

Minutes



Minutes of the Floodplain Management Committee Meeting held Friday 3 March 2023

Venue:

Murwillumbah Council Chambers

Time:

9:15 am

In Attendance:

Voting Members:

Cr Chris Cherry (Mayor, Tweed Shire Council)
Max Boyd (Community Representative)
Felicia Cecil (Community Representative)
Samuel Dawson (Community Representative)
Jenna Ford (Community Representative)
Thomas Rehfeld (Community Representative)
Robert Quirk (Community Representative)
Jennifer Kidd (Community Representative)
Peter Mair (Local Commander, NSW SES)
Martin Rose (Department of Planning and Environment) - ON LINE

Alternates:

Belinda Devine (NSW SES) - ON LINE

Council Officers:

Danny Rose (Manager Roads and Stormwater)
Leon McLean (Engineer Flooding and Stormwater)
Angie Cousens (Engineer Infrastructure)
Doreen Harwood (Enterprise Risk & Emergency Management Officer)
Michelle Bernabe Salazer (Community Liaison Officer) - ON LINE

Guests:

For Agenda Item 1:

Mike Rayner (Northern Rivers Reconstruction Corporation)
Gareth James (Northern Rivers Reconstruction Corporation) – ON LINE

Also in Attendance:

Steven Smith (Community) – refer to Business Arising No. 2

Apologies:

David Oxenham (Director Engineering)
Stuart Russell (Senior Strategic Planner)
Lindsay McGavin (Manager Development Assessment & Compliance)
David Bartlett

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Acknowledgement of Country (read by the Chair, Robert Quirk)

Minutes of Previous Meeting 24 November 2022

Moved: Robert Quirk

Seconded: Felicia Cecil

RESOLVED that the Minutes of the Floodplain Management Committee meeting held Thursday 24 November 2022 be accepted as a true and accurate record of the proceedings of that meeting.

The motion was unanimously **Carried**.

Business Arising:

1. Committee and minutes processes (TR)

Thomas Rehfeld would like the minutes to be distributed earlier, when endorsed rather than with the next meeting agenda. He also requested if the tracking of actions could be communicated.

Danny Rose explained that FMC minutes must go through a Council meeting before communicating back to committee members, and he agreed to ensure these are distributed at that time.

Outstanding Resolutions will be a standing item on future agendas.

2. Code of Conduct Returns (DR)

Steven Smith has received legal advice not to sign the Code of Conduct Return document. Steven is to provide this advice to Danny Rose and Danny will forward this advice onto Council's Governance Unit for consideration. Due to this Steven cannot have voting rights, and this will be transferred to the Tumbulgum Community Association alternate, Jennifer Kidd.

3. Project updates (LM)

- Tweed Valley Flood Study Update and Expansion re-calibration complete.
- Addendum to Murwillumbah Drainage Study underway. \$6mil awarded to Council under Northern Rivers Resilience Initiative for future capital works for pump stations in Murwillumbah.
- Pump Station at Brothers Leagues Club is progressing though project preliminaries stage.

Max Boyd raised the matter of House block availability. He would like to know how many people lost their homes. He feels it important to know where these places are. Officers do not currently have this data. Cr Cherry mentioned that she has asked this question to Resilience NSW, to which the reply was 500. Cr Cherry can renew this request and agreed

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on its relevance. LM stated that based on work tabled at the November 22 meeting, there are approximately 600 small lots in Murwillumbah and 150 in Burringbar/Mooball. Max would like to know the price of these lots, and when the lots become available.

Felicia raised that her residents would like some assistance in the process involved in the Voluntary purchase and raising. Discussions had in relation to if the land south of Nunderi can be opened up for this purpose.

DR: Advised that all funding comes from NRRC, not from Council. The committee was advised to hold questions for later NRRC presentation in the agenda.

4. Cudgen Lake (TR)

LM: Displayed a chart showing draw down rates of every major event since the mid 1980's, above 2m AHD only. Minor events below this level do not substantially flood the residential areas of Bogangar and were filtered out. Draw down rates in 2022 appeared to be close to median.

Thomas Rehfeld tabled his own data focused on draw down below 2m and requested this be evaluated further.

This to be subject to further discussion at the next meeting.

Agenda Items:**1. Northern Rivers Reconstruction Corporation – Introduction and Priority Projects (10-11am with guests)**

Mike Rayner: explained that he is in an advisory capacity only, being on the NRRC Advisory Board. NRRC was set up by the NSW government, to build capacity for flood risk mitigation projects – immediate and into the future.

The major programs being:

- Economic recovery of the region, what changes can be made to the planning regime.
- Infrastructure program: to identify issues and solutions, that require Council advice. They will assist in providing project managers (+ other staffing). It also identifies physical constraints.
- Resilient Lands program (landswaps).
- Resilient Homes (buy backs, raising, flood proofing): independent valuations (market value), a pathway for residents to move from the high-risk areas.

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Gareth Evans joined at 10:40am

Gareth elaborated on the Resilient Homes Program, which residents can register for on the NRRC website – that then turns into an outreach program.

MB asked about what money will be paid to people who have moved out, to go elsewhere? GJ answer was that the Resilient Homes Program is based upon 'pre-flood market value' and that no contracts have yet been signed, only offers have been made. It was raised that residents need to know their alternatives and want to know processes. Gareth advised that there are roadblocks, however there is money, consideration is given and that buybacks will occur.

Discussions were had on the myriad of circumstances. In the meantime however, there are some difficulties in the delivery of what is a very complex buyback program.

It was suggested that there should be no floodplain development, only redevelopment in the existing urban footprints, rather than on new greenfield developments. This will protect our natural values and be a medium density pathway solution.

Gareth explained further that there is a variety of housing solutions and social/affordable housing and this is an opportunity to look at what we've got.

FC raised the complex matter of caravan owners who own their caravans but not the land, who lived on the riverbanks that were severely impacted

Gareth explained that with engagement and working together, we will find a solution. All the northern rivers are affected and is a works in progress.

Gareth advised that there is currently data getting collected, to be reviewed, in which each LGA will be given their own data.

Jenny raised the matter of unclear processes and registrations, how there are vulnerable people worrying about their home being condemned.

Gareth highlighted that there is a property assessment program with website applications in which people can also phone in to ask questions. NRRC will continue to do community pop ups and market stalls where case managers will then come on board. Letter box drops are being thought of.

Addressing privacy concerns, he advised that different contractors will be used for different programs and that no data gets passed between each program.

NRRC will not deal with floodplain building issues.

It was suggested that Council needs to know the minimum flood standard, and when this is known, this will change the development footprint.

Gareth explained that NRRC is properly funded and resourced, however proper processes must be implemented first, and that programs are starting to happen, giving confidence to people.

Mike Rayner will be invited to the next meeting to provide an NRRC update.

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2. Minimising Current and Future Flood Risk in the Tweed Shire

The draft future Council report was shared. A general response from the Committee to the content is required.

MB commended officers on preparation of the report. He raised coastal erosion. DR advised that the report can address this and other natural hazards due to the “All Hazards” approach adopted by the State Government and Emergency Services.

Other points raised were:

- Minimum flood standards for industrial land development.
- Flood planning levels and development controls: Many interlinking issues and that there is no straightforward answer, no single levels/rules. (This is what DR would like to highlight in the report, the large scope of complexities).
- Add a table of the historical floods and the intensities of each flood for committee and community information

It was raised that we shouldn't make the same mistakes as the past and to get people out of flood areas and to identify new areas.

DR explained that the Growth Management and Housing Strategy is still being formulated and needed to be referenced in the report.

Motion:

That the draft Council report 'Minimising Current and Future Flood Risk in the Tweed Shire' be submitted to a Council meeting.

Moved: Max Boyd

Seconded: Samuel Dawson

RESOLVED

That the draft Council report 'Minimising Current and Future Flood Risk in the Tweed Shire' be submitted to a Council meeting.

The motion was unanimously **Carried**.

3. CSIRO Northern Rivers Resilience Initiative

Council has received three letters from Tweed Drainage Council, Neil Baker on behalf of other Murwillumbah business owners, and the Farmer's Federation requesting that Council formally requests CSIRO to include modelling of the Tweed floodplain in the Northern Rivers Resilience Initiative (NRRI).

Council officers have already commenced, with DPE support, a comprehensive flood study update project for the area that will be completed much faster and at much less cost than CSIRO could achieve. It was initially suggested to CSIRO that NRRI could provide a peer review of the new flood study when in draft, as a third party. It was also requested that the NRRI include modelling (using the new Tweed model) of several items of community

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concern, such as impacts of the M1 motorway, and the need to dredge the Tweed River. Council has had no formal response as yet from NRRI. Council officers agree with CSIRO that modelling Tweed flooding was not as urgent as the flooding of the Richmond and Wilson Rivers.

During the meeting, DR received email advice from NEMA/CSIRO confirming that *“the Northern Rivers Resilience Initiative.... Will only deliver a hydrodynamic model for the Richmond River catchment as there is currently insufficient resourcing and capacity to support the development of other models in parallel”*. Noting that *“CSIRO has indicated they may be able to provide a technical peer review of the draft Tweed Valley Flood Study Update and Expansion report, outside of the work being done under the NRRI, once capacity allows”*.

There could be possible future legal difficulties if the flood studies are not done correctly.

TR: One year on finding money from Federal/State/Local governments is going to be hard, so Council should take a fast-track approach and to get on with the job to find solutions. DR clarified that the NSW flood risk management process must be followed, and we need the flood study data to make informed decisions before committing to options.

FC: The matter of the Chinderah dredging finishing up and the possible consequences of this in future floods was raised.

Motion:

That the Floodplain Management Committee:

1. Supports the continuation and completion of the Tweed Valley Flood Study Update and Expansion project, which is fully funded and well advanced, to provide a complete hydrologic/hydraulic flood model for the Tweed Valley floodplain.
2. **Recommends to Council** that the following request be forwarded to the CSIRO Northern Rivers Resilience Initiative (NRRI):
 - a. That the NRRI provides a technical peer review of the draft Tweed Valley Flood Study Update and Expansion report, to allay community concerns that it is fit for purpose and provides the best available information on flood risk in the Tweed Valley.
 - b. That the NRRI utilises the updated Tweed Valley flood model to be provided by Council, to test:
 - i. The potential effectiveness of dredging activities as a flood mitigation measure at various reaches of the Tweed River and its tributaries.
 - ii. The effect that the Pacific Motorway has on flood behaviour, particularly downstream of Tumbulgum, and Burringbar-Mooball, and determine any necessary measures to mitigate adverse impacts.

Moved: Cr Cherry

Seconded: Samuel Dawson

Abstained: Thomas Rehfeld

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RESOLVED

That the Floodplain Management Committee:

1. Supports the continuation and completion of the Tweed Valley Flood Study Update and Expansion project, which is fully funded and well advanced, to provide a complete hydrologic/hydraulic flood model for the Tweed Valley floodplain.
2. Recommends to Council that the following request be forwarded to the CSIRO Northern Rivers Resilience Initiative (NRRRI):
 - a. That the NRRRI provides a technical peer review of the draft Tweed Valley Flood Study Update and Expansion report, to allay community concerns that it is fit for purpose and provides the best available information on flood risk in the Tweed Valley.
 - b. That the NRRRI utilises the updated Tweed Valley flood model to be provided by Council, to test:
 - i. The potential effectiveness of dredging activities as a flood mitigation measure at various reaches of the Tweed River and its tributaries.
 - ii. The effect that the Pacific Motorway has on flood behaviour, including the Barney's Point Bridge approach, on the floodplain for all villages and determine any necessary measures to mitigate adverse impacts.

The motion was unanimously **Carried**.

4. Northern Rivers Drainage Reset Program

Early February 2023 NSW govt announcement (LM handed out press release attachment). Council welcomes the program which is an investment into agricultural drainage. Council requires more details from the State before consulting with Drainage Council. Currently available information suggests that the grant requires 50% co-contributions. Unclear whether this would come from Council or Drainage Unions.

For committee information.

General Business:**5. Forewarned is Forearmed Program (RQ)**

Program aimed at providing early weather warnings to the agricultural industry. Council might consider including these notifications in the Tweed Link or similar. Noted by MBS.

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6. Requests from North West Caldera Communities (JF)

Jenna's attachment was shared. She would like to start communications on where the hinterland communities can go for funding, resilience actions and get road works done.

DR and LM will reply to her enquiries, and provide links to other agencies as required. If committee input is required, DR and LM will bring this requirement to the next FMC meeting.

ACTION

DR/LM to provide written response to North West Caldera Communities (JF) submission.

7. Identified non-flood prone land for future development

Please refer to General Business No. 1 in the Confidential Floodplain Management Committee Minutes 3 March 2023. This matter was discussed in a Confidential Session for the following reasons:

Local Government Act

This report is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) *personnel matters concerning particular individuals (other than councillors)*
- (b) *the personal hardship of any resident or ratepayer*

8. Planning approvals

JK would like to know how the planning approvals for house raising are getting done for the Tumbulgum residents, as the Council approvals may conflict with the NRRC processes.

NRRC will retrospectively fund however clarity from NRRC is required. DR to provide contact details for Mike Rayner for further discussion.

Next Meeting:

The next meeting of the Floodplain Management Committee will be held 2 June 2023.

The meeting closed at 12:15pm.