

Submission
No 22

INQUIRY INTO RESPONSE TO MAJOR FLOODING ACROSS NEW SOUTH WALES IN 2022

Organisation: Kingscliff Ratepayers and Progress Association Inc

Date Received: 15 May 2022



KINGSCLIFF RATEPAYERS AND PROGRESS ASSOCIATION INC.
Established 1933

PO Box 1164, Kingscliff NSW 2487

15 May 2022

Re: Select Committee Inquiry into the response to major flooding across New South Wales in 2022

The Kingscliff Ratepayers and Progress Association thanks you for the opportunity to contribute to the Select Committee Inquiry into major flooding across New South Wales in 2022. The floods have had a significant impact across the Tweed Shire, including the areas of the Shire represented by our Association (post code of 2487) in particular Kingscliff, Chinderah and Fingal.

While our community did not experience floods to the same degree as Lismore and other surrounding areas, the impact on individuals and infrastructure was significant and devastating. In addition to impacts in previously 'flood-prone' areas, in many, many cases significant flood water entered areas that had never before in remembered history experienced any flooding or water ingress.

The key areas of concern, as raised by our Association members, include:

- The impact on neighbouring properties of recent development in flood-prone locations and the projected impact of future planned developments. There are many 'historically approved' pending developments in this community which no longer meet the environmental and flood-plain management standards of current times. Quite simply, if development continues to occur on low lying/flood prone land, natural drainage is reduced significantly, yet the water still has to go somewhere. This recent flood event clearly showed that this type of development led to inundation in other areas.
- Lack of communication before and during the flood – media coverage focussed on SE QLD with little coverage of what was to be expected in the Tweed Shire and beyond; evacuation warnings that came to late with people already trapped; the loss of mobile and internet coverage at critical times.
- Lack of coordination of rescue, evacuation and post evacuation management.
- Flood preparedness - as a community we prepare for bush-fire season, but the same diligence doesn't seem to apply to flood events.
- The lack of guidelines for flood rebuilding to help mitigate or minimise future impacts.
- The following media articles provide some strong insight into the issues surrounding flood-prone land development faced by our community.
 - <https://www.echo.net.au/2022/04/call-for-pause-on-approved-developments-on-flood-prone-land/>
 - <https://www.echo.net.au/2022/03/independent-review-of-development-on-flood-prone-land-welcomed-in-tweed-shire/>
 - <https://www.facebook.com/groups/398510356994590/permalink/2073538269491782/>
 - <https://www.facebook.com/LOVE2487/photos/a.344318730939873/358724356165977/>

Solutions suggested by our Association members include:

- Pause current development approvals on low lying/flood-prone land until the respective flood inquiries have been completed and findings delivered. (Please refer to the 1 April letter (attachment 1) from the Association to the NSW Minister for Planning and Minister for Homes – awaiting reply at time of this submission).
- Restore the 9 principles of sustainable development and the SEPP (Design and Place) 2021 recently revoked by the NSW Minister for Planning and Minister for Homes.

- Work with proponents of currently approved developments to revise existing plans so that they reflect the standards required today in respect to drainage, building types and density and take account of the impact on adjacent areas that may be impacted by infill.
- Identify areas of low lying/flood prone land which are currently earmarked for development and undertake a process of compulsory acquisition to prevent unsuitable areas being further developed. Compensation would surely be far less onerous and much less expensive than repeating what this community has endured three times in the past five years.
- Establish clear flood preparedness and flood recovery/rebuilding guidelines and standards.
- Establish flood response registers outside of emergency services, for example community members who are able to provide assistance as needed including emergency accommodation, evacuation centre support and transport.
- Develop 'Plan B's' for critical flood response matters including communication, transport and evacuation.
- Review the coordination and inwards/outwards communication and support for both during and post event to ensure that there is a clear community awareness of the key source of information and support.
- Engage traditional owners in developing strategies and plans in relation to low-lying, flood-prone land. Our traditional owners have a wealth of knowledge of the local rivers/creeks and other watercourses and their relationship with the lowlands. This includes the impact on the natural environment of unsustainable development in these areas.

Major concerns for our community moving forward include:

- Repeating the same mistakes when it comes to rebuilding post event.
- Allocation of rebuilding/recovery funding without due regard to flood resilience.
- Continued development in low-lying/flood-prone locations and the impact for not only those moving into those developments (flood risk, extreme insurance premiums or unattainable flood insurance) but also the flow on effect (pun intended) for nearby residents.
- The impact of the rush to cut red-tape (particularly the wide powers of the Reconstruction Corporation) and the likelihood that this will compromise other areas that go to the heart of the liveability, fabric and amenity of our communities.

Examples of these 'compromises' include an increase in height limits and housing density and a continued push to develop on protected lands including the State Significant Farmland of the Cudgen Plateau (The Association wrote to Minister Roberts on 24 February (attachment 2) seeking his commitment to ongoing protection of the State Significant Farmland and are yet to receive a reply). This concern has been highlighted even further in recent weeks and our community has grown increasingly concerned by the cavalier attitude of the NSW Minister for Planning and Minister for Homes, the Hon. Anthony Roberts, regarding his move to completely abandon the NSW SEPP (Design and Place) 2021 and the 9 Principles of Sustainable Development.

Should the devastation caused by the recent major flood event be used as a vehicle to ignore decades of thoughtful planning and development in our Shire, this would add insult to injury to our communities and particularly those that have suffered the most. There is a genuine fear and concern, given the Minister's actions, that our community is under threat of unsustainable, inappropriate development under the guise of flood recovery and rehousing. Such a move would be unconscionable under any circumstances let alone from an elected government and a Planning Minister who appears to have more time and desire to listen to developers and related groups, such as the Urban Taskforce, than to communities.

We believe that a balanced approach can address the needs of flood mitigation and recovery without compromising those things that make our area unique.

Finally, the Association asks that members of the Select Committee consider meeting directly with our representatives during the Inquiry's community consultation phase to discuss these and other flood related matters in more detail.

Thank you again for the opportunity to contribute to the Inquiry. Again, we would like to emphasise that while the impact of the flooding in 2487 may not seem to be of the magnitude of areas such as Lismore, the impact to our communities, and in particular the individuals affected, is just as devastating.

Yours sincerely

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(on behalf of) Kingscliff Ratepayers and Progress Association Inc.

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