

# **Submission to Flood Inquiry**

**Response and actions of Port Macquarie Hastings Council from the March 2021 Flood Event for:**

- a. Flood Response**
- b. Transition from Incident Response to Recovery**

**Dated: 24 June 2022**

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## **Part A: Executive Summary- Flood Damage to Unsealed and Sealed Roads**

This submission primarily focusses on the Flood event in Port Macquarie Hastings Council local area in March 2021.

Leading up to March 2021, significant rainfall events occurred on or about 15 December 2020, 7 January 2021, 20 February 2021 and the large 3 day flood event 19-21 March 2021.

PMHCare Inc (Port Macquarie Hastings Community Against Ratepayer Exploitation Inc) is an incorporated Association established to provide a community voice to Council of which I am the President and engaged with Council substantially in this capacity in relation to the flood event.

Post March 21 floods, Council announced the floods had caused an estimated \$60-70 Million in damage to Council infrastructure, with \$40-50 Million in roads alone. PMHC opted-in to the NSW Government's natural disaster Day Labour Co-Funding Arrangements. They report the initial emergency relief works cost in excess of \$13,56 million, and estimated \$72 million in longer term repairs.

In April 2021, Council advised it has suspended all routine maintenance grading until at the end of financial year(31 June) or more likely August "as the unsealed roads crews are focussed on flood repairs".

In April Council agreed to provide details about the risk based objective process used to determine the prioritisation process for road repairs arising from the flood. That is, on what basis is one road repaired when another is not with the same issue. In May Council refused to provide it, instead stating I would need to lodge a GIPA application.

On 15 April 2021, I became concerned Council was prioritising road repairs to prominent individuals or politicians, with minimal flood effected roads or private driveways, at the expense of other ratepayers with significant road damage including no access to their property.

On 26 May 2021, Council staff advised they would be doing gravel resheeting "for the next 6 months".

Between April and June 2021, I completed a detailed inspection of up to 150 unsealed roads (of the stated 179 unsealed roads) including written notes of flood damage or repaired completed, together with a video record of each road and photographs. The overwhelming opinion from this inspection was the vast majority of flood repairs had been completed in March and April 2021, with the exception of road reserve erosion at rivers or bridges.

The NSW Natural Disaster Essential Public Asset Restoration Guidelines, 2018, provide very specific guidelines what is, and is not, eligible for Restoring Funding.

We assert Council engaged in a deliberate, structured and systematic process to claim flood restoration funding for works which it reasonably knew to be ineligible. That is to say, it had a clear intention to defraud the State and Federal Government.

The claiming of "Flood Restoration Funding" provided a wind-fall gain to Council operational budgets for routine maintenance(grading, resealing, roadside vegetation slashing mulching, gravel re-sheeting, potholes repairs). That is, as normal operational maintenance works had ceased, so Councils budgets were not expended, and in addition, by claiming "Flood Restoration" funding for

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doing its “normal maintenance of grading and gravel resheeting” it was having Government pay for a cost Council would normally have to fund itself.

This 2021 inspection revealed:

- most flood damage to unsealed roads had been completed by end March/ Early April 2021, was restricted to small discrete sections, and outstanding flood repairs mainly related to road reserve erosion or bridges.
- Council was using flood recovery funding to:
  - Undertake road repairs not resulting from the March 2021 flood
  - Using pictures of December 2020 and January 2021 “damage” and claiming this was from March 2021 floods
  - Gravel resheeting roads not affected, or only partially affected, by the 2021 floods including:
    - Entire roads despite only a small section losing gravel
    - Roads with no gravel loss in the floods
    - “4WD” access tracks not maintained by Council since 2001
    - Private driveways of house
    - Crown Roads where no loss of functionality occurred
  - Grade roads not affected, or only partially affected, by the 2021 floods including:
    - The entire length of a road when only a small section was flood affected
    - Roads normally graded in the “annual routine maintenance” program not flood affected
  - Replace drains and culverts not damaged in the floods or not damaged to the extent of loss of functionality

Council failed to use the Flood Restoration Funding to “build back better” , rather the approach was to build back to the same inadequate level of resilience. For example, replacing stone ballast under a bridge to prevent wall/foundation erosion with new stone ballast rather than concrete shields or walls. We acknowledge this would have required additional Council funding.

A significant percentage of road repairs from the floods arose by:

- A failure to perform adequate maintenance to roadside batter/scoop drains
- A failure to maintain roadside drains free of grass or obstructions
- A failure in maintenance grading to form “crowns” or “crossfall” to shed water
- A failure to conduct annual inspections of all road assets including bridges
- A failure to use gravel material compliant with ARRB specification for road resheeting contributing to gravel loss
- Failure to gravel resheet roads on a programmed routine basis consistent with ARRB recommendations.

Prioritisation of road repairs was inequitable and inconsistent, compounded by Councils failure to know what road, or road segment it owned. Council does not know what road, or road section, it owns. Council did not possess, nor publish, a Roads Register pursuant to S.163 of the Roads Act until June 2020, and Councils internal Asset Register provides fundamentally different ownership of roads.

Councils “cost” of flood repairs is manifestly excessive and results in undue enrichment. PMHC’s “budget cost” for gravel resheeting or road resealing is 2-4 times the average cost of all 178 Council’s in NSW.

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Council, falsely and knowingly asserted damage to bridges not occurring from the 2021 Floods, for example Rawdon Island Bridge, and falsely and knowingly sought to claim funding for repairs to the same bridge under Flood Restoration and or other Grants.

At June 2022, 2 roads remain unrepaired to pre-flood functionality. Council has not provided regular proactive engagement or consultation to affected community members.

Council may be using documents “recording road distance” to claim Flood Restoration Funding which it knows to be untrue, false and incorrect.

## **Part B: PMHCare Inc- Our Experience and Knowledge of Council**

In 2017 , who would later form the Association in 2020, sought to engage with Council regarding a number of issues related to Council services predominantly in rural and coastal areas.

Part of this engagement included the extensive review of over 100,000 pages of Council Policies, Council Meetings/Agendas back to 2012, Annual Reports to 1998 and Special Rate Variations back to 2000/01.

This culminated in various GIPA Applications to obtain documents including grading programs, Asset Management, closing of roads, Special Rate Variations, budgets/actual expenditure for roads maintenance, Asset Registers for Roads, inter alia.

The research included site inspections of Council's "179" unsealed roads, and major sealed roads with extensive notes and photographic records prior to the March 2021 floods, and after the floods.

The research and inspections provide a unique skills and knowledge base against which Council's "evidence" or claims can be tested.

We have sought to confine our Submission to facts.

## Part C: Government Guidelines for Disaster Recovery Funding for Essential Public Assets

### Overview

In this Part, we explore:

- What Flood Restoration Funding option PMHC selected
- What Guidelines are published for Councils claiming funding for restoration of Council assets
- What are the specific inclusions and exclusions

### Use of Words “Flood Restoration Funding”

When we use the term “flood restoration funding” or similar, this is a reference to funding pursuant to the Disaster Recovery Funding Arrangements (DRFA) as detailed in the document NSW Natural Disaster Essential Public Asset Restoration Guidelines.

### Options for Council Flood Restoration Funding

PMHC “opted in” for the cofunding of Disaster Recovery Funding with their contribution as advised by Council at \$375,000. All costs incurred beyond this amount, would be funded under the Disaster Funding Arrangements.

### What Guidelines are Published for Councils Claiming Flood Recovery Funding?

Councils are required to use the document titled “*NSW Natural Disaster Essential Public Asset Restoration Guidelines*”, for a claim for Flood Restoration Funding.

The primary scope of the document is Essential Public Assets owned by Council.

### Eligible and Ineligible Works

Page 13 at 3.3 *Definition of a Essential Public Assets*, provides examples of assets that are not considered to be essential public assets as (underline and bold added):

- **private roads**
- **roads on Crown land that are not Crown Roads**
- sporting, **recreational or community facilities** (for example, playgrounds and associated facilities)
- beaches, coastal areas and **riverbanks**

### Timeframe for Restoration Works and Priority of Works

Section 3.4 of the Guidelines defines 3 types of Restoration Works and timeframes for completion. In essence the focus is to restore public assets back to pre-flood functionality as quickly as possible, and within 3 months by completing “**Emergency Works**” such as silt and debris removal from bridges or roads, “make safes” to roads such as urgent gravel resheeting to replace a wash out or grading to remove deep scours/ruts, or installation of barriers/mesh.

A separate category then applies to **Immediate Reconstruction Works**, which is broadly the more substantive permanent repairs and again a timeframe priority of 3 months applies.

The last category, **Essential Public Asset Reconstruction Works**, is focussed on works that cannot be completed in 3 months (or broader scale works) in which case a Council has up to 6 months to lodge a claim, which may be extended to 12 months after the financial year ends when the disaster



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occurred. In Councils case, this would be up to 15 months. All Essential Public Asset Reconstruction Works must be completed with 2 years of the end of the financial year of the disaster(2 year 3 months for PMHC).

### What Standard Can an Asset Be Restored To?- Section 3.5 Guidelines

Broadly speaking, the Guidelines are clear. Funding can only be claimed for the extent of damage caused by the Floods. If an unsealed roads gravel was only washed away in a 10 metre valley section to a depth of 50mm, Restoration Funding can only be claimed for 10 metres at 50mm. If Council sought to do a longer distance, or apply 100mm of gravel, it is required to obtain pre-approval for the works and or a Council additional funds contribution for the “enhancement” works.

### Crown Roads Restoration Standard

Crown roads are treated differently than a Council owned road. under 3.5.1 of the Guidelines *“Crown Roads are to be restored to the pre-disaster level of service sufficient to reinstate access.”*

There is no definition of “pre-disaster level of service” in the Definitions Section, however would reasonably be interpreted to a lesser standard than Council roads. For example, if the purpose of the road was to allow safe access for vehicles and pedestrians, then an eligible repair would be to reinstate safe access but would not include general loss of gravel nor to repair potholes/scours/ruts which were not “unsafe”.

Enhancement of council-owned assets can be undertaken where they are funded by the council, and where prior approval has been given by the administering agency. (See Section 3.6 regarding Complementary Works).

### Eligible Restoration Expenditure

Sections 3.5.2, 3.5.3 and 3.5.4 of the Guidelines provide details on what restoration works cost are eligible or ineligible for funding.

Whilst these Sections are to be read in conjunction with Eligibility Standards, broadly they states:

Costs must be DIRECTLY related to the restoration of the damaged asset (not general overheads or indirect staff)

No Council internal profit margins or overheads can be included in labour costs

Any Council plant (i.e. graders) must exclude profit margins and be PRE\_APPROVED.

### Specific Ineligible Restoration Expenditure (3.5.2)

The following are specifically excluded from being claimed:

- Investigative techniques (such as destructive testing of a road, falling weight deflectometer, pavement roughness testing or road laser survey) used to prove the existence of damage or the cause of damage to an asset.
  - **PMHC Examples Which Would Contravene if Claimed:**
    - Testing of gravel depth remaining on unsealed roads
    - Inspection and testing of concrete piers Rawdon Island Bridge
- Damage to pavements and subgrades that is caused by prolonged wet weather. This type of deterioration is considered to be a normal maintenance liability.
  - **PMHC Examples Which Would Contravene if Claimed:**
    - Gravel resheeting to Narrow Gut Rd, Rawdon Island Rd.
    - Sealed pavement repairs to Short Street Port Macquarie

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- Sealed road reseals or repairs to Rollands Plains Rd
- Where there is evidence that damage occurred wholly or partly as the result of the lack of proper maintenance, or where previous works were not completed satisfactorily, that part of the damage considered to arise from the lack of maintenance or unsatisfactory work is not eligible for assistance.
  - **PMHC Examples Which Would Contravene if Claimed:**
    - All unsealed roads not on Councils Annual Grader Program or classified as a 4WD Access Track including:
      - Old Highway
      - Thone River Rd
      - Ennis Rd
- Using Contractors to complete Flood Restoration Works which could have been completed by Council (Section 3.5.5 Ineligible for Funding)
  - A Council can only claim Flood Restoration funding where it can demonstrate that it has reasonably exhausted all its available resources to undertake the restoration works
    - The Evidence:
      - Council for unsealed roads maintain 4 maintenance graders, and in addition Council has a 5<sup>th</sup> grader for “construction”
      - After Comboyne Rd was closed due to landslip requiring resident to use an unsealed road, Council engaged a private contractor (Ben Lindsay) to complete grading on Lorne Rd(primary unsealed road access from Comboyne).
      - In addition, Lindsay was engaged for several weeks and performed:
        - Gravel resheeting Lorne Rd (sections not flood effected)
        - Surrounding roads for the complete length. The majority of these roads were not flood damaged, or damaged in small sections, or damaged by Council’s lack of maintenance to scoop drains or drains under roads.
- Saturation damage where:
  - water fills the table drain and is unable to drain away because of poor construction or a lack of proper maintenance; or
  - extensive ruts, cracks, pot holes and heave were in evidence prior to the eligible disaster event.
  - **PMHC Examples Which Would Contravene if Claimed:**
    - Bill Hill Rd gravel resheeting or repairs as road ruts caused by truck movement after floods. Table drain poorly constructed to divert water away from road.
    - Rawdon Island Rd was extensively potholed prior to March 21 floods
    - Thone River Rd and Old Highway as drains under road blocked pre March 21 floods, roadside batter /scoop drains blocked or overgrown forcing water onto road surface. Scours and ruts in road surface occurred in 5-20 years prior to flood as Council Policy to not “maintain” some unsealed roads “until impassable to a standard 4WD”.

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### Evidence of Flood Damage and Evidence of Condition Prior to Flood Damage (Section 4.3 Guidelines)

The guideline provide express details which must be provided including:

- Photographs or video footage pre flood damage and post
- Maintenance records (i.e. grading programs, gravel resheeting programs, drain and stormwater programs etc)
- Asset Registers that document the condition of the Asset and or Engineers report that damage caused by flood.
- Any evidence must be not older than 4 years prior to flood.

## Part D: Temporary or Immediate Repairs Following Floods

**Flood Repairs in 4 Weeks-** Our physical inspections of up to 170 unsealed and major sealed roads (sealed and unsealed) provided evidence:

1. The majority of temporary or immediate flood repairs has been completed in the 4 weeks following the floods including:
2. Unsealed Roads:
  - a. New gravel added in areas washed out by floods usually limited to 5-20 metres
  - b. Scours caused by excessive water graded to remove. Again in section 5-20 metres
  - c. Erosion to road reserve- most repaired
  - d. Barrier tape or bollards installed at slips to sides road not affecting access
  - e. Laying rock in eroded scoop drains
3. Sealed Roads:
  - a. We are aware of 2 bridges affected by the floods were sealed road access was cut off on either side.
  - b. We are aware of only one section of bitumen that had been “lifted off” during the flood and required replacement
  - c. (Bulli Creek Bridge)
  - d. We observed sealed road repairs in hill sections not flood effected that were occurring and damage not caused by floods

**Flood Repairs After 4 Weeks-** Council advised that all “regular maintenance” activities such as grading or resheeting had been suspended until at least 31 July and likely End August.

The evidence of the physical inspections of up to 17- unsealed roads and major sealed roads provided directly contradictory evidence including:

1. Unsealed roads:
  - a. Normal maintenance grading sequence to roads in areas
  - b. Grading full length road distance not affected, or only partially flood affected
  - c. Gravel resheeting to roads for full lengths with no loss of gravel
  - d. Gravel resheeting for 100-300mm new depth when only minimal gravel lost say 5-10mm or only a small length , i.e. 10 metres, lost gravel
  - e. Cleaning out batter drains and culverts with no flood damage
2. Sealed Roads:
  - a. Repairing potholes, resealing road sections, and rehabilitating pavements not caused by the floods but pre-existing or arising in normal course of business.

## Part E: Major Road Repairs Outstanding Since Floods

The following are the major repairs we know remain outstanding since the March 2021 Floods.

1. **Comboyne Rd -mountain section (Sealed Road Erosion under Road Edges)**- water from drains under the road caused erosion to the soil supporting the road or road reserve at the end of the drain. The road has 3 sections with concrete barriers closing off 1 lane. In one section a traffic light system is installed.
  - a. Comboyne Rd was closed immediately after the floods to remove land slides onto the road, and barriers installed to address erosion (1 above). Comboyne Rd is a sealed road, and a sub-arterial or collector rd.
  - b. The road was closed for approximately 3 weeks after March 21 floods, and closed again for approximately 4-8 weeks in late 2021 after road subsidence was observed.
  - c. When the road was closed, residents had to use a much longer unsealed road via Lorne or Toms Creek to access Port Macquarie. This added an additional 40 odd km and ½ hour.
  - d. School Buses refused to pick up children, and parent forced to drive to Port Macquarie(or Wauchope) to drop children at school.
  - e. Milk tankers for dairy farms, avocado farms, primary producers, fuel bulk tankers, either refused to attend, charged higher costs, or offered a reduced service.
  - f. Council has completed some “pinning” works prevent further road subsidence in or about late 2021 or early 2022.
  - g. Council has not provided any regular communication about the status of the road, or when repairs will be completed.
  - h. Council is stating the road may be closed for up to 13 weeks in 2022 to complete the repairs and allow full unrestricted access.
2. **Bulli Creek Rd (Unsealed- Erosion from Creek to Road Reserve)**- water from Bulli Creek caused significant erosion on the creek bank on a corner extending to the road edge. A drop of approximately 8 metres exists to the creek.
  - a. Bulli Creek Rd was closed immediately after the floods for approximately 1 week. Star pickets with barrier tape were installed, land slip to road cleared, and minor widening to allow vehicles to pass with some new gravel added.
  - b. Since March 2021, no remedial works have occurred to the eroded river bank under the road such as installing rock ballast or gabions.
  - c. Trucks or wide vehicles are unable to safely move through the area.
  - d. Council has provided no proactive regular information or consultation to ratepayers when this will be repaired to pre flood levels.
  - e. **Comparison to other roads same issue**- This should be compared to other roads with the same erosion of banks under or beside roads being completely repaired such as:
    - i. Upper Rolland’s Plains Rd (at Ready Mooney Rd junction)
    - ii. Forbes River Rd
    - iii. Ennis Rd

## Part F: How Were Road Repairs Prioritised after the 2021 Floods?

### Summary

In 2012, Council adopted a “risk based” procedure for the prioritisation of reactive road repairs. Council published a brochure titled **Core Service: Roads Repairs and Maintenance (Appendix A)**.

The “risk based” approach arose when Statewide Mutual required PMHC to implement the Statewide Mutual Best Practise Manual Roads to manage insurance claims and liability.

PMHC’s Brochure Core Service: Roads Repairs and Maintenance, states every road repair is assessed and scored against 3 criteria with a maximum score of 20:

- a. **Road Hierarchy** (out of 5 and multiplied by 2) the top 150 roads have a score between 2-5, every other road is scored 1
- b. **Defect Location** (out of 5) for example road reserve, parking lane, driving lane
- c. **Nature of Defect** (out of 5) for example, pothole depth and width, corrugation.

### The 2012 Road Hierarchy

In 2012, Council “published” a list of the top 150 sealed and unsealed roads, and a separate list of “all” 179 unsealed roads. They stated both reactive repairs, and routine maintenance(grading) would use the Hierarchy to prioritise repairs.

The unsealed Road Hierarchy started at 1 for the highest use unsealed road, and ended at 179 not the least used road. Accordingly, priority was determined by a roads number, 1 most priority, 179 least priority.

In 2019 Council redid the Road Hierarchy for sealed and unsealed roads, but it did not redo the Unsealed Roads Road Hierarchy. The 2012 version continues to apply.

### Relevance of 2012 Unsealed Road Hierarchy to Reactive Flood Repairs

Not every unsealed road is the same, roads with higher use attract a higher risk. Council covers a higher level of programmed maintenance to high use roads such as 6 monthly grading, lower risk 12 monthly grading.

Some roads have 20 houses, some have no houses.

The question arises, when you have the same or similar flood damage to multiple unsealed roads of how does Council determine which road it repairs first or last?

### Roads Register- Statewide Mutual Implementation Requirement Step 1

Detailed in the Statewide Mutual Manual was an “Implementation” Appendix. Step 1 was for Council to use their Roads Register to determine which roads it owned and for what length.

The Roads Register is required to be developed and maintained by a Roads Authority pursuant to the Roads Act, and S.163 requires the Roads Authority to make it available for inspection by any person without charge during normal business hours.

PMHC did not use the Roads Register, evidence is they did not have a Roads Register until June 2020, rather they used an internal Asset Register maintained by Council.

In **Part G: PMHC Does not Know Which Roads it Owns** we provide graphic examples of Councils failure to know what road, or road segments, it owns. Ownership by Council or Crown or Private

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Roads is critical to Flood Restoration. For example a Crown Road can only have its “level of service” restored whereas a Council Road can be restored to a higher standard.

Council used their internal Asset Register to Develop the Road Hierarchy. The problem was, Council’s Asset Register included Crown Road and Private Roads never owned by Council nor a gazetted public road, and secondly, its length of road owned by Council included Crown Rd owned segments. For example:

- a. Violets Road- never a gazetted public road
- b. Figtree Valley Rd- never a gazetted public road
- c. Cooks Rd- never a gazetted public road

In 2019 Council develop a new “Road Hierarchy” in response to concerns raised it included roads not owned by Council.

### The April 2021 Council Meeting- Road Repair Prioritisation

After inspecting a number of unsealed roads, I became concerned Council were prioritising road repairs to roads on a basis other than risk. For example:

- a. Muscio Rd- a small 500 metre unsealed road running on a ridge was graded for the entire length within weeks of the flood with minimal or no flood damage (scored 145 of 179 on 2012 Unsealed Road Hierarchy) whereas Rawdon Island Rd (scored 17 of 179 on 2012 Unsealed Road hierarchy) with substantial potholing was not done for several weeks despite being less than 1 kilometre away.
- b. Fegans Rd(156 of 179)- a part Council and Crown Rd has scours graded within weeks, but Thone River Rd(133 of 179) road edge erosion and scours were not addressed for months until an accident occurred in the road edge erosion.
- c. Riverbend Rd (130 of 179)- a Council, Crown and Private Road was being gravel resheeted in April 2021, whilst Bulli Creek Rd(52 of 179) was closed due to bank erosion, road scours not repaired, and remains unrepaired to June 2022.

2 senior Council officers advised in the meeting:

- Documentation Detailing Process- would be provided but after 6 weeks they declined stating it would need to be applied for in a GIPA Application

The DRAFT Stormwater and Roads Reactive Risk Procedure was being used, but agreed this was still a “DRAFT” document, and had not been approved by either Council executive staff or the elected Council body.

### Summary

I empathise with Council where it is faced with the issue of damage to roads across its network. The critical issue is how it is prioritised and explained to the community.

It should be an open transparent process which can be documented and explained in a consistent, fair and equitable manner consistent with Councils duties under its Code of Conduct.

What we have is repair jobs done on an indiscriminate basis where Council did not follow its own risk based prioritisation process.

As **Part H- Examples of Road Repairs Completed** shows, Council prioritised flood repairs to:

- Federal politicians

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- Private driveways
- Crown Roads

ahead of worse damage to Council roads.



## Part G: PMHC Does not Know Which Roads it Owns

### Summary:

Until June 2020, PMHC did not possess or maintain the Roads Register as a Roads Authority pursuant to S.163 of the Roads Act.

Council instead used their own internal Asset Register Roads.

Council internal Asset Register and the Statutory Roads Register are fundamentally different. Same road, one will be fully Crown owned the other will be fully Council owned. Some Council gazetted public roads do not appear in the Roads Register but appear in the Asset Register. Some Private Roads appear in both the Asset Register and Roads Register despite not being owned or a gazetted public road.

Road distances owned by Council or other parties conflict between the 2 documents, for example the Roads Register may say it is a Council Rd for 32 metres whereas the Asset Register says 827 metres in owned by Council.

The Roads Register being a statutory record takes precedence over an internal record kept only for Council use.

Council disregards the Roads Register and uses their Asset Register to determine what roads it will maintain or not.

### Relevance to Flood Restoration Works

Whether a road is owned by Council, Crown, NPWS or Privately owned is critical to Council both prioritising the remedial works, refusing to undertake the works, or being entitled to claim Flood Restoration Funding.

Examples later in this Submission show Council prioritised works to a private driveway and Crown Roads over other worse condition Council owned roads and claimed Flood Restoration Funding which it was not eligible for.

### Evidence of Failure to Maintain Roads Register S.163

In June 2020 and June 2022, I attended PMHC offices to inspect and on both occasions Council staff did not provide it on request

Council refused to provide the reason, as requested, for why it was not produced in their offices during Normal Business Hours.

In June 2020, the Roads Register was emailed after 2 days. The Council Officer who compiled it stated, to the effect:

- a. It probably not fully accurate
- b. I had to pull it together from various sources

The 2020 version detailed:

- 154 roads of “unknown” ownership
- Roads owned by other Councils, not PMHC
- Privately owned and or “Freehold” roads(that is not a gazetted public road)
- Not all roads vested in Council as a gazetted public road

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In the June 2022 version:

- Council stated it was the same as the 2020 version and had not been changed
- Did not contain a “couple of roads coming in from developments” since 2020
- Did not contain new roads, or roads with changed names such as:
  - Hammer Lane (Council Meeting June 2020 approved name and for it to be gazetted)

### Examples of Conflict between Roads Register S.163 and PMHC Asset Register

- a. **Riverbend Rd**- Asset Register says Council owns 927 metres, the Roads Register states Council owns first 36 metres, then it is a Crown Rd for 870 metres.

#### PMHC 2019 Asset Register Extract-

RIVERBEND ROAD 298	RIVERBEND RD/SANCROX RD-PRIV PROP	SANCROX	10	Local Rural Road	Flexible Unsealed Pavement	Rural Laneway	927
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#### Roads Register Section 163 Road Act

1642	RIVERBEND RD	CROWN	SANCROX	870.6987335
1643	RIVERBEND RD	LOCAL GOVERNMENT AUTHORITY	SANCROX	36.05972701

- b. **Cobb and Co Road**- Roads Register states Council owned for 52m and Crown 1009m. Councils Asset Register states it owns 500m.
- c. **The Ridge Way**- Roads Register states Crown owns 1871m, Councils Asset Register states it owns 1000m.
- d. **Roads on Councils Asset Register but not on the Roads Register**- for example the following appears on Councils Asset Register Unsealed Roads but are not contained on the S.163 Roads Register- Bitter Ground Creek Road, Clayworths Road, Boytrang Road, Haydons Wharf Road, Henry Kendall Reserve, North Wall Rd, Woods Street Lane
- e. **Steinmetz Lane**- unsealed road section does not appear in the Council Asset Register. It does however appear in the 2020 Roads Register, S.163 of the Roads Act, for 328.6413576 meters “owned” by Council.
- f. **Lantana Rd**- Council Asset Register Council owned for 3005 metres . Road Register states only Crown owned for 3084.437677 metres, not Council owned at all..

The 2021 Floods highlighted a systemic issues ratepayers have complained for years.

## Part H: Examples of Road Repairs Completed by Council

### Types of Flooding and Did it Cause Damage

#### Permanent Rivers- Flood Waters Rising over Roads-

- a. This focusses on a river flooding beyond the river banks into surrounding land. Major rivers systems in the PMHC region are the Hastings River, Ellenborough River. The summary of damage can be expressed as:
- b. **Moving waters-**
  - i. **Gravel from Unsealed Road Surface-** tended to create erosion of unsealed road surfaces with loss of gravel (Pappinbarra Rd Right Arm, Forbes River Rd).
  - ii. **Erosion of Road Reserve-** swift moving flood water also resulted in isolated cases the road follows the river course, and the road reserve between the road and river was eroded. This may be small isolated sections (example Glen Ewan Rd) or extended sections (example Elford's Rd, Ennis Rd).
- c. **Still Flood Waters-** caused no gravel erosion to unsealed roads (example Narrow Gut, Freemans Road, Bengal Rd)
- d. **Silt Deposits on Roads-** some roads under a metre of flood water has no silt or mud deposits on the road surface, others did from an estimated 10-200mm. (example Hacks Ferry Rd part, Munday's Lane part)
- e. **Examples-**
  - i. **Rawdon Island Area-** unsealed roads typically submerged in STILL flood waters 1-2 metres deep, so silt deposits on any road such as Rawdon Island Rd, Freemans Rd, Narrowgut Rd. no evidence of any erosion to gravel road surfaces but significant potholes consistent with previous inspections.
  - ii. **Hacks Ferry Rd-** the start of the unsealed road for about 2.7km had no or very minor silt deposits, from 2.7km to right angle corner the greater the depth of silt as evident by the grader used to push of the road edges. Estimated depth from 0mm start to 200mm towards end corner.
    1. The gravel road surface showed little evidence of any erosion but did have significant potholes which is consistent with previous inspections of the road surface.
  - iii. **Fernbank Creek Rd-** no sign of silt deposited in unsealed road section, limited to parts of the sealed road section and appeared minimal depth 5-20mm.
  - iv. **North Shore-** raised roads such as the main Maria River Rd had evidence of gravel loss, lower roads largely did not show gravel loss but were subject to large silt deposits in some sections but not entire road. (examples of Munday's Lane and Woodlands Lane). Other roads in same area such as Hacks O'Donnell Rd right beside river showed no evidence of gravel loss or silt deposits., the same as Sandfly Alley and North Wall Rd.

#### Smaller and or Seasonal Creeks Overwhelming Road Drains or Bridges

- f. This concerns smaller rivers, or seasonal creeks, being overwhelmed creating swift wide water usually with significant debris. Typical damage to roads was erosion to road unsealed surfaces in discrete sections, and erosion to bridge revetments.

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### Gulley's or Valley Waters overwhelming Road Drains

- g. This concerns normally dry gully's or valleys which concentrated water flows into discrete areas and would typically overwhelm roadside drains or culverts. That is, the drain under the road could not deal with the volume of water which then flowed across the road. Damage to roads is typically isolated to small sections where the fast moving waters removed road gravel. (for example Little Loops Rd in 3 sections)

### Damage to Roadside drains such as scoop or batter drains

- h. PMHC does not have a maintenance program for the periodic cleaning or refurbishment of drains or gutters beside roads such as a batter or scoop drain. In some cases the grader crew would do it as part of grading. In other cases, the batter/scoop drain is so severely eroded the grader is unable to "fill" and "reshape" the drain. Typically, Council either leaves it or in some cases may place "large blue stone rocks" in.
- i. We observed numerous roads pre-March 2021 floods with the large blue stone rocks or left as severely eroded. Examples include: Thone River Rd,, Farrowells Rd, Clarefield Dungary Rd, Cowral Creek Rd, Ryans Rd, Clueys Rd, Bobs Creek Rd, Sunnyvale Rd, Stage Coach Rd, Hyndmans Creek Rd to name only a few.
- j. Most erosion to drains existed prior to the March 2021 floods and existed as a lack of maintenance.

## Why PMHC Gravel Resheeting to Unsealed Roads or Grading Should not Be Funded by Flood Restoration

### Gravel Resheeting

Prior to 2017 Council did not record in its Asset Register any Gravel Resheeting to unsealed roads. GIPA analysis of budgets and actual spend for re-sheeting shows it was mainly "patch" resheeting for small sections not entire roads.

The 2018 inspection of unsealed roads reveals only minimal "wear layer" present on most unsealed roads, indicating loss of the original 100-150mm thick "wear" layer up to 80% for a majority of roads. Since 2016, Council published in the Annual Reports the distance and roads gravel resheeted. Since 2016, this has been between 2 to 6km a year out of a total 465km unsealed road network.

In 2018, Council adopted a new Unsealed Roads Policy stating gravel resheeting would be limited to 3 km/year for regional roads(1 in every 36 years) and 3km a year for local roads (1 in every 115 years).

Emails from Council staff confirm the estimate a 5mm loss per year, and Councils expert report from ARRB in 2019 expressed concern that Councils resheeting "policy" was 8- 10 times the industry average.

The evidence shows Council used the March 2021 flood event to undertake extensive gravel resheeting for "6 months" with up to 3 grader teams.

This was a deliberate and calculated attempt by Council to "fabricate" evidence on gravel loss on unsealed roads as being caused by the March 2021 flood event. It is fraud at its core.

### Grading of Unsealed Roads

The inspection completed after the March 2021 floods demonstrates Council was undertaking its "normal maintenance grading" to roads but claiming the damage arose from the flood event. This is

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untrue and our photographic/video of some 170 roads post floods provide irrefutable proof that PMHC knowingly claimed Flood Restoration Funding it knew to be false.

### Specific Road Examples

Set out below is a brief summary of a selection of roads inspected, pre and post floods and our observations whether they would be eligible for Flood Restoration Funding. We have extensive evidence of each road, and roads not discussed, which show beyond reasonable doubt, PMHC engaged in systemic intentional behaviour designed to claim an entitlement for Flood Restoration Funding it was not entitled to claim or receive.

#### Riverbend Road- Priority Private Driveway Gravel Resheeting

- a. On 26 May 2021, Council were finishing the gravel resheeting of 1006 metres of unsealed road. In Part G- PMHC Does it Know Which Roads it Owns we showed on the S.163 Road Register Council owns 34 metres, then a Crown Rd for next 827 metres, which Council Asset Register records 927 metres as Council owned. Council staff “bragged” about doing gravel resheeting 200-300mm deep in the gully and 100-200 for the rest.
- b. Riverbend Rd largely runs on a hill crest with only a gully section flood damaged
- c. Both records show it is a Private Driveway from either 34 metres or 927 metres onwards.
- d. A private driveway is not eligible for Flood Funding
- e. A private driveway was prioritised over other Council Roads
- f. Any Crown road section is not eligible for resheeting Flood Funding, but limited to “reinstating access”.
- g. Council grades it annually.
- h. The estimated cost based on Council supplied figures is some \$65,000 for the resheeting.

#### Muscio Rd- Prioritise Federal Politician Road

- Muscio Rd is a small no through sealed then unsealed road, the last section Council classifies as a “4WD Access Track” but in reality this section is a Crown Reserve. Council claims ownership for 930 metres sealed and 1006 metres unsealed, but the Roads Register states Council for 1538.445517 metres (sealed and unsealed), and Crown 24.18685209 metres. Council only grades 500 metres (to Crown Reserve edge).
- Muscio Rd runs on the crest of a hill with minor valley sections. it was graded for the entire length prior on or about 9-12 April 2021
- Other worse or higher priority roads in the immediate area were either not graded(Rawdon Island Rd, Narrowgut Rd, Freemans Rd) or only graded in gully sections(Walters Rd)
- Flood Restoration funding would only be eligible for grading works to the minor gully sections.

#### Walters Road

- Repairs done in 2 or 3 phases. Grading and selective resheeting in gullies occurred on or about 15 April 2021.
- A separate gravel resheeting occurred in or about June/July 21 followed by culvert/drain replacement and in addition the entire road graded.
- Prior to the floods Walters Rd from the gate onwards was observed as having gravel level with grass paddocks and in poor condition.
- The 2021 flood inundated the lower end section of the road, but did not cause gravel loss.
- The 2<sup>nd</sup> entire road grading was “annual maintenance” not to repair flood damage.
- The gravel resheeting was not eligible for Flood Funding as the flood did not cause gravel loss.

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- The culvert drain “damage” and subsequent replacement was not caused by the floods and not eligible for flood funding.

### Glen Ewan Road

- This road runs beside the Hastings River and during the March 2021 floods the entire road went under flood waters.
- We have inspected the road on numerous times between 2017 and 2021 prior to the floods and the unsealed road was observed as having minimal gravel depth remaining, level or lower than roadside, significant potholes and riverbank erosion.
- The floods caused more erosion to the banks beside the road, some scouring in small discrete sections of the road as waters receded from paddocks to the river.
- In April/May 2021 Council gravel resheeted the entire road for approximately 1700 metres at a budget cost of \$65,000 per km.
- On 27 April 2021 I inspected the road prior to gravel resheeting, and observed gravel had been placed in scoured sections of the road. the road was not in dissimilar condition to how I observed it in the past to 2017.
- The gravel resheeting in small section prior to 15 April is eligible for flood funding, the entire gravel resheeting for 1.7km is not eligible.

### Bill Hill Rd

- Was subject to repeated inspections from 2017 to 2021 and was observed as being in excellent condition with good gravel remaining.
- Bill Hill Rd leads to a commercial tea tree farm and has a checked history with Council.
- When the DA was approved for the commercial operation a \$500,000-\$750,000 “security” was required by Council but never paid. This was the subject of a Report in Council when the other road used for access, The Hatch Rd, was severely damaged.
- The entity which owns the commercial tea tree farm, is a family related entity to owners Riverbend Rd where a private driveway was gravel resheeted by Council post 21 floods.
- On 27 April Council staff advised me they were going to gravel resheet both Glenn Ewan Rd and Bill Hill Rd next.
- On or about 27 April 2021, I inspected the road and observed:
  - The road appeared to have little to no gravel loss from the 2021 Floods
  - 3-4 small sections showed minor scours across the road consistent with runoff
  - The scoop drains were “chewed up”, and I later observed 3 “truck and dog” trucks on the road. it appeared the damage had occurred after March floods by trucks passing each other on the road.
  - There may have been some pooling of water on the road in a small section as the road level dropped to surrounding areas with poorly designed scoop drainage.
  - In general, I though it was still in excellent condition.
- In my inspections of some 170 unsealed roads, there were numerous roads with almost no remaining gravel and terrible condition, and I could not explain why this road was being “prioritised” to others in worse condition.
- I observed no Council “immediate” flood works, that is between 21 March to 27 April.
- Bill Hill Rd is listed on the Asset Register as 1810 metres for the unsealed road section. Projected gravel resheeting costs at \$65,000/km is \$117,000.
- Based on my observations I saw no evidence of any works which would meet the eligibility criteria for Flood Funding Restoration.

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### Bagnoo Rd

- 21 April 2021 graders were observed grading flood affected sections of the road in river sections or gullies mainly. I agree these were eligible for flood funding restoration.
- The road was in the following months fully graded and sections gravel resheeted which were not flood affected.
- Neither the full grading of the road, or sections gravel resheeted, meet the eligibility for flood restoration funding.

### Thone River Rd

- Thone River Road is an unsealed road and ceased by maintained by Council in 2014. In 2018 they advised it was now classified as a "4WD Access Track" and would only be maintained when it was "impassable to a standard 4WD".
- Thone River Rd was one of 40 gazetted public roads owned by PMHC classified in 2018 as a "4WD Access Track".
- By March 2021, the road was in such poor condition a Landcruiser Ute was bogged in rut on the road, and scours/ruts over 300mm were common. Eroded scoop/batter drains over 650mm at road edges common. It featured 3 drains under road completely blocked or substantially. In rain events, water would run down ruts in the road causing further erosion, and roadside drains blocked diverting water onto the road.
- The March 2021 Flood caused some of the scours and ruts to be a bit deeper, and the only new damage was to a concrete causeway where water flowed over the road and eroded the bank.
- I had ongoing requests since 2017 for Council to grade and repair road defects. These were not actioned except for a tree across the road.
- In April 2021 I had a conversation with a senior PMHC staff member who was responsible for Flood Remedial Works who stated he would have the entire road gravel resheeted and drains fixed under the Flood Restoration Funding. I explained the Flood had not caused the damage except to the concrete causeway, prior to the floods the road had almost no gravel left, the scours and ruts were caused by a lack of maintenance, and non of these were eligible for Flood Restoration Funding. He argued it was, and it ended when I stated if he continued to pursue Flood Funding it would be a fraud.
- In 2021 the entire road was gravel resheeted for approximately 1.6km.
- Pictures below of road pre flood event

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<p>Jan 2021</p>	<p>Dec 2020</p>
	
<p>Dec 2020</p>	<p>Only new flood damage March 2021 at concrete culvert</p>

**Comboyne Rd (sealed road)- Gravel Wash on Road and Eroded Scoop Drains**

- A section of Comboyne Rd west of Hyndman’s Creek Rd junction would repeatedly have gravel was down a hill section onto the sealed road. this was exacerbated in 2020 after the road was resealed.
- In January 2021, a normal heavy rain event caused substantial erosion to the scoop/batter drain on the road edge up to 400mm deep, washed away guideposts and deposited a large gravel deposits on the sealed road. Council cleaned up the road.
- This hill drain section was been a repeated issue prior to the floods of March 2021.
- The March 2021 floods caused some further erosion to the drain and gravel deposit on the road.
- After the floods, Council installed a concrete lined drain for on the hill section.



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- We believe they claimed Flood Restoration funding.
- The cause of the erosion was poor design and was a pre-existing problem.
- It is not eligible for Flood Restoration Funding.



### Rawdon Island Rd, Freemans Rd, Narrow Gut Rd- Grading and Gravel Resheeting no Loss of Gravel

- Rawdon Island Rd(2.2kms), Freemans Rd (2.4kms) and Narrowgut Rd (1.6km) is the best example of the defrauding of Flood Restoration Funding for both grading and gravel resheeting from “still” flood waters.
- I had inspected the road numerous times between 2017-2021 and observed the roads were generally poor condition with most gravel remaining on roads minimal, and rather than being raised and built up, was broadly on the same level as the road edges and paddocks.
- All 3 roads were submerged under flood waters for days. the flooding was “still” that is not a moving current.
- All 3 roads were completely grade and gravel resheeted in or about April/May 2021.
- I inspected the roads immediately after the floods and again after gravel resheeting.

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- I spoke to numerous persons who confirmed the potholes in the road existed before the floods, and the floods did not remove any road gravel.
- I did a simple “litmus” test on unsealed driveways leading from each of the road. If road gravel was removed by the flood waters, I would see the same to driveway. I found no discernible loss of driveway gravel, with grass in the middle of roads and edges, missing gravel is not hard to ascertain.
- In my opinion this was Council seeking to use “Flood Funding” for what should have been a Council routine maintenance cost for gravel resheeting.
- Council works resheeting or grading would not be eligible for Flood Restoration Funding.
- The expected cost of resheeting at \$65,000/km for a total of about \$400,000.

### Old Highway

- Old Highway is a fantastic example of a road where Council undertook extensive Flood Restoration Works it was ineligible for on the reason of lack of maintenance.
- In a GIPA Application in 2018, I obtained Councils grading program since 2001.
- There is no record of Old Highway being graded from 2001 to 2021.
- The Roads Register S.163 details Council owns approximately 12kms, and a Crown/Council section for a further 500 metres.
- I have seen no record it has been gravel resheeted after 2001.
- In 2018, it would appear the “whole” length of Old Highway was classified as a “4WD Access Track”, accordingly, it would not be maintained until “impassable to a standard 4WD”.
- The road has 2 river crossing sections, a section through river flats before a long steep hill section 1-2kms long.
- I inspected the road after Council had undertaken road works from the 2021 Floods and observed:
  - Grading to the road length for about 10kms
  - Gravel resheeting for several kilometres
  - Bulldozer works to hill section creating new “whoops”
- The works were extensive and likely over weeks.
- I do not consider any of the works eligible for Flood Restoration Funding on the basis Council had refused to undertake any maintenance to the road in the preceding 20 years.

### Little Lops Road- Emergency Repairs and Maintenance Grading Whole Road

- An unsealed road extending for approximately 6.4kms. the road runs mainly on the ridge lines before coming down and running on the side of a hill.
- We inspected the road in May/ June as it was being graded for the full length. We noted based on inspection, surrounding unsealed roads had also been fully graded.
- In sections that were yet to be graded, there was evidence of sections that had been gravel resheeted and interim graded immediately after the Floods, these were confined to small valley sections where water had crossed the road.
- Little Lops roads, and surrounding roads, had all been “graded” before Council said “normal maintenance grading” would commence, namely end July or August.
- The evidence I saw was flood damage was confined to small discrete sections not the full distance of the road.
- In my opinion, Flood Restoration Funding would not be eligible for the grading works.

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### Lorne Rd and Surrounding Comboyne Unsealed Roads

- After the closure of Comboyne Rd, a contractor was engaged in March and April to undertake repeated grading to Lorne Rd, but also completed grading to surrounding roads including Blackbutt Rd (west), Playford's Rd, Lansdowne Rd, Stennets Rd (and others).
- In each case the surrounding roads were graded full length, most roads run on ridge lines with only minor valleys.
- Lorne Road was repeatably graded plus gravel resheeted.
- We do not consider the grading of the full length of these roads eligible for Flood Restoration Funding, only small discreet sections in valleys.

### Bitter Ground Creek Rd (Crown Rd)

- Is not listed on the Road Register S.163 and does not appear to be a gazetted public road, although Council does claim on its Asset Register to own it for 430 metres.
- Crown Lands advises Bitter Ground Creek Road is a Crown Road.
- In May/June 2021 I inspected the road and observed it had been recently graded for a distance of approximately 1200 metres to a bridge. The bridge appeared recently replaced.
- The bridge exists on private land owned by a private property.
- Bitter Ground Creek Rd appears on Councils annual grader program for a distance of 1200 metres.
- It appears Council may have undertaken works and claimed Flood Restoration Funding for a crown road grading and bridge.
- This would be ineligible under the Flood Restoration guidelines.

### Rawdon Island Bridge

- This may or may not have been claimed for Flood Restoration Funding.
- In the early days after the Floods, the senior Elected Officials and Council Staff, were stating the damage to the bridge was "caused by the floods".
- We are aware Council has also sought and applied for separate Grants funding to complete the repairs, now forecast at over \$10 million.
- After the March 2021 floods, PMHC engaged divers to conduct underwater inspections of its concrete bridges, and found the floods has disturbed silt exposing the concrete bridge pier down to bedrock. The silt had concealed concrete cancer amounting to a loss of up to 90% of the concrete pier concrete and reinforcing to multiple piers. The bridge was completely closed to all traffic on 4 hours notice, and isolated the Rawdon Island community unable to move vehicles across the bridge.
- The bridge failure exposed PMHC did not have an underwater structural inspections as part of its Asset Management Plan, despite having 2 other bridges of the same age and construction which failed on average at the same age as Rawdon Island Bridge since 2000.
- We note the RTA Guidelines is for Councils to complete routine underwater inspections every 2-4 years was not adopted by Council.

## **Part I- Is Council Claiming all Works even if not Related to March 2021 Flood Event?**

- In late 2021 or early 2022, I met a Council staff member on Thone River Rd. he asked if I knew the location of a bridge. We stated he was looking for it as he had been provided a list of “flood” damaged areas on roads he needed to check had either been completed or required completion.
- It was a lengthy conversation, I showed him the bridge but explained it had not been damaged by the March 21 floods, the damage to the bridge occurred in Jan 2021 when the water running down the road opened up a whole in the gravel mid-bridge. I explained how a Council report in 2018 has stated Council needed to grade the road to prevent water running down and pooling on the bridge. Council did not follow its own engineering report and did not grade the road.
- I explained the only flood damage was to the concrete culvert and he said he did not have that on his list but added it.
- I inspected the list which went for several pages.
- I formed the view at this time Council was attempting to claim “flood damage” to any road defect it could and claim “Flood Restoration Funding”

## **Part J: Council Engagement and Communication During and After the Floods**

### **Councils On Line Road Repairs/Status Portal**

Council subscribes to an interactive mapping service which contains a map of the LGA, detailing all roads and “flags” indicating road works (grading or maintenance) or road issues such as “Road Closed-Water Over Road”.

I have observed this system is infrequently used by Council and information about “roads” is between 3-4 weeks out of date.

In 2022, I presented to the Ordinary Council meeting, information about the MyRoadsInfo link and it being out of date.

It is critical if Council wish to use a “live” system such as this, Council fully use it and maintain it up to date.

### **Community Engagement- What’s Happening**

Unfortunately, PMHC does not proactively engage or communicate with ratepayers about flood damage and repairs.

They do not publish a forward works schedule for repairs to roads, they do not send email advices out and only conduct a Community Meeting when residents are “demanding action and information”. Examples are Comboyne Rd, Bulli Creek Rd which remain unrepaired to June 2022.

Rawdon Island Bridge is slightly different, whilst the damage to the piers was not resulting from the flood event, the flood event removed silt exposing the severely damaged piers resulting in the complete closure of the bridge for months.

As an Association we joined a webinar session to ask questions and hear Councils actions. After about 4 weeks, Council ‘blocked’ us from joining the webinars without notice. Since that time, we have been unable to join the Webinars.

Appendix A: PMHC Brochure Roads Repair and Maintenance

**How are road repair works prioritised?**

Council uses the Roads Hierarchy together with a detailed inspection process to prioritise road repair works.

The Roads Hierarchy is a foundation document for the prioritisation of works across the LGA. It categorises all roads within the LGA based on traffic volumes, regional/local significance, speed limit, heavy vehicle volumes, pedestrian movements, proximity to schools and places of public interest, bus routes etc.

The Roads Hierarchy ranks the highest 140 roads within the LGA in priority order and further categorises the remaining roads as either through or no-through roads.

The top 10 within the Roads Hierarchy receive the highest priority weighting for maintenance resources. All unsealed roads are included in the Roads Hierarchy, but have also been prioritised as a separate sub-group for the purpose of the maintenance grading programs prioritisation.

Risk Score	Description
1 (Lowest Priority)	Cul-de-sacs (outside of Top 140), Local Access - urban streets.
2	Through roads (outside Top 120), Collector - urban streets.
3	Roads ranked 51 - 140 in the Top 140, Distributors.
4	Roads ranked 11 - 50 in the Top 140, Sub Arterial.
5 (Highest Priority)	Top 10 roads across LGA, Highest Rated Road.



**Why do some roads get repaired quickly and not others?**

Following customer reporting a hazard or requesting works on a road (e.g. a pothole or loose gravel, slashing etc.), an inspection is carried out by a Council roads Inspections officer. The inspection considers and scores the hazard across three specific criteria:

1. The location of the defect within the roadway (scored out of 5), i.e. in the travel lane, adjoining the road, parking lane etc;
2. The ranking of the road within the Roads Hierarchy (scored out of 10); and
3. The severity/potential risk of the defect to the community (scored out of 5).

A total score out of 20 is then calculated and the service standard for the repair works identified in accordance with the following Table:

Risk Rating	Priority	Control Mechanism	Response Time
4 or less	Low	Monitor	N/A
5 - 9	Low	Programmed into maintenance works	As resources permit. Within 6 months.
10 - 14	Medium	Programmed into maintenance works	As resources permit. Within 3 months.
15 - 18	High	Inspect Made safe	Within 24 hours Within 2 working weeks.
>18	High	Inspect Made safe	Within 4 hours Within 2 working days.

This process is developed from the current Best Practise Guidelines published by Council's Public Liability Insurer and seeks to recognise and address potential hazards to road users which can result in public liability claims or injuries. It assists in minimising these potential hazards and helps deliver a safe road network for the community. The unsealed roads grading program and the Roads Hierarchy can be found on Port Macquarie-Hastings Council's website at:

[www.pmhc.nsw.gov.au](http://www.pmhc.nsw.gov.au)



Port Macquarie-Hastings Council

**Core Services:  
ROADS**

Maintenance & Repair

