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Submission to the Independent Review of Commonwealth Disaster Funding

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Submitted by: MidCoast Council

Q1. What experience have you had with Commonwealth disaster funding support?

Staff working at MidCoast Council have extensive experience with disaster funding support after the 2019/2020 bushfires and the March 2021 floods. Large amounts of staff time have gone into compiling the information needed to submit claims for disaster recovery expenses to state government agencies.

One claim for March 2021 flood recovery expenses has progressed as follows:

September 2021, Public Works Advisory (PWA) advised we should put in a claim for all damage and expenses. We completed Form 306 to claim these expenses. Original claim estimate was \$11m. This included all items, including unknown insurance items.

November 2021, the PWA advised that the Environmental Protection Agency (EPA) would be administering and were in the process of setting up a new claim process.

May 2022, we submitted new form to the EPA to claim for clean-up and make safe items of \$1.7m for the 2021 Community Local Infrastructure Recovery Program (CLIRP). A funding application was also submitted for the larger works \$7.4m.

September 2022, we were advised by the EPA that more information was required and that some items and works were ineligible.

June 2023, final decision from EPA, we were eligible for \$360,000. Items were rejected, due to assets being ineligible, works carried out were ineligible, works carried out during normal time were ineligible. Assets that were ineligible, we were able to claim clean-up through insurance as the buildings themselves were damaged and required work. Waste collection and processing for flood related waste, deemed ineligible by EPA was valued at \$1.3m.

We have frequently been unable to recoup our labour for total repair and clean-up costs. We go through multiple NSW agencies trying to source funding to cover recovery works. State agencies are frequently not sure if they can assist with costs and take a long time to come back with any eligibility information. Our Council is incurring more and more disaster recovery costs that we cannot recoup. Our concern is it will get to the stage where Council will be unable to carry out recovery actions due to the cumulative financial impact of disasters.





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Our experience with successful flood recovery funding through CLIRP and other programs is that caveats around eligible funding components result in much higher costs than if implemented through our normal processes. Grants frequently require project managers to be externally contracted before their costs are covered. This results in us paying double the amount we would have paid them if they were put on staff. We have repeatedly been informed that CLIRP was to be streamlined and simplified, but once a decision has been made, the project is held up by agencies asking for more justifications and information before the funding deed is executed.

The Community Recovery Officer position, funded by NSW Reconstruction Authority has had a beneficial impact in disaster-affected communities. However, it took too long for funding to be released for the position and a large amount of time is caught up in overly detailed reimbursement claims.

Q2. How could Commonwealth funding support communities to reduce their disaster risk?

CLIRP has allowed us to rebuild some assets so that their disaster exposure risk is lessened. However, recurrent funding rounds are needed outside of natural disasters for Councils to implement infrastructure works that will contribute to all community assets having a reduced disaster risk. There needs to be a simplified process for Councils applying for funding and getting funding deeds so community assets can be remediated, rebuilt, or improved in a much shorter time frame. This includes grants upfront stating what the maximum claim is capped at.

Our experiences in the 2019 Bushfires and 2021 floods have identified the following ways communities' disaster risk could be reduced:

Funding for alternate power sources and telecommunication methods at community halls and evacuation centres are needed during natural disaster events. These are community hubs communities go to receive disaster recovery information and to communicate with the wider world when no other forms of communication are available.

Strategies and funding are needed to reduce the levels of waste on and around flood plains generally. These areas are typically populated by lower socio-economic demographics that have a reduced ability to manage waste. This contributes significantly to the amount of flood debris that can wash downstream and cause further recovery issues.

Fast tracking the funding and the completion of flood, bushfire, and coastal studies. It is important that all levels of government sign off on the studies.

Funding the State Government to undertake coastal vulnerability assessment and embed in planning framework. Coastal vulnerability needs a consistent approach along the whole coastline, including information about sea level rise and coastal inundation. For too long, councils have had to set their own direction due to changes in Government policy like the removal of the Sea Level Rise Policy in NSW. Also, when local influences and representation change, it can result in different interpretations of the science.

Buy back the most vulnerable properties (this could occur in High Hazard Flood Areas. Could also look at coastal buy back systems for high-risk areas in terms of coastal inundation and coastal erosion. Buy back systems can reduce the likelihood of development and people being put at risk by future disasters.

Better weather predictions and forecasts.





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A lot of work could be done in the education space, where all levels of government work together to educate the broader community about what to do before, in and after a disaster. People often become complacent. Communication could be improved by reducing the confusion created by terminology e.g. what is meant by a 1 in 100 event.

The State government funding for buybacks and house lifting is difficult for local government to access and involves a long process for a flood effected resident to receive an outcome about their home.

Release funding for the permanent employment of Community Recovery Officers in LGAs with a high exposure to natural disasters and climate impacts and expand their scope to cover resilience and preparedness activities to allow for an all-hazards approach to community risk reduction.

Q3. Please describe your understanding of Commonwealth disaster funding processes.

Generally, we are not made aware of how Commonwealth disaster funding is applied to state government departments and then to local government area disaster "projects". In some instances, MidCoast Council has successfully applied for direct Commonwealth Funding, such as the Black Summer Bushfire Program to fund specific projects.

Q4. Are the funding roles of the Commonwealth, states and territories, and local government, during disaster events clear?

NSW State Government departments and Agencies have some understanding of what is funded through the state emergency response plan, but areas that fall outside of this plan are very poorly disseminated or understood at a Local Government level. In specific funding programs it can be difficult to determine who is eligible for funding, what's covered and who is best situated to administer funds.

Our experience has been that state government departments are frequently playing catch up during natural disaster events as to what is covered by their guidelines. With the NSW PWA we have been advised that clean up costs after floods would be covered, but then this promise is not delivered. This tells us that not even the PWA has a clear understanding of what disaster recovery work they can and cannot fund.

Our experience is that MidCoast Council has the knowledge and experience to know what will work most effectively in a disaster recovery scenario, but we are left with substantial costs that cannot be covered, despite promises to the contrary.

Q5. Is there any further information you would like to provide?

* Ensure that flood studies are implemented through Local Environmental Plans. As per Council's recent submission on the Special flood considerations clause and Shelter-in-place Guideline, the State Planning framework should be utilised to implement flood policy consistently across NSW.

* Flexibility in regulatory requirements for leachates from waste facilities is needed. In NSW the EPA licence arrangements mean there is only a 24-hour window where overflows from waste facilities are allowed in a 2% AEP flood event. Flood waters can persist for much longer than this time. The cost and difficulty to truck leachates to water treatment plants is unfeasible. State government need more positions identified with skill to deal with issues arising in a flood situation, such as the knowledge of





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what is a normal amount of leachate produced in a waste facility that then must be accommodated for in a flood event.

- * In terms of flooding, it is important that the Commonwealth and State governments develop a shared understanding of where future development should be located. It is important that everyone is on the same page before more development is approved in areas like around Penrith.
- * In terms of waste after disasters, there needs to be more formal processes about how to manage contaminated waste, where it should be stored and then how it should be disposed of.
- * Climate change adaptation plans are required. The plan development should be guided by clear guidance from the Commonwealth and State. It is important that there is a template document to ensure that the documents are consistent across boundaries. Too often boundaries like Local Government Areas are used, but often things like catchments go across boundaries. This is why it is important to do disaster planning at a broader level.
- * In terms of the planning framework and guidelines, there could be improvements made in the Planning for Bushfire Protection space. These strategic documents should also focus on what needs to be considered at rezoning space rather than a Development Application space. You need to address constraints and disasters at a rezoning stage, rather than push it down the line to the Development Application stage.

