

Dear Mr Mick Fuller
Former Police Commissioner
NSW Police Force

I understand an independent inquiry into these recent north coast floods will be led by yourself and Ms Mary O'Kane, Commission Chair, NSW Independent Planning Commissioner

Attached is a copy of the letter I posted to the Premier regarding the subject flood events. The following are some additional notes that may be of benefit to you.

1. The Floodplain Management Program first 20 or so years to the mid 1990s was considered by the State Government of either persuasion to be of such importance that the responsibility was given to the Deputy Premier. Prior to Labor winning power in the mid-1990s the then Public Works Dept administered the tidal waters and the then Department of Water Resources administrated the non-tidal (inland) rivers of the State.
2. In 1997, at the political directive of the Government some half of the Sydney's Floodplain Management Program Head Office staff were transferred to Newcastle (with the other half having refused to move out of Sydney to become surplus staff awaiting redeployment). This had serious consequences as the Program's client is Local Government, half of which are Sydney based and the other half are required to fly into Sydney and to then drive to access the State's specialists! Unfortunately, no engineer was replaced upon their retirement/resignation over the next 10 years. Thus, Local Government has often approved unsuitable floodplain management development within its border. I am sure that the de-engineering policy has continued since my retirement to this day.
3. On Friday 1 April, Mr Ray Hadley on radio 2GB read an email from an unnamed sender which said he believed the current flood problems were made worse by the effective abolition of flood engineers from Public Works Dept and Department of Water Resources over the last few decades. I assume the email must have been written to Mr Hadley from a former colleague who was employee of the then DWR, prior to amalgamation
 - o You can hear the 3 to 4 min segment by going here
 - o <https://podcasts.apple.com/au/podcast/the-ray-hadley-morning-show-full-show/id473149501?mt=2>
 - o Then click on Play for the show on 1 April.
 - o The segment starts just before 1 hr 36 mins.

Please personally acknowledge your receipt of this email to confirm it has not been lost in the bureaucracy.

The Hon Dominic Perrottet
Premier, NSW Parliament

15 March 2022

52 Martin Place
Sydney NSW 2000

Dear Premier

I wish to make the following statements which I hope will assist whoever is addressing the Lismore flood disaster.

It has been well over a decade since my retirement in 2007 from the NSW Public Service where for 30 years of my 33 service I was a Civil Engineer employed in the State's floodplain management program. This program was initiated within the then Public Works Department (PWD) and over the years has been transferred to numerous departments to the now Department of Planning and Environment.

Following the significant flood in 1974 which overtopped the Lismore natural riverbank levee of Molesworth St, the NSW Government resolved to expand its small PWD Flood Mitigation Programme addressing rural drainage issues to address the State's escalating flood damage costs. It was logical to initiate this new floodplain management programme in this Department as Civil Engineers are the only profession that study both hydrology and hydraulics in an undergraduate course required to develop flood and floodplain model studies.

Under the guidance of then PWD Engineering staff, Lismore City Council undertook a Flood Study and then a Floodplain Management Study. The initial studies resolved that a levee to protect Lismore from a 10% Annual Exceedance Probability (1 in 10 year) flood be constructed. This level of protection was restricted by the available Commonwealth, State and Council funds available at the time but would have protected parts of Lismore from more than ten major historical floods.

In addition to the levee, the study identified those homes/developments that were located in the defined dangerous floodways, ie deep fast flowing water likely to damage dwellings and possible loss of life. A Voluntary Purchase Scheme (VP) was adopted for those houses built in the identified scheme area. Owners could sell their house and property to Council. Council is then able to receive a \$2 Commonwealth: \$2 State: \$1 Council subsidy for the purchase up to the Valuer General's estimated property value. However, owners within the scheme can sell their property for a greater fee if they are able to find a buyer.

This VP scheme has been in existence since the late 1970s to the present and I understand some 90 properties or so have been bought to date. Unfortunately, the rise of the large multi-function State agencies has been very damaging to the Floodplain Management Program (FMP) as it has not been part of the Department's core business since the late 1990s. In fact, at times it is at odds with the departmental environmental and planning objectives. Now there are insufficient appropriate technical staff to effectively manage the FMP.

I am confident that many homes in the defined Lismore VP floodway have become uninhabitable as a result of this recent flood. I strongly believe they should be sold to Lismore City Council as soon as practicable. The former owners can then get on with their lives outside of the floodway.

One option for the State and Commonwealth Governments might be to share the total cost of all the VG's cost estimate (prior to this flood event), as Council may not have its fifth share of the cost!

Just prior to my retirement Mr Frank Sartor the then Minister for Planning directed that the State's Floodplain Management Manual be amended to restrict local government Flood Development Control Plans up to only the 1% AEP (Annual Exceedance Probability) event. I assume this is still the case, resulting in residents not being informed they will be inundated in floods rarer than the 1% AEP? Look what happened in this Lismore event. I fear what will happen when a similar flood occurs in the Hawkesbury catchment.

Several of the current Department of Planning and Environment predecessors have undertaken substantial studies into general floodplain management. Around 2006, the Hawkesbury-Nepean Floodplain Management Steering Committee, in association with the then Department of Natural Resources, produced three substantial, and award winning, guidelines into the use of floodplains. Whilst intended for the Hawkesbury-Nepean system, most of the information and principles are applicable to any floodplain. Digital copies can be found on the SES FloodSafe webpage

<https://www.ses.nsw.gov.au/local-region-information/swr/hawkesbury-nepean-floodsafe/>

I suggest further information could be obtained from Floodplain Management Australia, an organisation of local government councils with interest in floodplain management. A contact person is