

From: [NSW Government](#)
To: [Flood Inquiry](#)
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Submission details

I am making this submission as	A member of the general public
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

Terms of Reference (optional)

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Supporting documents or images

Attach files

- [Lismore flood enquiry.docx](#)
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Lismore Flood Inquiry Update May 18

My name is Peter Thorpe. I am a retired civil engineer whose career between 1967 and 1982 encompassing a 15 year stint as Shire Engineer/ Planner for Ballina Shire, together with 28 years as Managing Director of Hepburn and Thorpe Pty Ltd, a medium sized civil constructor based in Lismore and the Gold Coast, operating from Eden in the south, to Bamaga on Cape York in the north and west to Thargomindah.

In that latter capacity I was responsible for the construction of Stage 3 of the Lismore Levee in 2003.

Immediately after the 2017 flood I joined with a small group of likeminded citizens with strong ties to the City, in my case involved growing up in Casino Street, South Lismore.

I spent the night of the 1954 flood in the ceiling of our home , while Dad was out rowing rescue boats in the City. The Rowing Club's full title was The Water Brigade and Rowing Club.

This small group we call ourselves Lismore Citizens Flood Review Group had the singular aim of ensuring there was never a repeat of that event, and two objectives, the establishment of a fit for purpose emergency management system, and establishing once and for all whether there was a mitigation possibility.

We demonstrably failed to satisfy our aim in February last, as we did with respect to the performance of the SES Bureaucracy this time, but on the virtual eve of that flood it was announced the CSIRO would be carrying out a 3 year study of Water Security in the Richmond Valley including flood mitigation.

We take some satisfaction in playing a key role in achieving this outcome, and we give particular thanks to Shane Stone of the NRRRA in securing necessary funding for this seminal study, which may turn out to be the most significant event in the history of the City.

Unfortunately the NRRRA has yet to sign the MOU that will permit the CSIRO to fund its work despite the time it was first announced 10 weeks ago.

If the people of Lismore are to have any hope for the future that needs to happen yesterday.

These notes generated by myself under the umbrella of our Citizens Group, are in no way intended to cast doubt on the genuine concern, compassion, and need for all those in the Valley who have borne the brunt of this natural disaster, felt by the Premier and his Deputy.

I will commence this story with reference to our submission to the relatively recent Royal Commission into Bushfires and Natural Disasters.

The written submission was accompanied by a 15 minute video as attached.

It could be said even with the most cursory glance it was not a call to revolution, rather it was a scathing but constructive critique of the shortcomings of the SES Bureaucracy during the 2017 flood.

It was a clear example of what the Productivity Commission Report tabled in Federal Parliament in 2015, held up as unsustainable practice where 97% of disaster funding went to recovery while only 3% went to mitigation.

In what was a national political bipartisan disgrace, the Turnbull Government removed the Report without any consideration.

Yet lawyers from the State Government went before the Commission seeking a gag order against us exercising our democratic right.

Sky News has footage on file of this event.

The Commission ruled against them at that time, but what was the State afraid of then?

Perhaps your Inquiry might be in a position to establish who sought this gag, was it the bureaucracy, or alternatively its political masters?

If the number of fatalities were not averted by the actions of its citizens, it might be front of centre in the Coronial Inquiry that would have followed.

In the light of recent events the residents of Lismore deserve an explanation of the questions our submission raised. It is obviously overdue.

It is now time to turn to the matter in hand.

It is now ten weeks since the February event, so much more needs to be done to restore hope, it is past time to discuss the facts of the matter.

“No one could have predicted the flooding disaster” says Deputy Premier, Paul Toole on March 30,2022.

Is this strictly true?

The rainfall, and where it fell, was unusual.

But its extent and damage was not unprecedented.

In January 1974, massive flooding devastated Brisbane causing 14 deaths, and in places our catchments abut.

In 1976 rainfall fell in the Teven Valley, east of the City, amounting to 29 inches in 24 hours, recorded on the pluviograph located at the then Tropical Fruit Research Station, at its Alstonville premises.

On that occasion water from Emigrant Creek at Tintenbar over topped the bridge.

Ballina Council had to defend a negligence action and its Insurer received expert advice it was a 1 in 200 event.

Bridges in this country are designed to meet the needs of a 1 in 100 event.

Hearsay suggests overtopping did not occur this time.

In my capacity as Shire Engineer at the time, I requested the District Engineer of The Public Works Department , to separately model the effects of both rain events on the Richmond Valley catchments.

He declined on each occasion.

His Department was the gate-keeper on matters of flooding. The engineer of the public Works department was fixated with shifting the City to Goonellabah.

It could be said his lasting legacy are the blue and white plaques showing the 1974 flood height around the Lismore basin, useful as they have been in keeping the City flood risk at top of mind.

In 1852 a comparable event apparently took place with water going over the Cathedral Hill, as on this occasion.

Presumably, this was the time the settlement known as Gundagai was wiped out and relocated above the highest flood height.

On this February occasion it is reported 30 inches were measured in a gauge at Dunoon.

In a 1992 report, commissioned by the Public Works Department, Consulting Engineers, Sinclair Knight calculated the PMF (Maximum Possible Flood) level at the Lismore CBD was RL 16.

The February 2022 event reached RL 14.4.

The February 28 2022, event was in effect three discrete floods, each reaching a peak, then falling back, only to rise to a higher peak, making the task of forecasting an outcome, problematic in the extreme. It didn't stop raining long enough to know when it had reached its peak.

The reality is floods in the Richmond Valley are not met with any mitigation measures at all, despite a history of damage in the four largest post war peaks in the Wilson River of over 10 billion dollars, without the contribution of the current event, or now two events only a month apart.

The Lismore Levee is not a mitigation measure, but an almost irrelevant protective structure.

Despite suggestions and offers by private citizens last century, there has been no serious, or otherwise, attempt by a responsible body to test or build a mitigation structure.

The most detailed attempt was instigated by the late Dr. Florian Volpato, an immigrant Italian businessman, who at his own expense brought two engineering academics from a specialist unit within the Engineering faculty of Milan University to offer advice on the problem, in 1981.

They made a series of suggestions upstream and downstream. One of them could in today's terms be implemented for less than \$20m and take less than 12 months to build.

It would have made a difference.

It is after all the responsibility of the political class and its bureaucracy to protect its citizen population.

The Deputy Premier's words lack conviction on this occasion.

The CSIRO has been commissioned to carry out a three year study of Water Security in the Richmond Valley virtually on the eve of this event, with funding sourced through the NRRRA.

This will be their first attempt in this country to examine the needs for flood mitigation, drinking water, and pollution within the Wilson, apparently they have carried out similar exercises in Asia.

They will be starting with a blank sheet of paper ruling nothing in or out, to get an outcome.

They will look at the Green's fixation on planting trees. They will bow to Labor's ideological paranoia against dams in the catchment.

They recently carried out a desktop review of past work and found none of it, fit for purpose.

They are currently waiting for clear skies to allow them to fly and photograph the valley and then create a digital model, on which they can replicate all the scenarios likely to give an outcome.

They have indicated they will have a “quick and dirty” plan within 6 months.

That is how long we have to sustain hope.

This initiative did not come as a result of Government or its bureaucrat’s concern about the issue of flooding, but rather personal contacts from within our group.

We had endeavoured to engage specifically with the Deputy Premier on this issue immediately prior to this flood, seeking financial support for the State’s share of the CSIRO budget, first with his electoral office in Bathurst, only to be told to submit our material to his Sydney office where it is probably now gathering dust. We have not even been given the courtesy of a reply.

But the bureaucrats continue to prevail.

CSIRO staff are working around the clock including week ends to assemble hydrological data on which to base their study, some 10 weeks after one of this country’s greatest natural disasters, CSIRO are yet to be able to sign a MOU to allow them to access finance.

In the past couple of week’s we have been working up an add-on to the Italian’s scheme.

After the 2017 event I commissioned the modelling of the South Lismore floodplain and tested the possible South Lismore diversion.

The Leycester Creek catchment is two thirds of the Wilson River catchment. Any significant improvement to the flood conditions in the City are most likely made here.

To my surprise it made absolutely no difference.

It was only shortly thereafter I attended a function in a house on the east bank of the Wilson at East Coraki.

Talking to a local it all became clear, when he told me the recent event had overtopped the river bank by about a metre but the river was running backwards, overwhelmed by the energy of the Richmond at its junction with the Wilson above Coraki, a short distance downstream of where we stood.

The next day I traversed upstream from Stibbards Creek at the edge of Tuckean Swamp and a possible solution began to take shape.

It is an overarching proposal that builds on the Italian's ideas.

It has the potential to reduce the risk within the City to nuisance flooding, and to ameliorate the damage further downstream. If we can keep the high flood level below the Levee we are there.

We see the key objective, to be able to separate the flood peaks of the Wilson and the Richmond in time and place.

Again, we believe we can carry out the initial work in less than 12 months. Additional work may be necessary, but we can rely on the old adage not to let the "search for the perfect become the enemy of the good."

As the lead agencies, the performance of The Bureau of Meteorology and the State Emergency Service require close scrutiny.

Does either organisation carry out an internal review after events for which they have to mobilise, and then publish the results?

Seemingly not.

We saw in 2017 the whitewash which substituted for the rigorous external inquiry that was clearly warranted.

The former Assistant Police commissioner failed to meaningfully engage with those affected at the time.

The overhang from the 2017 disaster was clearly evident this time, it was a clear case of cause and effect.

Local volunteers were spat on in the street in 2017, being incorrectly held responsible for the debacle wished upon us by the SES Bureaucracy.

This dampened the enthusiasm to volunteer.

There were insufficient qualified crews for the available rescue boats this time.

There were insufficient manned phones responding, which resulted in calls for help going unanswered.

This was compounded by the concurrent failure of the triple 0 number.

A tragedy of unknown proportion it was only averted by the spontaneous response of the volunteer citizenry.

It is estimated over 400 lives were saved in Lismore alone according to local volunteers informed observations, with over a thousand more in the communities downstream, and the rural area more generally.

Perhaps its time to talk about the elephant in the room, the NSW Bureaucracy.

Again the 2017 event is worth visiting.

A Class Action of enormous consequence was only averted by the Statute giving protection to the SES to litigation unless malice can be established.

Gross incompetence gets a free ride.

Now it is necessary to revisit the 2012 Inquiry into the 2011 Brisbane Flood chaired by Major General Peter Arnison.

Its recommendations included totally upending the hierarchy of the SES, with the local volunteers given primacy, with regional and head office providing support.

We have for five years been seeking a conversation on this most obvious reform, only to be ignored or labelled troublemakers.

Perhaps we might give closer scrutiny to the differences in the Queensland Bureaucracy with our own.

Nowhere are the differences more marked than the role of the Qld Co Ordinator General's Department and the NSW Planning Department.

The first is to implement the Government's wishes in the built environment, whereas as the second has been seemingly captured by ideologues opposed to anything other than green change.

A similar situation was said to exist in the DPIE according to a past Water Minister in a recent conversation, where she said she could have no trust in the advice she received in certain quarters.

It is this basic.

But no one wants to talk about it publicly.

But we do.

It is not as if the Government was not warned.

In that detailed submission to the comparatively recent Royal Commission into Bushfires and Natural Disasters, aimed at Government and attached, our small group detailed the errors made by the SES paid bureaucrats that in themselves made the 2017 event, arguably the single costliest bureaucratic blunder in the history of this nation, possibly even greater than the recent French Submarine fiasco.

It dealt with the efforts made to date, and necessary in the future to develop mitigation outcomes.

After all, our submission offered a scathing critique of the SES response to the 2017 event, and constructive suggestions as to how its performance might be improved by adopting the Queensland model.

The NSW Inquiry after the 2017 event recommended more bureaucrats in Wollongong with a greater budget.

We have just witnessed how that worked out.

Again anecdotally, there was a report SES and Police management turned away staff for its rescue boats, at the height of the emergency who were not triple vaccinated. You couldn't make this stuff up.

As the weather lifted, it is suggested SES bureaucrats sought to prevent the first rescue helicopter taking off, demanding to see the crew's vaccination certificates, and ensure they were all wearing masks, fortunately the pilot ignored them.

It is suggested the death toll in Lismore alone would have been over 400 without the spirited mobilisation of volunteer water craft in the absence of the SES boats.

When weather conditions improved sufficiently to permit the safe utilisation of aircraft, amazing rescues took place.

Once again, we are all indebted to the SES Volunteer staff, and on this occasion to the ADF who were deployed immediately when requested.

There are anecdotal reports the SES Commissioner resisted calls for the ADF help.

In the weeks following the February event, SES management apparently couldn't find the time to check the condition of their system of gauges, this failure resulting in the gauge at the Brown's Creek pump station being out by 400mm. the evacuation siren had malfunctioned.

These people are a danger to their fellow citizens.

They are paid handsomely to sit in their Wollongong headquarters, well resourced, apparently more than 400 in number, but apparently too busy to research the Em Cop emergency management system developed by the Massachusetts Institute of Technology for the US Defence Department.

Taken up by the Californian State Government for bushfire management, given free of charge to the Victorian Government after Black Saturday. Victoria in turn offered it to NSW.

It's principal advantage is in creating a multi layered management system, facilitating the individual response of the various agencies to derive a common outcome, keeping all in the loop twenty four seven.

Despite the suggestion the North Coast could adopt this system as a pilot programme by the Deputy Premier's predecessor, nothing has happened.

In NSW, turf wars in the bureaucracy resulted in the NSW Police developing their own system at significant cost.

At the time the SES and Police Department fell under the Ministerial control of the Deputy Premier's colleague, David Elliott.

But the Deputy Premier insists nothing could have been done to avoid this disaster.

Perhaps it is time to talk about privatising some of these so -called essential services to deliver efficiencies.

The public service does not have the god given right to provide specialist advice to the Water Minister.

This advice could be sourced from eminently more qualified people than contained within the Department.

It could almost certainly be derived from sources absent an ideological bias.

If our goals can be privatised why not the SES Administration?

Any competent medium sized private company would have the skill set to provide for the needs and backup of the SES Volunteers.

And they would be financially accountable.

We don't need a SES Commissioner on a salary of over half a million dollars, and an entourage of over 400 bureaucrats based in Wollongong, to repeatedly get it so wrong. We

don't know the cost of the SES bureaucrat's failures in the most recent events, but Deloitte put the cost of the 2017 failure at well over \$3 billion dollars.

At the very least the Deputy Premier should require the Head Office staff to relocate to Lismore and get some skin in the game, and perhaps replace the large number who no longer have gainful employment and have had to leave the City.

The Deputy Premier's Government has appointed a two-person panel to inquire into the flood events impacting on the State during and after the Lismore disaster.

Without impugning the competence or integrity of persons appointed, the former Commissioner of Police is being asked to question the performance of people he has previously worked with and has a first names relationship.

The task they have been given goes well beyond Lismore in its extent and would tax probably any one attempting it.

No doubt the Government is hoping for a similar white wash outcome as of the 2017 Inquiry.

We need a fit for purpose forensic inquiry of the Lismore event alone, carried out by a truly independent person, intent on exposing the repeated failure of successive State Governments of both political persuasions to get it right.

Someone of the background of the Royal Commissioner into child sexual abuse.

To appoint a person for Recovery whose engineering background is with the Public Works Department is a slap in the face for our community. These people were in large part responsible for this event. They failed before, they will in all probability fail again.

We recently were given an appointment with the former Deputy Premier to discuss our concerns, only to be given the flick at the last moment to a junior bureaucrat.

The senior engineer with the PWD responsible for flood mitigation was asked his views on a possible solution and answered, it was conventional wisdom there was no solution.

And these people are going to be in charge of Recovery.

Is the Premier and his government tone deaf?

Looking at a copy of the Northern Star published the day after the 1974 flood, there is a report the Askin Government of the time voted down a motion by the Local Member for Casino, Don Day, for an inquiry into that event, a day after it took place.

NSW has a proud history of political indifference to the plight of its citizens in time of need.

Meanwhile the flood affected population continue to struggle on a daily basis.

We referred the offer of a 1,000 bed mining camp to the Office of Prime Minister, but have seen nothing transpire.

It will be months before the displaced population can return, if at all, to their former premises.

Meanwhile the State and Federal Government both have a duty of care to their people which to date has been less than they might need.

We were asked by a former resident of a house in Ballina Street, which was overtopped in February to check on the welfare of the current residents. The house was totally devoid of furnishings and contents. They were left only with the clothes they stood up in.

We inquired as to whether they had received any help and were told by the wife, her tradie husband had sought help to replace his tools of trade, only to be told if he didn't have receipts they could not help him.

This issue had its first outing with the 7.30 Report early May 2022.

We feel it will be the first of many.

The head of Resilience NSW previously headed the Rural Fire Service.

The dogs have been barking for some considerable time as to the dysfunctional nature of its senior management, as is the case with Head Office of SES in Wollongong.

We have not yet heard any clear statement with respect to reconstruction. This event might be compared with the Cyclone Tracy event that devastated Darwin nearly 50 years ago, and we have yet to hear of a response from State or Federal Government that recognises its magnitude.

The Premier's announcement of April 19, certainly fails to cut the mustard.

The need is not confined to the City. Livestock losses up and down the river system have yet to be evaluated, and the downstream communities of Coraki, Woodburn, Broadwater, Wardell, and Ballina are crying out in need.

It is not good enough, to cast all those who do not have the resources to personally rebuild or relocate onto the scrap heap.

We need a dedicated construction workforce, possibly with ADF leadership to overcome the shortage of tradesmen that is currently endemic.

It's the State's negligence that brought about the magnitude of the devastation of this disaster, and consequently it is the State that needs now to step up to the plate and accept its responsibilities.

The Deputy Premier's feeble excuse is nowhere near good enough.

We are entitled to true leadership at a time like this, not blatant blame shifting.

If Mr Toole needs further advice as how to handle this ongoing emergency we are here to help him out, now or in the long term.

Its about time the locals were listened to.

It's apparent that the people are in a state of despair with no relief on the horizon. People are succumbing to their despair in the worst manner imaginable on an almost biweekly basis with so little help on offer.

Turning to the Terms of Reference FOR THE NSW INDEPENDENT INQUIRY

2a Returning to the narrative above all the evidence cited, the weather was unusual, it could not be called unprecedented.

Insofar as there are reports of a comparable event in 1852 it would be a long bow to implicate climate change.

Because written records may not be available it would be unwise to deny oral history.

2b I have covered in some detail the history of flooding in the area derived from a 82 year lifetime experience, and a holder of long public experience.

I am prepared to say all public and community entities were totally unprepared for what transpired.

I would go on to assert the emergency management service, the SES, is not fit for purpose in this State.

The State and Federal Government have not lived up to their responsibilities for many decades. How can the protection of a City the size of Lismore, the most flood prone post code in the nation, not make it to the top priority for funding its defence?

I am appalled to learn in recent days that of the total number of public gauges in the Catchment, a large number are held tightly and cannot be accessed by other than those responsible for them individually. These are the property of the taxpayer, not some privileged bureaucrat.

In order that a solution be implemented without the future impediment of green lawfare it is essential that the Tweed, Richmond and Clarence Valleys be immediately designated a National Disaster Area.

2c Covered in the narrative and above.

2d Local discussion suggests less than perfect experience with recovery. I am somewhat bemused by the overnight transition of Bushfire supremo, to Flood expert of the head of Resilience NSW.

It smacks of jobs for the boys.

2e

i Leave to others

ii It is nothing short of a public disgrace that a sufficiently qualified person should have been appointed Co Ordinator some weeks ago.

There is a tradition in this country to appoint a high-ranking military officer to such a position. It exists for the reason such a person has indeed had significant training and experience in logistics throughout his career.

With the Community currently in a state of despair, the hope offered on the very eve of the Flood with the announcement of a CSIRO Study into mitigation options, is yet to be consummated by an MOU, allowing this to go forward.

Bureaucratic Inertia apparently within the NRRA on this occasion seemingly well at hand.

2f Covered by the Narrative.

2. And to make recommendations arising from the inquiry as considered appropriate, including on :

a It is recommended there should be a root and branch inquiry into the NSW State Emergency Service by a reputable International Emergency Services Management Consultant.

The need for this should be self-evident given the extraordinary behaviour of the State Government employees to my submission on the subject after the 2017 event, to the Royal Commission into Bushfires and Natural Disasters.

Immediate consideration should be given to relocating the headquarters of the SES from Wollongong to Lismore.

This would ensure head office staff have skin in the game, and provide an immediate benefit to the beleaguered City.

b Covered by the Narrative, we all should become familiar with the concept of a PMF (Possible Maximum Flood). We have yet to experience it but it is obviously closer than we had expected.

c See reference to flood gauges in 2b above.

d I will leave to others but to note the decision to locate an essential NBN link below the flood level at Woodburn did not make essential communications easy and could be acted on by agencies of Department of Customer Service.

e I am stating that as a qualified and experienced urban planner, suggesting there is currently wide acceptance of the wisdom of staying out of flood plains.

However, we have to live with the historical decision-making process of the past.

It is a fact that much of North and South Lismore was settled early last century during a rare period without major flood events.

It needs to be understood, Lismore was a River Port with regular scheduled sailings to Sydney, until the 1954 flood destroyed its local infrastructure.

ii These are probably less Important than the State as a matter of extreme urgency move to flood-proof the existing settled area.

f Again I would say it is long past time that State Governments live up to their responsibilities and make mitigation an urgent preoccupation.

g The need for this should be front and centre in the minds of the bureaucrats and their political masters occupying this space.

The public would have no option than to mark this effort a colossal fail

h The reality of this event is the City of Lismore has until the last election been in the hands of Green activists, who are in denial as to the real world.

The current Council was literally only weeks into the job.

It has to be recognised Council does not have the financial or human resources, or political will, to deal with a matter of this size or complexity.

i Once again public communication failed.

Peter Thorpe MIEAust CPEng (Ret)

May 14, 2022

P L Thorpe MIE Aust CPEng (Ret)

April 28, 2022