

From: [NSW Government](#)
To: [Flood Inquiry](#)
Subject: Floods Inquiry
Date: Wednesday, 8 June 2022 4:15:00 PM
Attachments: [John HAYTER Letters to the Editor.pdf](#)
[John HAYTER Reimbursement Letter.pdf](#)

Your details

Title Mr

First name John

Last name Hayter

Email

Postcode 2478

Submission details

I am making this submission as A resident in a flood-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

Your story It defies belief as to the ignorance displayed to these flood warnings that played a major role in the near wipe-out of my Tintenbar property. As a duty of care, I trust the raft of mistakes in locking up floodwaters will at last be rectified.
John Hayter
Tintenbar, NSW

Terms of Reference (optional)

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

Supporting documents or images

Attach files

- [John HAYTER Letters to the Editor.pdf](#)
 - [John HAYTER Reimbursement Letter.pdf](#)
-

POST 2022 FLOODING
BALLINA COUNCIL

It proved business as usual for Ballina Council in granting approval undercover of extraordinary Richmond River flooding for a commercial centre on reclaimed floodplain at the base of Ballina Heights housing estate and notorious Cumbalum highway blockade.

For far too long the area has served as the wrecking ball for bureaucratic backed developers and ensuing record flooding.

The proposed site with adjoining ovals, sediment ponds and nearby bicycle track to Ballina, once formed part of a natural outlet for Emigrant Creek floodwaters to the sea via both Roberts and Deadmans Creeks all now choked off behind the Ballina Airport.

Further upstream lay the Tintenbar valley crippled by this upheaval and additional flooding backlash from a third Pacific Highway and other inane projects where local landholder knowledge was ridiculed in favour of ill-fated official modelling reducing Old Bangalow Road and my adjoining farm to the pathetic cesspit that now exists.

In response to my protests was a vendetta of farm visits from various public officials pointing the finger in my direction to cover their own tracks.

Yet footage I hold on official floodplain vandalism would stand one's hair on edge.

And let's not forget my dozens of pre-flooding submissions to officials that never warranted a response yet would have alleviated so much heart break to flood victims had they been heeded.

Those planners, past and present, now in denial, should hang their heads in shame.

John Hayter
Tintenbar
26 May 2022

PRE 2022 FLOOD

Valley landholders

It came as no surprise to seasoned valley landholders when ex-Cyclone Debbie swept in from the coast and brought Lismore to its knees with horrific flooding in March 2017.

Decades of floodplain interference had left the city as a sitting duck, helplessly awaiting the flooding onslaught from a highly urbanised upper catchment powering down from as far afield as the border ranges and Coopers Shoot above Byron Bay.

Just completed is an \$8.2 million channel running west of the airport in the hope of regaining some form of floodplain normality.

No such luck in the adjoining Ballina Shire, housing a similar floodplain format as Lismore. Ongoing is an opposite floodplain policy sprouting a relentless wetland landfill to the disdain of shire residents.

Prior to the Ballina Bypass start, residents attended flood meetings and begged for sufficient viaducts to guarantee the natural flow. This never happened.

The bypass then proceeded, entailing a myriad of additional floodplain landfills including a future mini-bypass foundation through the Ballina floodplain.

This blunder was soon highlighted when ex-Cyclone Debbie struck and choked the Cumbalum underpass.

Jammed behind, lay the Tintenbar Valley and Old Bangalow Road, being the only road not upgraded to cope with an almighty bypass landfill forming the third Pacific Highway across its lowlands.

Constantly undermining the area is a council tractor and slasher gouging out the original levee embankment to the point of collapse.

Of grave concern is wastewater released into Emigrant Creek from expanding Cumbalum housing estates pushing upstream and over the road on every high tide to scour my farm.

The latest ploy by state and council officials sees lowland farmers demonised as scapegoats while developers reign supreme.

An urgent upgrade to Old Bangalow Road and surrounds is well overdue, similar to what was done for nearby Cumbalum Lane and fully warranted in the first place.

Byron Scho
28 April 2021
John Hayter
Tintenbar

PRE 2022 FLOOD

Masters of disasters

If ever alarm bells were sounded for Ballina and ignored, they surely were those of former mayor and West Ballina farmer, Bert Barlow, in the 1976 newspaper report on yet another flood plain outrage as quoted herein.

'Siltng of Fishery Creek had caused the worst flooding on record on the southern approaches to Ballina. Fishery Creek could not cope with the flow after Emigrant Creek overtopped the water back up along the raised highway causing a dam effect. This caused caravan parks and motels to be flooded.

'Similarly, water backed up on the other side of the highway entering motels when there was not sufficient escape route to the river.

'Mangroves and silting had swallowed Fishery Creek which was two and a half miles to the canal as against the 13 mile route taken by Emigrant Creek.'

Authorities were taken to task when these flood waters powered up the Tintenbar valley into and under village housing. Yet major floodplain transformation surged ahead, devoid of any duty of care to affected landholders over the next 45 years.

Barlows Road construction commenced from River Street, coupled with levee banks and floodgates on the western side of Fishery Creek that is now heavily urbanised on nearby reclaimed floodways, including Ballina Quays.

Next to fall was the former Emigrant and Fishery Creek junction and its shortcut to Ballina, choked into oblivion at the newly built Flathead Lane turn-off.

In close proximity lay the new Pacific Highway from Newrybar headwaters to Woodburn, its total flooding impact not yet felt.

Of disbelief is a proposed \$7.8 million Barlows Road upgrade and mini-bypass reaching north to Tamarind Drive at Cumbalum.

The opportunity arises at upcoming elections to shaft the masters of disasters in favour of candidates prepared to govern for all Shire ratepayers and not the select few.

Byron Scho
27 Oct 2021
John Hayter
Tintenbar

Ballina Shire Council



ENQUIRIES REFER
Mr G J Trent
IN REPLY PLEASE QUOTE
PN: 213

Cnr Cherry & Tamar Streets
P.O. BOX 450, BALLINA, N.S.W. 2478
DX 27789 BALLINA
TELEPHONE: (066) 86 4444
FAX: (066) 86 7035
EMAIL: ballina@peg.apc.org

29 July, 1997

Mr John Hayter

BALLINA 2478

Dear Sir,

re: FLOODGATE INSTALLATION

I acknowledge your request for reimbursement of costs involved in the supply and installation of floodgates adjacent to your property at Tintenbar.

As you are aware from previous requests, Council has denied responsibility for these works and therefore has not contributed towards the installation and maintenance of this structure. Once again I would advise that this is the case and I am therefore unable to grant your request.

Yours faithfully

GJ Trent

CHIEF ENGINEER.

GJT:sb