to have assessors on the ground during the February-March 2022 floods caused great challenges for those dealing with grant applications, it delayed the rollout of grants and was a missed opportunity to manage fraudulent claims.

**Recommendation 20**

That the NSW Government overhaul the way in which it conducts its grants process as it frustrated applicants and further traumatised them by repeatedly re-interviewing them and making them prove that they were flooded.

**Recommendation 21**

That the NSW Government ensure that flood affected individuals can continue to access financial assistance for as long as there is demonstrated need.

**Recommendation 22**

That Service NSW establish teams of assessors that can be on the ground to assess and approve grant applications.

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- 4.113** There is also room to improve donation management in New South Wales. While people across the country were generous in their donations, the committee heard that donations were not always stored or distributed efficiently. The committee therefore recommends that the NSW Government consider entering into a service agreement with an organisation that has the resources and capacity to manage donations and can activate quickly in disasters.

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**Recommendation 23**

That the NSW Government consider entering into a service agreement with an organisation that has the resources and capacity to manage donations and activate quickly during natural disasters.

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- 4.114** Finally, and perhaps most importantly, the committee notes that the February-March 2022 floods have had a significant impact on the mental health of communities across the Northern

Rivers and Hawkesbury regions, particularly in those areas that have experienced multiple, recurring disasters in the space of a few years.

- 4.115** The committee acknowledges that mental health and social workers in these communities have often been grappling with the effects of flooding on their own families and workplaces, let alone trying to meet the needs of local community members. The committee also acknowledges that this had an unavoidable impact on the provision of services, and that there needs to be greater government support to address the mental health needs of communities in the aftermath of the floods.
- 4.116** The committee recognises that some communities, like Lismore, will likely need additional mental health support to recover. The community is asking for help in this area, has been described as being in a post-traumatic state, and has been further challenged by subsequent flood warnings. The NSW Government should consider a tailored approach to each local community.
- 4.117** The committee is also immensely concerned that locally-organised, volunteer organisations, with a track record of effective engagement with their communities since the flood events, such as Wardell CORE, have struggled to identify suitable sources of secure funding to continue providing valuable mental health and social services in the months ahead as communities move from the immediate crisis response phase to longer term recovery.

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#### **Recommendation 24**

That the NSW Government address the mental health needs of local communities following the February-March 2022 floods by:

- embedding within state emergency and recovery plans a strategy that provides surge capacity for mental health and social workers
- prioritising funding for community groups that are currently providing social and mental health support to their local communities
- ensuring all flood-impacted communities receive the mental health support they need to fully recover.

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- 4.118** As outlined in the last two chapters, local professionals and community groups have stepped up and provided much needed volunteer support to their local communities. There is no doubt that the response to and recovery from the major flooding of February-March 2022 was strengthened by these volunteers, many of whom were suffering from the consequences of the floods themselves. The committee commends and thanks those local professionals and volunteer organisations who supported their communities at a critical time of need.

## Chapter 5 Housing, restoration and flood mitigation

In addition to immediate recovery needs, the NSW Government is responsible for long term reconstruction and planning following the major flooding of February-March 2022. This chapter examines the suitability of temporary and long term housing options and discusses the government's clean up and restoration efforts. Finally, the chapter concludes by considering flood mitigation and preparation measures in anticipation of future flooding events.

### Housing needs

**5.1** In addition to emergency accommodation, the NSW Government is responsible for addressing temporary and long term housing needs for flood victims. The NSW Government provided a list of key agencies involved in housing solutions following the February-March 2022 floods.

- The Department of Communities and Justice established the Northern NSW Housing Flood Recovery Service with an 'on-the-ground presence' in the Northern Rivers region. The service assists people to source immediate and long term housing solutions and access financial, practical and social supports where needed. As of 25 April 2022, the service had interviewed 497 clients in emergency accommodation to discuss their ongoing housing needs as well as 16 clients who have exited emergency accommodation.
- The Department of Regional NSW manages the delivery of the Flood Property Assessment Program, jointly funded by the NSW and Australian Governments. The program covers the condition assessment of insured and uninsured flood affected residential properties and properties of small businesses and primary producers. Where the property is deemed unsafe and beyond economical repair, the option of demolition is available to property owners at no cost.
- The Department of Planning and Environment established a cross-agency Housing Recovery Taskforce to address short, medium and long term housing issues for flood affected residents. The taskforce has been focused on securing safe temporary locations for displaced residents to live while a clear plan to build back is developed.
- The Northern Rivers Reconstruction Corporation sits within the Department of Regional NSW and is responsible for longer term housing solutions. The corporation's role is to coordinate planning, rebuilding and construction work of essential services, infrastructure and housing across multiple government agencies to help Northern Rivers communities to rebuild their homes as quickly as possible.<sup>371</sup>

**5.2** Despite these measures being in place, inquiry participants, particularly those from the Northern Rivers region, shared with the committee their concerns with housing following the floods. Some stakeholders expressed concern about temporary housing solutions, while others sought clarity on long term options for properties which were destroyed or damaged. Summarising these concerns, Dr Hanabeth Luke stated:

<sup>371</sup> Submission 57, NSW Government, pp 23-25.

People are in a desperate situation. In the short term, people who are doing better have got mobile homes. Those who aren't doing so well are in dome tents in the mud. This is a desperate situation that needs urgent help. For the longer term recovery, people have different needs. Some people aren't getting any support from their insurance, others want to rebuild, some want to raise their houses. A lot of people are being told we need to wait until the outcome of [a] CSIRO study. That's too long. People need more certainty and they need it now...<sup>372</sup>

**5.3** Local representatives in the Northern Rivers region emphasised the importance of housing given that the region has been suffering from a 'housing crisis' well before the the major flooding of February-March 2022.

- 'Affordable housing has always been a difficult issue. We have a high percentage of homeless people coming through. This has just made it worse because there are a lot of uninhabitable houses'.<sup>373</sup>
- 'We already had a housing crisis and we now have a bigger one. We need much more creativity to the way we did it'.<sup>374</sup>
- '... we had a housing crisis before this event... we had 200 homeless people who lost their homes on the riverbanks. That has to be a priority. We need housing for our people and we need the social housing projects to run parallel with the temporary housing villages that are being set up now for all these displaced people. I can't stress highly enough how important this is'.<sup>375</sup>

### Temporary housing

**5.4** With many individuals and families displaced due to the damage caused to homes by the floods, temporary accommodation became a pressing need for communities, particularly in the Northern Rivers region. The government identified and secured temporary housing sites and accommodation options, although many questioned the timeliness of this assistance. Concerns were also raised about how to best support those who wish to stay close to home and connected to community, noting some flood affected individuals have decided to live in tents or vehicles on their own property, even through winter and further heavy rainfall events.

**5.5** In terms of the temporary housing sites organised by the government, the committee was advised that the Housing Recovery Taskforce undertook analysis of over 300 sites to assess their suitability for temporary accommodation options. As at 18 May 2022, 20 sites were identified using predominantly Crown or council land to place temporary accommodation across Lismore, Tweed Heads, Mullumbimby, Brunswick Heads, Ballina, Evans Head, Wardell and Coraki.<sup>376</sup>

<sup>372</sup> Public forum, Dr Hanabeth Luke, 31 May 2022, p 58.

<sup>373</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 5.

<sup>374</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 5.

<sup>375</sup> Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 3.

<sup>376</sup> Submission 57, NSW Government, pp 23-24; Evidence, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, 15 June 2022, p 62.



- 5.6** Of these 20 sites, nine had been secured by the NSW Government to house about 800 temporary homes procured by the NSW Government. The first site in Wollongbar, with capacity for up to 220 people, began receiving displaced residents on 12 May 2022.<sup>377</sup>
- 5.7** Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, advised that the timeline for the completion of temporary accommodation sites keeps changing as it depends on manufacturing timelines. However, he also stated that 'there is every hope that we can finish this year'.<sup>378</sup>
- 5.8** Mr Whitworth elaborated that there is a high demand for modular housing and a lead time of approximately 12 weeks to manufacture housing. Mr Whitworth added that the modular homes that had been secured were being manufactured and commenced delivery to sites in late April 2022, expected to continue until late November 2022. The expectation is that 'temporary housing will be commissioned, with residents progressively able to move into temporary housing, through to late 2022'.<sup>379</sup>
- 5.9** Some stakeholders raised concerns with the timeliness of the provision of temporary housing. Richmond Valley Council told the committee that it identified the need for temporary housing for the Coraki community within five days of the beginning of the floods on 28 February 2022. However, despite providing detailed information on suitable sites, and meetings of various agencies, the council held that there was 'no public commitment to provide temporary homes 11 weeks after the flood', with families living in 'damp, over-crowded conditions in cars, sheds and tents'. The Council contended that the government needs to become 'more agile in its decision-making'.<sup>380</sup>
- 5.10** Looking to the future, Richmond Valley Council suggested that the NSW Government should be better prepared for future floods, by having pre-approved emergency housing sites and pre-arranged access to temporary housing infrastructure.<sup>381</sup>
- 5.11** Noting that the pod rollout had been slower than he had anticipated, Mr Geoff Provest MP, Member for Tweed, informed the committee that he was aware of people staying in mouldy houses, cars or tents, or couch surfing.<sup>382</sup>
- 5.12** The committee raised with Mr Mal Lanyon, Northern NSW Recovery Coordinator, concerns about people living in tents in winter. Mr Lanyon acknowledged that people were moving into tents on their properties because they wished to be close to their homes to conduct repair work. However, he did not consider it to be a 'great solution', stating:

... the key message needs to be that where people do need accommodation and coming into these colder months, I'd ask them to put their hands up. We will

<sup>377</sup> Submission 57, NSW Government, p 24.

<sup>378</sup> Evidence, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, 15 June 2022, p 62.

<sup>379</sup> Answers to questions on notice, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, received 15 June 2022, p 2.

<sup>380</sup> Submission 83, Richmond Valley Council, p 12.

<sup>381</sup> Submission 83, Richmond Valley Council, p 13.

<sup>382</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 5.

accommodate people in emergency accommodation where possible, if that's the best solution we've got. A tent, to me, is not a great solution...<sup>383</sup>

- 5.13** Many inquiry participants suggested that the government should consider other options for temporary housing based on community needs, beyond the temporary accommodation sites secured. Ms Janelle Saffin MP, Member for Lismore, was critical of the government for focusing on the programs that it offers rather than looking at community needs.<sup>384</sup> She referred to an example where the Tweed Shire Council proposed to the government that it purchase a block of units for sale in Tweed Heads which could house 'a lot of people immediately'. She argued that the proposal 'was not even looked at', with displaced residents to be placed in pods instead.<sup>385</sup>
- 5.14** Local members and mayors from across the Northern Rivers and Hawkesbury regions called for residents to be able to live in secondary dwellings on their own property, such as a caravan or pod, allowing residents to be close to their home for repairs and connected to their local community.<sup>386</sup>
- 5.15** Ms Saffin emphasised that while temporary accommodation sites with pods might be suitable for some people, others prefer to be on their own land.<sup>387</sup> Similarly, referring to landowners in the Hawkesbury, Ms Susan Templeman MP, Member for Macquarie, noted that some people 'want a sense of home for their families'. She added that: 'The last thing we want is houses that are empty, land that's abandoned and people having to travel very long distances to care for their home'.<sup>388</sup>
- 5.16** Mr Geoff Provest MP, Member for Tweed, also supported this idea but identified that planning controls need to be changed to accommodate it, as they currently restrict landowners from placing a secondary dwelling on their property.<sup>389</sup>
- 5.17** The committee explored with stakeholders the concern held by some that temporary housing should not be placed on land which has just flooded.
- 5.18** Cr Chris Cherry, Mayor of the Tweed Shire Council, acknowledged the government's hesitation of putting state assets on flood-prone land, but argued that the standard approach 'is not the best for the Tweed'. For example, she highlighted that some rural properties would have land that is higher and further away from flood prone areas where a temporary dwelling could be safely placed. In her view, there is a need to help people stay close to their property, considering some were choosing to stay in cars and tents already.<sup>390</sup>

<sup>383</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, p 63.

<sup>384</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 5.

<sup>385</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 5.

<sup>386</sup> See, Submission 83, Richmond Valley Council, p 13; Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 3; Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, pp 2 and 10; Evidence, Mr Geoff Provest, Member for Tweed, 1 June 2022, p 8; Evidence, Ms Robyn Preston MP, Member for the Hawkesbury, 3 June 2022, p 7; Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 1 June 2022, p 8.

<sup>387</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 3.

<sup>388</sup> Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 10.

<sup>389</sup> See, Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 8.

<sup>390</sup> Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 15 June 2022, p 8.

- 5.19** Member for Tweed, Mr Geoff Provest MP, made a similar point, adding that temporary dwellings are 'at least' relocatable if there is a flood warning.<sup>391</sup>
- 5.20** Mr Lanyon highlighted that his team is 'working through a range of options' for temporary accommodation. As an example, he referred to Woodburn which is not receiving a pod village as there was not a suitable location that was not flood-prone. Instead, a caravan program will be implemented there to 'get people back towards their homes'.<sup>392</sup>
- 5.21** Mr Lanyon also highlighted that while the program is being escalated as quickly as possible, the priority has been on the implementation of pod villages which accommodate many people at once:
- We are trying to escalate that as quickly as possible but, as you can imagine, with the scope of this, the priority had to be on pod villages so we could accommodate as many people as possible. We are now trying to push forward a range of alternatives to get people into suitable accommodation where we haven't got them in emergency accommodation.<sup>393</sup>
- 5.22** The experience of an Aboriginal community on Cabbage Tree Island also exemplified the need to provide temporary housing options that suit community and individual needs.

#### **Priorities for Cabbage Tree Island<sup>394</sup>**

The committee heard about the importance of meeting individual and community needs when providing housing options. In particular, it heard about the need to consider the needs of Aboriginal communities, and the importance of housing being on Country and connected to community.

Housing for the Aboriginal community in Cabbage Tree Island was discussed as an example. Cabbage Tree Island is home to an Aboriginal community of about 200 people who were all evacuated during the floods. The island suffered significant damage. All 27 homes, community buildings and the school on the island are uninhabitable and the island's farmlands have been decimated. Due to the extensive damage, the entire community has not been able to return to the island and are spread across the Ballina Shire living in caravan parks or with extended family. This raised issues around the suitability of temporary housing for the community and the community's reconstruction needs.

Mr Chris Binge, Chief Executive Officer of Jali Local Aboriginal Land Council, explained that the

<sup>391</sup> Evidence, Mr Geoff Provest MP, Member for Tweed, 1 June 2022, p 8.

<sup>392</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, p 64. See also, Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 66.

<sup>393</sup> Evidence, Mr Mal Lanyon, Northern NSW Recovery Coordinator, 15 June 2022, p 64.

<sup>394</sup> See, Evidence, Mr Chris Binge, Chief Executive Officer, Jali Local Aboriginal Land Council, 14 June 2022, pp 12-14; Evidence, Ms Arabella Douglas, Chief Executive Officer, Currie Country Group, 30 May 2022, p 17; Evidence, Ms Rebecca Woods, Chief Executive Officer, Bogal Local Aboriginal Land Council, Chief Financial Officer, Bandjalang Corporation PBC RNTBC, 30 May 2022, p 16, Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 23.

impact of being displaced and disconnected from Country and community will have long term impacts:

For us as Aboriginal people, connection to land and country is really important but, more importantly, that connection flows out beyond country and that connection is around people. That connection is around family and that connection is around kinship... at the moment, displacement is an issue and it needs to be acknowledged. Displacement has happened once again for us as Aboriginal people, and for this particular community. So it has actually had an ongoing impact. This impact isn't going to be something that we can brush over; this impact is going to be felt for years to come. The supports that are going to be required in those spaces, particularly from a health and wellbeing space, is going to be huge. The ongoing impacts of that on families are also going to be felt for generations.

Stakeholders from Aboriginal organisations criticised the government's approach to temporary housing that failed to consider that Aboriginal peoples are strongly connected to their land and to their families. Ms Arabella Douglas, Chief Executive Officer of Currie Country Group, was supportive of Mr Binge's call to keep the community of Cabbage Tree Island together in one location on Country.

Ms Rebecca Woods, Chief Executive Officer of the Bogal Land Aboriginal Land Council, argued that the 'one-size-fits-all' model for temporary housing does not work for Aboriginal communities. Ms Douglas elaborated that the government needs to 'conceptualise a community family, not a nuclear family'.

Mr Binge highlighted that the current priority for the community is accommodation that suits the community's needs. One option was to house the community in facilities in Lake Ainsworth operated by the Department of Sport and Recreation, which can accommodate up to 200 people and has communal kitchens and facilities where the school could continue. However, Mr Binge explained that this option was 'taken off the table pretty quickly by government' due to concerns that the facility could not cater for the needs of the community long term. Instead, the community will be housed at the Wardell recreation ground.

As at the hearing on 14 June 2022, Mr Binge confirmed that it was undetermined when the community could return to Cabbage Tree Island as a number of engineer, building and EPA assessments needed to be conducted. However, he emphasised that any government decisions about the community including rebuild should be driven by the community.

### **Long term housing**

**5.23** Beyond the provision of short term and emergency accommodation measures, stakeholders also emphasised the need for longer term housing solutions, particularly in the Northern Rivers region. Throughout the public forums and the online questionnaire responses, it was clear that housing is of utmost priority for many in the community, particularly in Lismore which was hit hardest in the major flooding of February-March 2022.

**5.24** Inquiry participants were especially concerned that there was no clear information available to property owners about options for long term housing such as reconstruction, land swaps, land acquisition and house raising.<sup>395</sup>

- 'It's 13 weeks post floods and people are feeling very much ... as if they're in limbo completely. There are a number of things that are problematic for the community, and that is communication processes throughout this response have been probably patchy. ... People don't know whether to sell their houses, whether to fix their houses. They're fixing them because they don't have anywhere to live, but as one friend said to me today, "I don't know whether my house is going to be picked up and moved, or demolished. I've got nowhere to live. I can't move on. I'm stuck." And he's stuck because he can't get financial assistance either. This is a very common story. I think the broader plan for how Lismore might recover is not being discussed properly or communicated very well either.'<sup>396</sup>
- 'I got paid accommodation from my insurance company. That paid for a caravan. I'm looking at three years if they rebuild... If they rebuild and in 12 months' time you decide we're doing buyback, where does that leave me? If I take a cash settlement then I'm in the same situation. If you do a buyback, we do a scheme and we do whatever you're looking at, we need to know that stuff now. I'm sitting in limbo, sort of waiting'.<sup>397</sup>
- 'We need action. We need the option to be able to move our house and repair it. Lismore City Council, I have gone to all the other meetings and the inquiries that we have had. They've openly said they cannot afford and will not be able to come to the party and help fund land swaps, buybacks—they said they're several million dollars in debt. We need action. While they're all arguing amongst themselves on who did this and blaming the last five years and 10 years of issues, we need action now as residents ...'<sup>398</sup>

**5.25** As outlined earlier in the chapter, the Northern Rivers Reconstruction Corporation is responsible for leading long term housing solutions. Chief Executive, Mr David Witherdin, explained that the corporation will act as a 'single point of contact' to drive reconstruction for the community. Having oversight over the region, he explained that this will ensure that reconstruction projects can be prioritised so that government agencies are not competing with each other, noting the limited number of contractors in the trades workforce.<sup>399</sup> Mr Witherdin added that the corporation expects to implement key recommendations from the government's independent inquiry into the floods.<sup>400</sup>

**5.26** Elaborating on these workforce issues, Mr Witherdin added that as part of the Flood Property Assessment Program, local tradespeople can register their availability, enabling the corporation

<sup>395</sup> See for example, Evidence, Ms Tamara Smith MP, 30 May 2022, p 4.

<sup>396</sup> Public forum, Ms Jude Forsyth, 31 May 2022, p 66.

<sup>397</sup> Public forum, Mr Marcus Bebb, 31 May 2022, pp 64-65.

<sup>398</sup> Public forum, Ms Kirsty Medina, 31 May 2022, p 70.

<sup>399</sup> Evidence, Mr David Witherdin, Chief Executive, Northern Rivers Reconstruction Corporation, 15 June 2022, pp 58 and 60.

<sup>400</sup> Evidence, Mr David Witherdin, Chief Executive, Northern Rivers Reconstruction Corporation, 15 June 2022, p 58.

to create lists of availability and put together vetting processes. In addition, the corporation is looking at the opportunity to bulk purchase scarce materials.<sup>401</sup>

- 5.27** The committee questioned what options may be available to those who have lost their homes but do not want to leave their community. Mr Witherdin stated that he did not want to 'prejudge what the recommendations of the independent inquiry will be', although he referred to the Resilient Homes Fund that the Queensland Reconstruction Authority operates. He highlighted that he is open to a range of opportunities such as voluntary house purchase, land swaps, house raising, building back with flood-hardened materials and house relocation.<sup>402</sup>
- 5.28** The committee also sought assurances that any compulsory acquisition process would be based on pre-disaster market values, not the values of homes post-flood. Mr Witherdin responded that 'that is still to be worked through'. He noted that there may be a similar program to that operated by the Queensland Reconstruction Authority, which had a voluntary rather than compulsory acquisition program.<sup>403</sup>
- 5.29** Several local councils called for a reduction in red tape in reconstruction efforts and extended funding for existing house purchase and raising schemes.<sup>404</sup>
- 5.30** Tweed Shire Council highlighted that the Department of Planning and Environment provides limited funding to all councils for the Voluntary House Purchase scheme and the Voluntary House Raising scheme. The Council argued that the process for these schemes is 'extraordinarily complex, long and constrained by eligibility criteria' and that the funding available only covers about two or three homes a year.<sup>405</sup> In particular, the Council raised a number of limitations with these schemes:
- that they rely on a third of costs to be covered by the Council for the voluntary house purchase scheme or the landowner for the voluntary house raising scheme
  - that there is no ability to purchase cheaper vacant land to prevent new development, buy back latent development with approvals that are no longer suitable due to current hazards, or to consolidate flood prone lots to limit densities in flood prone areas
  - homes built after 1986 and all non-residential developments are ineligible.<sup>406</sup>
- 5.31** Noting these issues, Tweed Shire Council called for an urgent review of both schemes' eligibility criteria and funding arrangements, particularly given that homeowners are receiving insurance payouts and need to make decisions about rebuilding.<sup>407</sup>

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<sup>401</sup> Evidence, Mr David Witherdin, Chief Executive, Northern Rivers Reconstruction Corporation, 15 June 2022, p 67.

<sup>402</sup> Evidence, Mr Mr David Witherdin, Chief Executive, Northern Rivers Reconstruction Corporation, 15 June 2022, p 60.

<sup>403</sup> Evidence, Mr Mr David Witherdin, Chief Executive, Northern Rivers Reconstruction Corporation, 15 June 2022, p 59.

<sup>404</sup> Submission 83, Richmond Valley Council, p 16; Submission 42, Tweed Shire Council, pp 27 and 30. See also, Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 3.

<sup>405</sup> Submission 42, Tweed Shire Council, pp 27 and 30.

<sup>406</sup> Submission 42, Tweed Shire Council, pp 27 and 30.

<sup>407</sup> Submission 42, Tweed Shire Council, pp 27 and 30.

**5.32** The Richmond Valley Council similarly raised concerns with the house raising scheme including that it excludes home above the 1 in 50 year flood level. It also requires local councils, which have limited resources, to fund flood modelling and prepare floodplain risk management plans to identify properties that may be eligible. The Council suggested that the Flood Property Assessment Program could be expanded to support house-raising where appropriate.<sup>408</sup>

### **Affordability of insurance**

**5.33** In addition to concerns about the government's temporary and long term housing solutions, many inquiry participants highlighted insurance as a significant issue, with many people either uninsured or underinsured leaving them vulnerable to financial stress following the February-March 2022 floods. Some raised the high cost of insurance premiums as a concern, and others noted that there are major discrepancies in insurance premiums for homes, including for those in the same street.

**5.34** Several public forum participants shared examples with the committee.

- 'I was insured; we were lucky to be fully insured. It was affordable for us as full-time workers paying \$280 a month, yet our neighbours across the road, a few doors down, had been quoted \$25,000 to \$50,000 a year'.<sup>409</sup>
- 'Most of my neighbours have been quoted unaffordable amounts for some random reason. It is not across the board. I pay about \$5,500 a year and I am completely covered for flood. My house is lower than most of my neighbours, which was why we left, because we were not sure that we would be above the flood level. Some of my neighbours have raised their houses. Most of them were about 12.5 or 13.5 metres, so they felt safe to stay and ended up fighting for their lives. But they were quoted \$27,000 a year for flood insurance on their homes or told they were uninsurable. I don't understand the discrepancy about why it is so different'.<sup>410</sup>
- 'I put everything I had into my home again just to have it taken away. I wasn't given insurance. I'm now trying to build my home again but I'm losing hope. I don't know what to do. I don't have the money and I don't have the mental capacity to lose it three times, and I just need an answer. Our street needs an answer. Their insurance people aren't helping them. Nobody is getting back to us'.<sup>411</sup>
- 'When we bought our property, it was insurable and it was affordable. After the 2011 Brisbane floods, they reformatted insurance and it is now from \$15,000 per year upwards'.<sup>412</sup>

**5.35** Many stakeholders advocated for insurance reform. Ms Francesca Esposito, Chair of the North Byron District Activation Community Flood Response, called for the government to work with the Insurance Council of Australia and local councils to 'deliver what the

<sup>408</sup> Submission 83, Richmond Valley Council, p 16.

<sup>409</sup> Public forum, Ms Kirsty Medina, 31 May 2022, p 70.

<sup>410</sup> Public forum, Ms Deborah Ray, 31 May 2022, p 69.

<sup>411</sup> Public forum, Ms Leesa Hallahan, 1 June 2022, p 31.

<sup>412</sup> Public forum, Ms Lisa Sullivan, 3 June 2022, p 25.

community desperately needs', arguing that flood cover should be made mandatory and insurance should be subsidised.<sup>413</sup>

**5.36** Some stakeholders noted that they would prefer flexible policies that allow a homeowner to choose the amount of coverage appropriate to them.<sup>414</sup> Ms Robyn Preston MP, Member for the Hawkesbury, suggested that the Insurance Council of Australia 'be invited to establish an affordable home or business insurance policy' that covers a flat amount of about \$50,000 for clean up and rehabilitation of a site.<sup>415</sup>

**5.37** Other inquiry participants suggested that there is a need for a state or federal government insurance scheme, looking to Queensland as an example.<sup>416</sup>

**5.38** In response to questioning about whether insurance premiums can be made affordable in flood prone areas, Mr Matthew Jones, General Manager of Public Affairs at the Insurance Council of Australia, explained that the high premiums 'are based on the risk that is present'. Therefore, the insurance industry is focused on flood mitigation measures which not only protect homes but also have the 'effect of driving down insurance premiums'.<sup>417</sup>

**5.39** Stakeholders from the insurance industry listed a number of mechanisms that can help reduce insurance premiums:

- investment in flood mitigation infrastructure and programs
- changes to land-use planning so that homes are not built in flood prone areas or are built so that they account for a range of possible flood events and depths beyond the 1-in-100 year flood standard
- strengthening the building code to ensure that buildings are better able to withstand extreme weather.<sup>418</sup>

**5.40** Insurance industry stakeholders also provided examples of how flood mitigation mechanisms can reduce the cost of insurance premiums. With regard to investment in infrastructure and programs, Mr Jones referred to the construction of a flood levee in Roma, Queensland which resulted in a decrease in premium costs by 'as much as 75 per cent'. He also pointed to the Queensland Household Resilience Program, aimed a better protecting homes from cyclones, which dropped premiums by 25 to 35 per cent.<sup>419</sup> (Food mitigation is discussed more broadly from paragraph 5.108).

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<sup>413</sup> Evidence, Ms Francesca Esposito, Chair, North Byron District Activation Community Flood Response, 1 June 2022, p 10.

<sup>414</sup> See, Public forum, Ms Lisa Sullivan, 3 June 2022, p 25.

<sup>415</sup> Evidence, Ms Robyn Preston MP, Member for the Hawkesbury, 3 June 2022, p 4.

<sup>416</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 3; Public forum, Ms Deborah Ray, 31 May 2022, p 69; Public forum, Ms Jennifer Kidd, 1 June 2022, p 23; Public forum, Ms Lisa Sullivan, 3 June 2022, p 25.

<sup>417</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 50.

<sup>418</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 50.

<sup>419</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 50.



- 5.41** The Insurance Council of Australia also recommended that the government invest in early systems to allow communities to prepare and evacuate well before a disaster. The organisation referred to the European Flood Alert System which can produce early warnings of 10 to 15 days instead of three to five days.<sup>420</sup>
- 5.42** In addition to investment in flood mitigation mechanisms, Mr Jones advocated for the removal of the emergency services levy, noting that New South Wales is the last state in the country to have such a levy. He explained that in combination with stamp duty and GST, residents pay 30 to 40 per cent of premiums in tax.<sup>421</sup>
- 5.43** For those who are insured in flood zones, the committee questioned whether insurance companies would consider giving residents a cash settlement rather than requiring them to rebuild in the flood zone. Mr Jones confirmed that this can be offered and is usually assessed on a case by case basis.<sup>422</sup>
- 5.44** The committee also questioned whether insurance companies would give discounts to those who build their homes in a way that is flood resistant. Mr Jones explained that this would depend on the insurance policy, suggesting that people should 'shop around and find a policy that's appropriate for them in their circumstances'.<sup>423</sup> Mr Dyer highlighted as an example that the Insurance Australia Group provides 'significant discounts for properties that are built higher than the surrounding terrain'.<sup>424</sup>

## Clean up and restoration

- 5.45** In addition to damage to homes, the February-March 2022 floods caused considerable environmental waste and damage to roads and other essential infrastructure. Stakeholders gave evidence about the need to clean up environmental waste, including the need to improve the quality of the Richmond River, and address and manage mould issues. Stakeholders also called for greater investment and repairs to address damaged roads and landslips.

### Environmental clean up

- 5.46** The committee heard concerns about environmental waste and damage following the February-March 2022 floods. Of particular concern was the quality of the Richmond River in the Northern Rivers region.

<sup>420</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 51.

<sup>421</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 50.

<sup>422</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 54.

<sup>423</sup> Evidence, Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 54.

<sup>424</sup> Evidence, Mr Andrew Dyer, Principal Peril and Climate Risk Analyst, Insurance Australia Group, 14 June 2022, p 54.

- 5.47** Cr Sharon Cadwallader, Mayor of the Ballina Shire Council, raised concerns about the water quality of the Richmond River, noting that there was a lot of debris in the river and that the sewage was pumped out from the Lismore treatment plant which was heavily impacted in the floods.<sup>425</sup>
- 5.48** The committee questioned the Environment Protection Authority about the circumstances surrounding sewerage pouring into the Richmond River from Lismore. Ms Arminda Ryan, Director, Incident Management and Environmental Health, Environment Protection Authority, described the situation as 'unfortunate', noting it will take time for the water quality to recover. She explained that the sewerage treatment plant lost all electrical supplies in the floods and is not yet fully operational. With regard to restoration, Ms Ryan outlined that the Environment Protection Authority is monitoring water quality upstream and downstream of the sewerage treatment plant while Public Works Advisory is providing the local council with 'a lot of support' as it will take time to complete the repairs to bring the plant to full operation.<sup>426</sup>
- 5.49** Ms Ryan also confirmed that the Environment Protection Authority is 'leading the shoreline and waterway clean-up program', which involves the deployment of specialist marine contractors each day to clean up rivers from the Hawkesbury to the Queensland border. She advised that the Environment Protection Authority works closely with councils, Transport for NSW, Maritime Services and the Department of Primary Industries to receive reports of large debris. As at the hearing on 15 June 2022, the program had removed more than 7,500 thousand cubic metres of debris from waterways such as reverse vending machines and chemical containers. Ms Ryan highlighted that the marine crews are trying to retrieve debris quickly before it reaches the ocean and beaches.<sup>427</sup>
- 5.50** Ms Fitzsimmons also gave evidence about this work, confirming that the program is part of a \$350 million clean-up package with funding targeted to the Environment Protection Authority and Public Works Advisory.<sup>428</sup>
- 5.51** Turning to other environmental waste issues, one stakeholder shared with the committee that a concrete facility nearby her home was damaged during the floods and leaked contaminants into the environment. In particular, she raised that her home was covered in bitumen which has since hardened. She expressed frustration that no organisation had taken responsibility to clean it up.<sup>429</sup>
- 5.52** Ms Ryan explained to the committee that this facility was not licensed by the Environment Protection Authority, meaning that the local council is the lead authority in addressing the situation. She advised that the Environment Protection Authority is, however, supporting the council and has provided expert technical advice. More generally, Ms Ryan highlighted that

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<sup>425</sup> Evidence, Cr Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 8. See also, Public forum, Ms Meleta Wood, 30 May 2022, p 31.

<sup>426</sup> Evidence, Ms Arminda Ryan, Director, Incident Management and Environmental Health, Environment Protection Authority, 15 June 2022, p 76.

<sup>427</sup> Evidence, Ms Arminda Ryan, Director, Incident Management and Environmental Health, Environment Protection Authority, 15 June 2022, p 76.

<sup>428</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 77.

<sup>429</sup> Public forum, Ms Marion Conrow, 31 May 2022, pp 70-71. See also, Submission 81, Ms Marion Conrow, p 5.

the Environment Protection Authority is in the process of establishing a contamination program to respond to the needs of councils, specifically in Lismore. The program intends to provide access to expert contamination assessments and remediation if required and includes a 'capacity-building piece' to plan and prepare for the next flood.<sup>430</sup>

**5.53** In addition to activities in relation to water quality and river clean up, the NSW Government submitted that the Environment Protection Authority had conducted the following clean up activities following the major flooding of February-March 2022.

- removal of 23,492 truckloads of waste and 1,258 animal carcasses (as at 18 May 2022)
- assessing and approving temporary emergency waste storage sites
- securing a waste levy exemption from the Queensland Government to dispose of flood waste from the Northern Rivers in commercial facilities in South-East Queensland
- approving waste levy exemptions for flood and severe weather waste from disaster declared local government areas including levy exemptions for waste disposal and road base aggregate and daily cover at landfills
- undertaking aerial surveillance of the entire NSW coastline and major impacted waterways
- engaging contractors to clean-up hydrocarbon pollution through 25 homes in Broadwater
- monitoring water quality and airborne asbestos at temporary emergency waste storage sites
- coordinating support and advice for the clean-up of Cabbage Tree Island.<sup>431</sup>

**5.54** The NSW Government added that emergency services agencies also played a significant role in clean up efforts, by washing out homes, clearing debris and attending to vessels that had sunk, broken from moorings or were at risk of causing a marine incident.<sup>432</sup>

**5.55** Ms Robyn Preston MP, Member for the Hawkesbury, described the government's efforts with the clean up of household waste as a 'really good feature of the recovery'. In particular, she noted the government's initiative of placing skip bins in the area for members of the community to dispose of household waste.<sup>433</sup>

**5.56** Similarly, Mr John Truman, Director, Civil Services Division, Ballina Shire Council, complimented the Environment Protection Authority's clean up of the Richmond River. He explained the coordination of clean up by Environment Protection Authority, which previously would have been the council's responsibility, had helped 'enormously'. He further stated: 'The actual debris clean up is something that has, in my experience from this event, been significantly better than previously'.<sup>434</sup>

<sup>430</sup> Evidence, Mr Shane Fitzsimmons, Commissioner, Resilience NSW, 15 June 2022, p 75.

<sup>431</sup> Submission 57, NSW Government, pp 22-23.

<sup>432</sup> Submission 57, NSW Government, p 23.

<sup>433</sup> Evidence, Ms Robyn Preston MP, Member for Hawkesbury, 3 June 2022, p 3.

<sup>434</sup> Evidence, Mr John Truman, Director, Civil Services Division, Ballina Shire Council, 30 May 2022, p 9.

### Health of the Richmond River

- 5.57** Some stakeholders and witnesses raised the issue of the neglect of the Richmond River, and that 'decades of neglect, broken promises, erosion and pollution have resulted in the Richmond River becoming one of the most degraded river systems on the east coast of Australia'.<sup>435</sup>
- 5.58** When asked about the health of the Richmond River, Ms Christina Clay from Rous County Council, told the committee:

In terms of the major contributing factors, there are two main ones and they are priority actions in our draft scoping study for our coastal management plan. They are associated with the drainage of the lowest lying areas on the flood plain—back swamps, former wetlands. These areas are intensively drained and used for agriculture. This has happened for generations—this is not a new thing—but we have major water quality issues come out of these areas on a regular cyclic basis. We're talking about deoxygenated water, so black water from rotting vegetation from pastures and grasses that now grow where it once would have been swampland and rushes. The other one is acid sulphate soils.<sup>436</sup>

### Management of mould

- 5.59** The committee also received evidence about the need to address mould inside dwellings, facilities and temporary accommodation, given it is a significant health concern and source of anxiety for many following the February-March 2022 floods.
- 5.60** NSW Health advised that 'mould is certainly a health concern', that can be associated with breathing problems, sore eyes, runny nose, exacerbated asthma and 'very rarely' mould infections for the immunocompromised or those with lung infections.<sup>437</sup>
- 5.61** The committee received numerous examples of mould being an issue in the aftermath of the floods, particularly in the Northern Rivers Region. The committee visited Condong Public School, on the Tweed River downstream of Murwillumbah, with Mr Geoff Provest MP, member for Tweed, and saw how the interior cladding inside the classrooms of the school had been affected by mould. The committee heard that students are being educated offsite at other schools until the Condong school can be rebuilt.

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<sup>435</sup> Submission 56, Ms Tamara Smith MP, Member for Ballina, 30 May 2022, p 14.

<sup>436</sup> Evidence, Ms Christina Clay, Floodplain Officer, Rous County Council, 31 May 2022, pp 29-30.

<sup>437</sup> Evidence, Dr Richard Broome, Director Environmental Health, Health Protection NSW, NSW Health, 15 June 2022, p 19.

**Figure 11 Committee members inspecting mould in affected classrooms at Condong Public School**



**5.62** Ms Robyn Preston, Member for Hawkesbury, also gave evidence to the committee of disruption to schooling due to mould in Richmond at Colo High School:

Mould abounds in homes, businesses and schools, a legacy of the dampness and moisture that still prevails. Colo High School actually shut down for a time because the mould was rampant there, and the teachers again had to go into the work-from-home and teach-from-home mode there.<sup>438</sup>

**5.63** Organisations responding to the crisis and residents in areas affected by the February-March 2022 floods spoke of homes being affected by mould, presenting a risk for those doing clean-up, a risk for inhabitants, or possibly preventing re-occupation:

- 'Many residents are living in homes in mouldy conditions'<sup>439</sup>
- 'The houses which have not been 'stripped out' are unliveable due to the large-scale mould infestation on walls and floors'<sup>440</sup>
- 'A lot of mould was present in homes and many various unmarked chemical substances were scattered around not to mention the risk of asbestos daily'<sup>441</sup>

**5.64** Inquiry participants also gave evidence that some houses in regions affected by the February-March 2022 floods were affected by mould even though they were not inundated by

<sup>438</sup> Evidence, Ms Robyn Preston, Member for Hawkesbury, Parliament of New South Wales, 3 June 2022, p 3.

<sup>439</sup> Submission 55, North Byron District Activation, p 8.

<sup>440</sup> Submission 55, North Byron District Activation, p 13.

<sup>441</sup> Submission 52, Fire Brigade Employees Union, p 19.

floodwater directly.<sup>442</sup> In response to these concerns, the committee heard that a number of community organisations and private firms are providing information and material to residents on dealing with mould.<sup>443</sup>

- 5.65** The committee also heard that a private manufacturer of cleaning solutions from Queensland voluntarily shipped commercial quantities of cleaning agents to the Northern Rivers, which was well received by the community, but was subsequently discontinued as a result of a lack of government support.<sup>444</sup>
- 5.66** There were, however, concerns that the NSW Government was not doing enough to address the mould concerns of community members affected by the floods, as expressed by Ms Saffin.<sup>445</sup>
- 5.67** Mr Richard Broome, Director Environmental Health Protection, NSW Health, advised the committee of strategies undertaken by the NSW Government to address community concerns about mould and health. Regarding mould, Mr Broome explained NSW Health updated and circulated plainly worded advice and information on how to manage mould, to 'all agencies', for distribution via multiple channels, including evacuation and recovery centres. Mr Broome also explained NSW Health has public health unit staff employed locally who work with the community on mould as well as 'a whole range of public health issues associated with flooding'.<sup>446</sup>

### **Repairs to roads and landslips**

- 5.68** During site visits across the Northern Rivers, and to towns on the Hawkesbury in the west of Sydney, the committee saw and heard evidence of flood damage to roads and bridges, either via land slips or riverbank erosion, at a scale far beyond the usual year-to-year road damage bill. The committee heard how these issues are affecting access to homes, employment, education and agricultural markets. It also heard from local councils, who highlighted the scale of the repairs required, the challenges with accessing funding, and the need to 'build back better' to increase resilience for future floods.
- 5.69** Local Government NSW highlighted how the floods caused extensive damage to 'thousands of kilometres of roads' and bridges, estimating the cost to repair local roads in the Northern Rivers alone to be in excess of \$1 billion. Local Government NSW suggested that undertaking these repairs will be 'well beyond the financial capacity of the affected councils'.<sup>447</sup>
- 5.70** In the area of Lismore, which was significantly impacted by the major flooding of February-March 2022, Lismore City Council provided evidence to the committee that '90% of our 1200 km road network has suffered extensive damage, with an estimate of \$150-200 million to

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<sup>442</sup> Submission 38, Ms Susie Header, p 6.

<sup>443</sup> See for example, Submission 31, BayFM Community Radio, p 5; Submission 52, Fire Brigades Employees Union, p 20.

<sup>444</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 11.

<sup>445</sup> Evidence, Ms Janelle Saffin MP, Member for Lismore, 31 May 2022, p 11.

<sup>446</sup> Evidence, Dr Richard Broome, Director Environmental Health, Health Protection NSW, NSW Health, 15 June 2022, pp 31-32.

<sup>447</sup> Submission 48, Local Government NSW, p 24.

rebuild and repair'.<sup>448</sup> The Council also noted that damage from land slips is a major factor and may comprise \$90 million of those repairs.<sup>449</sup>

- 5.71** Tweed Shire Council, estimated that, \$80 million will be required to address 'over 2,200 reported faults... not including potholes... only including landslips, undermining, and that kind of serious damage'.<sup>450</sup>
- 5.72** Similarly, Hawkesbury City Council provided an estimate of the total damage to infrastructure, including roads, of \$67 million, and noted that this is additional to the 'normal capital works' program expenditure of \$25 to 30 million. Cr Patrick Conolly, Mayor, Hawkesbury City Council, highlighted the challenge of delivering an 'extra \$60 million of capital works' on top of the Council's 'business-as-usual' capital works program.<sup>451</sup>
- 5.73** The committee visited, or received evidence of, examples of roads destroyed in both the Northern Rivers and in the Hawkesbury that will incur extensive repair costs, including examples such as:
- Scenic Drive and Tyalgum Road, affected by landslips in the Tweed Shire<sup>452</sup>
  - Cornwallis Road and Greens Road, affected by riverbank erosion in the Hawkesbury City Council area<sup>453</sup>
  - major damage to Main Arm Road and to roads servicing the townships of Huonbrook and Wanganui in the Byron Shire.<sup>454</sup>
- 5.74** The committee also visited Greens Road, Lower Portland, which runs adjacent to the Hawkesbury River and was damaged by riverbank erosion during flooding in 2021 and again in 2022. There, the committee met with local resident Mrs Rochelle Miller, who also gave evidence at the public forum in Windsor held on 3 June 2022.
- 5.75** Mrs Miller explained to the committee that Greens Road was 'swept away in the March '21 flood' and that 'repairs had not begun before the March '22 flood, causing further damage'.<sup>455</sup>
- 5.76** Mrs Miller went on to provide an overview of the impacts on the community resulting from the ongoing closure of Greens Road due to riverbank erosion.
- Alternative access is only via a 17 kilometre bushfire trail, described as 'continually washed out and potholed'.

<sup>448</sup> Submission 63, Lismore City Council, p 15.

<sup>449</sup> Submission 63, Lismore City Council, p 7.

<sup>450</sup> Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 3 June 2022, p 5

<sup>451</sup> Evidence, Cr Patrick Conolly, Mayor, Hawkesbury City Council, 3 June 2022, p 5.

<sup>452</sup> Correspondence, from Cr Chris Cherry, Mayor, Tweed Shire Council, 16 May 2022.

<sup>453</sup> See, Public forum, Ms Rochelle Miller, 3 June 2022, pp 18-19; Correspondence, from Ms Susan Templeman MP, Member for Macquarie, 26 May 2022.

<sup>454</sup> Tabled document, Cr Michael Lyon, Presentation to the committee: *February 2022 Flood Event E2022/49422*, Mayor, Byron Shire Council, 20 July 2022, pp 7-8.

<sup>455</sup> Public forum, Mrs Rochelle Miller, 3 June 2022, p 18.

- Access is limited for water haulage and Rural Fire Service trucks, and any emergency responders will face an additional 45 minutes travel time.<sup>456</sup>

**5.77** Ms Miller also highlighted that her daughter has developed anxiety, 'throwing up, travelling the bushfire trail, on the side of the road. She expressed frustration at 'waiting for months for decisions to be made' and asked 'Why does it matter if it's a council road or a state road?'<sup>457</sup>

**5.78** Similarly, Ms Robyn Preston, MP, Member for Hawkesbury, expressed the view that unresolved riverbank erosion has been the 'single biggest failure by the State Government' in relation to floods. Ms Preston observed that 'all along the Hawkesbury River there are giant horseshoe-shaped gouges out of people's land'. Ms Preston noted that an example of this riverbank erosion was observed by the committee on a site visit to Cornwallis Road (discussed further in the case study below).<sup>458</sup>

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<sup>456</sup> Public forum, Mrs Rochelle Miller, 3 June 2022, pp 18-19.

<sup>457</sup> Public forum, Mrs Rochelle Miller, 3 June 2022, p 19.

<sup>458</sup> Evidence, Ms Robyn Preston, MP, Member for Hawkesbury, 3 June 2022, p 3.



### Cornwallis Road, Cornwallis

A number of stakeholders expressed concerns about the dramatic erosion in the area of Cornwallis Road, Cornwallis as a result of the major flooding of February-March 2022. Cornwallis is an agricultural area on the southern bank of the Hawkesbury River, between Richmond and Windsor.

During a visit to the location, the committee met with community representatives on this issue, and heard about the significant and ongoing disruption to businesses being caused by the large scale erosion and the loss of the road. Some questioned whether it was within the capacity of the local council to remediate.

Landowner and turf grower, Ms Jessica Micallef, described the extent of the erosion and the impact it is having on her family's property:

The gorge has now blown to an incredible 150m in width. The most devastating part of this flood is that all the excess soil that was blown in from the gorge is now all over us. Our crops are smothered in soil and destroyed... Some nearly picket fence height in depth.<sup>459</sup>

The committee saw first-hand the damage to the road, described as 'non-existent'<sup>460</sup>, the wide area that has been washed away, and the large areas of surrounding farmland affected by silt deposition.

The committee was advised that a 'major collapse' at the site after the 2021 floods had remained unrepaired until the time of the major flooding of February-March 2022.<sup>461</sup> Community members expressed frustration at the ongoing lack of any visible government response.<sup>462</sup> The committee also heard claims that the scale of the current damage, and high costs to manage it, might have been avoidable if timely repairs were undertaken to address previous flood impacts.<sup>463</sup>

Mr Charlie Saliba, a local agriculturalist, gave evidence to the inquiry about the lack of action at the site, the impact on his property and resulting feelings of frustration:

This project has been going on the last three years, and we haven't had much of a result out of it yet... The damage that we have got on our farm, we have got two foot of silt in there... Every time we talk to a council person or somebody, they say they can't make a decision... You might as well be in the circus, because that is the way it looks to me it runs like.<sup>464</sup>

Cr Patrick Conolly, Mayor of Hawkesbury City Council, advised the committee that Public Works Advisory, a NSW Government agency, was requested to take the lead on managing remediation of

<sup>459</sup> Public forum, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 2, quoting written evidence provided by Ms Jessica Micallef.

<sup>460</sup> Public forum, Mr Paul Saliba, 3 June 2022, p 18.

<sup>461</sup> Correspondence, from Ms Susan Templeman MP, Member for Macquarie, 26 May 2022.

<sup>462</sup> Public forum, Mr Charlie Saliba, 3 June 2022, p 18.

<sup>463</sup> See Evidence, Ms Susan Templeman MP, Member for Macquarie, 3 June 2022, p 2; Evidence, Ms Angela Dye, 3 June 2022, p 15; Public forum, Ms Samantha Magnusson, 3 June 2022, p 29.

<sup>464</sup> Public forum, Mr Charlie Saliba, 3 June 202, p 18.

this location, as 'council is not set up to deal with infrastructure failings of that size and scale. It's not our expertise; it's not what we're staffed for'.<sup>465</sup>

Regarding the cost to remediate the erosion, Cr Conolly advised that the council has developed 'indicative costings' of approximately \$10 million for 'stage one' works to restore the riverbank to provide 'immediate protection' for surrounding properties. Cr Conolly further explained that 'stage two', including road access, has not yet been designed or costed, and agreed with the view that it is 'beyond the engineering capacity' of the council.<sup>466</sup>

Cr Conolly provided further comments that '[Public Works Advisory] is doing a great job, but it has been a slow process'. He also suggested that 'there is a need to enhance the capability and capacity' of state agencies such as the Public Works Advisory.<sup>467</sup>

In response to questions from the committee on this example, Ms Robyn Preston, MP, Member for Hawkesbury, put forward the view that 'there needs to be more of a sense of urgency' and perhaps there is 'an opportunity for government to have in place a team like we did with the bushfires'.<sup>468</sup>

**Figure 1** Committee members inspecting the scale of erosion at Cornwallis



*Photo by committee secretariat, taken during site visit to Cornwallis, 3 June 2022*

**5.79** Regarding the government response to riverbank erosion during flood events, Ms Preston acknowledged there has been an ongoing 'slow' process of appointing compliance officers for the purpose of assisting with 'red tape' and advice on riverbank restoration, which began

<sup>465</sup> Evidence, Cr Patrick Conolly, Mayor, Hawkesbury City Council, 3 June 2022, p 5.

<sup>466</sup> Evidence, Cr Patrick Conolly, Mayor, Hawkesbury City Council, 3 June 2022, pp 10-11.

<sup>467</sup> Evidence, Cr Patrick Conolly, Mayor, Hawkesbury City Council, 3 June 2022, p 5.

<sup>468</sup> Evidence, Ms Robyn Preston, MP, Member for Hawkesbury, 3 June 2022, p 7.

following the 2021 floods. Ms Preston recommended that this program should be 'supported going forward' due to strong demand in the community for advice and support.<sup>469</sup>

- 5.80** Cr Patrick Conolly, Mayor, Hawkesbury City Council also supported the view that 'having caseworkers to help applicants with red tape is great' however suggested that it is only addressing a 'small part of the problem'. Cr Conolly suggested that the existing framework of regulatory controls of riverbank works are not suited to dealing with flood damage of this nature in a timely manner. Cr Conolly explained:

We were getting DAs in at council and we're following the law, and we're asking for 15 reports to go and restore the riverbank at a cost that might be three or four times the cost of actually doing the work. ... a few people have tried to do it the right way and everybody else has just done whatever they wanted because it was too hard to come and do it the right way and talk to us. So we get a poor environmental outcome; we get a poor community outcome. Nobody's winning.<sup>470</sup>

- 5.81** Cr Conolly suggested there is a need for 'a streamlined approach' that can permit an 'immediate response', which may require 'some change in the planning legislation'.<sup>471</sup>
- 5.82** Another significant concern affecting roads are landslips, which often involve the displacement of large volumes of soil and present an enormous challenge for councils in comparison to usual road repair works.
- 5.83** Cr Michael Lyon, Mayor, Byron Shire Council, gave evidence to the inquiry that 192 hinterland properties within the shire were isolated after the February-March 2022 floods by landslips and similar road damage.<sup>472</sup> Concerns about landslips were also expressed by community representatives in Lismore, the Richmond Valley, and the Tweed Shire.<sup>473</sup>
- 5.84** Local Government NSW noted that landslips which have occurred on private access roads are a particular concern. It explained to the committee that neither private residents nor local councils are resourced to effect remediation, and 'the Australian Defence Force similarly has advised councils that responding to landslips on private property is beyond its remit'. Local Government NSW recommended that the NSW Government should 'consider how it can best support residents in responding to landslips on private property'.<sup>474</sup>
- 5.85** Lismore City Council had similar concerns, explaining that Lismore 'has a significant number of multiple occupancy communities' that have been affected by landslips on private property, with 'hundreds of people' remaining isolated as internal private access roads have been compromised. Lismore City Council stated that government agencies 'have been unable to

<sup>469</sup> Evidence, Ms Robyn Preston, MP, Member for Hawkesbury, 3 June 2022, p 4.

<sup>470</sup> Evidence, Cr Patrick Conolly, Mayor, Hawkesbury City Council, 3 June 2022, p 5.

<sup>471</sup> Evidence, Cr Patrick Conolly, Mayor, Hawkesbury City Council, 3 June 2022, p 5.

<sup>472</sup> Evidence, Cr Michael Lyon, Mayor, Byron Shire Council, 30 May 2022, p 2.

<sup>473</sup> See Evidence, Ms Janelle Saffin MP, Member for Lismore, 1 June 2022, p 3; Evidence, Cr Robert Mustow, Mayor, Richmond Valley Council, 31 May 2022, p 8; Evidence, Cr Chris Cherry, Mayor, Tweed Shire Council, 1 June 2022, p 5.

<sup>474</sup> Submission 48, Local Government NSW, p 25.

find a way forward to support these communities' and that 'the challenge does not sit neatly within any existing government support process or program'.<sup>475</sup>

- 5.86** The committee also heard evidence that small rural townships are particularly at risk of isolation due to landslips. For example, the Tyalgum District Community Association gave evidence to the committee that their community is vulnerable to isolation, as one access road is impassable due to a major landslip, and the only other access road is reduced to single lane access due to various landslips which may worsen. The Association suggested that landslips have occurred in these same locations previously, and that 'the underlying causes of the problems in those locations have not been properly remediated in past repairs'.<sup>476</sup>
- 5.87** In response to questions from the committee about the need to assess and manage risks arising from landslips, Mr Rob Kelly, Executive Director, Local Land Services, noted that there has been a lot of reports from impacted landholders on the issue of landslips, with a clear demand for programs to assess risk in relation to landslips. Mr Kelly advised that the establishment of a program to resolve land slips 'in future' is under discussion with the Public Works Advisory.<sup>477</sup>
- 5.88** In submissions to the inquiry, a number of stakeholders also discussed how closed and damaged local roads slow or suppress the recovery of local services, communities and businesses.<sup>478</sup>
- 5.89** The committee heard that funding for the reconstruction of destroyed council roads is available under the Disaster Recovery Funding Arrangements, a 'joint Australian Government-State cost sharing arrangement' designed to 'facilitate provision of relief and recovery assistance to disaster affected communities'.<sup>479</sup> (For more detail on the Disaster Recovery Funding Arrangements, see Chapter 4.)
- 5.90** In terms of repairs, Tweed Shire Council identified some difficulties in accessing the funding under the Disaster Recovery Funding Arrangements, due to the scale of the February-March 2022 floods, including:
- repairs being ineligible due to the three-month limit prescribed for emergency works in the funding rules
  - administrative overheads relating to unclear provisions for emergency exemptions from the usual tender processes required for major projects under the Local Government Act and associated regulation
  - further administrative overheads created by the 'disparate and overwhelming number of new disaster and resilience grant funding programs' which 'impacts on Council resources already stretched by flood recovery activities'.<sup>480</sup>

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<sup>475</sup> Submission 63, Lismore City Council, p 20.

<sup>476</sup> Submission 61, Tyalgum District Community Association, pp 9-10.

<sup>477</sup> Evidence, Mr Rob Kelly, Executive Director, Regional Operations, Local Land Services, 15 June 2022, p 74.

<sup>478</sup> See, Submission 26, St Vincent de Paul Society NSW, p 5; Submission 43, NSW Farmers' Association, p 6; Submission 44, Essential Energy, p 5.

<sup>479</sup> Submission 84, Australian Government National Recovery and Resilience Agency, pp 1-2.

<sup>480</sup> Submission 42, Tweed Shire Council, pp 10-11.

**5.91** In the context of these challenges, Tweed Shire Council put forward view that the eligibility criteria for the Disaster Funding Recovery Arrangements is too narrow in focus:

Disaster funding for infrastructure (DRFA Cat B) provides funding for repairing like-for-like for a narrow group of assets without consideration of inter-asset impacts or geographical proximity. This results in a reactive and piecemeal approach, the outcomes of which could be significantly improved with greater betterment investment in a broader range of asset classes. One example of this is the large lengths and depths of riverbank erosion from this event which have now caused significant damage to road infrastructure.<sup>481</sup>

**5.92** Stakeholders suggested that instead of simply repairing or rebuilding what has been damaged there is a need to rebuild enhanced or relocated road infrastructure to minimise future flood impacts.

**5.93** In this respect, Local Government NSW argued in favour of funding to be provided to councils to build 'more resilient' local roads and bridges. Local Government NSW suggested that due to the frequency of major floods, 'building more resilient infrastructure or relocating infrastructure' is preferable to repairing road and bridges 'to their previous operational state'.<sup>482</sup>

**5.94** Local Government NSW further argued that for 'a relatively small additional investment', betterment funding can 'save billions of dollars in years to come by ensuring that infrastructure is rebuilt to a more resilient standard'.<sup>483</sup>

**5.95** The NSW Government gave evidence to the inquiry that in addition to the funding available for 'reinstatement or restoration' projects under the Disaster Recovery Funding Arrangements, a further \$312 million is available for projects that add 'significant resilience or betterment'.<sup>484</sup>

**5.96** Mr Matt Fuller, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, gave examples of where this betterment funding could be utilised:

... as highlighted earlier, in some of the slope failures that have occurred, there are complete relocations and greenfield site development to be undertaken. There are choices to be made about alternate routes. This funding was really designed to further complement what's there under the national disaster relief and give both the ability to councils and the State to identify some of the points of vulnerability and to deal with those.<sup>485</sup>

**5.97** On further questioning by the committee, Mr Fuller advised that of this \$312 million, 60 percent will be available for local roads and 40 percent is allocated for state roads, with the potential to seek expansion of the program as that allocation is exhausted.<sup>486</sup>

<sup>481</sup> Submission 42, Tweed Shire Council, p 31.

<sup>482</sup> Submission 48, Local Government NSW, p 24.

<sup>483</sup> Submission 48, Local Government NSW, p 21.

<sup>484</sup> Evidence, Mr Matt Fuller, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, 15 June 2022, p 81.

<sup>485</sup> Evidence, Mr Matt Fuller, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, 15 June 2022, p 81.

<sup>486</sup> Evidence, Mr Matt Fuller, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, 15 June 2022, p 81.

- 5.98** Cr Michael Lyon, Mayor, Byron Shire Council, noted this is 'the first time we have really seen a substantial commitment to betterment funding' and described this as 'really encouraging'.<sup>487</sup>
- 5.99** Mr John Truman, Director, Civil Services Division, Ballina Shire Council, advised the committee of his understanding that stage one of the betterment funding program will be awarded on a competitive basis. Mr Truman noted that 'that's not unreasonable in the sense that we want to make sure that the money is allocated to the highest-priority projects. But it does mean that it will slow the process down'.<sup>488</sup>
- 5.100** Cr Steve Krieg, Mayor, Lismore City Council supported the view that a competitive grant process is sub-optimal in terms of the wider recovery in the Northern Rivers, suggesting 'I don't want to sit in a room with the Mayor of Richmond Valley and fight over \$10 million. I don't think that's fair on either of us. It think it should be a needs basis'.<sup>489</sup>
- 5.101** Ms Tamara Smith, MP, Member for Ballina, suggested that a management plan for landslips should be developed with NSW Government and Commonwealth support, and could be used to limit new development in areas 'where foreseeable risk is likely'.<sup>490</sup>

### **Restoration of power**

- 5.102** The floods in both the Northern Rivers and Hawkesbury regions caused a loss of power in some regions. Stakeholders from the Northern Rivers region questioned why many properties were still disconnected from the grid over three months after the major flooding of February-March 2022.<sup>491</sup>
- 5.103** Service provider Essential Energy gave evidence about its work to restore power to networks in the Northern Rivers region. It told the committee that its depots in Murwillumbah and Lismore experienced 'significant structural damage' to the buildings, electrical infrastructure and equipment. Its zone substations in South Lismore and Lismore University also suffered damage. Essential Energy advised that the extensive damage caused major outages which affected a total of 69,603 Essential Energy customers. For safety reasons, Essential Energy deenergised 7,043 properties.<sup>492</sup>
- 5.104** Essential Energy described its response, including:
- the deployment of 210 local employees to help with immediate response, in addition to a crew of 215 people brought into the region from 30 locations
  - the use of specialised contactors where required, being the crew number on the ground to over 450

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<sup>487</sup> Evidence, Cr Michael Lyon, Mayor, Byron Shire Council, 30 May 2022, p 2.

<sup>488</sup> Evidence, Mr John Truman, Director, Civil Services Division, Ballina Shire Council, 30 May 2022, p 8.

<sup>489</sup> Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 8.

<sup>490</sup> Submission 56, Ms Tamara Smith, MP, Member for Ballina, p 14.

<sup>491</sup> See, Evidence, Cr Steve Krieg, Mayor, Lismore City Council, 31 May 2022, p 4.

<sup>492</sup> Submission 44, Essential Energy, p 4.

- the use of drones, helicopters and specialised fleet equipment to access isolated parts of the network that were difficult to access due to road closures and landslips
- daily operation updates and media interviews
- the set up of employees around the community to speak directly with impacted customers and electronic signboards to alert the public.<sup>493</sup>

**5.105** While it restored power supply to the network, Essential Energy explained that customers whose properties had been de-energised had to follow a three step process to have electricity reconnected, as follows:

- engage a licensed electrical contractor to inspect their premises for safety and compliance and make any necessary repairs to the premises' switchboard and internal wiring,
- once the contractor has completed the inspection, they would log a Certificate of Compliance for Electrical Work with Essential Energy and leave a copy with the customer
- call Essential Energy to have power restored or arrange for a Level 2 Accredited Service Provider.<sup>494</sup>

**5.106** It also advised that 5,274 properties had been reconnected as at 12 May 2022.<sup>495</sup>

**5.107** Essential Energy acknowledged the frustration of some customers with the timeliness of this process.<sup>496</sup> In evidence, Mr Luke Jenner, Chief Operating Officer, Essential Energy explained that in New South Wales, electrical service providers are 'effectively ring-fenced from being able to work behind the meter', meaning that any work within the property must be conducted by an electrical contractor. Mr Jenner conceded that 'the response may have been delayed' but that Essential Energy 'worked very, very closely with electricians ... [and] the Electrical Trades Union to make sure that electricians and electrical suppliers were available on the ground for customers to access'.<sup>497</sup>

## Flood mitigation and preparation

**5.108** In the context of future floods being inevitable, the committee received evidence about the need to invest in flood mitigation and preparation measures to help reduce the impact of future floods on local communities.

**5.109** According to Floodplain Management Australia, a national peak body for flood risk practitioners in Australia, while the February-March 2022 floods reached record levels, they were 'well within the realms of possibility based on existing flood studies and management plans'.<sup>498</sup>

<sup>493</sup> Evidence, Mr Luke Jenner, Chief Operating Officer, Essential Energy, 14 June 2022, pp 35-36.

<sup>494</sup> Submission 44, Essential Energy, p 6.

<sup>495</sup> Submission 44, Essential Energy, p 6.

<sup>496</sup> Submission 44, Essential Energy, p 6.

<sup>497</sup> Evidence, Mr Luke Jenner, Chief Operating Officer, Essential Energy, 14 June 2022, pp 37-38.

<sup>498</sup> Evidence, Mr Danny Rose, Technical Director, Floodplain Management Australia, 14 June 2022, p 30.

- 5.110** Floodplain Management Australia submitted that flooding from rivers and local catchments 'is the most manageable of natural disasters' and has therefore 'consistently advocated [for] reducing the costs of flood disaster response, recovery and reconstruction by implementing well planned pre-emptive actions.'<sup>499</sup>
- 5.111** As mentioned earlier at paragraph 5.38, stakeholders from the insurance industry argued that flood mitigation and preparation can have a significant impact on the cost of insurance premiums. Based on insurance claims, the February-March 2022 floods were the costliest floods in Australia and fourth most expensive natural disaster ever.<sup>500</sup> The Insurance Council of Australia highlighted that there had been over 98,500 insurance claims with an estimated value of \$1.67 billion.<sup>501</sup>
- 5.112** Inquiry participants made a range of suggestions in relation to flood mitigation and preparation, including the need for increased funding and technical guidance on flood mitigation for local councils, clarity on responsibility for flood mitigation and a risk based approach to land-use planning and development.

#### **Increased funding and technical guidance**

- 5.113** Turning to the first theme, stakeholders pointed to the Productivity Commission's finding in its 2014 inquiry into natural disaster arrangements that 97 per cent of natural disaster expenditure in Australia is on recovery, in comparison to 3 per cent on planning and mitigation.<sup>502</sup> Flood Management Australia supported the Productivity Commission's recommendation that the Australian Government increase investment in pre-disaster initiatives to \$200 million annually, to be matched by state and territory governments.<sup>503</sup>
- 5.114** Several local councils told the committee that they had developed flood mitigation plans but struggled to obtain the necessary funding and resourcing to implement these plans. Some examples of flood mitigation measures include the construction and maintenance of flood levees and gauges, investment in flood studies and the implementation of housing projects such as buybacks, land swaps and house raising. Ultimately, stakeholders argued that there is a need for more funding to local government to implement flood mitigation measures.<sup>504</sup>
- 5.115** In response to committee questioning on flood mitigation planning for infrastructure, Mr John Truman, Director, Civil Services Division, Ballina Shire Council, estimated a 'substantial investment' would be required, of '\$100 million or more'. Mr Truman cited examples such as \$25 million to provide dual lanes on Fishery Creek Bridge, 'so that we can have access out of

<sup>499</sup> Submission 19, Floodplain Management Australia, p 2.

<sup>500</sup> Evidence, Mr Matthew Jones, General Manager of Public Affairs, Insurance Council of Australia, 14 June 2022, p 49.

<sup>501</sup> Submission 37, Insurance Council of Australia, p 1.

<sup>502</sup> See, Submission 19, Floodplain Management Australia, p 2; Submission 42, Tweed Shire Council, p 20; Submission 63, Lismore City Council, p 10; Evidence, Ms Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 2; Submission 48, Local Government NSW, p 8.

<sup>503</sup> Submission 19, Floodplain Management Australia, p 2.

<sup>504</sup> See, Submission 19, Floodplain Management Australia, p 2; Submission 42, Tweed Shire Council, p 20; Submission 63, Lismore City Council, p 10; Evidence, Ms Sharon Cadwallader, Mayor, Ballina Shire Council, 30 May 2022, p 2; Submission 48, Local Government NSW, p 8.



Ballina Island to the south' in the event of flooding. Mr Truman further explained that 'there's not the capability in the region, resource wise, to build what's going to be needed to be built over the next three or four years'.<sup>505</sup>

- 5.116** Flood Management Australia referred to the construction of the Delinquin flood levee as an example of the implementation of a flood mitigation measure that will reduce the impact of future floods. The peak body highlighted that the '\$15.8 million investment will avoid \$85 million in flood damages in a flood which has a 1 in 100 chance of occurring in any one year'.<sup>506</sup>
- 5.117** In addition to flood mitigation infrastructure, local councils advocated for funding for the full time engagement of staff who could support flood preparation, flood responses and recovery operations. Several councils highlighted that they do not currently have the resourcing to fund these positions full time.<sup>507</sup>
- 5.118** In addition to increased funding, Flood Management Australia also advocated for increased technical support and project management assistance for local councils on flood mitigation processes. The organisation outlined that guidance is currently provided by 'a limited number of very experienced experts' from the Department of Planning and Environment. Flood Management Australia suggested that the current technical expertise in the department should be 'expanded substantially to support councils in management of their present and future flood risks'.<sup>508</sup>
- 5.119** The department also provides guidance through the NSW Flood Prone Land Policy and Floodplain Development Manual, which after a 'lengthy and complex review will be replaced by the Flood Risk Management Manual and toolkit'.<sup>509</sup> Flood Management Australia expressed support for the draft Flood Risk Management Manual and highlighted that it had provided comments on the draft to 'assist in producing a more robust and effective set of guidance'.<sup>510</sup>

### **Clarity on responsibility for flood mitigation**

- 5.120** On the second theme, stakeholders, particularly those in the Northern Rivers region, argued that there is a need for a clear lead organisation for flood mitigation in the Richmond catchment.<sup>511</sup>
- 5.121** Established in 1959, Rous County Council is appointed under the Local Government Act as the flood mitigation authority for the Richmond Valley, Lismore and Ballina local government areas. However, according to the County Council, responsibility for flood mitigation in the

<sup>505</sup> Evidence, Mr John Truman, Director, Civil Services Division, Ballina Shire Council, pp 7-8.

<sup>506</sup> Submission 19, Floodplain Management Australia, p 2.

<sup>507</sup> See, Submission 72, Ballina Shire Council, p 3; Submission 14, Clarence Valley Council, p 2.

<sup>508</sup> Submission 19, Floodplain Management Australia, p 3.

<sup>509</sup> Submission 19, Floodplain Management Australia, p 3.

<sup>510</sup> Submission 19, Floodplain Management Australia, p 3.

<sup>511</sup> See, Evidence, Mr Geoff Pye, Chairman, Richmond River Cane Growers Association, 30 May 2022, pp 38-39.

Richmond Catchment is unclear as flood mitigation measures are shared between the county council and general purpose councils.<sup>512</sup>

- 5.122** Rous County Council highlighted that its role over time 'has defaulted to managing some but not all flood mitigation infrastructure, the majority of which is in rural areas'. Richmond Valley, Lismore City and Ballina Shire Councils are responsible for development controls on flood prone land, undertaking flood studies and preparing risk management plans and have responsibility over flood mitigation infrastructure in their CBD and urban areas of their local government areas.<sup>513</sup>
- 5.123** The County Council argued that due to the shared responsibility between different councils, there is 'no clear lead organisation and no whole of catchment perspective'. It added that the current approach 'contributes to a piecemeal approach, limited to the boundaries of each local government area'.<sup>514</sup>
- 5.124** In addition to a lack of clarity on a lead flood mitigation agency, Rous County Council outlined that its state funding of \$84,600 for the maintenance of flood mitigation infrastructure has not increased since 1985. The County Council argued that this funding is 'inadequate to meet current service levels'.<sup>515</sup>
- 5.125** On a similar note, Mr Geoff Pye, Chairman of the Richmond River Cane Growers Association, advocated for the:
- re-establishment of a single, well-funded flood mitigation authority, arguing that since the 1990s the importance of Rous County Council 'as the lead agency has been taken away by local councils' interference ... and lack of funding'
  - removal of complex and conflicted legislation and intergovernmental agency conflict that prevents flood mitigation works and processes, noting that there are seven government departments with jurisdiction over land, water, vegetation and flood mitigation infrastructure
  - restoration of rural flood mitigation infrastructure to its design state, and regular and ongoing maintenance to flood mitigation infrastructure.<sup>516</sup>

### **A risk based approach to land-use planning and development**

- 5.126** Turning now to land-use planning and development, stakeholders considered that land-use controls needed to be looked at to prevent future developments to be built in flood-prone areas and/or to ensure that properties are built with flood risks in mind.

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<sup>512</sup> Submission 6, Rous County Council, p 1.

<sup>513</sup> Submission 6, Rous County Council, p 1.

<sup>514</sup> Submission 6, Rous County Council, p 1.

<sup>515</sup> Submission 6, Rous County Council, p 3. See also, Evidence, Ms Christina Clay, Floodplain Officer, Rous County Council, 31 May 2022, p 28.

<sup>516</sup> Evidence, Mr Geoff Pye, Chairman, Richmond River Cane Growers Association, 30 May 2022, pp 38-39.

**5.127** Mr Danny Rose, Technical Director at Flood Management Australia, explained that historically, land-use planning systems have focused on a singular flood standard, the 1 in 100 chance per year flood. In its submission, Flood Management Australia noted that there has been a move in the last 36 years from a singular standard to a risk management based approach.<sup>517</sup> The submission added that in catchment areas where there are large ranges in flood depths:

...there exists the potential for substantial risk to life and flood damage between the 1 in 100 chance per year flood level and the probable maximum flood level.

**5.128** Therefore, the peak body suggested that 'planning policies need to support the use of appropriate risk-based controls for development above the 1 in 100 chance per year flood in such circumstances.'<sup>518</sup>

**5.129** In evidence, Mr Rose highlighted that residential developments can be safely built in flood prone areas if it is in a location of the floodplain that is compatible with the hazard and allows safe evacuation. Mr Rose noted that while issues are built into the New South Wales planning scheme and floodplain development manuals, local government and state agencies run into the 'legacy issue' of past approvals or zoning decisions that were made 'in the absence of good flooding data and ... focused on the 1 in 100 year flood'.<sup>519</sup>

**5.130** The Kingscliff Ratepayers and Progress Association argued that there is a need to 'stop development on flood-prone land'. The Association highlighted that there are many pending developments in Kingscliff approved many years ago 'which no longer meet the environmental and floodplain management standards of current times'. The Association contended that if development continues to occur on low lying or flood prone land, 'natural drainage is reduced significantly' leading to an inundation of water. The Association therefore recommended that:

- existing plans of approved developments be revised so that they reflect the standards required today for drainage and building types and density and take into account the flood impact on adjacent areas
- a process of compulsory acquisition be undertaken to prevent unsuitable areas being further developed
- the Minister for Planning and Minister for Homes restore the nine principles of sustainable development and the Design and Place State Environmental Planning Policy (SEPP) 2021.<sup>520</sup>

**5.131** Also reflecting on new developments, Member for the Hawkesbury, Ms Robyn Preston MP, suggested that a levy be applied to new developments that have an impact on the Hawkesbury

<sup>517</sup> Evidence, Mr Danny Rose, Technical Director, Floodplain Management Australia, 14 June 2022, pp 33-34; Submission 19, Flood Management Australia, p 3.

<sup>518</sup> Evidence, Mr Danny Rose, Technical Director, Floodplain Management Australia, 14 June 2022, pp 33-34; Submission 19, Flood Management Australia, p 3.

<sup>519</sup> Evidence, Mr Danny Rose, Technical Director, Floodplain Management Australia, 14 June 2022, p 34.

<sup>520</sup> Evidence, Mr Peter Newton, President, Kingscliff Ratepayers and Progress Association Inc, 1 June 2022, pp 11 and 13; Submission 22, Kingscliff Ratepayers and Progress Association Inc, pp 1-2.

Valley. She suggested that the levy could 'go towards a fund that maintains and upkeeps the drainage systems that are flowing into the Hawkesbury Valley'.<sup>521</sup>

**5.132** Mr Brett Whitworth, Deputy Secretary, Planning Policy at the Department of Environment and Planning, highlighted that there is a need to look at how planning operates given the changing nature of climate events such as floods. Referring to a flood planning package released in 2021 encouraging councils to consider how to deal with flood risks differently, Mr Whitworth stated:

We've dealt with flood as a hazard. We now need to start talking about flood being a risk and looking at different circumstances for how development controls, strategic planning and infrastructure need to be identified and managed.<sup>522</sup>

**5.133** The committee questioned whether any development applications in flood-prone areas have been paused while the independent government inquiry is underway. Mr Whitworth confirmed that applications have been paused, explaining that 'the existing controls that sit there in relation to the application of flood-prone land clauses continue to apply, and have always applied'. He added that pausing development would require a state planning policy that prohibits development.<sup>523</sup>

**5.134** The committee also explored whether planning controls should be based on the probable maximum flood level and whether the department was waiting for the government's independent flood inquiry to make a finding on this. Mr Whitworth disagreed, stating that setting the flood planning level to the probable maximum flood level 'is a pretty blunt instrument that would have quite significant impacts'. In particular, he highlighted that it would 'wipe out large amounts of people's value in their homes in places like western Sydney'.<sup>524</sup>

**5.135** Rather, Mr Whitworth anticipated that planning controls would take 'a risk-based approach that will be appropriate to the location'.<sup>525</sup>

### **Other flood mitigation measures**

**5.136** Beyond the themes discussed above, the committee received evidence on a number of other flood mitigation strategies, including the incorporation of Aboriginal knowledge into flood predictions, flood drainage and revegetation, and arguments surrounding the Warragamba Dam wall.

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<sup>521</sup> Evidence, Ms Robyn Preston MP, Member for the Hawkesbury, 3 June 2022, p 4.

<sup>522</sup> Evidence, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, 15 June 2022, p 59.

<sup>523</sup> Evidence, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, 15 June 2022, p 68.

<sup>524</sup> Evidence, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, 15 June 2022, p 69.

<sup>525</sup> Evidence, Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Environment and Planning, 15 June 2022, p 69.

- 5.137** With regard to Aboriginal sciences and knowledge, Ms Arabella Douglas highlighted that the Sendai framework, which is an overarching framework between the state and federal governments, states that there is a need for more data to be fed into prediction, including Aboriginal sciences and knowledge.<sup>526</sup> Similarly, Aboriginal organisations representing the Bundjalung Nation in the Northern Rivers region considered that planning schemes should incorporate flood overlay mapping informed by First Nations local knowledge.<sup>527</sup>
- 5.138** Ms Douglas questioned why this strategy had not yet been implemented. She noted that the Bundjalung Nation is keen to do the mapping with or without state government support, adding that the local community and local councils will be open to listening to the predictions.<sup>528</sup> In addition, inquiry participants raised that no-one had consulted with Aboriginal communities about the cultural damage to the landscape as a result of the floods.<sup>529</sup>
- 5.139** The Currie Country Social Change, Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki and the Native Title Group Bandjalang PBC Coraki recommended that the NSW Government develop a plan with Aboriginal Traditional Owners to 'better protect sites of significance and of high cultural and historical value before, during and after natural disasters'.<sup>530</sup>
- 5.140** Several witnesses to the committee suggested the extent of flooding on the February-March 2022 flooding on the Northern Rivers and the frequency and severity of future floods could be reduced by better management of the drainage channels surrounding the farming. Local farmer Mr Robert Commens said:
- ... the water that was sitting in the drains did not drain away, so it exacerbated the flood impact when the water from up-catchment did come... Mangroves grow up into there and then they grow around the gate and the gate only opens 20 per cent of what it should.<sup>531</sup>
- 5.141** Ms Tamarah Knox supported this view stating, '... a drainage network that feeds that [Deadman's] creek hasn't been manually cleaned in at least 10 years...we have noticed the flooding frequency has increased in the area'.<sup>532</sup>
- 5.142** Mr Commens also gave evidence that maintenance of these drains was hindered by 'excessive approves required' with the involvement of far too many government agencies: 'We're talking

<sup>526</sup> Evidence, Ms Arabella Douglas, Chief Executive Officer, Currie Country Group, 30 May 2022, p 12.

<sup>527</sup> Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 29.

<sup>528</sup> Evidence, Ms Arabella Douglas, Chief Executive Officer, Currie Country Group, 30 May 2022, p 13.

<sup>529</sup> Evidence, Ms Arabella Douglas, Chief Executive Officer, Currie Country Group, 30 May 2022, p 13.

<sup>530</sup> Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 33.

<sup>531</sup> Public forum, Mr Robert Commens, 30 May 2022, p 23.

<sup>532</sup> Public forum, Ms Tamarah Knox, 30 May 2022, p 32.

about NSW Fisheries, the department of water, and council, as well as the Department of Primary Industries, and I think the department of main roads as well', along with 'excessive green tape prohibiting this'.<sup>533</sup>

- 5.143** Turning to flood drainage and revegetation, many inquiry participants believed that there is a need to improve the management of drainage and to revegetate areas to allow the flood plain to function.<sup>534</sup> However, Mr Danny Rose, Technical Director at Floodplain Management Australia, expressed the view that drainage management would not have had a considerable impact on the scale or duration of the floods due to the significant volume of rain and run off.<sup>535</sup>
- 5.144** While Mr Rose suggested that revegetation could be 'quite effective', he explained that it depends on the characteristics of the catchments. He noted that in some cases it can slow down water, reduce scour and reduce the large amount of sediment moving down rivers, while in others it could worsen the flooding. Ultimately, because of the volume of rain in this particular flooding event, Mr Rose was not confident that any amount of revegetation would have made a 'material difference'.<sup>536</sup>
- 5.145** Mr Truman, Ballina Shire Council, advocated for the dredging of the river as a flood mitigation measure. He explained that 'dredging of the river would assist in releasing the water faster and keeping the water lower'. Nonetheless, he cautioned that this needs to be considered against ocean surge flooding as dredging could then 'allow more water back in on the corresponding phase'.<sup>537</sup>
- 5.146** Separate to this, the committee also heard arguments for and against raising the Warragamba Dam wall in Windsor as a flood mitigation measure in the Hawkesbury.<sup>538</sup> However, this issue is the subject of another inquiry and is beyond the remit of this committee.<sup>539</sup>

## Committee comment

- 5.147** Even before the February-March 2022 floods, there were housing challenges in the Northern Rivers region. Demand was high, supply was short, and affordability was an issue. With many houses in this area now deemed uninhabitable, and residents displaced, temporary and long term housing options are a key priority, as highlighted across all of the evidence received.

<sup>533</sup> Public forum, Mr Robert Commens, 30 May 2022, p 23.

<sup>534</sup> See for example, Public forum, Mr Robert Commens, 30 May 2022, p 23.

<sup>535</sup> Evidence, Mr Danny Rose, Technical Director, Floodplain Management Australia, 14 June 2022, pp 30-31. See also, Evidence, Ms Christina Clay, Floodplain Officer, Rous County Council, 31 May 2022, p 25.

<sup>536</sup> Evidence, Mr Danny Rose, Technical Director, Floodplain Management Australia, 14 June 2022, pp 30-31.

<sup>537</sup> Evidence, Mr John Truman, Director, Civil Services Division, Ballina Shire Council, 30 May 2022, p 9.

<sup>538</sup> See for example, Public forum, Ms Samantha Magnusson, 3 June 2022, p 29; Public forum, Ms Sophie Devine, 3 June 2022, p 28.

<sup>539</sup> See, Parliament of New South Wales, Select Committee on the Proposal to Raise the Warragamba Dam Wall, <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2535>.

- 5.148** Despite this clear and pressing need, temporary and long term housing solutions for flood affected communities, particularly in the Northern Rivers area, was unacceptably slow, demonstrating yet again the government's lack of preparation for flooding and its impacts.

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**Finding 18**

That the NSW Government failed to adequately prepare effective temporary and long term housing solutions for those who became displaced as a result of the February-March 2022 floods.

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- 5.149** While the committee acknowledges that the government has worked to identify accommodation sites and set up pod villages, albeit slowly, it is concerning that these solutions have not been tailored to meet individual and community needs.
- 5.150** The committee is especially concerned about people that are living near their homes in tents and cars, in a context where many are still dealing with the physical and mental effects of the flood crisis. This clearly demonstrates that there is a need for the government to work with communities to address any challenges and impediments associated with having more secure temporary housing placed on residents' properties.
- 5.151** The committee understands that the government will be implementing a caravan program in locations where pod villages are not suitable. Given the urgency of the housing situation, the NSW Government should accelerate this program and make it available to all residents who prefer to stay on their land.

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**Recommendation 25**

That the NSW Government accelerate its caravan program and ensure it is made available as an option to all displaced residents from the February-March 2022 floods.

**Recommendation 26**

That the NSW Government consider investing in supporting relocations, land swaps and providing fair and adequate compensation for landowners who wish to relocate from severely flood-impacted areas.

**Recommendation 27**

That the NSW Government review the provision of temporary and long term housing options provided to those affected by the February-March 2022 floods, with a view to:

- ensuring a range of options are identified and embedded within emergency and recovery plans, so that solutions can be implemented as soon as possible after a natural disaster
- ensuring that housing options meet individual and community needs
- removing planning impediments that prevent those from accessing more safe and secure housing in times of crisis.

- 5.152** The importance of addressing community needs was exemplified by the example of Cabbage Tree Island which was completely destroyed. It is essential that the government recognise the connection Aboriginal peoples have to land and the importance of keeping Aboriginal communities together when organising temporary accommodation. These needs should be embedded in emergency and recovery plans.
- 5.153** It is also critical that the NSW Government work in partnership with Aboriginal stakeholders on the rebuild of Cabbage Tree Island. The devastation already experienced by this community is only being exacerbated by the displacement residents now feel. In light of the significance of connection to land, it is important that the NSW Government prioritise this work.

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**Finding 19**

That there was a lack of First Nations engagement and voice in the government-led rescue and recovery.

**Recommendation 28**

That the NSW Government work with First Nations peoples to support Aboriginal organisations in their capacity to operate and respond in times of natural disasters.

**Recommendation 29**

That the NSW Government work in partnership with key Aboriginal stakeholders, including the Jali Local Aboriginal Land Council, to prioritise the rebuild of Cabbage Tree Island, and ensure a safe and resourced evacuation plan is in place.

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- 5.154** On the issue of long term housing, including whether there will be buybacks, the committee acknowledges the frustration residents are feeling as they wait to hear what options will be available to them. People were still waiting to hear what housing options might be available when the committee visited Northern Rivers and Hawkesbury regions in May 2022, which was 12 to 13 weeks after the floods. The government cannot expect people who have lost their homes to wait that long.
- 5.155** The committee understands that the Northern Rivers Reconstruction Corporation was waiting for the outcome of the government's independent flood inquiry before determining the options for long term housing such as buybacks, land swaps and house raising.
- 5.156** With respect to insurance claims, the committee sought information from the Insurance Council about the number of claims made in relation to the February-March 2022 floods based on postcode, and how many claims had been approved or declined. Despite multiple attempts at following up, the committee had not received this information by the time it met to consider the report. The committee notes, however, that some information was provided after the report was adopted, two days before tabling.
- 5.157** The committee acknowledges that in addition to dealing with a housing crisis, flood affected communities have also been faced with an extraordinary volume of flood waste, pollution and debris, as well as roads destroyed by river erosion and land slips.



- 5.158** It was highly concerning to hear reports of ongoing discharge of sewage into the Richmond River from the flood damaged Lismore facility. The committee acknowledges evidence received that the Environment Protection Authority is monitoring the situation and the Public Works Advisory is providing assistance. The committee strongly supports the NSW Government providing whatever assistance is available to restore these facilities to full service at the earliest opportunity.

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**Recommendation 30**

That the NSW Government prioritise support for the full restoration of sewage treatment facilities on the Richmond River, for the benefit of communities in the Northern Rivers region.

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- 5.159** It was encouraging to hear of a proactive, timely and effective response by the Environment Protection Authority in supporting councils and communities with the clean up of household waste and flood debris. Some of the well received initiatives included waste levy exemptions, the provision of skip bins, the establishment of temporary waste storage sites, and the large amount of environmental and navigational hazards removed from waterways. The committee commends the leadership shown in this area.
- 5.160** Evidence to this inquiry also showed a high level of community concern about mould inside dwellings, schools and vehicles. In particular, the committee heard concerns that the community did not feel supported by the government in dealing with this health challenge. While the committee notes that NSW Health has provided factsheets and information to communities on how to address mould issues, the NSW Government could have been more proactive in this area, particularly in light of the repeat floods and ongoing wet conditions faced by some communities since the major flooding of February-March 2022.

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**Recommendation 31**

That the NSW Government provide an increased level of targeted support to flood affected communities contending with widespread mould.

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- 5.161** The committee appreciates the major disruption to communities that washed out or landslip-affected roads can cause, whether isolating townships entirely, or preventing access to education, employment, markets or emergency services. The committee can see the scale of the damage to roads caused by floods is outside the scope of normal council road maintenance, and will require attention and investment from the NSW or Australian Government.

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**Finding 20**

That local councils in the Northern Rivers region will need significant support to repair private and public roads affected by flooding, potholes and landslips.

- 5.162** While the committee acknowledges funding is available to councils under various grant schemes, the committee was concerned to hear that opportunities to 'build back better' may be overlooked due to restrictive funding rules that only permit like-for-like repairs. The committee also heard that an overly complicated structure of grants schemes may be creating an administrative bottleneck for councils trying to effect timely repairs for the community.

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**Recommendation 32**

That the NSW Government advocate through the National Cabinet to widen eligibility under the Disaster Funding Recovery Arrangements to allow local councils to build back better.

**Recommendation 33**

That the NSW Government invest in the restoration of the Wilsons and Richmond Rivers to include riparian restoration, water quality and river health improvement.

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- 5.163** Regarding the dramatic example of riverbank erosion at Cornwallis Road, Cornwallis, on the Hawkesbury River, it is completely unacceptable that damage after prior flooding went unrepaired resulting in the extreme damage observable today. This has resulted in the loss of the road, the loss of a large area of farming land to erosion and silt, and the loss of jobs and income to the local community.
- 5.164** The committee is highly sympathetic to the frustrations of the local community regarding the lack of any visible progress on mitigating or halting the erosion, and recognises that it is beyond the engineering capacity of the local council. As such the committee recommends that the NSW Government focus their attention on how best to halt and rectify the erosion with an eye to preventing further damage in future flood events.

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**Recommendation 34**

That the NSW Government provide immediate support to the Hawkesbury City Council to remediate the riverbank erosion affecting Cornwallis Road, Cornwallis without any further delay.

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- 5.165** It was valuable to learn from the peak body for flood management practitioners that floods are the most manageable type of natural disaster. This highlights to the committee the importance of investing in flood mitigation and preparation measures. Doing so reduces the cost of recovery for the state, and insurance premiums for property owners. More importantly though, investing in flood mitigation measures minimises the devastating impact of flooding on local communities.
- 5.166** There are two general areas in flood mitigation where the committee wishes to see improvement. First, local councils need increased ongoing, long term funding and access to technical guidance to implement flood mitigation measures. This includes funding for relevant infrastructure and staff. The committee appreciates the frustration of many councils which already have in place comprehensive flood mitigations plans but cannot implement them due

to a lack of funding and resourcing. In the committee's view, there would also be benefit in local government being provided funding for flood preparation more generally.

- 5.167** Second, land-use planning and development must take a risk-based approach to floods. Currently, planning and development follows a standard 1-in-100 year flood standard. Stronger policy and alternative approaches are required to reduce the need to build in vulnerable locations and to plan for a transition of development away from flood prone land. A failure to consider floods and fires before building new homes has the potential to perpetuate the losses experienced in the past five years and exacerbate the problems in future. Therefore, the committee believes that the NSW Government should work with local government, industry and sustainable planning experts, including the Government Architect, on policy initiatives in the New South Wales planning system that will help deliver more resilient and sustainable homes, buildings and places.

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**Recommendation 35**

That the NSW Government significantly increase its investment in flood mitigation and preparation, including its support of local governments to do the same, by:

- increasing ongoing, long term funding and access to technical guidance and assistance for local councils
- ensuring that land-use planning and development takes a risk-based approach.

**Recommendation 36**

That the NSW Government work with local government, industry and sustainable planning experts, including the Government Architect, on policy initiatives in the New South Wales planning system that will help deliver more resilient and sustainable homes, buildings and places.

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- 5.168** The committee also acknowledges the evidence that better management of drainage channels could have reduced the severity of the floods. The committee therefore recommends that the NSW Government work with relevant agencies and local landowners to find ways to improve the management of drainage channels including looking for recommendations to reduce red and green tape.

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**Finding 21**

That better management of drainage channels could have reduced the severity of the February-March 2022 flooding event as well as the frequency and severity of future floods.

**Recommendation 37**

That the NSW Government work with relevant agencies and local landowners to find ways to improve the management of drainage channels including looking for recommendations to reduce red and green tape.



## Appendix 1 Submissions

No.	Author
1	Mr Benjamin Cronshaw
2	Mr Fulin Yan
3	Mr Gordon Bebb
4	Dr John Corkill OAM
5	Confidential
6	Rous County Council
7	The Hills Shire Council
8	Mr Ray Boland
9	J Hunt
10	United Services Union
11	Surf Life Saving New South Wales
12	Name suppressed
13	Name suppressed
14	Clarence Valley Council
15	Aboriginal Health and Medical Research Council of NSW
16	Mr Peter Chambers
17	Community Housing Industry Association NSW
18	Health Services Union NSW ACT QLD
19	Floodplain Management Australia
20	Community Broadcasting Association of Australia
21	Business Council of Co-operative and Mutuals and Northern Rivers Co-operatives Alliance
22	Kingscliff Ratepayers and Progress Association Inc
23	University Centre for Rural Health (UCRH)
24	Mr Andrew Williams
25	Ms Debrah Novak
25a	Ms Debrah Novak
26	St Vincent de Paul Society NSW
27	Dr Bruno Ros
27a	Dr Bruno Ros
28	Dr Philippa Johnston
29	Dannielle Pickford and Sarah Moran

<b>No.</b>	<b>Author</b>
30	Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki
30a	Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki
31	BayFM Community Radio
31a	BayFM Community Radio
32	Name suppressed
33	Confidential
34	Southern Cross University
35	Homelessness NSW
36	Insurance Australia Group Services Pty Ltd (IAG)
37	Insurance Council of Australia
38	Ms Susie Header
39	Ombudsman New South Wales
40	Telstra Corporation Limited
41	Domestic Violence NSW
42	Tweed Shire Council
43	NSW Farmers' Association
44	Essential Energy
45	NSW Council of Social Service (NCOSS)
46	The Royal Australian and New Zealand College of Psychiatrists (RANZCP)
47	Name suppressed
48	Local Government NSW
49	End Street Sleeping Collaboration
50	Public Service Association of New South Wales
51	Animal Liberation
52	Fire Brigade Employees' Union (FBEU)
53	The Casino Food Co-op
54	Lismore Citizens Flood Review Group
55	North Byron District Activation
56	Ms Tamara Smith MP, Member for Ballina
57	NSW Government
58	Save the Children Australia
59	Lindsay Cornish

<b>No.</b>	<b>Author</b>
60	Lindsay Hill
61	Tyalgum District Community Association (TDCA)
62	Mrs Veronica Coughlan
63	Lismore City Council
64	Name suppressed
65	Ms Marie Luxford
66	Ms Annie Kia
67	Mr Wolfgang Smith
68	Associate Professor R.Willem Vervoort
69	Keith Hall Drainage Union
70	Mr Michael Yarrow
71	Timber NSW
72	Ballina Shire Council
73	Dr Ross J Lehman
74	Tumbulgum Community Association Flood sub Committee
75	Mr Ed Bennett
75a	Mr Ed Bennett
76	Australian Red Cross
77	Ms Tamarah Knox
78	Ms Clare Carusi
79	Ms Joanne Carusi
80	Byron Greens
81	Ms Marion Conrow
82	RIVER FM
83	Richmond Valley Council
84	National Recovery and Resilience Agency
85	Ms Janelle Saffin MP, Member for Lismore
86	Police Association of NSW
87	Inmarsat

## Appendix 2 Witnesses at hearings and public forums

Date	Name	Position and Organisation
<b>Monday 30 May 2022</b> <b>Ballina RSL Club</b> <b>Ballina NSW 2478</b>	Ms Tamara Smith MP	Member for Ballina
	Cr Michael Lyon	Mayor, Byron Shire Council
	Cr Sharon Cadwallader	Mayor, Ballina Shire Council
	Mr John Truman	Director – Civil Services, Ballina Shire Council
	Ms Arabella Douglas	Chief Executive Officer, Currie Country Group
	Ms Rebecca Woods	Chief Executive Officer, Bogal Local Aboriginal Lands Council and Chief Financial Officer, Bandjalang Aboriginal Corporation Prescribed Body Corporate RNTBC
	Mr Nick Richardson	Management Committee, BayFM Community Radio
	Ms Mia Armitage	Anchor and Executive Producer, BayFM Community Radio
	Mr Robert Commens	Private individual ( <i>Public forum</i> )
	Mr Tony Browne	Private individual ( <i>Public forum</i> )
	Ms Maria Matthes	Private individual ( <i>Public forum</i> )
	Mr Nick Crouch	Private individual ( <i>Public forum</i> )
	Mr Daniel Ainsworth	Private individual ( <i>Public forum</i> )
	Ms Michele Brown	Private individual ( <i>Public forum</i> )
	Mr Joel Orchard	Private individual ( <i>Public forum</i> )
	Mr Geoff Finch	Private individual ( <i>Public forum</i> )
Ms Meleta Wood	Private individual ( <i>Public forum</i> )	
Mr Allan Anderson	Private individual ( <i>Public forum</i> )	
Ms Tamarah Knox	Private individual ( <i>Public forum</i> )	



<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Ms Vivienne Gorec	Private individual ( <i>Public forum</i> )
	Ms Bec Heyword	Private individual ( <i>Public forum</i> )
	Ms Kerry Turpin	Private individual ( <i>Public forum</i> )
	Mr John Sykes	Private individual ( <i>Public forum</i> )
	Mr Richard Crandon	Private individual ( <i>Public forum</i> )
	Mr Wayne Crawford	Private individual ( <i>Public forum</i> )
	Ms Bronwyn Magri	Private individual ( <i>Public forum</i> )
	Mr John Clarke	Cane grower
	Mr Dennis (Ray) Boland	Cane grower
	Mr Geoff Pye	Chairman, Richmond River Cane Growers Association
	Mr Kevin Lewis	Principal, Xavier Catholic College
<b>Tuesday 31 May 2022</b>	Ms Janelle Saffin MP	Member for Lismore
<b>Lismore Workers Sports Club</b>	Mr Chris Gulaptis MP	Member for Clarence
<b>Goonellabah NSW 2480</b>	Cr Steve Krieg	Mayor, Lismore City Council
	Cr Robert Mustow	Mayor, Richmond City Council
	Professor Tyrone Carlin	Vice Chancellor, Southern Cross University
	Professor James Bennett-Levy	Professor of Mental and Psychological Wellbeing, University Centre for Rural Health, University of Sydney
	Dr Jo Longman	Senior Research Fellow, University Centre for Rural Health, University of Sydney
	Dr Therese Grotowski	NSW Representative, RANZCP Section of Rural Psychiatry and Member, NSW RANZCP Rural Psychiatry Project

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Ms Christina Clay	Floodplain Officer, Rous County Council
	Ms Brenda Ford	Operations Engineering Manager, Rous County Council
	Mr Sean O'Shannessy	Presenter/Producer, RiverFM
	Mr Vince Stead	Secretary, RiverFM
	Dr Bruno Ros	Senior Veterinarian, Director, North East Equine Veterinary Services
	Dr Philippa Johnston	Veterinarian, Tenterfield Veterinary Clinic
	Ms Beth Trevan	Coordinator, Lismore Citizens Flood Review Group
	Mr Ed Bennett	Member, Lismore Citizens Flood Review Group
	Ms Naomi Moran	General Manager, Koori Mail
	Cr Elly Bird	Coordinator, Resilient Lismore
	Mr Steve Rogers	Private individual ( <i>Public forum</i> )
	Dr Hanabeth Luke	Private individual ( <i>Public forum</i> )
	Ms Kylie O'Reilly	Private individual ( <i>Public forum</i> )
	Ms Camila Peters-Quayle	Private individual ( <i>Public forum</i> )
	Mr Mark Collins	Private individual ( <i>Public forum</i> )
	Ms Susan Conroy	Private individual ( <i>Public forum</i> )
	Mr Big Rob	Private individual ( <i>Public forum</i> )
	Ms Veronica Coughlan	Private individual ( <i>Public forum</i> )
	Mr Marcus Bebb	Private individual ( <i>Public forum</i> )
	Mr Wolfgang Smith	Private individual ( <i>Public forum</i> )
	Ms Jude Forsyth	Private individual ( <i>Public forum</i> )

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Mr Nigel Kirwan	Private individual ( <i>Public forum</i> )
	Mr Stewart James	Private individual ( <i>Public forum</i> )
	Ms Beth Shelley	Private individual ( <i>Public forum</i> )
	Mr Stewart Prins	Private individual ( <i>Public forum</i> )
	Ms Deborah Ray	Private individual ( <i>Public forum</i> )
	Ms Ana Wojak	Private individual ( <i>Public forum</i> )
	Ms Marion Conrow	Private individual ( <i>Public forum</i> )
	Ms Kirsty Medina	Private individual ( <i>Public forum</i> )
<b>Wednesday 1 June 2022</b>	Ms Janelle Saffin MP	Member for Lismore
<b>Murwillumbah Services Club</b>	Mr Geoff Provest MP	Member for Tweed
<b>Murwillumbah NSW 2484</b>	Cr Chris Cherry	Mayor, Tweed Shire Council
	Mr Peter Newton	President, Kingscliff Ratepayers and Progress Association
	Ms Kate Stodart	Member, Kingscliff Ratepayers and Progress Association
	Ms Francesca Esposito	Chair, North Byron District Activation
	Mr Simon Stahl	CEO, The Casino Food Co-Op, representing Northern Rivers Co-operatives Alliance
	Mr Thomas Rehfeld	Private individual ( <i>Public forum</i> )
	Ms Jennifer Kidd	Private individual ( <i>Public forum</i> )
	Mr Paul Hession	Private individual ( <i>Public forum</i> )
	Ms Rebecca Hughes	Private individual ( <i>Public forum</i> )
	Ms Jean Higgins	Private individual ( <i>Public forum</i> )
	Ms Annmarie Miller	Private individual ( <i>Public forum</i> )
	Mr Paul Lambert	Private individual ( <i>Public forum</i> )

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Ms Sarra Robertson	Private individual ( <i>Public forum</i> )
	Mr Jim Larkin	Private individual ( <i>Public forum</i> )
	Mr Ahri Tallon	Private individual ( <i>Public forum</i> )
	Mr Ursula Wharton	Private individual ( <i>Public forum</i> )
	Ms Gemma Martin	Private individual ( <i>Public forum</i> )
	Ms Leesa Hallahan	Private individual ( <i>Public forum</i> )
	Mr Bruce Weston	Private individual ( <i>Public forum</i> )
	Ms Susie Weston	Private individual ( <i>Public forum</i> )
	Mr Phil Davison	Private individual ( <i>Public forum</i> )
<b>Friday 3 June 2022</b>	Ms Susan Templeman MP	Member for Macquarie
<b>Windsor RSL</b>	Ms Robyn Preston MP	Member for Hawkesbury
<b>South Windsor NSW 2756</b>	Cr Patrick Conolly	Mayor, Hawkesbury City Council
	Ms Elizabeth Richardson	General Manager, Hawkesbury City Council
	Ms Angela Dye	President, Hawkesbury City Chamber of Commerce
	Mr Graham Fitzpatrick	Business Advisor, Western Sydney Business Centre
	Mr Charlie Saliba	Private individual ( <i>Public forum</i> )
	Mr Paul Saliba	Private individual ( <i>Public forum</i> )
	Mrs Rochelle Miller	Private individual ( <i>Public forum</i> )
	Mr Peter Ryan	Private individual ( <i>Public forum</i> )
	Mr Ian Burns	Private individual ( <i>Public forum</i> )
	Mr David Tolson	Private individual ( <i>Public forum</i> )
	Ms Mel Olsen	Private individual ( <i>Public forum</i> )
	Ms Laura Dorahy	Private individual ( <i>Public forum</i> )

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Ms Jeanette Hayden	Private individual ( <i>Public forum</i> )
	Mr Michael Greentree	Private individual ( <i>Public forum</i> )
	Ms Lisa Sullivan	Private individual ( <i>Public forum</i> )
	Ms Fiona Germaine	Private individual ( <i>Public forum</i> )
	Mr Geoffrey Farrance	Private individual ( <i>Public forum</i> )
	Ms Susan Templeman on behalf of Ms Jess Micallef	Private individual ( <i>Public forum</i> )
	Mr John Champion	Private individual ( <i>Public forum</i> )
	Ms Sophie Devine	Private individual ( <i>Public forum</i> )
	Ms Samantha Magnusson	Private individual ( <i>Public forum</i> )
	Mr Hugh Perry	Private individual ( <i>Public forum</i> )
	Cr Eddie Dogramachi	Private individual ( <i>Public forum</i> )
	Mr John Marshall	Private individual ( <i>Public forum</i> )
	Mr Neale Tweedie	Private individual ( <i>Public forum</i> )
	Ms Jackie Carpenter	Private individual ( <i>Public forum</i> )
<b>Tuesday 14 June 2022 Room 814/815 Parliament House, Sydney</b>	Ms Clare Van Doorn ( <i>via videoconference</i> )	Regional Director, North-East, St Vincent de Paul Society
	Ms Joy Kyriacou	Manager, Volunteer and Member Programs, St Vincent de Paul Society
	Ms Miriam McGregor	Response Coordinator, Red Cross
	Ms Diana Bernardi	Emergency Services Manager, Red Cross
	Major Paul Hately	Head of Government Relations, The Salvation Army
	Major Sue Hopper	Strategic Emergency and Disaster Management Specialist, The Salvation Army

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
	Ms Jo Beadle	National Manager, GIVIT
	Mr Chris Binge <i>(via videoconference)</i>	Chief Executive Officer, Jali Local Aboriginal Land Council
	Mr Leighton Drury	State Secretary, Fire Brigade Employees' Union
	Ms Rini Krousos	Senior Industrial Officer, Fire Brigade Employees' Union
	Mr Lindsay Cornish	Former Recovery Centre Manager, Ballina
	Mr Danny Rose <i>(via videoconference)</i>	Technical Director, Floodplain Management Australia
	Ms Bronwyn Clere	Operations Executive, Telstra Infracore
	Mr Peter Sutherland	Service Operations Executive, Government and Enterprise, Telstra
	Mr Greg Wells	Deputy Secretary, Department of Customer Service
	Mr Luke Jenner	Chief Operating Officer, Essential Energy
	Mr Andrew Dyer	Principal Peril and Climate Risk Analyst, Insurance Australia Group
	Mr Mathew Jones	General Manager of Public Affairs, Insurance Council of Australia
<b>Wednesday 15 June 2022 Jubilee Room Parliament House, Sydney</b>	Mr Shane Fitzsimmons	Commissioner, Resilience NSW
	Ms Carlene York	Commissioner, State Emergency Service
	Mr Daniel Austin	Deputy Commissioner Operations, State Emergency Service
	Mr Mark Hutchings	Executive Director, NSW Maritime

Date	Name	Position and Organisation
	Mr Stacey Tannos ESM	Commissioner, Marine Rescue NSW
	Mr Alex Barrell	Deputy Commissioner – Chief Operations Officer, Marine Rescue NSW
	Mr Rob Rogers	Commissioner, Rural Fire Service
	Ms Jane Golding	Manager Hazard Preparedness and Response, East (Qld, NSW, ACT), Bureau of Meteorology
	Dr Karl Braganza	National Manager Climate Services, Bureau of Meteorology
	Ms Eleri Morgan-Thomas	A/Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice
	Mr Lance Carden	Director, Customer Service and Business Improvement, Department of Communities and Justice
	Dr Richard Broome	Director Environmental Health, Health Protection NSW, NSW Health
	Dr Michael Bowden	Acting Chief Psychiatrist, NSW Health
	Ms Catherine Ellis	Executive Director - Risk, Strategy and Performance, Service NSW
	Mr Sean O'Connell <i>(via videoconference)</i>	CEO, Rural Assistance Authority, Department of Regional NSW
	Ms Joann Wilkie	Deputy Secretary, Economic Strategy & Productivity, NSW Treasury

Date	Name	Position and Organisation
	Mr David Witherdin	Chief Executive, Northern Rivers Reconstruction Corporation
	Mr Mal Lanyon	Northern Rivers Recovery Coordinator
	Mr Brett Whitworth	Deputy Secretary, Planning Policy, Department of Planning and Environment
	Mr Matt Fuller	Deputy Secretary Regional and Outer Metropolitan, Transport for NSW
	Ms Karen McCarthy	Executive Director Security, Crisis & Emergency Management, Transport for NSW
	Mr Howard Collins	Chief Operations Officer, Greater Sydney, Transport for NSW
	Mr David Witherdin	Deputy Secretary, Commercial Group, Department of Regional NSW (representing Public Works)
	Dr John Tracey	Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW
	Ms Armindia Ryan	Director Incident Management & Environmental Health, Environment Protection Authority
	Mr Rob Kelly	Executive Director, Regional Operations, Local Land Services



## Appendix 3 Minutes

### Minutes no. 1

Thursday 31 March 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Members' Lounge, Parliament House, Sydney, 1.39 pm

#### 1. Members present

Mr Secord, *Chair*

Mr Banasiak, *Deputy Chair*

Mr Barrett

Ms Cusack

Ms Faehrmann

Mr Roberts

Ms Sharpe

#### 2. Tabling of resolution establishing the committee

The Chair tabled the resolution of the House establishing the committee, which reads as follows:

- (1) That a select committee be established to inquire into and report on the response to major flooding across New South Wales in 2022, and in particular:
  - (a) the preparation, coordination and response to the Western Sydney and North Coast floods by the Government,
  - (b) the role, composition and resource allocations of Resilience NSW, the NSW State Emergency Service and other relevant Government agencies,
  - (c) coordination between the New South Wales Government, New South Wales Government departments and agencies, the Federal Government, Federal Government departments and agencies, local governments, private sector operators and the community, including requests or offers of assistance,
  - (d) public communication, systems and strategies,
  - (e) the implementation of recommendations from inquiries into previous natural disasters,
  - (f) the overall effectiveness of the flood response, and
  - (g) any other related matter.
- (2) That, notwithstanding anything to the contrary in the standing orders, the committee consist of seven members comprising:
  - (a) two government members,
  - (b) two opposition members, being Ms Sharpe and Mr Secord, and
  - (c) three crossbench members, being Mr Banasiak, Ms Faehrmann and Mr Roberts.
- (3) That the Chair of the committee be Mr Secord and the Deputy Chair be Mr Banasiak.
- (4) That, unless the committee decides otherwise:
  - (a) submissions to the inquiry are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration,
  - (b) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement,

- (c) community members be given the opportunity to provide verbal evidence in the absence of a written submission,
- (d) the inquiry is to hold at least one day of public hearings in Western Sydney and at least two days of public hearings in the Northern Rivers region,
- (e) hearings may also be held at Parliament House,
- (f) the sequence of questions to be asked at hearings is to alternate between government, opposition and crossbench members, in order determined by the committee, with equal time allocated to each,
- (g) transcripts of evidence taken at public hearings are to be published,
- (h) supplementary questions are to be lodged with the Committee Clerk within two days, excluding Saturday and Sunday, following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness,
- (i) answers to questions on notice and supplementary questions are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration, and
- (j) the Chair may make arrangements for the committee to visit and inspect sites relevant to the work of the committee, provided that the owner and/or occupier of the site, as the case requires, has given any necessary permission.

That the committee begin its inquiry after 10 April 2022 and report by 9 August 2022

### **3. Conduct of committee proceedings – media**

Resolved, on the motion of Mr Banasiak: That unless the committee decides otherwise, the following procedures are to apply for the life of the committee:

- the committee authorise the filming, broadcasting, webcasting and still photography of its public proceedings, in accordance with the resolution of the Legislative Council of 18 October 2007
- the committee webcast its public proceedings via the Parliament’s website, where technically possible
- the committee adopt the interim guidelines on the use of social media and electronic devices for committee proceedings, as developed by the Chair’s Committee in May 2013
- media statements on behalf of the committee be made only by the Chair.

### **4. Inquiry into the response to major flooding across New South Wales in 2022**

#### **4.1 Proposed timeline**

Resolved, on the motion of Mr Banasiak: That the committee adopt the following timeline for the administration of the inquiry:

- 8 May 2022 – submission closing date
- End of May (week of 23 May) – three day site visit and three hearings in the Northern Rivers region (locations to be determined)
- Early June (2 or 3 June) – one day site visit and hearing in Western Sydney (Windsor or Hawkesbury)
- End of June (week of 13 June) – two hearings at Parliament House.

#### **4.2 Public hearings**

Resolved, on the motion of Mr Banasiak: That the committee schedule its hearings on the North Coast and in Western Sydney in the evening to meet witness needs if required.

Resolved, on the motion of Ms Faehrmann: That the hearings in the Northern Rivers include a public forum component, with the forums to be promoted through the relevant local councils and speakers not needing to be sworn.

### 4.3 Stakeholder list

Resolved, on the motion of Ms Cusack: That the secretariat email members with a list of stakeholders to be invited to make written submissions, and that members have two days from the email being circulated to amend the list or nominate additional stakeholders.

Resolved, on the motion of Mr Banasiak: That the Chair write to the following members/Mayors in the Northern Rivers and Hawkesbury regions to advise of the inquiry and proposed hearings and travel to those areas:

- Member for Lismore, Ms Janelle Saffin MP
- Member for Tweed, Mr Geoff Provest MP
- Member for Ballina, Ms Tamara Smith MP
- Member for Clarence, Mr Chris Gulaptis MP
- Federal Member for Page, Mr Kevin Hogan MP
- Federal member for Richmond, Ms Justine Elliot MP
- Mayor of Lismore City Council, Cr Steve Krieg
- Mayor of Tweed Shire Council, Cr Chris Cherry
- Mayor of Ballina Shire Council, Cr Sharon Cadwallader
- Mayor of Byron Shire Council, Cr Michael Lyon
- Mayor of Mayor Tenterfield Shire Council, Cr Bronwyn Petrie
- Mayor of Kyogle Council, Cr Kylie Thomas.
- Mayor of Clarence Valley Council, Cr Ian Tiley
- Federal Member for Macquarie, Ms Susan Templeman MP
- Mayor of Hawkesbury City Council
- Mayor of The Hills Shire.

## 5. Adjournment

The committee adjourned a 1.50 pm

Tina Higgins

**Committee Clerk**

### Minutes no. 2

Sunday 29 May 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Terminal 3, Qantas Airlines, Sydney Domestic Airport, Sydney, 12.10 pm

#### 1. Members present

Mr Secord, *Chair*

Mr Banasiak, *Deputy Chair*

Ms Cusack (from 3.15 pm)

Ms Faehrmann

Ms Higginson (from 3.15 pm) (participating for the duration of the inquiry)

Mr Roberts

Ms Sharpe

#### 2. Apologies

Mr Barrett

**3. Site visit**

The committee visited flood affected areas in Wardell, including East Wardell, Wardell Village and Patches Beach led by:

- Cr Eoin Johnston, Deputy Mayor, Ballina Shire Council.

The committee received a briefing from a local resident.

The committee visited community hub WardellCORE and met with:

- Mr Joel Orchard, Director/Coordinator, WardellCORE.

**4. Adjournment**

The committee adjourned at 5.05 pm until 7.30 am, Monday 30 May 2022 (regional site visit, hearing and public forum – Ballina)

Shaza Barbar

**Committee Clerk**

**Minutes no. 3**

Monday 30 May 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Ramada Hotel lobby, Ballina, 7.30 am

**1. Members present**

Mr Secord, *Chair*

Mr Banasiak, *Deputy Chair*

Mr Barrett

Ms Cusack (from 8.45 am)

Ms Faehrmann

Ms Higginson (from 8.10 am) (participating for the duration of the inquiry)

Mr Roberts

Ms Sharpe

**2. Site visit**

The committee visited flood affected areas in Mullumbimby and attended a presentation at the Byron Shire Council Chambers, led by:

- The Hon Justine Elliott MP, Member for Richmond
- Cr Michael Lyon, Mayor, Byron Shire Council
- Mr Phillip Holloway, Director Infrastructure Services, Byron Shire Council
- Ms Sarah Boule, Disaster Resilience Officer, Byron Shire Council.

Cr Lyon tendered the following document:

- Presentation to the committee, *February 2022 Flood Event E2022/49422*.

The committee visited a sugar cane farm in East Coraki and met with the following stakeholders:

- Mr John Clark, Cane grower and farm owner
- Mr Geoff Pye, Chairman, Richmond River Cane Growers' Association.

The committee travelled to Ballina RSL Club for a public hearing and forum.

**3. Previous minutes**

Resolved, on the motion of Mr Banasiak: That draft minutes no. 1 be confirmed.

#### 4. Participating member

The committee noted that it previously agreed via email that Ms Higginson be provided with all inquiry related documents, including confidential documents.

Resolved, on the motion of Mr Banasiak: That all costs associated with Ms Higginson's participation be covered by the committee.

#### 5. Correspondence

The committee noted the following items of correspondence:

##### *Received:*

- 11 April 2022 – Email from Ms Claire Bunyon, A/Director, Social Policy Branch, Department of Premier and Cabinet to the Chair, requesting an extension for the whole of government submission to 27 May 2022
- 4 May 2022 – Email from Ms Doris Gibb, National Manager, Ministerial and Parliamentary Services Branch, Services Australia, to the Chair, declining the invitation to make a submission
- 16 May 2022 – Email from Cr Chris Cherry, Mayor, Tweed Shire Council to the secretariat, providing suggestions for the site visit in Murwillumbah/Tweed
- 16 May 2022 – Letter from Ms Elizabeth Richardson, Executive Assistant General Manager, Hawkesbury City Council to the Chair, providing suggestions for the site visit in Western Sydney
- 25 May 2022 – Email from Mr John Truman, Director – Civil Services, Ballina Shire Council, to the secretariat, advising that Cr Sharon Cadwallader, Mayor is unable to attend the site visit to Wardell and that Deputy Mayor Cr Eoin Johnston will attend instead, and providing site visit suggestions for Wardell
- 25 May 2022 – Email from Ms Sheree Barnsley, Office Administration Manager, Office of the Hon Kevin Hogan MP, Member for Page, to the secretariat, advising that Mr Hogan is unable to attend the site visit to Wardell as he will be in Canberra and that he will try to attend the site visit in Lismore
- 25 May 2022 – Email from Ms Jacqueline Alinaitwe, Senior Electorate Officer, Office of Tamara Smith, Member for Ballina to the secretariat, advising that Ms Smith is unable to attend the site visit to Wardell, the site visit to Mullumbimby and the working lunch on Monday 30 May 2022
- 25 May 2022 – Email from Ms Janelle McLennan, Executive Assistant General Manager, Kyogle Council to the secretariat, advising that Cr Kylie Thomas, Mayor, Kyogle Council is unable to attend the site visit, lunch and hearing in Lismore
- 25 May 2022 – Email from Ms Bronwyn Mitchell, Executive Assistant – General Manager and Mayor & Councillors, Lismore City Council to the secretariat, providing suggestions for site visits from the Mayor, Cr Steve Krieg
- 26 May 2022 – Email from Ms Debbie Newton, Personal Assistant, Mr Chris Gulaptis MP, Member for Clarence to the secretariat, advising that Mr Gulaptis is available to attend the hearing in Lismore but is unable to attend the site visit and lunch
- 26 May 2022 – Email from Ms Sheree Barnsley, Office Administration Manager, Office of the Hon Kevin Hogan MP, Member for Page, to the secretariat, advising that Mr Hogan is unable to attend the hearing in Lismore as he will be in Canberra
- 26 May 2022 – Email from Ms Robyn Felsch, Executive Assistant to the Mayor & General Manager, Hawkesbury City Council to the secretariat, advising that the Mayor is unable to attend the site visits in Western Sydney but will attend the lunch and hearing
- 26 May 2022 – Email from Ms Susan Templeman MP, Member for Macquarie to the secretariat, providing suggestions for the Western Sydney site visit.

##### *Sent:*

- 13 April 2022 – Letter from the Chair to local, state and federal members on the North Coast and in Western Sydney, providing an invitation to make a submission and information about site visits
  - Cr Chris Cherry, Mayor, Tweed Shire Council
  - Cr Ian Tiley, Mayor, Clarence Valley Shire

- Cr Kylie Thomas, Mayor, Kyogle Council
  - Cr Michael Lyon, Mayor, Byron Bay Shire Council
  - Cr Patrick Conolly, Mayor, Hawkesbury City Council
  - Cr Sharon Cadwallader, Mayor, Ballina Shire Council
  - Cr Steve Kreig, Mayor, Lismore City Council
  - Cr Bronwyn Petrie, Mayor, Tenterfield Shire Council
  - Dr Peter Gangemi, Mayor, The Hills Shire Council
  - Hon Justine Elliot MP, Member for Richmond
  - Hon Kevin Hogan MP, Member for Page
  - Mr Chris Gulaptis MP, Member for Clarence
  - Mr Geoff Provest MP, Member for Tweed
  - Ms Janelle Saffin MP, Member for Lismore
  - Ms Susan Templeman MP, Member for Macquarie
  - Ms Tamara Smith MP, Member for Ballina.
- 9 May 2022 – Letter from the Chair to local, state and federal members on the North Coast and in Western Sydney, providing additional information on the site visits and requesting suggestions for locations to visit
    - Cr Chris Cherry, Mayor, Tweed Shire Council
    - Cr Ian Tiley, Mayor, Clarence Valley Shire
    - Cr Kylie Thomas, Mayor, Kyogle Council
    - Cr Michael Lyon, Mayor, Byron Bay Shire Council
    - Cr Patrick Conolly, Mayor, Hawkesbury City Council
    - Cr Sharon Cadwallader, Mayor, Ballina Shire Council
    - Cr Steve Kreig, Mayor, Lismore City Council
    - Cr Bronwyn Petrie, Mayor, Tenterfield Shire Council
    - Dr Peter Gangemi, Mayor, The Hills Shire Council
    - Hon Justine Elliot MP, Member for Richmond
    - Hon Kevin Hogan MP, Member for Page
    - Mr Chris Gulaptis MP, Member for Clarence
    - Mr Geoff Provest MP, Member for Tweed
    - Ms Janelle Saffin MP, Member for Lismore
    - Ms Susan Templeman MP, Member for Macquarie
    - Ms Tamara Smith MP, Member for Ballina
    - Ms Robyn Preston MP, Member for Hawkesbury.
- 23 and 24 May 2022 – Letter from the Chair to local, state and federal members on the North Coast and in Western Sydney, providing an invitation to attend site visits and hearings in relevant local areas
    - Cr Chris Cherry, Mayor, Tweed Shire Council
    - Cr Ian Tiley, Mayor, Clarence Valley Shire
    - Cr Kylie Thomas, Mayor, Kyogle Council
    - Cr Michael Lyon, Mayor, Byron Bay Shire Council
    - Cr Patrick Conolly, Mayor, Hawkesbury City Council
    - Cr Robert Mustow, Mayor, Richmond Valley Council
    - Cr Sharon Cadwallader, Mayor, Ballina Shire Council
    - Cr Steve Kreig, Mayor, Lismore City Council,
    - Dr Peter Gangemi, Mayor, The Hills Shire Council
    - Hon Justine Elliot MP, Member for Richmond
    - Hon Kevin Hogan MP, Member for Page
    - Mr Chris Gulaptis MP, Member for Clarence
    - Mr Geoff Provest MP, Member for Tweed
    - Ms Janelle Saffin MP, Member for Lismore
    - Ms Susan Templeman MP, Member for Macquarie
    - Ms Tamara Smith MP, Member for Ballina
    - Ms Robyn Preston MP, Member for Hawkesbury.

**6. Public submissions**

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 1-3, 7, 8, 10, 11, 14-27, 30, 31, 34-39.

**7. Partially confidential submissions**

Resolved, on the motion of Mr Banasiak: That the committee keep the following information confidential, as per the request of the authors: names and identifying information in submissions nos. 12, 13 and 32.

Resolved, on the motion of Mr Banasiak: That the committee authorise the publication of submission no. 28, with the exception of identifying and/or sensitive information which are to remain confidential, as per the recommendation of the secretariat.

Resolved, on the motion of Mr Banasiak: That the committee authorise the publication of submission no. 4, with the exception of potential adverse mention which is to remain confidential, as per the recommendation of the secretariat.

**8. Extension requests**

The committee noted that the following stakeholders made extension requests for submissions.

Stakeholder	Extension
NSW Government	27 May 2022
Local Government NSW	20 May 2022
Tweed Shire Council	21 May 2022
The Royal Australian and New Zealand College of Psychiatrists	22 May 2022
Homelessness NSW	22 May 2022
Animal Liberation	22 May 2022
Domestic Violence NSW	19 May 2022
National Recovery and Resilience Agency	14 June 2022
Fire Brigade Employees' Union	25 May 2022
Public Service Association	20 May 2022
Essential Energy	17 May 2022
Ms Janelle Saffin, Member for Lismore	27 May 2022
NCOSS	20 May 2022

**9. Online questionnaire**

The committee noted that it previously agreed via email to adopt an online questionnaire, which is open until 30 June 2022.

**10. Site visit itineraries**

The committee noted that it adopted via email the itineraries for the site visits in the Northern Rivers from Sunday 29 May 2022 to Wednesday 1 June 2022 and in Western Sydney on Friday 3 June 2022.

**11. COVID-safe plan**

The committee noted that it previously agreed via email to adopt the COVID-safe plan developed for the Northern Rivers and Western Sydney site visits.

**12. Timing for questioning**

Resolved, on the motion of Mr Banasiak: That the timing of questioning for the hearings be left in the hands of the Chair.

**13. Public hearing**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Ms Tamara Smith MP, Member for Ballina, was admitted and examined.

The following witnesses were sworn and examined:

- Cr Michael Lyon, Mayor, Byron Shire Council
- Cr Sharon Cadwallader, Mayor, Ballina Shire Council
- Mr John Truman, Director – Civil Services, Ballina Shire Council.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Arabella Douglas, Chief Executive Officer, Currie Country Group
- Ms Rebecca Woods, Chief Executive Officer, Bogal Local Aboriginal Lands Council and Chief Financial Officer, Bandjalang Aboriginal Corporation PBC RNTBC.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Nick Richardson, Management Committee, BayFM Community Radio
- Ms Mia Armitage, Anchor and Executive Producer, BayFM Community Radio.

The evidence concluded and the witnesses withdrew.

**14. Public forum**

The Chair made an opening statement regarding the broadcasting of proceedings, guidelines for the public forum and other matters.

The following participants addressed the committee:

- Mr Robert Commens
- Mr Tony Browne
- Ms Maria Matthes
- Mr Nick Crouch
- Mr Daniel Ainsworth
- Ms Michele Brown
- Mr Joel Orchard
- Mr Geoff Finch
- Ms Meleta Wood
- Mr Allan Anderson
- Ms Tamarah Knox
- Ms Vivienne Gorec
- Ms Bec Heyword
- Ms Kerry Turpin
- Mr John Sykes
- Mr Richard Crandon
- Mr Wayne Crawford



- Ms Bronwyn Magri.

The evidence concluded and the speakers withdrew.

The public forum concluded at 6.00 pm.

#### **15. Public hearing**

The following witnesses were sworn and examined:

- Mr John Clarke, Cane grower
- Mr Dennis (Ray) Boland, Cane grower
- Mr Geoff Pye, Chairman, Richmond River Cane Growers Association.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Kevin Lewis, Principal, Xavier Catholic College.

The evidence concluded and the witness withdrew.

The public hearing concluded at 7.25 pm.

The public and the media withdrew.

#### **16. Correspondence from stakeholders requesting to appear before the committee**

The committee noted the following items of correspondence:

- 28 May 2022 – Email from Mr Thomas Rehfeld, Committee Member, CBBRA Flood Mitigation Committee to the secretariat, requesting that he provide a 10 minute presentation to the committee at the Murwillumbah hearing on Wednesday 1 June 2022
- 30 May 2022 – Email from Ms Francesca Esposito, Chair, North Byron District Activation to the secretariat, requesting to appear at a hearing in Murwillumbah on Wednesday 1 June 2022 on a panel with the Kingscliff Ratepayers and Progress Association Inc.

Resolved, on the motion of Ms Cusack: That the committee invite Mr Thomas Rehfield, Committee Member, CBBRA Flood Mitigation Committee, to present to the committee before the public forum on Wednesday 1 June 2022 and request that Mr Rehfield provide a copy of his slides in advance.

Resolved, on the motion of Mr Faehrmann: That the committee invite Ms Francesca Esposito, Chair, North Byron District Activation, to appear at the hearing on Wednesday 1 June 2022 alongside the Kingscliff Ratepayers and Progress Association Inc.

#### **17. Public submission**

Resolved, on the motion of Ms Cusack: That the committee authorise the publication of submission no. 54.

#### **18. Tabled documents**

Resolved, on the motion of Mr Banasiak: That the committee accept and publish the following documents tendered during the site visit:

- Presentation to the committee about flood impacts in the Byron Shire Council, tendered by Cr Lyon.

#### **19. Adjournment**

The committee adjourned at 7.35 pm until 8.30 am, Tuesday 31 May 2022 (regional site visit, hearing and public forum – Lismore).

Shaza Barbar  
**Committee Clerk**

**Minutes no. 4**

Tuesday 31 May 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Ramada Hotel lobby, Ballina, 8.30 am

**1. Members present**Mr Secord, *Chair*Mr Banasiak, *Deputy Chair*

Mr Barrett

Ms Cusack (from 9.15 am)

Ms Faehrmann

Ms Higginson (from 9.15 am) (participating for the duration of the inquiry)

Mr Roberts

Ms Sharpe

**2. Site visit**

The committee visited flood affected areas in Lismore including Gordon Pavilion at Oakes Oval, Albert Park Baseball Complex, Lismore Regional Airport and residential areas in South Lismore led by:

- Cr Steve Krieg, Mayor of Lismore City Council
- Mr Steve Dillon, Project Manager, Lismore City Council
- Ms Janelle Saffin MP, Member for Lismore.

The committee travelled to the Lismore Workers Sports Club for a public hearing and forum.

**3. Public hearing**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Ms Janelle Saffin MP, Member for Lismore and Mr Chris Gulaptis MP, Member for Clarence, were admitted and examined.

The following witnesses were sworn and examined:

- Cr Steve Krieg, Mayor, Lismore City Council
- Cr Robert Mustow, Mayor, Richmond City Council.

Cr Mustow tendered the following document:

- Report, Richmond Valley Council, Rebuilding the Richmond Valley: A three-year recovery plan in response to the 2022 floods.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Professor Tyrone Carlin, Vice Chancellor, Southern Cross University.

The evidence concluded and the witness withdrew.

The following witnesses were sworn and examined:

- Professor James Bennett-Levy, Professor of Mental and Psychological Wellbeing, University Centre for Rural Health, University of Sydney
- Dr Jo Longman, Senior Research Fellow, University Centre for Rural Health, University of Sydney
- Dr Therese Grotowski, NSW Representative, RANZCP Section of Rural Psychiatry and Member, NSW RANZCP Rural Psychiatry Project.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Christina Clay, Floodplain Officer, Rous County Council
- Ms Brenda Ford, Operations Engineering Manager, Rous County Council.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Sean O'Shannessy, Presenter/Producer, RiverFM
- Mr Vince Stead, Secretary, RiverFM.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Dr Bruno Ros, Senior Veterinarian, Director, North East Equine Veterinary Services
- Dr Philippa Johnston, Veterinarian, Tenterfield Veterinary Clinic.

Dr Johnston tendered the following documents:

- Photos of animals affected by the floods.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Beth Trevan, Coordinator, Lismore Citizens Flood Review Group
- Mr Ed Bennett, Member, Lismore Citizens Flood Review Group.

Mr Bennett tendered the following documents:

- Graph, SES, Historic Flood Heights Lismore NSW and accompanying notes
- Notes, 'Some thoughts on what could/should have been done to better manage the flood of 31 March 2017'.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Naomi Moran, General Manager, Koori Mail
- Cr Elly Bird, Coordinator, Resilient Lismore.

The evidence concluded and the witnesses withdrew.

#### **4. Public forum**

The Chair made an opening statement regarding the broadcasting of proceedings, guidelines for the public forum and other matters.

The following participants addressed the committee:

- Mr Steve Rogers
- Dr Hanabeth Luke
- Ms Kylie O'Reilly
- Ms Camila Peters-Quayle
- Mr Mark Collins
- Ms Susan Conroy
- Mr Big Rob
- Ms Veronica Coughlan
- Mr Marcus Bebb
- Wolfgang Smith
- Ms Jude Forsyth
- Mr Nigel Kirwan
- Mr Stewart James

- Ms Beth Shelley
- Mr Stewart Prins
- Ms Deborah Ray
- Ana Wojak
- Ms Marion Conrow
- Ms Kirsty Medina.

The evidence concluded and the speakers withdrew.

The public forum concluded at 8.40 pm.

#### **5. Tabled documents**

Resolved, on the motion of Ms Faehrmann: That the committee accept and publish the following documents tendered at the hearing:

- Report, Richmond Valley Council, Rebuilding the Richmond Valley: A three-year recovery plan in response to the 2022 floods, tendered by Cr Mustow
- Photos of animals affected by the floods, tendered by Dr Johnston
- Graph, SES, Historic Flood Heights Lismore NSW and accompanying notes, tendered by Mr Bennett
- Notes, 'Some thoughts on what could/should have been done to better manage the flood of 31 March 2017', tendered by Mr Bennett.

#### **6. Public submission**

Resolved, on the motion of Mr Roberts: That the committee authorise the publication of submission 55.

#### **7. Letter to the Department of Primary Industries**

Resolved, on the motion of Mr Banasiak: That the Chair write to the Department of Primary Industries requesting a copy of the timeline spoken to at a debrief organised by the department on 30 May 2022.

#### **8. Adjournment**

The committee adjourned at 9.15 pm until 8.00 am, Wednesday 1 June 2022 (regional site visit, hearing and public forum – Murwillumbah).

Shaza Barbar

**Committee Clerk**

#### **Minutes no. 5**

Wednesday 1 June 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Ramada Hotel lobby, Ballina, 8.05 am

#### **1. Members present**

Mr Secord, *Chair*

Mr Banasiak, *Deputy Chair*

Mr Barrett

Ms Cusack (from 9.15 am)

Ms Faehrmann

Ms Higginson (participating for the duration of the inquiry)

Mr Roberts

Ms Sharpe

## 2. Site visit

The committee visited flood affected areas in Tweed and Murwillumbah, including Chinderah Village Caravan Park, Condong Public School, Tumbulgum Public School and Prospero St, led by:

- Ms Janelle Saffin MP, Member for Lismore
- Mr Geoff Provest MP, Member for Tweed
- Cr Chris Cherry, Mayor of Tweed Shire Council.

The committee met with the following stakeholders on the site visit:

- Ms Tracey Spargo, Manager, Chinderah Village Caravan Park
- Ms Jenni McFadyen, Principal, Tumbulgum Public School
- Local business owners on Prospero St.

Ms McFadyen tendered the following documents:

- NSW Department of Education, Tumbulgum Public School: Information Pack, May 2022
- Tumbulgum Public School flood recovery survey.

The committee travelled to the Murwillumbah Services Club for a public hearing and forum.

## 3. Public hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Ms Janelle Saffin MP, Member for Lismore and Mr Geoff Provest MP, Member for Tweed were admitted and examined.

The following witness was sworn and examined:

- Cr Chris Cherry, Mayor, Tweed Shire Council.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Peter Newton, President, Kingscliff Ratepayers and Progress Association
- Ms Kate Stodart, Member, Kingscliff Ratepayers and Progress Association
- Ms Francesca Esposito, Chair, North Byron District Activation.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Simon Stahl, CEO, The Casino Food Co-Op, representing Northern Rivers Co-operatives Alliance.

The evidence concluded and the witness withdrew.

The hearing concluded at 2.45 pm.

## 4. Public forum

The Chair made an opening statement regarding the broadcasting of proceedings, guidelines for the public forum and other matters.

The following participants addressed the committee:

- Mr Thomas Rehfeld
- Ms Jennifer Kidd
- Mr Paul Hession
- Ms Rebecca Hughes
- Ms Jean Higgins

- Ms Annmarie Miller
- Mr Paul Lambert
- Ms Sarra Robertson
- Mr Jim Larkin
- Mr Ahri Tallon
- Mr Ursula Wharton
- Ms Gemma Martin
- Ms Leesa Hallahan
- Mr Bruce Weston
- Ms Susie Weston
- Mr Phil Davison.

The evidence concluded and the witness withdrew.

The public forum concluded at 4.30 pm.

#### **5. Tabled documents**

Resolved, on the motion of Mr Banasiak: That the committee accept and publish the following documents tendered at the site visit:

- NSW Department of Education, Tumbulgum Public School: Information Pack, May 2022, tendered by Ms McFayden
- Tumbulgum Public School flood recovery survey, tendered by Ms McFayden.

#### **6. Sydney hearings**

The committee discussed witnesses for the hearings scheduled on Tuesday 14 and Wednesday 15 June 2022 at Parliament House and agreed to finalise the hearing schedules on Friday 3 June 2022.

#### **7. Election of Deputy Chair**

Mr Banasiak advised the committee that he would be an apology at the site visit, hearing and public forum on Friday 3 June 2022 in Windsor.

The Chair called for nominations for a member to act as Deputy Chair for the purpose of the committee's activities on Friday 3 June 2022.

Mr Banasiak moved: That Mr Roberts be elected Deputy Chair.

There being no further nominations, the Chair declared Mr Roberts elected Deputy Chair purpose of the committee's activities on Friday 3 June 2022.

#### **8. Adjournment**

The committee adjourned at 5.15 pm until 7.10 am, Friday 3 June 2022 (regional site visit, hearing and public forum – Windsor).

Shaza Barbar

**Committee Clerk**

**Minutes no. 6**

Friday 3 June 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Hospital Rd exit, Parliament House, 7.10 am

**1. Members present**

Mr Secord, *Chair*

Mr Roberts, *Acting Deputy Chair*

Mr Barrett

Ms Cusack

Ms Faehrmann

Ms Higginson (participating for the duration of the inquiry)

Ms Sharpe

**2. Apologies**

Mr Banasiak, *Deputy Chair*

**3. Site visit**

The committee visited flood affected areas in Windsor, including Green Street, Pitt Town and Cornwallis Road, led by:

- Ms Susan Templeman MP, Member for Macquarie
- Mr Robyn Preston MP, Member for Hawkesbury
- Ms Elizabeth Richardson, General Manager, Hawkesbury City Council
- Mr Will Barton, Director Infrastructure Services, Hawkesbury City Council.

The committee met with the following stakeholders on the site visit:

- Mrs Rochelle Miller, community representative for Green Road
- Mr Peter Ryan, representative, Pitt Town Progress Association
- Mr David Micallef, Mr Emmanuel Degabriele, Mr Charlie Saliba and Mr Paul Saliba, representatives of the Cornwallis Richmond Lowlands Community Group
- Local farmers.

The committee travelled to the Windsor RSL Club for a public hearing and forum.

**4. Public hearing**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

Ms Robyn Preston MP, Member for Hawkesbury was admitted and examined.

The following witnesses were sworn and examined:

- Ms Susan Templeman MP, Member for Macquarie
- Cr Patrick Conolly, Mayor, Hawkesbury City Council
- Ms Elizabeth Richardson, General Manager, Hawkesbury City Council.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Angela Dye, President, Hawkesbury City Chamber of Commerce
- Mr Graham Fitzpatrick, Business Advisor, Western Sydney Business Centre.

Mr Fitzpatrick tendered the following document:

- Email about the experience of a client with the floods grants process.

The evidence concluded and the witnesses withdrew.

The hearing concluded at 3.30 pm.

## 5. Public forum

The Chair made an opening statement regarding the broadcasting of proceedings, guidelines for the public forum and other matters.

The following participants addressed the committee:

- Mr Charlie Saliba
- Mr Paul Saliba
- Mrs Rochelle Miller
- Mr Peter Ryan
- Mr Ian Burns
- Mr David Tolson
- Ms Mel Olsen
- Ms Laura Dorahy
- Ms Jeanette Hayden
- Mr Michael Greentree
- Ms Lisa Sullivan
- Ms Fiona Germaine
- Mr Geoffrey Farrance
- Ms Susan Templeman MP on behalf of Ms Jess Micallef
- Mr John Champion
- Ms Sophie Devine
- Ms Samantha Magnusson
- Mr Hugh Perry
- Mr Eddie Dogramachi
- Mr John Marshall
- Mr Neale Tweedie
- Ms Jackie Carpenter.

The evidence concluded and the witness withdrew.

The public forum concluded at 5.30 pm.

## 6. Correspondence

The committee noted the following items of correspondence:

### ***Received:***

- 18 May 2022 – Email from Mr Steven Pearce, Chief Executive Officer, Surf Life Saving NSW to the secretariat, requesting that their submission be replaced with a new version
- 27 May 2022 – Email from Ms Justine Frazier, Deputy Regional Editor, NSW, ABC to the secretariat, advising that ABC North Coast will be declining the invitation to attend a hearing in Lismore on Tuesday 31 May 2022
- 28 May 2022 – Email from Mr Thomas Rehfeld, Committee Member, CBBRA Flood Mitigation Committee to the secretariat, requesting that he provide a 10 minute presentation to the committee at the Murwillumbah hearing on Wednesday 1 June 2022
- 29 May 2022 – Email from Ms Laura Black, Acting General Manager, Clarence Valley Shire Council to the secretariat, advising that Cr Ian Tiley is unable to attend the site visit and hearing in Lismore on Wednesday 1 June 2022



- 30 May 2022 – Email from Ms Francesca Esposito, Chair, North Byron District Activation to the secretariat, requesting to appear at a hearing in Murwillumbah on Wednesday 1 June 2022 on a panel with the Kingscliff Ratepayers and Progress Association Inc
- 30 May 2022 – Email from Ms Fran Colley to the committee, suggesting that a combined media release be put together with the NSW Government 2022 Flood Inquiry to clarify the difference between the two inquiries
- 30 May 2022 – Email from Cr Robert Mustow, Mayor, Richmond Valley Council to the secretariat, advising that he is unable to attend the site visit in Lismore on Tuesday 31 May 2022 but will attend the lunch and hearing
- 31 May 2022 – Email from Ms Shannon Hall, Policy Advisor, Office of the Hon Sarah Mitchell, Minister for Education and Early Learning to the secretariat, advising that the Minister approves the committee's visit to Tumbulgum Public School.

#### 7. **Public submissions**

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 6, 40-46, 48-51, 53.

#### 8. **Partially confidential submission**

Resolved, on the motion of Ms Sharpe: That the committee keep the following information confidential, as per the request of the author: names and identifying info in submission no. 47.

#### 9. **Replacement submission**

The committee noted that it agreed via email to replace the Surf Life Saving NSW submission provided on 6 May 2022 with a new version provided on 18 May 2022.

#### 10. **Sydney hearings**

Resolved, on the motion of Mr Roberts: That the committee invite the following witnesses to the Sydney hearings:

- Tuesday 14 June 2022:
  - St Vincent de Paul Society
  - Red Cross
  - Salvation Army
  - GIVIT
  - Mr Chris Binge, CEO, Jali Local Aboriginal Council
  - Fire Brigade Employees' Union
  - Mr Lindsay Cornish, Recovery Centre Manager
  - Australian Broadcasting Corporation
  - Telstra
  - NSW Telco Authority
  - Essential Energy
  - Insurance Australia Group
  - Insurance Council of Australia
  - Floodplain Management Australia
- Wednesday 15 June 2022:
  - Resilience NSW
  - State Emergency Service
  - Maritime Services
  - Rural Fire Service
  - Bureau of Meteorology
  - Department of Communities and Justice
  - DCJ Housing
  - NSW Health – focus on health alerts regarding black mould and mental health

- Services NSW
- Rural Assistance Authority
- Mr David Witherdin, Northern Rivers Reconstruction Corporation
- Mr Mal Lanyon, Northern NSW Recovery Coordinator
- Department of Planning and Environment
- Transport for NSW
- Public Works
- Environment Protection Authority
- Department of Primary Industries
- Local Land Services.

#### 11. **Tabled documents**

Resolved, on the motion of Ms Sharpe: That the committee accept and publish the following documents tendered at the hearing:

- Email about the experience of a client with the floods grants process, tendered by Mr Fitzpatrick.

#### 12. **Adjournment**

The committee adjourned at 5.53 pm until Tuesday 14 June 2022 (public hearing at Parliament House).

Shaza Barbar

**Committee Clerk**

#### **Minutes no. 7**

Tuesday 14 June 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Room 814/815, Parliament House, Sydney, 9.16 am

#### 1. **Members present**

Mr Secord, *Chair*

Mr Banasiak, *Deputy Chair*

Mr Barrett

Ms Cusack (from 9.25 am)

Ms Faehrmann

Ms Higginson (participating for the duration of the inquiry)

Mr Roberts

Ms Sharpe

#### 2. **Previous minutes**

Resolved, on the motion of Ms Sharpe: That minutes nos. 2, 3, 4, 5 and 6 be confirmed.

#### 3. **Correspondence**

The committee noted the following items of correspondence:

##### ***Received***

- 1 June 2022 – Email from Ms Liz Gemes, Senior Advocacy Officer, Australian Veterinary Association to the secretariat, requesting that representatives from the Australian Veterinary Association give evidence at a hearing
- 2 June 2022 – Emails from Mrs Rochelle Miller, Windsor resident, to the secretariat, attaching photos of flood affected areas on Green Road
- 3 June 2022 – Email from Ms Tracey Spargo, Manager, Chinderah Village Tourist Caravan Park to the secretariat, providing information about a resident whose grants application was not approved

- 3 June 2022 – Email from Ms Jess Micallef, Windsor resident to the secretariat, providing a statement to the committee
- 9 June 2022 – Email from Mr Hugh Martin, Head Regional, Rural & Emergency at Australian Broadcasting Corporation (ABC) to the secretariat, declining the committee's invitation to attend the hearing on Tuesday 14 June 2022
- 9 June 2022 – Email from Ms Michelle Kelly, Director, Executive & Ministerial Services, Corporate Services, NSW Treasury, to the secretariat, requesting that Ms Wilkie be excused at 2.00 pm after giving evidence
- 10 June 2022 – Email from Mr Michael Tidball, Secretary, Department of Communities and Justice to the secretariat, providing a list of witnesses for the 10.45 am session on evacuation and recovery at the hearing on Wednesday 15 June 2022 and proposing that witnesses from DCJ not attend during the 2.45 pm session on reconstruction

***Sent***

- 9 June 2022 – Letter from the Chair to Mr Scott Hansen, Director-General, Department of Primary Industries, requesting a copy of a timeline mentioned in evidence at the Lismore hearing with regard to veterinary services.

Resolved, on the motion of Mr Banasiak: That the committee agree to the request from Ms Michelle Kelly, Director, Executive & Ministerial Services, Corporate Services, NSW Treasury, relating to Ms Joann Wilkie, Deputy Secretary, Economic Strategy & Productivity, being excused at 2.00 pm at the public hearing on Wednesday 15 June 2022.

#### **4. Submissions**

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 52 and 59

#### **5. Public hearing**

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Clare Van Doorn, Regional Director, North-East, St Vincent de Paul Society (via videoconference)
- Ms Joy Kyriacou, Manager, Volunteer and Member Programs, St Vincent de Paul Society
- Ms Miriam McGregor, Response Coordinator, Red Cross
- Ms Diana Bernardi, Emergency Services Manager, Red Cross
- Major Paul Hatel, Head of Government Relations, The Salvation Army
- Major Sue Hopper, Strategic Emergency and Disaster Management Specialist, The Salvation Army
- Ms Jo Beadle, National Manager, GIVIT.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Chris Binge, Chief Executive Officer, Jali Local Aboriginal Land Council (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Leighton Drury, State Secretary, Fire Brigade Employee's Union
- Ms Rini Krouskos, Senior Industrial Officer, Fire Brigade Employee's Union.

Mr Drury tendered the following document:

- Opening statement, Mr Leighton Drury, for appearance at public hearing on 14 June 2022.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Lindsay Cornish, Former Recovery Centre Manager, Ballina.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Danny Rose, Technical Director, Floodplain Management Australia (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Bronwyn Clere, Operations Executive, Telstra Infracore
- Mr Peter Sutherland, Service Operations Executive, Government and Enterprise, Telstra
- Mr Greg Wells, Deputy Secretary, Department of Customer Service
- Mr Luke Jenner, Chief Operating Officer, Essential Energy.

Mr Sutherland tendered the following document:

- Images from the 2022 NSW Floods.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Andrew Dyer, Principal Peril and Climate Risk Analyst, Insurance Australia Group
- Mr Mathew Jones, General Manager of Public Affairs, Insurance Council of Australia

The evidence concluded and the witnesses withdrew.

The public and media withdrew.

## 6. **Tendered documents**

Resolved, on the motion of Mr Banasiak: That the committee accept and publish the following documents:

- Opening statement, tendered by Mr Drury
- Images from the 2022 NSW Floods, tendered by Mr Sutherland.

## 7. **Adjournment**

The committee adjourned at 3.57 pm until Wednesday 15 June 2022 (public hearing at Parliament House).

Stephen Fujiwara/Tina Higgins

**Committee Clerk**

## **Minutes no. 8**

Wednesday 15 June 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Jubilee Room, Parliament House, Sydney, 9.00 am

## 1. **Members present**

Mr Secord, *Chair*

Mr Banasiak, *Deputy Chair*

Mr Barrett

Ms Cusack

Ms Faehrmann

Ms Higginson (participating for the duration of the inquiry)

Mr Roberts

Ms Sharpe

## 2. Public hearing

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Mr Shane Fitzsimmons, Commissioner, Resilience NSW
- Ms Carlene York, Commissioner, State Emergency Service
- Mr Daniel Austin, Deputy Commissioner Operations, State Emergency Service
- Mr Mark Hutchings, Executive Director, NSW Maritime
- Mr Stacey Tannos ESM, Commissioner, Marine Rescue NSW
- Mr Alex Barrell, Deputy Commissioner – Chief Operations Officer, Marine Rescue NSW
- Mr Rob Rogers, Commissioner, Rural Fire Service
- Ms Jane Golding, Manager Hazard Preparedness and Response, East (Qld, NSW, ACT), Bureau of Meteorology
- Dr Karl Braganza, National Manager Climate Services, Bureau of Meteorology.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Eleri Morgan-Thomas, A/Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice
- Mr Lance Carden, Director, Customer Service and Business Improvement, Department of Communities and Justice
- Dr Richard Broome, Director Environmental Health, Health Protection NSW, NSW Health
- Dr Michael Bowden, Acting Chief Psychiatrist, NSW Health.

The following witness appeared under prior oath:

- Mr Shane Fitzsimmons, Commissioner, Resilience NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Catherine Ellis, Executive Director - Risk, Strategy and Performance, Service NSW
- Mr Sean O'Connell, CEO, Rural Assistance Authority, Department of Regional NSW (via videoconference)
- Ms Joann Wilkie, Deputy Secretary, Economic Strategy & Productivity, NSW Treasury (until 2.05 pm).

The following witness appeared under prior oath:

- Mr Shane Fitzsimmons, Commissioner, Resilience NSW.

Ms Cusack tabled the following document:

- Email dated 3 June 2022 to the secretariat, from the Manager, Chinderah Village Tourist Caravan Park, outlining the experience of a flood affected resident in applying for Flood Individuals Support Package administered by Service NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr David Witherdin, Chief Executive, Northern Rivers Reconstruction Corporation
- Mr Mal Lanyon, Northern Rivers Recovery Coordinator
- Mr Brett Whitworth, Deputy Secretary, Planning Policy, Department of Planning and Environment.

The following witness appeared under prior oath:

- Mr Shane Fitzsimmons, Commissioner, Resilience NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Matt Fuller, Deputy Secretary Regional and Outer Metropolitan, Transport for NSW
- Ms Karen McCarthy, Executive Director Security, Crisis & Emergency Management, Transport for NSW
- Mr Howard Collins, Chief Operations Officer, Greater Sydney, Transport for NSW
- Mr David Witherdin, Deputy Secretary, Commercial Group, Department of Regional NSW (representing Public Works)
- Dr John Tracey, Deputy Director General, Biosecurity & Food Safety, Department of Primary Industries, Department of Regional NSW
- Ms Arminda Ryan, Director Incident Management & Environmental Health, Environment Protection Authority
- Mr Rob Kelly, Executive Director, Regional Operations, Local Land Services.

The following witness appeared under prior oath:

- Mr Shane Fitzsimmons, Commissioner, Resilience NSW.

The evidence concluded and the witnesses withdrew.

The public and media withdrew.

The hearing concluded at 5.30 pm.

### 3. **Tendered documents**

Ms Cusack tabled an adjournment speech.

Resolved, on the motion of Mr Banasiak: That the committee accept and publish the following documents tabled during and after the public hearing:

- Correspondence via email dated 3 June 2022 to the Secretariat, from the Manager, Chinderah Village Tourist Caravan Park, outlining the experience of a flood affected resident in applying for Flood Individuals Support Package administered by Service NSW, tendered by Ms Cusack
- Adjournment speech, tendered by Ms Cusack.

### 4. **Answers to questions on notice**

Resolved, on the motion of Ms Faehrmann: That witnesses at today's hearing be requested to provide answers to questions on notice within 14 days of their receipt.

### 5. **Committee roundtable**

Resolved, on the motion of Mr Banasiak: That the committee hold a roundtable discussion on a date to be canvassed by the secretariat.

### 6. **Adjournment**

The committee adjourned at 5.34 pm.

Stephen Fujiwara  
**Committee Clerk**

## **Minutes no. 9**

Friday 24 June 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Room 1136, Parliament House, Sydney, 9.34 am

### 1. **Members present**

Mr Secord (*Chair*)

Mr Banasiak (*Deputy Chair*) (via videoconference)  
Mr Barret (via videoconference)  
Ms Faehrmann  
Ms Higginson (participating for the duration of the inquiry)  
Mr Roberts  
Ms Sharpe (from 9.36 am to 10.20 am, via videoconference)

**2. Apologies**

Ms Cusack

**3. Previous minutes**

Resolved, on the motion of Mr Roberts: That draft minutes nos. 7 and 8 be confirmed.

**4. Recording of committee roundtable**

Resolved, on the motion of Mr Roberts: That the committee authorise the secretariat to record the roundtable discussion for the purposes of drafting the report.

**5. Committee roundtable**

The committee discussed findings, recommendations and key themes for the final report.

**6. Adjournment**

The committee adjourned at 10.31 am until 9.40 am, Friday 5 August 2022 (report deliberative).

Shaza Barbar

**Committee Clerk**

**Draft minutes no. 10**

Friday 5 August 2022

Select Committee on the Response to Major Flooding across New South Wales in 2022

Room 1254, Parliament House, Sydney, 8.48 am

**1. Members present**

Mr Secord, *Chair*

Mr Barrett

Ms Cusack

Ms Faehrmann (until 9.50 am)

Ms Higginson (via videoconference, participating from 9.23 am, and substituting for Ms Faehrmann from 9.50 am)

Ms Jackson (substituting for Ms Sharpe from 9.50 am)

Mr Roberts

Mr Sharpe (until 9.50 am)

**2. Apologies**

Mr Banasiak, *Deputy Chair*

**3. Previous minutes**

Resolved on the motion of Ms Sharpe: That draft minutes no. 9 be confirmed.

#### 4. Correspondence

The committee noted the following items of correspondence:

##### *Received*

- 10 May 2022 – Letter from Mr Rod Edwards, providing comments on the response to the major flooding
- 31 May 2022 – Letters and documents from Mr John Ibbotson, private individual, providing information about how to minimise flooding in the Richmond catchment
- 1 and 2 June 2022 – Emails from Ms Susie Weston, public forum participant in Murwillumbah to the secretariat, providing further information and photos, following her appearance at the Murwillumbah public forum, about flooding near her home
- 6 June 2022 – Email from Mr Mark Collins, public forum participant in Lismore to the committee, providing further evidence following his appearance at the Lismore public forum
- 8 June 2022 – Email from Mr Mark Collins, public forum participant in Lismore to the committee, providing further evidence following his appearance at the Lismore public forum
- 10 June 2022 – Email from Mr Andrew Szatow, Director, A1 Smart Homes Australia to the Chair, providing information about technology which may allow homes to be built in flood prone areas
- 14 June 2022 – Email from Ms Harriet Skinner, Executive Assistant, Office of the Director General, Department of Primary Industries to the secretariat, providing, in response to the Chair's correspondence, a timeline of events with regard to animal welfare during the February-March floods 2022
- 14 June 2022 – Email from Ms Susan Wallis, Engagement Advisor, Good360, requesting a meeting or to present at a hearing to share their response and anecdotal findings from the 132 charities supported throughout NSW
- 30 June 2022 – Email from Ms Katrina Bignasa, Treasurer and Head of Operations, Sydney Polo Club, Argosy Agricultural Group to the secretariat, requesting that water levels in the Warragamba Dams be reduced to prevent further flooding
- 4 July 2022 – Email from Ms Katrina Bignasa, Treasurer and Head of Operations, Sydney Polo Club, Argosy Agricultural Group to the secretariat, providing further information on the Warragamba Dam
- 6 July 2022 – Letter from Mr Rod Edwards to the committee, providing comments on the response to major flooding and attaching letters sent to government stakeholders (attached)
- 15 July 2022 – Email from Ms Sarra Roberston and Ms Gemma Martin to the committee, attaching a proposal on residential flood mitigation
- 22 July 2022 – Email from Mr Rod Edwards to the secretariat, providing additional comments and questions about water policy
- 26 July 2022 – Email from Mr Peter Newton, President, Kingscliff Ratepayers and Progress Association Inc to the Chair, providing an update about the evidence of the Kingscliff Ratepayers and Progress Association
- 27 July 2022 – Email from Mr Mark Collins, public forum participant in Lismore, providing additional information on his experience with the floods
- 1 June 2022 to 22 July 2022 – 55 emails from Ms Camila Peters-Quayle, public forum participant in Lismore, to the committee, regarding a range of matters, some of which touch upon flood impacts
- 3 and 4 August 2022 – Emails from Ms Susie Weston, public forum participant in Murwillumbah, providing additional photos and videos of the flooding near her home
- 3 August 2022 – Email from Son Kirby-Howie to the committee, regarding the evidence provided to the committee from representatives of the Bundjalung Nation
- 4 August 2022 – Email from Sharyn Logan to the committee, regarding the evidence provided to the committee from representatives of the Bundjalung Nation.

Resolved on the motion of Ms Sharpe: That the committee keep the email from Mr Mark Collins, public forum participant in Lismore, providing additional information on his experience with the floods, dated



27 July 2022, confidential, as per the recommendation of the secretariat, as it contains identifying and sensitive information.

Resolved on the motion of Ms Faehrmann: That the committee keep the following emails confidential, and that the secretariat respond to the authors to advise them that the committee has considered their correspondence:

- Email from Son Kirby-Howie to the committee, regarding the evidence provided to the committee from representatives of the Bundjalung Nation
- Email from Sharyn Logan to the committee, regarding the evidence provided to the committee from representatives of the Bundjalung Nation.

#### **5. Public submissions**

The committee noted that submission nos. 6, 9, 30a, 31a, 40-46, 48-51, 53-56, 57, 58, 60, 61, 63, 65, 66, 68-75, 75a, 76-87 were published by the committee clerk under the resolution appointing the committee.

#### **6. Partially confidential submissions**

Resolved, on the motion of Ms Faehrmann: That the committee authorise the publication of submission nos. 27a and 29, with the exception of identifying and/or sensitive information which are to remain confidential as per the recommendation of the secretariat.

Resolved on the motion of Ms Faehrmann: That the committee keep the following information confidential, as per the request of the author: names in submission nos. 47 and 64.

Resolved on the motion of Ms Faehrmann: That the committee authorise the publication of submission nos. 62 and 67, with the exception of identifying and/or sensitive information which are to remain confidential as per the recommendation of the secretariat.

#### **7. Attachments to submission no. 85**

Resolved, on the motion of Ms Sharpe: That the committee authorise the publication of Appendix C to submission no. 85, with the exception of identifying information which is to remain confidential as per the recommendation of the secretariat.

#### **8. Tended documents**

Resolved, on the motion of Ms Faehrmann: That the committee accept and publish the following tended document: Video of the Pitt Town Flood Evacuation Route, tended by Mr Ryan during the public forum on Friday 3 June 2022.

#### **9. Confidential submissions**

Resolved on the motion of Ms Faehrmann: That the committee keep submission nos. 5 and 33 confidential, as per the request of the authors.

#### **10. Transcript clarifications**

Resolved on the motion of Ms Sharpe: That the committee authorise:

- the publication of emails from:
  - The Salvation Army Australia, clarifying evidence provided by Major Sue Hopper at the committee's hearing on 14 June 2022 about the Salvation Army's plans to stay in the Northern Rivers following the floods
  - Dr Therese Grotowski, NSW Branch Representative, Royal Australian and New Zealand College of Psychiatrists Section of Rural Psychiatry, and Member, New South Wales Royal Australian and New Zealand College of Psychiatrists Rural Psychiatry Project, clarifying evidence she provided at the committee's hearing on 31 May 2022 about Medicare rebates
  - Telstra, clarifying evidence provided by Mr Peter Sutherland at the committee's hearing on 14 June 2022 about damage to fibre optic cable breaks.

- the addition of a footnote to Major Hopper's evidence from 14 June 2022, reflecting the clarification of her evidence
- the addition of a footnote to Dr Growtowski's evidence from 31 May 2022, reflecting the clarification of her evidence
- the addition of a footnote to Mr Sutherland's evidence from 14 June 2022, reflecting the clarification of his evidence.

#### 11. **Answers to questions on notice**

The committee noted that the following answers to questions on notice (*previously circulated*) were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice from Professor Tyrone Carlin, Vice Chancellor, Southern Cross University, received 27 June 2022
- answers to questions on notice from Mr Kevin Lewis, Principal, Xavier Catholic College Ballina, received 27 June 2022
- answers to questions on notice from Telstra and Telstra Infracore, received 30 June 2022
- answers to questions on notice from Department of Communities and Justice, received 1 July 2022
- answers to questions on notice from the Department of Environment and Planning, received 1 July 2022
- answers to questions on notice from Rous County Council, received 4 July 2022
- answers to questions on notice from the Department of Regional NSW, received 5 July 2022
- answers to questions on notice from Mr Shane Fitzsimmons, Commissioner, Resilience NSW, received 5 July 2022
- answers to questions on notice from Service NSW, received 5 July 2022
- answers to questions on notice from NSW Health, received 5 July 2022
- answers to questions on notice from NSW Maritime and Transport for NSW, received 5 July 2022
- answers to questions on notice from NSW Rural Fire Service, received 5 July 2022
- answers to questions on notice from NSW State Emergency Service, received 5 July 2022
- answers to questions on notice from Cr Patrick Conolly, Mayor, Hawkesbury City Council, received 8 July 2022
- answers to questions on notice from Marine Rescue NSW, received 12 July 2022.

Resolved on the motion of Ms Sharpe: That the committee:

- authorise the publication of answers to questions on notice from Dr Philippa Johnston, Veterinarian, Tenterfield Veterinary Clinic, received 7 July 2022 with the exception of identifying information, which is to remain confidential, as per the recommendation of the secretariat
- keep confidential attachments to answers to questions on notice from Professor Tyrone Carlin, Vice Chancellor, Southern Cross University, received 27 June 2022 as per the recommendation of the secretariat as they contain emergency plans which are not made available to the general public.

#### 12. **Consideration of Chair's draft report**

The Chair submitted his draft report, entitled *Response to major flooding across New South Wales in 2022*, which, having been previously circulated, was taken as being read.

##### **Chapter 1**

Resolved, on the motion of Mr Barrett: That:

- a) paragraph 1.30 be amended by omitting 'We also heard that the NSW Government fell short in many respects when responding to the community's needs.'
- b) the following new paragraph be inserted after paragraph 1.30: 'We also heard that the NSW Government, like residents of the area, were not prepared for an event of this scale and magnitude as such, fell short in many respects when responding to the community's needs'.

## Chapter 2

Mr Barrett moved: That paragraph 2.25 be omitted:

'While the NSW government submission to the inquiry described the major floods of February-March 2022 as 'unprecedented', the Member for Lismore, Ms Janelle Saffin MP, suggested to the committee that the government agencies should have nonetheless been better prepared than they were:

The word 'unprecedented' has been bandied about a lot and has become code for it was 'unpredictable'. Therefore, 'we could not have been prepared'. This is erroneous at best and an abrogation of responsibility at worst. NSW Government's public agencies could have been better prepared, and part of that means working alongside the community so that our preparedness coalesces.'

The committee divided.

Ayes: Mr Barrett

Noes: Mr Secord, Ms Cusack, Ms Faehrmann, Mr Roberts, Ms Sharpe

Question resolved in the negative.

Resolved, on the motion of Ms Sharpe: That:

- a) paragraph 2.41 be omitted: 'The Fire Brigade Employees' Union also described volunteers as an 'unreliable workforce' compared with paid staff, highlighting that in an emergency response where 'seconds can be the difference between life and death, or loss of property, it is vital that the initial response is active and ready to go at all times'. The Union also argued that it is 'not reasonable for the NSW Government to expect volunteers to perform in the same manner as a professional workforce'.'
- b) paragraph 2.44 be omitted: 'By contrast, the Fire Brigade Employees' Union described professional firefighters as a 'workforce who are ready to respond 7 days a week, 24 hours a day' with senior Fire and Rescue NSW officers trained in incident management and response. Fire and Rescue NSW has adopted an incident management plan consistent with the Australasian Inter-Service Incident Management System doctrine which provides that where multiple agencies are responding to an event, they should do so via an integrated and effective response.'
- c) paragraph 2.45 be omitted: 'Ultimately, the Fire Brigade Employees' Union recommended that the designated lead combat agency for large scale emergency events such as the February-March 2022 floods be allocated only to professional agencies with officers trained in the Australasian Inter-Service Incident Management System. It further recommended that volunteer agencies such as the NSW SES be designated as support agencies only.'
- d) paragraph 2.46 be omitted: ' In evidence, Mr Leighton suggested that Fire and Rescue NSW should be the designated agency, highlighting that there are 6,500 permanent and retained professional firefighters in the state who are ready to go. Mr Leighton noted that this would require a 'legislative fix' and some additional resources for Fire and Rescue NSW.'

Resolved, on the motion of Ms Sharpe: That throughout the report all references to 'We' in committee comments be replaced with 'The committee'.

Mr Barrett moved: That paragraph 2.65 be amended by inserting 'by Resilience NSW' after 'Recovery Coordinator'.

Question put and negatived.

Mr Barrett moved: That Finding 6 be amended by inserting 'by Resilience NSW' after 'Recovery Coordinator'.

Question put and negatived.

Resolved, on the motion of Mr Barrett: That paragraph 2.76 be amended by:

- omitting 'are' before 'best placed' and inserting instead 'were'
- omitting 'major flooding events such as the one in'
- inserting 'the' before 'February-March 2022'
- inserting 'flooding event' after 'February-March 2022'.

Mr Barret moved: That Finding 1 be amended by omitting 'That the NSW State Emergency Service and Resilience NSW failed as lead agencies to provide adequate leadership and effective co-ordination during the major floods of February-March 2022' and inserting instead 'That the NSW State Emergency Service and Resilience NSW provided inadequate leadership and coordination during the major flooding of February-March 2022'.

Question put.

The committee divided.

Ayes: Mr Barrett, Ms Cusack.

Noes: Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Question resolved in the negative.

Mr Barrett moved: That Finding 2 be omitted: 'That NSW Government agencies lacked coordination, created confusion and responded poorly in the February-March 2022 floods, resulting in the North Coast community being let down in their greatest time of need', and the following finding be inserted instead: 'That there was a lack of coordination among Government agencies that at times created confusion and hindered adequate response'.

Question put and negated.

Mr Barrett moved: That Finding 2 be amended by omitting: ', resulting in the North Coast community being let down in their greatest time of need' after 'the February-March 2022 floods'.

Question put and negated.

Mr Barrett moved: That Finding 4 be omitted: 'That the NSW Government failed to comprehend the scale of the February-March 2022 floods and treated the response as a 'nine to five' business operation.'

Question put and negated.

Resolved, on the motion of Mr Barrett: That Finding 4 be amended by omitting 'That the NSW Government failed to comprehend the scale of the February-March 2022 floods and treated the response as a 'nine to five' business operation' and inserting instead 'That NSW Government agencies and the Bureau of Meteorology were not prepared for, nor did they comprehend the scale of the February-March 2022 floods, and some agencies were criticised for treating it as a 9-5 business operation'.

Resolved, on the motion of Mr Barrett: That paragraph 2.78 be amended by inserting 'adequately' after 'the organisation failed to'.

Mr Barrett moved: That paragraph 2.82 be amended by omitting 'failed' and inserting instead 'fell well short of expectations'.

Question put.

The committee divided.

Ayes: Mr Barrett.

Noes: Ms Cusack, Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Question resolved in the negative.

Mr Barrett moved: That Recommendation 2 be omitted:

'That the NSW Government consider abolishing Resilience NSW if it is unable to ensure:

- the organisation's role is clear after reviewing its policies, objectives and funding
- the organisation and its policies are focused on meeting community needs.'

and that the following new recommendation be inserted instead:

'That in relation to Resilience NSW the Government:

- review the organisation's role, policies, objectives and funding
- consider a restructure of the organisation including a possible redistribution of certain functions to other relevant agencies
- ensure that the role, policies, objectives and funding, as well as any restructure or redistribution are focused on meeting community needs'.

Question put.

The committee divided.

Ayes: Mr Barrett.

Noes: Ms Cusack, Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Question resolved in the negative.

### Chapter 3

Resolved, on the motion of Ms Cusack: That paragraph 3.38 be amended by inserting 'satellite communications solutions such as' before 'satellite phones'.

Resolved, on the motion of Ms Cusack: That the following new paragraph be inserted after paragraph 3.38:

'Inmarsat, a commercial provider of satellite communication solutions, described its satellite technology as the 'perfect solution' given its satellite infrastructure in space is unimpaired by network congestion or destruction during natural disasters. The provider considered that its portable satellite terminals and phones 'could be situated in strategic emergency response locations and rapidly deployed by first responders in local areas without the need to transport large trailer-based platforms, where quick access may be difficult'. Inmarsat also referred to a 'backpack solution' known as the BGAN Patrol which first responders can wear to provide wifi access for smartphones and wifi enabled radios.' [FOOTNOTE: Submission 87, Inmarsat, p 2.]

Mr Barrett moved: That paragraph 3.71 be amended by omitting 'ignored government advice'.

Question put and negatived.

Mr Barrett moved: That paragraph 3.71 be amended by omitting 'ignored government advice' and inserting instead ', often against official advice'.

Question put and negatived.

Resolved, on the motion of Ms Faehrmann: That paragraph 3.152 be amended by omitting 'some of the worst flooding the state has ever seen' and inserting instead 'such a catastrophic flooding event'.

Resolved, on the motion of Ms Cusack: That the secretariat draft and circulate for agreement a new paragraph reflecting that people were not registered at evacuation centres, for insertion in the report at an appropriate location.

Resolved, on the motion of Ms Cusack: That the secretariat draft and circulate for agreement a new recommendation regarding the Xavier College and other community organisations being reimbursed for their costs in operating evacuation centres, for insertion in the report at an appropriate location.

Resolved, on the motion of Ms Faehrmann: That the following new recommendation be inserted after Finding 7:

**'Recommendation X**

That the NSW Government work with the Commonwealth to develop a national cross-agency app to integrate all community services and agencies into a single platform so that everyone can receive accurate and timely information from one source during emergencies.'

Resolved, on the motion of Ms Faehrmann: That Recommendation 6 be amended by omitting 'appropriately placed and updated' and inserting instead 'appropriately placed, maintained and updated'.

Resolved, on the motion of Ms Faehrmann: That paragraph 3.156 be amended by:

- a) inserting 'extremely' before 'concerning'
- b) omitting 'to learn' after 'However, it was concerning'.

Resolved, on the motion of Ms Faehrmann: That paragraph 3.159 be amended by inserting 'particularly at a very localised level over many days' at the end.

Resolved, on the motion of Ms Faehrmann: That Recommendation 9 be amended by:

- a) omitting 'engage' after 'That the NSW Government' and inserting instead 'work'
- b) inserting 'with a view to providing them adequate long term funding' at the end.

Resolved, on the motion of Ms Sharpe: That paragraph 3.162 be amended by omitting: 'We now turn to flood rescues, and the concerns we heard from stakeholders that the rescue efforts by emergency services were not well coordinated or resourced. With calls to 000 and NSW SES going unanswered and emergency requests going unfulfilled, some people were stranded on their roof, rescued only through the goodwill of neighbours who went into dangerous floodwaters using their own vessels to conduct lifesaving rescues.' and inserting instead:

'The committee was especially concerned that calls to 000 and NSW SES went unanswered and emergency requests were unfulfilled, with some people stranded on their roof, rescued only through the goodwill of neighbours who went into dangerous floodwaters using their own vessels to conduct lifesaving rescues'.

Resolved, on the motion of Ms Sharpe: That paragraph 3.163 be amended by omitting 'While we' and inserting instead 'The committee acknowledges'.

Resolved, on the motion of Ms Sharpe: That paragraph 3.165 be amended by omitting 'We therefore agree' and inserting instead 'The committee agrees'.

Resolved, on the motion of Ms Sharpe: That paragraph 3.168 be amended by omitting 'it is our view' after 'Based on the evidence'.

Resolved, on the motion of Ms Sharpe: That paragraph 3.169 be amended by omitting 'We therefore reiterate Recommendation 2, which calls for Resilience NSW to be abolished if the government is unable to provide clarity on the organisation's role after a review of its policies, procedures and funding.'

Resolved, on the motion of Ms Sharpe: that paragraph 3.170 be amended by omitting 'story we heard about Xavier Catholic College' and inserting instead 'case study about Xavier Catholic College'.

Mr Barrett moved: That paragraph 3.163 be amended by omitting 'demonstrates a failure' and inserting instead 'highlights the scale of this event and demonstrates it was above the capacity' before 'government rescue agencies'.

The committee divided.

Ayes: Mr Barrett.

Noes: Ms Cusack, Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Questions resolved in the negative.

Resolved, on the motion of Ms Faehrmann: That paragraph 3.164 be amended by omitting 'floods will continue to occur in the future' and inserting instead 'climate change means more frequent and severe floods'.

Mr Barrett moved: That Finding 9 be amended by:

- a) omitting 'had no other option but to ignore government advice and save lives which was only possible due' and inserting instead 'played a vital role in saving lives, aided by' after 'individual members of the community'
- b) omitting 'given information' and inserting instead 'unavailable' before 'from the NSW State Emergency Service'
- c) omitting 'was incorrect and out of date'.

Question put and negatived.

Resolved, on the motion of Ms Faehrmann: That the following new recommendation be inserted after Recommendation 11:

**'Recommendation X**

'That the NSW Government work with local governments to identify alternative routes to vulnerable roads, and that the NSW and Australian Governments fund the construction of these important routes to improve evacuation and access options in times of disaster.'

Ms Higginson joined the meeting.

**Chapter 4**

Resolved, on the motion of Ms Sharpe: That the heading above paragraph 4.1 be amended by omitting 'The need to support community led recovery' and inserting instead 'Integrating communities into recovery'.

Resolved, on the motion of Ms Sharpe: That paragraph 4.4 be amended by omitting 'Similarly, Ms Naomi Moran, General Manager at Koori Mail, stated that the engagement of Resilience NSW with Koori Mail has been "extremely little".'

Resolved, on the motion of Ms Sharpe: That the following new paragraph be inserted after paragraph 4.4: 'Similarly, Ms Naomi Moran, General Manager at Koori Mail, stated that the engagement of Resilience NSW with Koori Mail has been "extremely little".'

Resolved, on the motion of Ms Sharpe: That the following new paragraphs be inserted after paragraph 4.16:

**'Supporting First Nations communities**

Aboriginal organisations representing the Bundjalung Nation in the Northern Rivers region provided evidence about the importance of working with First Nations communities in service delivery and recovery during disasters.

Currie Country Social Change, Jali Local Aboriginal Lands Council, Bogal Local Aboriginal Lands Council Coraki and the Native Title Group Bandjalang PBC Coraki recommended that the NSW Government form a Human and Social Recovery Group with Aboriginal representation from state agencies and experienced local networks. The four organisations envisaged that the Human and Social Recovery Group would be responsible for leading coordination and service delivery for First Nations communities during and after disaster, including functional recovery groups to protect human wellbeing and mental health and coordinate triage support with local non-government organisations. The key responsibilities of the functional recovery groups would include:

- providing advice on priority focus areas for human and social resilience
- monitoring and providing advice on current and potential public and mental health issues which may impact the local community in concert with Aboriginal agencies in health and housing to prevent mental health acts

- enabling access to information and/or coordinated government and non-government human and social recovery services through a range of service delivery channels
- engaging additional human and social recovery services where local capacity is exhausted
- facilitating the matching and enabling of emergency volunteering, to include education and oversight of racism and bias and poor attitudes affecting service and delivery into Aboriginal communities
- matching donated goods, services, and offers of assistance
- facilitating access to emergency and temporary accommodation assistance
- administering financial support to individuals
- managing community recovery hubs.'

Mr Barrett moved: That paragraph 4.96 be amended by:

- a) omitting 'failed' and inserting instead 'did not meet expectations' after 'Resilience NSW' in the first sentence
- b) omitting 'failed to' and inserting instead 'fell short' after 'Resilience NSW' in the last sentence.

The committee divided.

Ayes: Mr Barrett, Ms Cusack.

Noes: Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Question resolved in the negative.

Mr Barrett moved: That paragraph 4.97 be amended by omitting 'failure' and inserting instead 'inadequacy' before 'of Resilience NSW'.

The committee divided.

Ayes: Mr Barrett, Ms Cusack.

Noes: Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Questions resolved in the negative.

Mr Barrett moved: That Finding 12 be amended by omitting 'failed to engage and coordinate' and inserting instead 'was inadequate in its engagement and coordination' after 'Resilience NSW'.

The committee divided.

Ayes: Mr Barrett, Ms Cusack

Noes: Ms Faehrmann, Mr Roberts, Mr Secord, Ms Sharpe.

Questions resolved in the negative.

Resolved, on the motion of Ms Sharpe: That paragraph 4.96 be amended by omitting 'We therefore reiterate our finding in Chapter 2 that Resilience NSW failed to in its capacity as the lead agency for recovery'.

Resolved, on the motion of Ms Faehrmann: That Recommendation 14 be amended by inserting ', and First Nations' after 'both existing and emerging'.

Resolved, on the motion of Ms Faehrmann: That Recommendation 15 be amended by inserting 'including First Nations' after 'That the NSW Government, in partnership with community groups'.

Resolved, on the motion of Ms Sharpe: That paragraph 4.105 be amended by omitting 'This is a greatly needed reform, and should be prioritised as a project'.

Resolved, on the motion of Ms Sharpe: That paragraph 4.106 be amended by:

- a) omitting 'Moving onto more specific concerns about financial assistance, it is clear that the grants process has been unnecessarily confusing and slow for applicants' at the start



- b) omitting 'Requirements such as this show a real disconnect with the crisis unfolding at the community level'.

Resolved, on the motion of Mr Barrett: That Finding 15 be amended by omitting 'That the NSW Government's conduct and administration of the grants process was insensitive and compounded the trauma of flood affected individuals given applicants had to provide documentation - washed away in the floods - and prove they were flood impacted and suffered loss' and inserting instead:

'That some of the processes surrounding the administration of grants were insensitive and compounded the trauma of flood affected individuals given applicants had to provide documentation - washed away in the floods - and prove they were flood impacted and suffered loss'.

Resolved, on the motion of Mr Barrett: That Finding 16 be amended by omitting 'That the NSW Government's management of financial grants and support programs was confusing and cumbersome for applicants and the assistance did not flow to them in a timely manner' and inserting instead:

'That the processes surrounding financial grants and support programs were confusing and cumbersome for applicants often preventing assistance from flowing to them in a timely manner'.

Mr Barrett moved: That Finding 17 be amended by omitting 'failing to assist those most in need'.

Question put and negatived.

Resolved, on the motion of Ms Sharpe: That the following new finding be inserted after Finding 16:

**'Finding X**

That the failure to have assessors on the ground caused great challenges for those dealing with grant applications, it delayed the rollout of grants and was a missed opportunity to manage fraudulent claims'.

Resolved, on the motion of Ms Sharpe: That the following new recommendation be inserted after Recommendation 18:

**'Recommendation X**

Service NSW should establish teams of assessors that can be on the ground to assess and approve grant applications'.

Resolved, on the motion of Mr Roberts: That Recommendation 18 be amended by omitting 'access financial assistance for as long as they need' and inserting instead 'access financial assistance for as long as there is demonstrated need'.

Resolved, on the motion of Ms Faehrmann: That Recommendation 20 be amended by omitting 'considering whether particular communities, like Lismore, might need additional mental health support to recover' and inserting instead 'ensuring all flood-impacted communities receive the mental health support they need to fully recover'.

**Chapter 5**

Ms Faehrmann left the meeting.

Ms Sharpe left the meeting.

Ms Jackson joined the meeting.

Resolved on the motion of Ms Higginson: That the following new section be inserted after paragraph 5.56:

**'Health of the Richmond River**

Some stakeholders and witnesses raised the issue of the neglect of the Richmond River, and that "decades of neglect, broken promises, erosion and pollution have resulted in the Richmond River becoming one of the most degraded river systems on the east coast of Australia."

FOOTNOTE: Submission 56, Ms Tamara Smith MP, Member for Ballina, 30 May 2022, p 14.

When asked about the health of the Richmond River, Ms Christina Clay from Rous County Council, told the committee:

In terms of the major contributing factors, there are two main ones and they are priority actions in our draft scoping study for our coastal management plan. They are associated with the drainage of the lowest lying areas on the flood plain—back swamps, former wetlands. These areas are intensively drained and used for agriculture. This has happened for generations—this is not a new thing—but we have major water quality issues come out of these areas on a regular cyclic basis. We're talking about deoxygenated water, so black water from rotting vegetation from pastures and grasses that now grow where it once would have been swampland and rushes. The other one is acid sulphate soils.'

[FOOTNOTE: Evidence, Ms Christina Clay, Floodplain Officer, Rous County Council, 31 May 2022, pp 29-30.]

Ms Jackson moved: That paragraph 5.63 be amended by inserting at the end: 'But was subsequently discontinued as a result of a lack of government support'.

Question put.

The committee divided.

Ayes: Ms Higginson, Ms Jackson, Mr Roberts, Mr Secord.

Noes: Mr Barrett, Ms Cusack.

Question resolved in the affirmative.

Mr Barret moved: That Recommendation 20 be omitted: 'That the NSW Government accelerate its caravan program and ensure it is made available as an option to all displaced residents from the February-March 2022 floods.'

Question put.

The committee divided.

Ayes: Mr Barrett.

Noes: Ms Cusack, Ms Higginson, Ms Jackson, Mr Roberts, Mr Secord.

Question resolved in the negative.

Resolved, on the motion of Ms Jackson: That paragraph 5.135 be amended by inserting at the end: 'Similarly, Aboriginal organisations representing the Bundjalung Nation in the Northern Rivers region considered that planning schemes should incorporate flood overlay mapping informed by First Nations local knowledge.'

[FOOTNOTE: Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 29.]

Resolved, on the motion of Ms Jackson: That the following new paragraph be inserted after paragraph 5.136:

'The Currie Country Social Change, Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki and the Native Title Group Bandjalang PBC Coraki recommended that the NSW Government develop a plan with Aboriginal Traditional Owners to "better protect sites of significance and of high cultural and historical value before, during and after natural disasters".'

[FOOTNOTE: Submission 30a, Currie Country Social Change (CCSC), Jali Local Aboriginal Lands Council (LALC), Bogal Local Aboriginal Lands Council Coraki, Native Title Group Bandjalang PBC Coraki, p 33.]

Resolved, on the motion of Mr Barrett: That the following new paragraphs be inserted after paragraph 5.136:

'Several witnesses to the committee suggested the extent of flooding on the February-March 2022 flooding on the Northern Rivers and the frequency and severity of future floods could be reduced by better management of the drainage channels surrounding the farming. Local farmer Mr Robert Commens said:

the water that was sitting in the drains did not drain away, so it exacerbated the flood impact when the water from up-catchment did come... Mangroves grow up into there and then they grow around the gate and the gate only opens 20 per cent of what it should.

[FOOTNOTE: Public forum, Mr Robert Commens, 30 May 2022, p 23.]

Ms Tamarah Knox supported this view stating, "... a drainage network that feeds that [Deadman's] creek hasn't been manually cleaned in at least 10 years...we have noticed the flooding frequency has increased in the area". [FOOTNOTE: Public forum, Ms Tamarah Knox, 30 May 2022, p 32.]

Mr Commens also gave evidence that maintenance of these drains was hindered by "excessive approvals required" with the involvement of far too many government agencies: "We're talking about NSW Fisheries, the department of water, and council, as well as the Department of Primary Industries, and I think the department of main roads as well", along with "excessive green tape prohibiting this". [FOOTNOTE: Public forum, Mr Robert Commens, 30 May 2022, p 23.]

Resolved, on the motion of Ms Higginson that the following new recommendation be inserted after Recommendation 20:

**'Recommendation X**

That the NSW Government consider investing in supporting relocations, land swaps and providing fair and adequate compensation for landowners who wish to relocate from severely flood-impacted areas.'

Ms Higginson moved: That the following new finding be inserted after paragraph 5.147:

**'Finding X**

There was a lack of First Nations people and voice in the government-led rescue and recovery.'

Ms Cusack moved: That the motion of Ms Higginson be amended by omitting 'people' and inserting instead 'engagement and voice'.

Amendment of Ms Cusack put.

The committee divided.

Ayes: Mr Barrett, Ms Cusack, Ms Jackson, Mr Roberts, Mr Secord.

Noes: Ms Higginson.

Original question of Ms Higginson, as amended, put and passed.

Ms Higginson moved: That the following new recommendation be inserted after Recommendation 21:

**'Recommendation X**

That the NSW Government work with First Nations peoples to improve the planning, flood mitigation and environmental mapping processes by incorporating the knowledge of local First Nations traditional owners.'

Question put.

The committee divided.

Ayes: Ms Higginson.

Noes: Mr Barrett, Ms Cusack, Ms Jackson, Mr Roberts, Mr Secord.

Question resolved in the negative.

Resolved, on the motion of Ms Higginson: 'That Recommendation 22 be amended by inserting at the end ', and ensure a safe and resourced evacuation plan is in place.'

Ms Higginson moved: 'That the following new recommendation be inserted after paragraph 5.147:

**'Recommendation X**

That the NSW Government work with First Nations peoples to build the capacity of Aboriginal organisations to operate and respond in times of natural disasters.'

Mr Roberts moved: 'That the motion of Ms Higginson be amended by;

- a) omitting 'to build the capacity of' and inserting instead 'support'
- b) inserting 'in their capacity' before 'to operate and respond;'

Amendment of Mr Roberts put and passed.

Original question of Ms Higginson, as amended, put and passed.

Resolved, on the motion of Ms Higginson: 'That the following new recommendation be inserted after Recommendation 25:

**'Recommendation X**

That the NSW Government invest in the restoration of the Wilsons and Richmond Rivers to include riparian restoration, water quality and river health improvement.'

Resolved, on the motion of Ms Higginson: 'That paragraph 5.160 be amended by omitting 'In several locations where floods can reach higher levels, this is inadequate' and inserting instead: 'Stronger policy and alternative approaches are required to reduce the need to build in vulnerable locations and to plan for a transition of development away from flood prone land. A failure to consider floods and fires before building new homes has the potential to perpetuate the losses experienced in the past five years and exacerbate the problems in future. Therefore, the committee believes that the NSW Government should work with local government, industry and sustainable planning experts, including the Government Architect, on policy initiatives in the NSW planning system that will help deliver more resilient and sustainable homes, buildings and places.'

Resolved, on the motion of Ms Higginson: 'That Recommendation 27 be amended by:

- a) omitting 'access to' and inserting instead 'ongoing, long term'
- b) inserting 'and access to' before 'technical guidance'
- c) inserting 'and assistance' after 'technical guidance'.

Resolved, on the motion of Ms Higginson: 'That the following new recommendation be inserted after Recommendation 27:

**'Recommendation X**

That the NSW Government work with local government, industry and sustainable planning experts, including the Government Architect, on policy initiatives in the NSW planning system that will help deliver more resilient and sustainable homes, buildings and places.'

Resolved, on the motion of Mr Barrett: 'That the following new paragraph be inserted after Recommendation 27:

'The committee also acknowledges the evidence we heard that better management of drainage channels could have reduced the severity of the floods. We therefore recommend that the NSW Government work with relevant agencies and local landowners to find ways to improve the management of drainage channels including looking for recommendations to reduce red and green tape.'

Resolved, on the motion of Mr Barrett: That the following new finding be inserted after Recommendation 27:

**'Finding X**

That better management of drainage channels could have reduced the severity of the February-March 2022 flooding event as well as the frequency and severity of future floods.'

Resolved, on the motion of Mr Barrett: That the following new recommendation be inserted after Recommendation 27:

**'Recommendation X**

That the NSW Government work with relevant agencies and local landowners to find ways to improve the management of drainage channels including looking for recommendations to reduce red and green tape.'

Resolved on the motion of Ms Cusack: That the secretariat draft and circulate for agreement a paragraph to be inserted where appropriate in Chapter 5 about the Insurance Council not providing answers to questions on notice with regard to insurance claims.

Ms Jackson moved:

- The draft report, as amended, be the report of the committee and that the committee present the report to the House;
- The transcripts of evidence, submissions, tabled documents, answers to questions on notice, summary report of the online questionnaire and correspondence relating to the inquiry be tabled in the House with the report;
- Upon tabling, all unpublished attachments to submissions and individual responses to the online questionnaire be kept confidential by the committee;
- Upon tabling, all unpublished transcripts of evidence, submissions, tabled documents, answers to questions on notice, and correspondence relating to the inquiry, be published by the committee, except for those documents kept confidential by resolution of the committee;
- The committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;
- The committee secretariat be authorised to update any committee comments where necessary to reflect changes to recommendations or new recommendations resolved by the committee;
- Dissenting statements be provided to the secretariat within 24 hours after receipt of the draft minutes of the meeting;
- The report be tabled on Tuesday 9 August 2022 in the House;
- The Chair to advise the secretariat and members if they intend to hold a press conference, and if so, the date and time.

Question put.

The committee divided.

Ayes: Ms Cusack, Ms Higginson, Ms Jackson, Mr Roberts, Mr Secord.

Noes: Mr Barrett.

Question resolved in the affirmative.

### 13. Adjournment

The committee adjourned at 10.33 am, *sine die*.

Shaza Barbar  
Committee Clerk

## Appendix 4 Dissenting statements

### Hon Scott Barrett MLC, The Nationals

The floods across NSW in 2022 were a traumatic event for the residents and communities in the Northern Rivers, and the recovery process will take months and years to realise. The contribution of individuals to the Inquiry, especially those who shared their lived experiences, is appreciated and acknowledged.

The Committee's report into the response to major flooding across New South Wales in 2022 missed the mark. It was sensationalised through generalised assertions made in some of the report's findings and recommendations. The generalised nature and negative tone of the language and findings within the report dismisses the efforts and valued contributions of many people within our emergency service agencies and departments and fails to make important distinctions between the Government and its agencies and departments.

As the inquiry highlighted, the residents of the Northern Rivers have experienced flooding more often than many regions across the state. The 2022 flooding event was the biggest on record being two metres above the highest recorded height.

The 14.4m flood in the Northern Rivers region exceeded any experiences of those in the area as well as the expectations of what might occur during this event. This culmination of unprecedented events made for an extremely challenging and unique set of circumstances to prepare for and respond to both for residents and government agencies.

Given this, the emergency service agencies, including the State Emergency Service, were at times overwhelmed and not adequately equipped to respond to the scale and magnitude of such a fast-moving emergency. However, with the resources on hand, they responded exceptionally well and in many instances, saved lives. The blanket use of the word 'failed' in this regard is not justified and does not take into account the response and recovery efforts of many employees and volunteers.

Such language also does not recognise and is offensive to the hard work, dedication and compassion of the staff of Resilience NSW, itself a relatively new and formative organisation. Many of its staff were and still are working tirelessly on recovery efforts, from an event well beyond what they could have been expected.

The NSW Government has extensively consulted and engaged with residents and communities in the Northern Rivers region and has responded with grant, housing, and recovery support. The region comprises of geographically diverse towns and areas each with their own unique challenges and the NSW Government and its agencies have sought to deliver targeted and tailored responses to these communities.

I note there are several recommendations in the report that will bolster resilience and improve disaster response in future and look forward to seeing the response to these recommendations.



