



## Your details

Mr

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**Title**

**First name**

Stephen

**Last name**

Timms

## Submission details

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**I am making this submission as**

A resident in a bushfire-affected area

**Submission type**

I am making a personal submission

**Consent to make submission public**

I give my consent for this submission to be made public

## Share your experience or tell your story

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**Your story**

My property and others surrounding Lloyds Road, Woolli Road and Wants Lane, Pillar Valley were subject to an arson attack in December 2019, the night before further predicted "extreme" fire conditions. We have heard no follow up from police or RFS. Damage was minimal as it was extinguished quickly on my property, but burned for around 48 hours on Wants Lane. I have also been encouraged to submit a presentation I did for the Planning Institute of Australia, I would be happy to talk to this at any time.

I also support the submissions made by Clarence Valley Food Incorporated (advocating for primary producers in the Clarence Valley), along with the submissions made by the Planning Institute of Australia and Catherine Ryland.

A vast majority of farmers and rural residents in the area have not made a submissions, because of the number of previous Inquiries in to bush fire disasters in Australia and general

perceived inaction from 'government' and a belief that no-one will listen to them anyway. A more proactive approach to engaging with all that manage the landscape, coupled with funding is needed to change the culture of using fire, regenerative agriculture techniques, water security and human resources in a better way to avoid future disasters. I also joined the video conference for the northern rivers and Clarence Valley, which was greatly appreciated by me, though it was unfortunate that the time constraints (3-5minutes for a harrowing story) left many other people further distressed.

Please refer to the presentation attached and I would be happy to assist the Inquiry in any way I can, particularly regarding initiatives and implementation of recommendations.

## Terms of Reference (optional)

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The Inquiry welcomes submissions that address the particular matters identified in its [Terms of Reference](#).

### 1.2 Preparation and planning

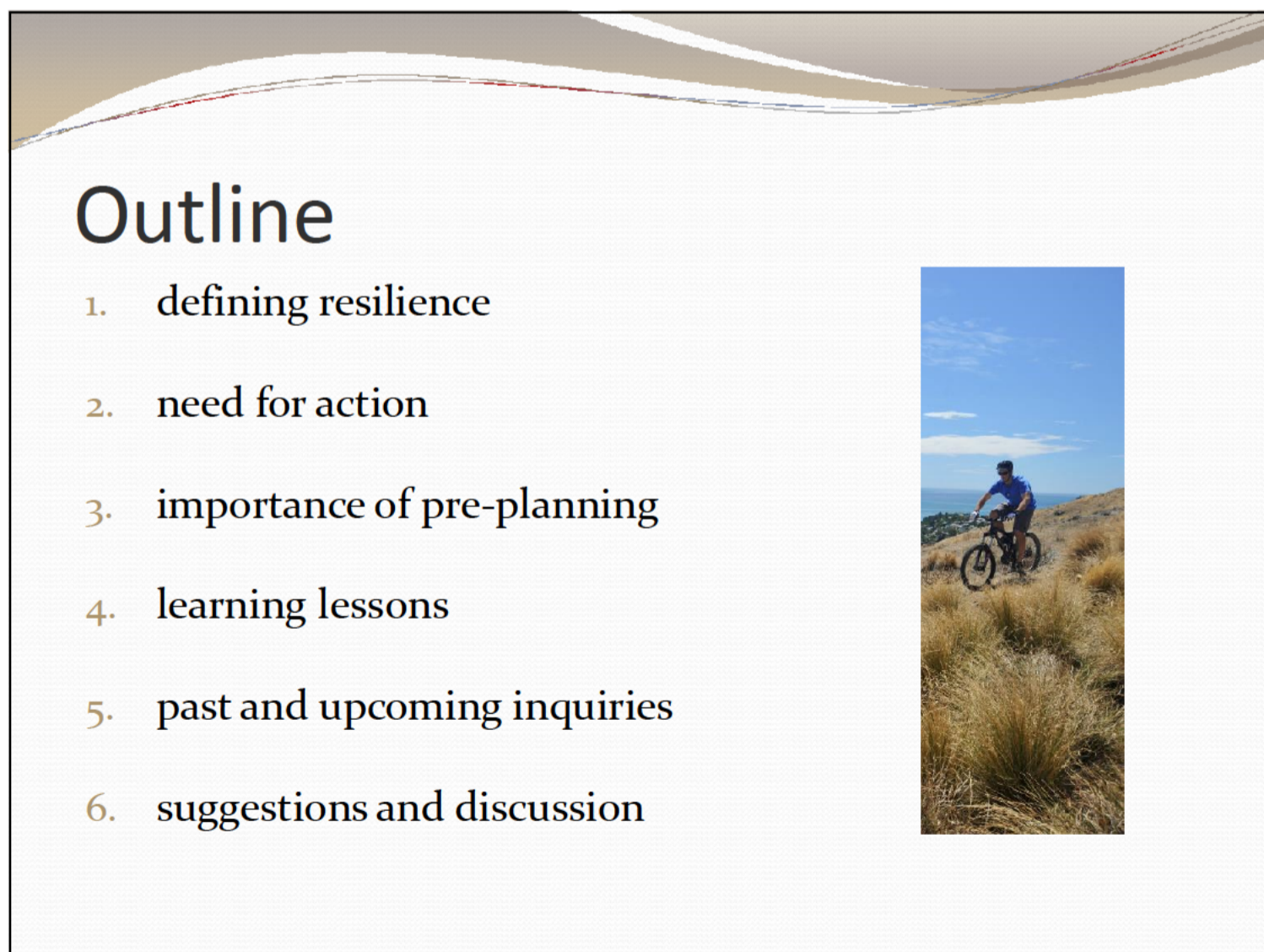
Primarily relating to this section of the Terms of Reference, and the need for more coordinated approach to managing the landscape with Councils, state government agencies, land owners, farmers and First Nations People.

## Supporting documents or images

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### Attach files

- Stephen Timms presentation.pdf
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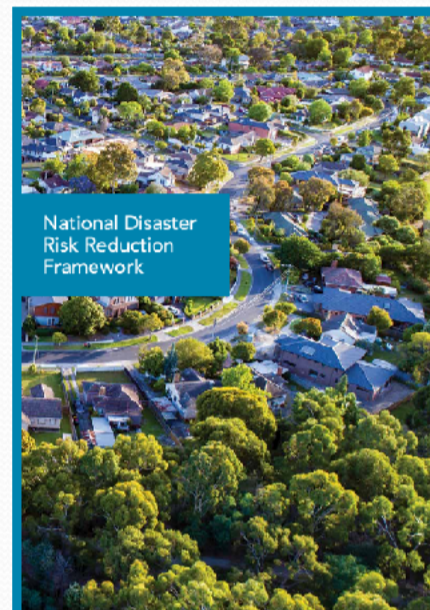


# What is resilience?

- ❑ Range of definitions
- ❑ Not just about recovery

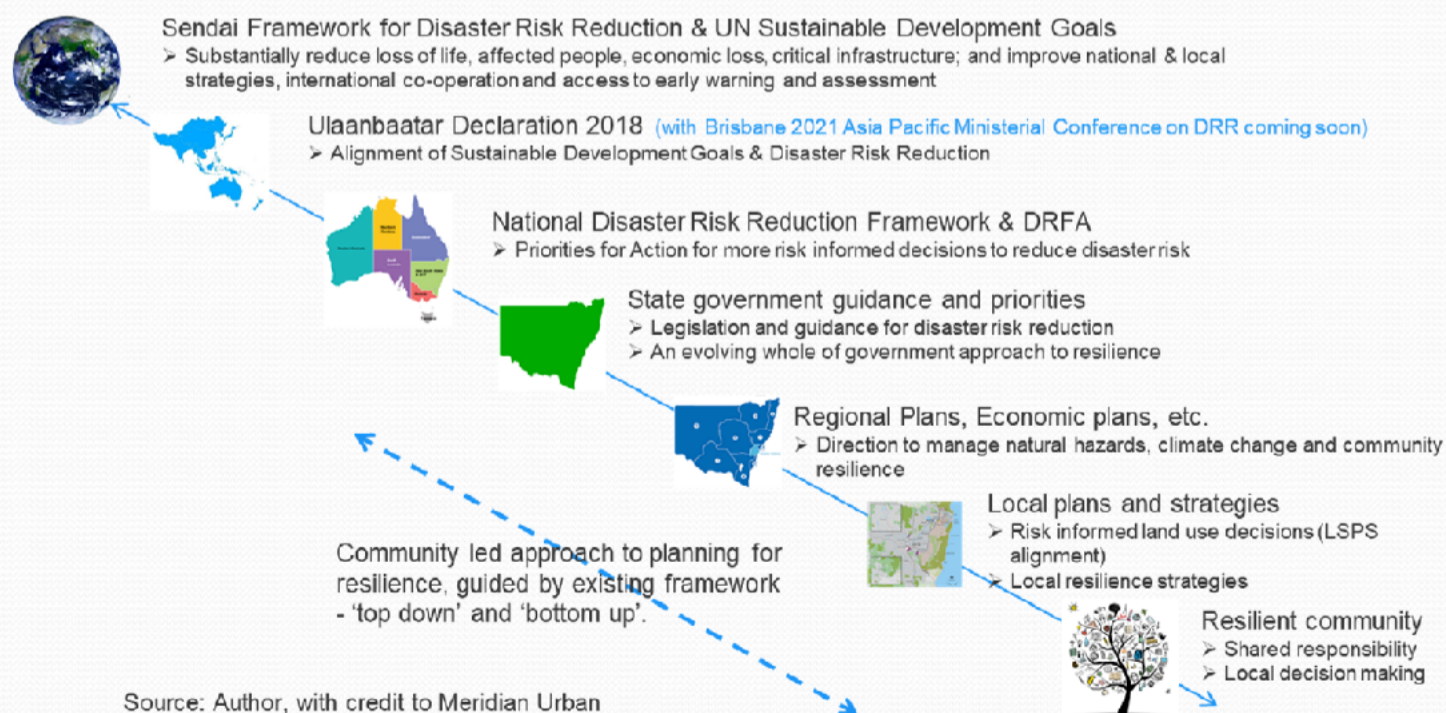
*The ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.*

- National Disaster Risk Reduction Framework

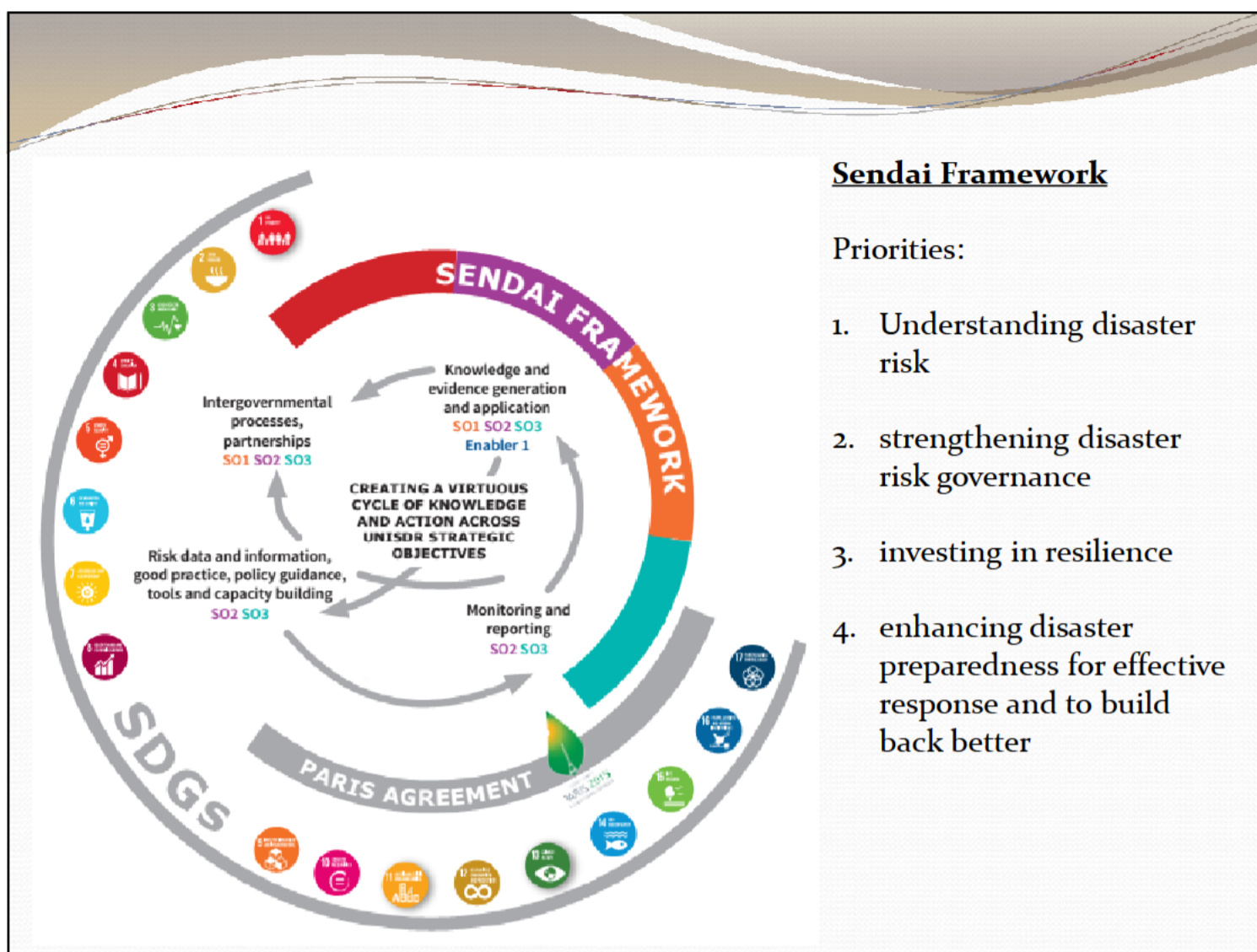


# Resilience 'line of sight'

## Planning for resilience 'policy alignment'







**Sendai Framework**

Priorities:

1. Understanding disaster risk
2. strengthening disaster risk governance
3. investing in resilience
4. enhancing disaster preparedness for effective response and to build back better

## Reminder of NSW legislation

**Local Government Act, 1993**

IP& R Principles:

- Councils should manage risks to the local community or area or the Council **effectively and proactively...**

**Environmental Planning and Assessment Act:**

Objects:

- Promote the social and economic welfare of the community...
- Promote the proper construction and maintenance of buildings, including the protection of the health and safety of occupants...
- Promote shared responsibility...



# Increasing cost to government, community and environment

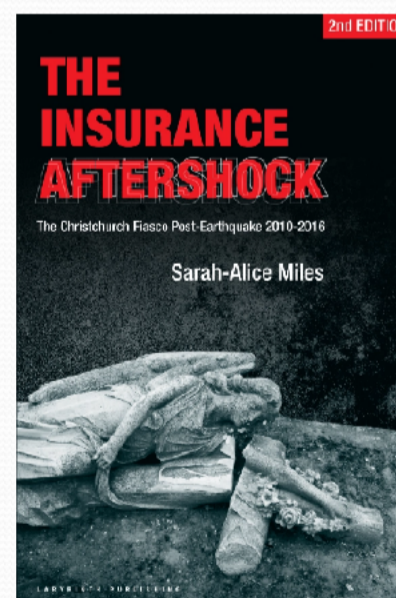


Source: Australian Business Roundtable

# Insurance costs/delays

*“Infrastructure, planning and zoning requirements do not reflect the level of risk communities will face in the future... Current land planning and zoning requirements are misaligned with insurance risk, this dynamic in particular creates an affordability challenge for insurance and will only worsen as the risk increases with climate”*

- IAG submission to “the current and future impacts of climate change on housing, buildings and infrastructure” Environment and Communications Reference Committee for inquiry and report, 2018





## Decreasing tolerance to disasters



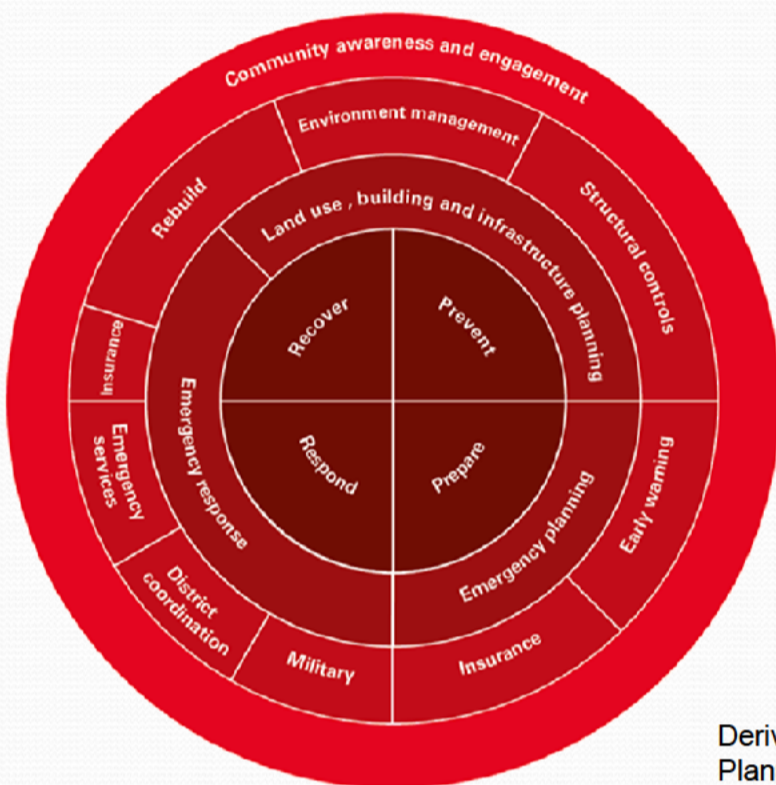
**#NoNaturalDisasters**

## Moral obligation to act





# Collaboration!



Technical disciplines and their interface with the PPRR Cycle



Derived from *National Land Use Planning Guidelines* - Planning Institute of Australia

## Importance of planning

*“Land use planning is perhaps the most potent policy lever for influencing the level of future disaster risk.”*

- Productivity Commission Report into Natural Disaster Funding, 2015



# Infrastructure resilience

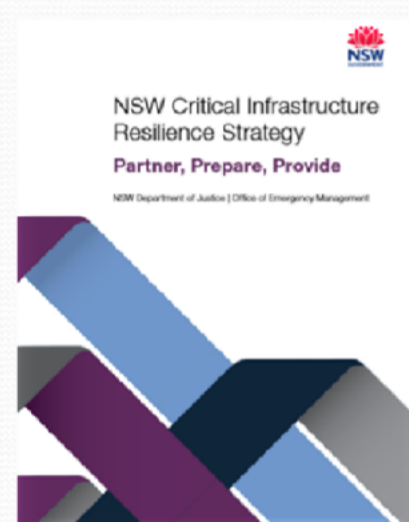
## Building Momentum

State Infrastructure Strategy 2018-2038

February 2018

WEAP | NSW  
Energy  
Planning

- ✓ Improve collection of hazard information
- ✓ Embed resilience in strategic planning for land use and infrastructure
- ✓ Make infrastructure resilience central to investment decision making
- ✓ Invest to reduce risks



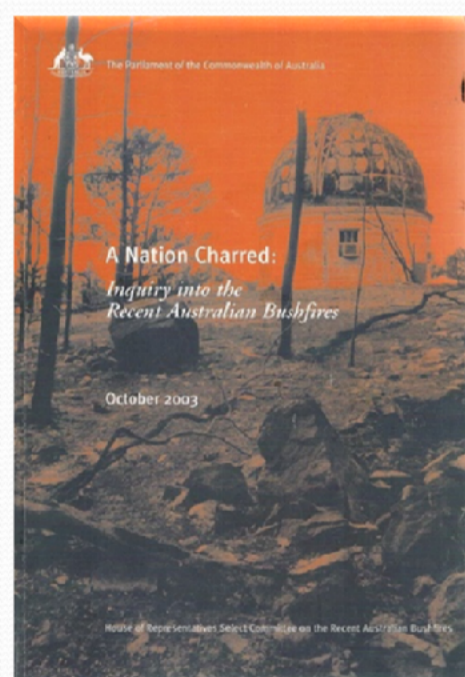
NSW Critical Infrastructure Resilience Strategy

Partner, Prepare, Provide

NSW Department of Justice | Office of Emergency Management

# Recent disaster inquiries

- 2003 *A nation charred* Inquiry in to recent Australian bushfires
- 2007 Pitt Review – Learning Lessons from the 2007 Floods (UK)
- 2009 Victorian Bushfires Royal Commission
- 2011 Queensland Floods Commission of Inquiry
- 2011 Perth Hills and Margaret River Bushfires Inquiries
- 2012 Canterbury Earthquakes Royal Commission
- 2013 Tasmanian Bushfires Inquiry
- Other research from Hurricane Katrina, Japanese Earthquakes, California Wildfires etc. etc.





- *Amend state planning policy for bushfire to:*
  - *give priority to protection of human life*
  - *substantially restrict development in areas of highest risk (and consider biodiversity conservation)*
  - *develop a comprehensive bushfire overlay provision*
- *develop a regional settlement strategy, considering bush fire risk*

## “Review-itis”?

<https://www.bnhcrc.com.au/utilisation/ddr>

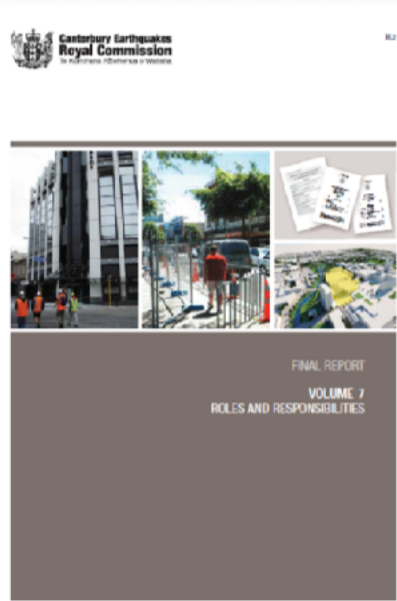
### Inquiry types

<b>23</b> ROYAL COMMISSION	<b>62</b> AUDIT
<b>59</b> PARLIAMENTARY	<b>48</b> AGENCY
<b>69</b> INDEPENDENT	<b>30</b> CORONIAL
	<b>9</b> GOVERNMENT

### Number of inquiries by hazard type



# Canterbury Earthquakes Royal Commission

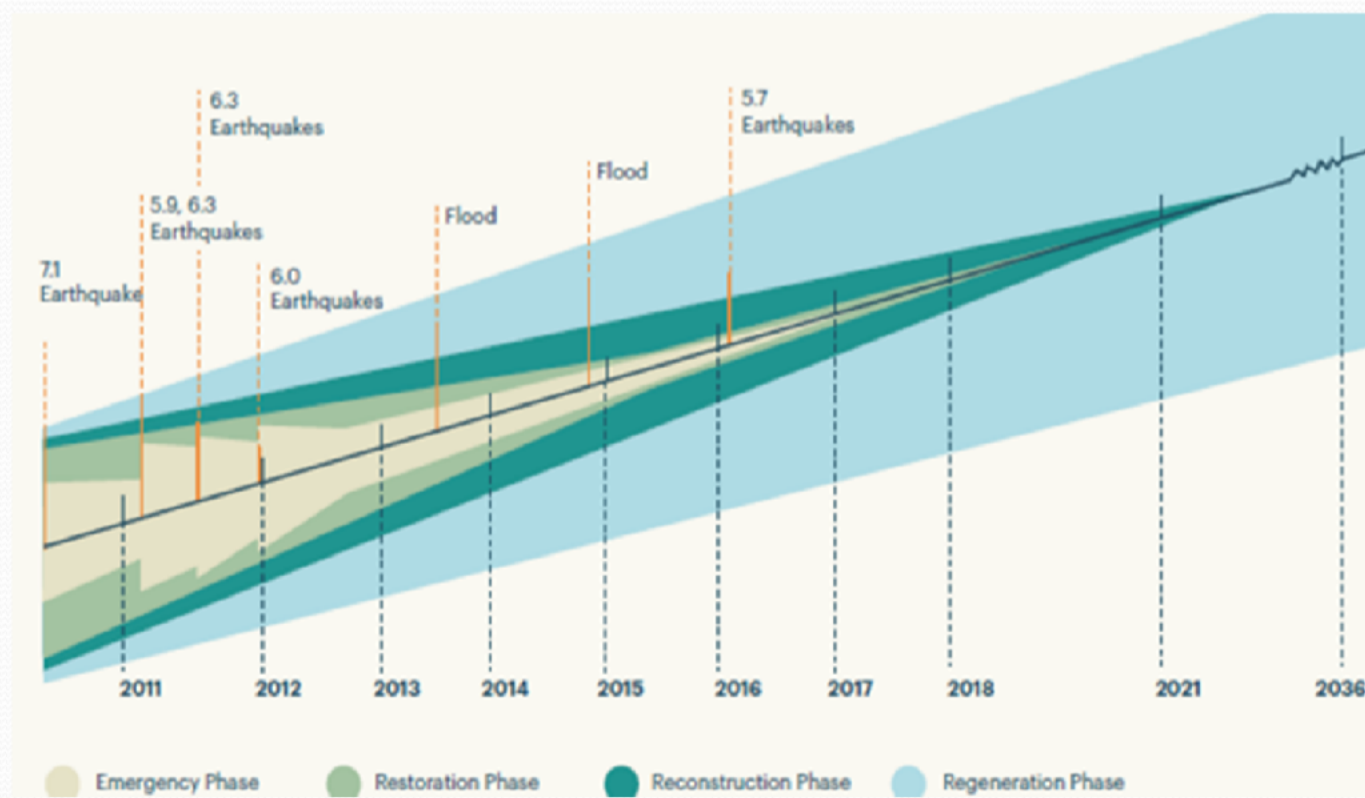


1. Need to clarify roles & responsibilities
2. Need to improve land use planning

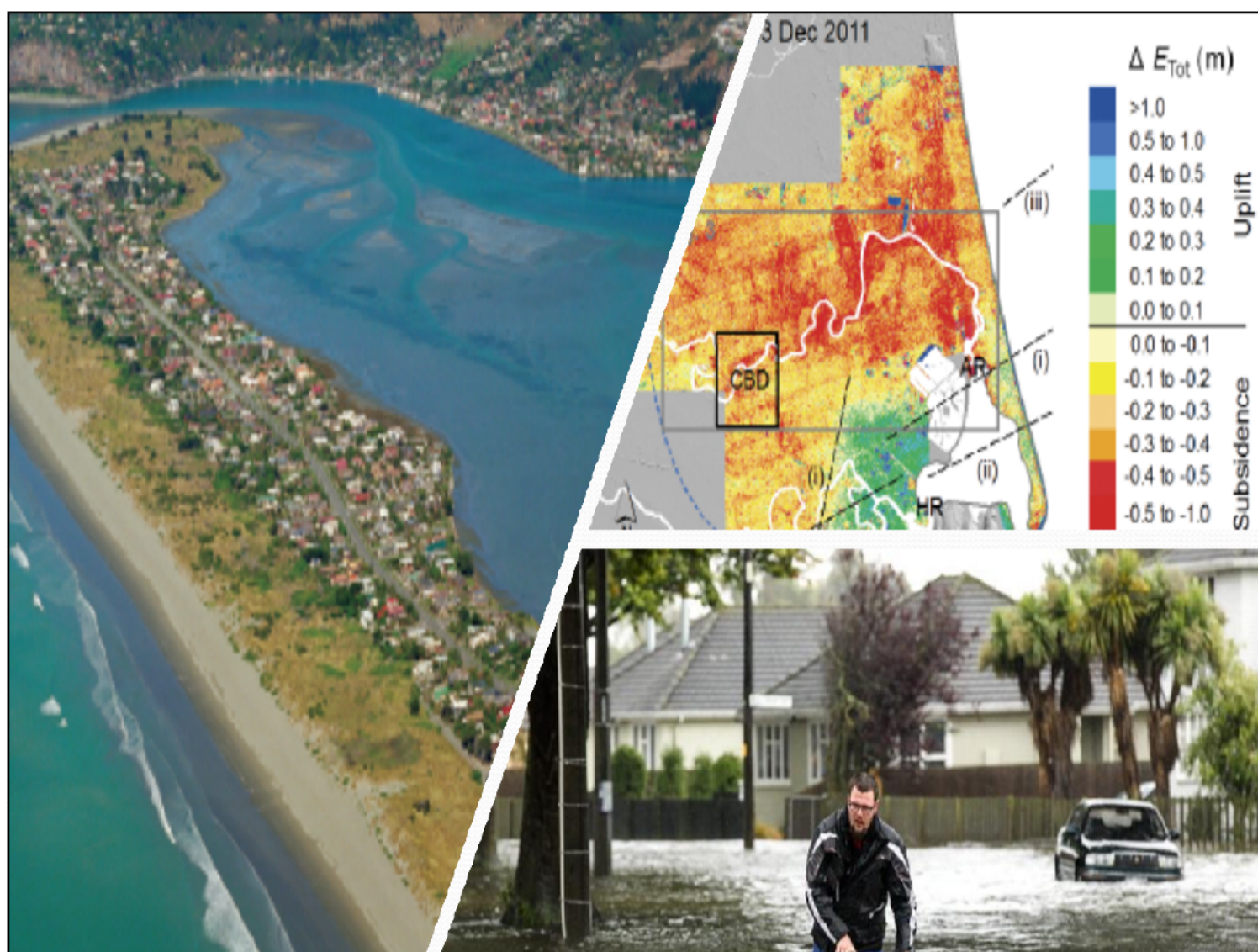
Technical Advisory Group established  
 NZ Government have since added to  
 Section 6 of the Resource Management  
 Act:

***“the management of significant risks  
 from natural hazards.”***

## Multiple shocks & stressors







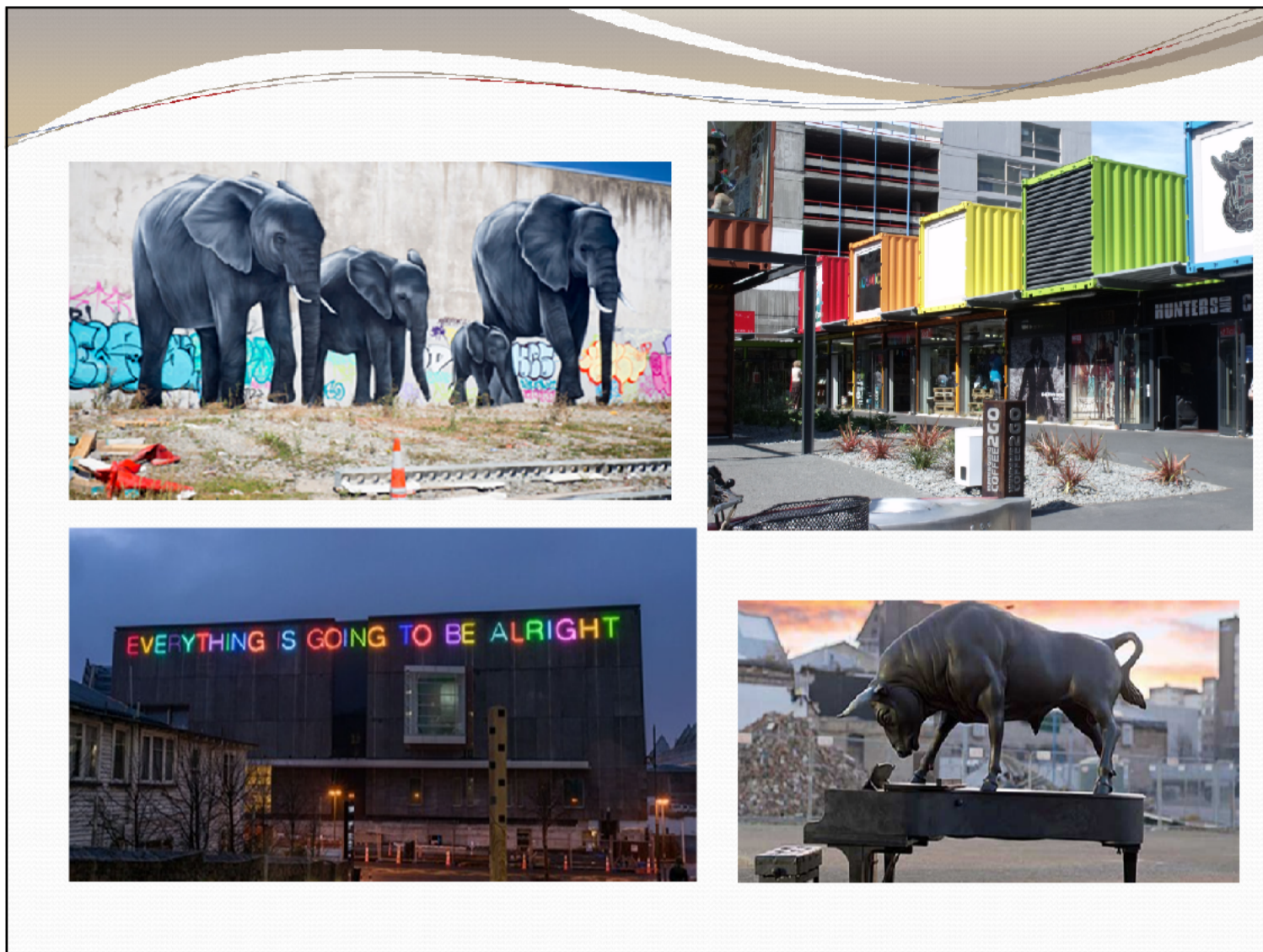
# Christchurch recovery

- Multi-agency, multi-disciplinary
- **All of government approach** - working alongside Christchurch City Council, Ngai Tahu and other local agencies, (*But... government held most of the power*)
- Integrate funding, planning, infrastructure, community

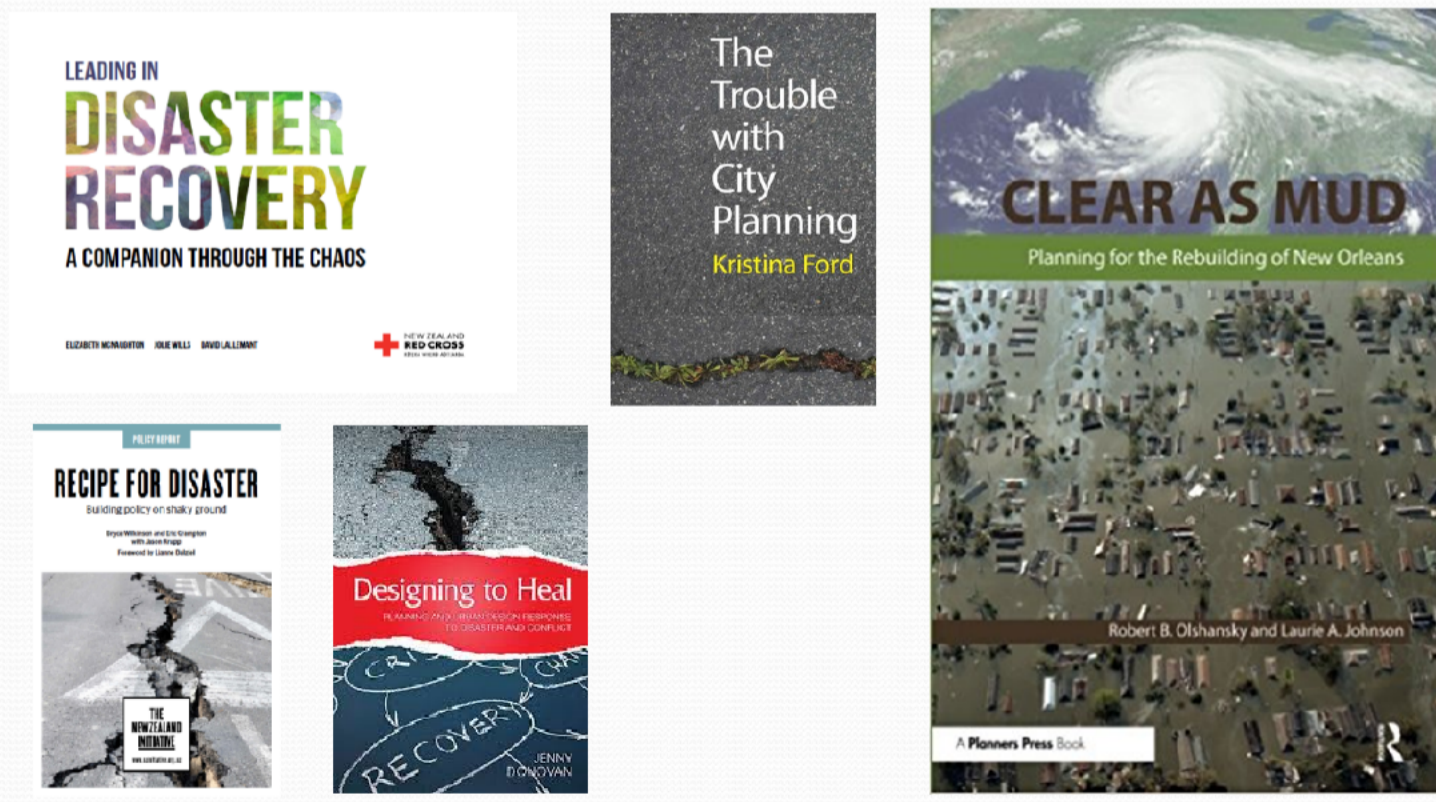
Canterbury Earthquake Recovery Authority	Ministry for the Environment	Earthquake Commission
Ministry of Business, Innovation and Employment	Ministry of Justice	Education New Zealand
Department of Conservation	New Zealand Defence Force	GNS Science
Department of Corrections	New Zealand Police	Housing New Zealand Corporation
Ministry of Civil Defence and Emergency Management	Ministry of Social Development	New Zealand Fire Service Commission
Ministry of Education	State Services Commission	New Zealand Transport Agency
Department of Internal Affairs	Te Puni Kokiri	Ministry of Health
The Treasury	The Ministry of Culture and Heritage	





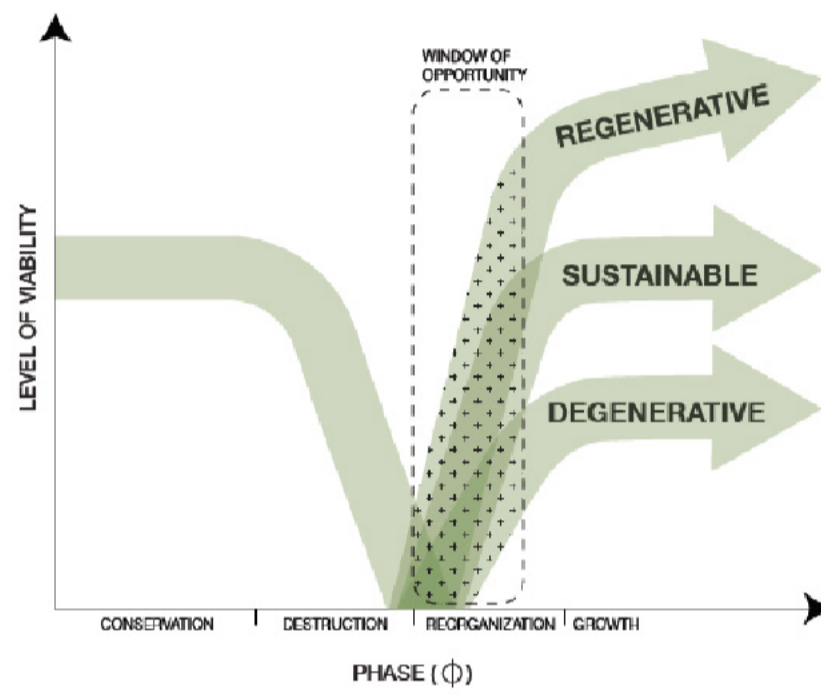


# Lessons for recovery





# Preparation pre-disaster critical



Resilient and regenerative design in New Orleans: the case of the Make It Right project – Oliver et al.

# Avoid the 'panic loop'

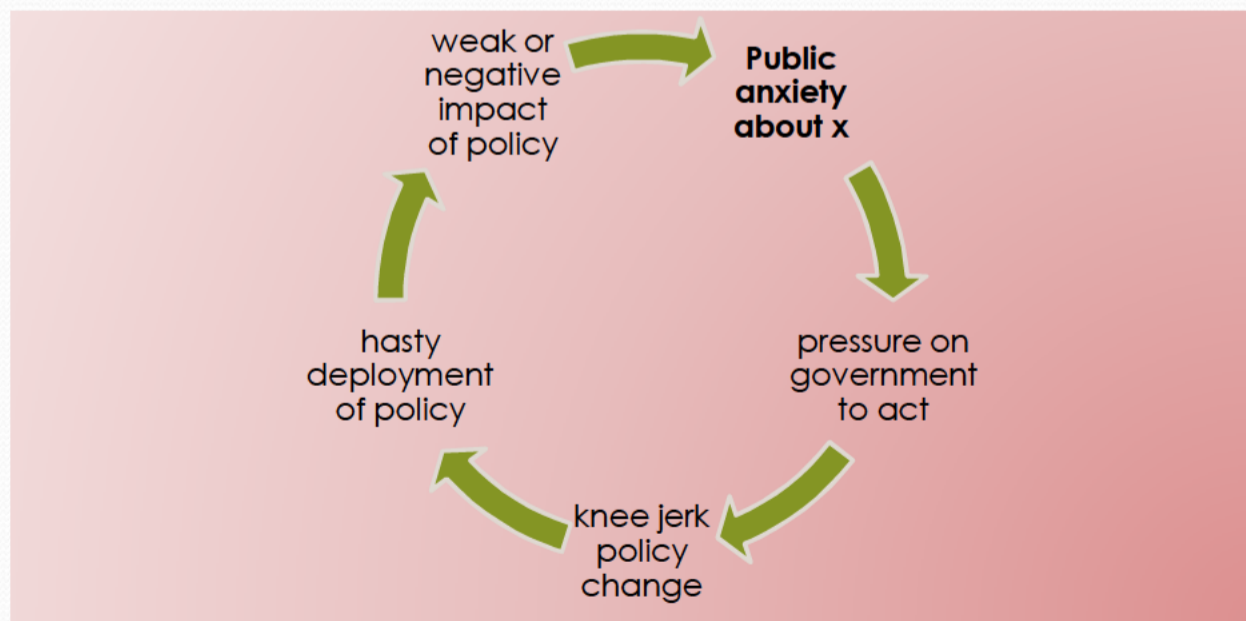
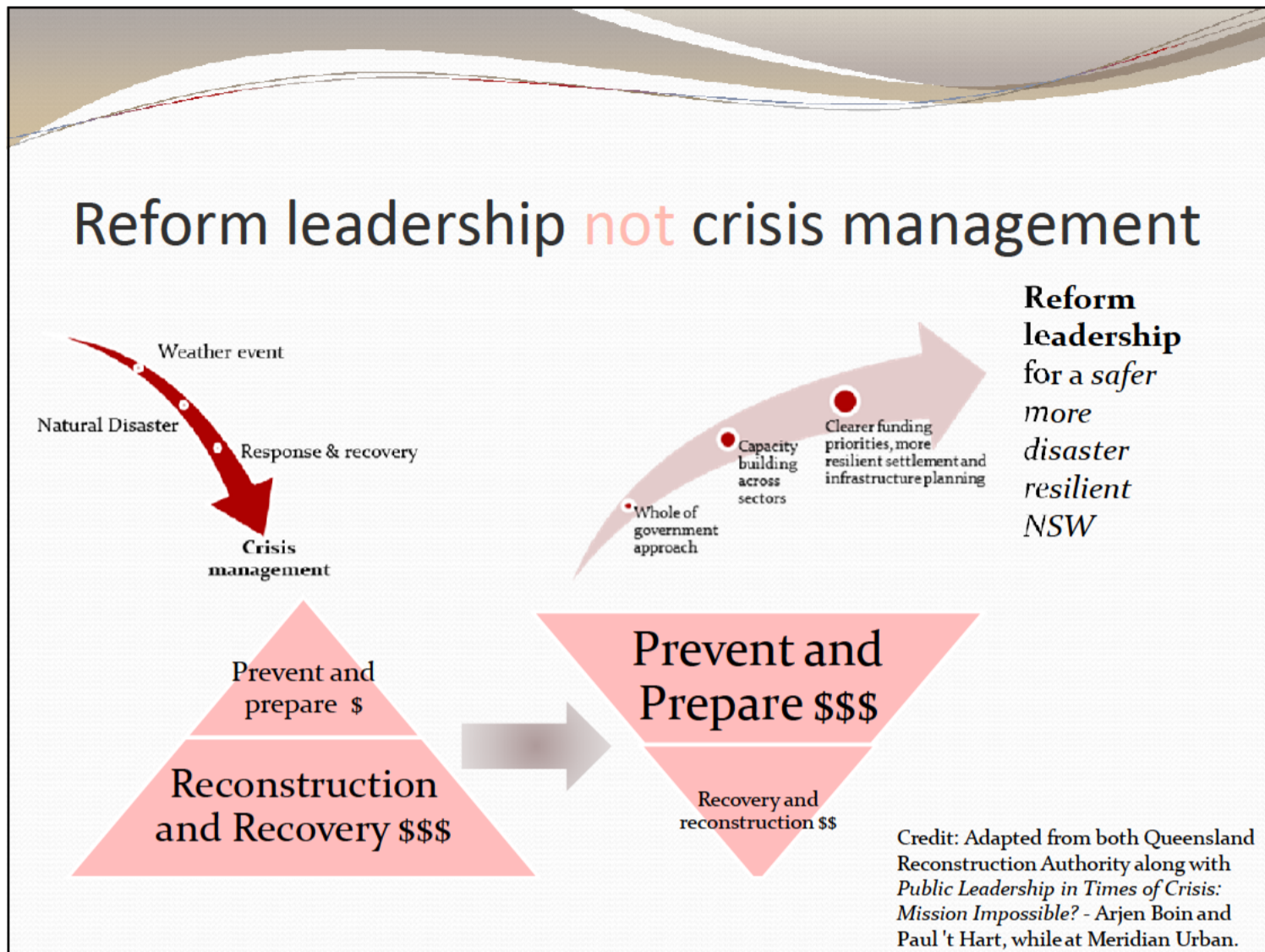




Figure 1 - the panic loop (derived from Adding Value to Policy Analysis and advice, Scott and Baehler, 2010)





## Challenging 'culture'

- *1986 Challenger Disaster*  
*"an accident rooted in history"*  
 - Due to organisational *culture*
- "... *failures in communication... resulted in a decision to launch 51-L based on incomplete and sometimes misleading information, a conflict between engineering data and management judgments, and a NASA management structure that permitted internal flight safety problems to bypass key Shuttle managers...*" - "Rogers Commission" 1986
- **Investigation in to Columbia disaster 2003 found problems not adequately addressed**



## Australian Business Roundtable:

1. **Embed resilience across all aspects of policy and decision making**
2. **Prioritise resilience investments by considering the broader economic and social benefits that result**
3. **Improve understanding of disaster risks and costs to society**
4. **Collaborate and co-ordinate to build resilience and address the long term costs of disasters**



## Australian Business Roundtable

### Mitigation investment priorities:

- **Improved land-use planning:** Commitment by Government to develop national land-use planning criteria that prohibits inappropriate land-use in Australia.
- **Improved building standards:** Commitment by Government to improve the community's disaster resilience by modernising the Building Code of Australia to include minimum standards for the durability of property to natural hazards.
- **Improved community infrastructure:** Recovery funds dedicated to preventative infrastructure projects including barrages for unusual tides, levee banks, sea walls, properly maintained fire breaks and access trails, improved drainage and dams.
- **Improved infrastructure planning processes:** Integrate resilience in government and industry decision-making by adopting the five principles laid out by the Roundtable in *Building Resilient Infrastructure (2016)*.
- **Improve incentives:** Prioritise policy changes and funding arrangements that ensure resilience has been considered and incorporated into infrastructure planning.
- **Improve capacity:** Work to strengthen the technical capacity of practitioners to identify, analyse and evaluate the costs and benefits of resilience options.



# 'tomorrows' traditions...



Source: *The weekly times* 2014

## Working together

Conditions for success - 'collective impact':



- COMMON AGENDA** - All participants have a shared vision for change, including a common understanding of the problem and a joint approach to solving it through agreed upon actions.
- CONTINUOUS COMMUNICATION** - Consistent and open communication is needed across the many players to build trust, assure mutual objectives, and create common motivation.
- SHARED MEASUREMENT SYSTEM** - Collecting data and measuring results consistently across all participants ensures that efforts remain aligned and participants hold each other accountable.
- MUTUALLY REINFORCING ACTIVITIES** - Participant activities must be differentiated while still being coordinated through a mutually reinforcing plan of action.
- BACKBONE FUNCTION** - Creating and managing collective impact requires dedicated staff with specific skills to coordinate participating organisations and agencies.

Source: Preskill, Parkhurst, & Splansky Juster, 2014



## Upcoming inquiries

- **NSW Independent Bushfire Inquiry** –

*6. Land use planning and management and building standards, including appropriate clearing and other hazard reduction, zoning, and any appropriate use of indigenous practices*



- **Commonwealth Royal Commission** –

*f(iii) land use planning, zoning and development approval (including building standards), urban safety, construction of public infrastructure, and the incorporation of natural disaster considerations*



## Potential planning reforms



- 1) Promote a strategic, community led approach to disaster risk reduction (co-design approach between state, local and community)
- 2) Promote resilience and a precautionary approach to new development
- 3) Don't plan and forget – maintaining APZ's, safer places, evacuation routes etc.
- 4) Explore 'back zoning'/managed retreat and compensation



## Potential planning reforms



5) Additional resources to map all hazards (GIS, ground truth & engagement with local communities)  
- (Lake Macquarie approach to sea level rise?)

6) “Planning back better” – not just building back better

7) Promotion and implementation of PBP 2019

8) Implement recommendations from previous Royal Commissions, inquiries etc.

## For discussion:



1. Amend **objects of the EP & A Act** to add:

*b) to promote the management of natural hazards to create a NSW that is safer and more resilient to disasters...*

2. Amend **Ministerial Directions** to include an ‘all hazards’ precautionary approach to natural hazard risk and resilience

- i. amend 4 from ‘hazard and risk’ to ‘*safer, more disaster resilient communities*’
- ii. additional Directions regarding better strategic planning and all hazards approach is needed (coastal, storm surge, tsunami, heatwave, drought and water security, bush fire, flood etc.)

3. Update **Regional Plans** to include additional provisions to manage natural hazards and climate change

- i. ensure settlement patterns and large infrastructure projects are resilient to natural hazards, now and in the future. So, big region shaping or city shaping decisions are informed by long term resilience considerations and avoidance of areas most susceptible to life threatening situations or hazards that will impose a significant burden on the community, insurance and government to recover from future disasters.

4. Ensure **LSPS's** include provisions, as relevant, to:

- i. update mapping and identify natural hazards
- ii. undertake Council wide Resilience Strategies (including for infrastructure, settlement patterns, and social, economic, environmental considerations) and /or
- iii. embed considerations for disaster resilient communities in to local growth management strategies (LGMS)
- iv. update provisions in LEP's & DCP's regarding natural hazards



## For discussion



- 1) Amend s4.15 evaluation (old s79C), insert:
  - i. (c) the suitability of the site for the development, **particularly considering the risk of natural hazards, safety of emergency management personnel and the economic and social resilience and wellbeing of the wider community.**
- 2) Update standard instrument LEP to avoid the need for 'exceptional circumstances' re flooding etc.
  - i. Insert additional miscellaneous provisions under Part 5 regarding natural hazards, including:
    - 1) Development on land mapped as bush fire prone
    - 2) Flood prone land and sensitive activities
    - 3) Other hazards (coastal, heatwave etc.)

Thank you

Stephen Timms  
m. [REDACTED]