



NSW & ACT

IPWEA

INSTITUTE OF PUBLIC WORKS
ENGINEERING AUSTRALASIA

IPWEA (NSW and ACT)
ABN: 35 093 562 602
Level 12, 447 Kent St
Sydney
NSW, 2000
Email: nsw@ipweansw.org
Phone: 02 8267 3001

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Joint Select Committee on the NSW Reconstruction Authority
Parliament House
Macquarie Street
SYDNEY NSW 2000

nswreconstructionauthority@parliament.nsw.gov.au

Dear Committee,

Review of the NSW Reconstruction Authority Act 2022

Opening Statement – IPWEA NSW & ACT

The Institute of Public Works Engineering (IPWEA) NSW & ACT wishes to thank the committee for the invitation to appear at this public hearing into the review of the *NSW Reconstruction Authority Act 2022*. IPWEA NSW & ACT is the peak membership body for public works professionals in NSW & the ACT, providing advocacy, technical support and best practice guidance to our members and their organisations.

Following the natural disasters which heavily impacted much of our state in 2019-2024, IPWEA NSW & ACT has worked closely with our members, conducting detailed consultation with local government staff across NSW on the lessons they have learnt from these disasters on how to better prepare for, respond to, and recover from future natural disasters. One of the key items that was consistently raised across every consultation session we conducted, was the role of the NSW State Government, and in particular the NSW Reconstruction Authority, in relation to future events. As such, we offer the following commentary to this committee.

IPWEA NSW & ACT are of the opinion that the *NSW Reconstruction Authority Act 2022*, as a legal instrument, is generally fit for purpose in its current form. However, there are significant concerns with the way disaster prevention, preparedness, and adaption; and recovery and restoration (the primary objectives of the Act) are currently being implemented in NSW, particularly at a local level.

Starting initially with recovery and restoration: Current disaster recovery arrangements in NSW are inefficient, inconsistent, and unsustainable. Councils and administering agencies are required to negotiate with a myriad of state government funding requirements, timeframes, resourcing constraints, poor coordination, and a lack of clarity around inter-agency responsibilities. This has

resulted in suboptimal outcomes such as staff-freezes in assessing agencies at crucial times when staff-increases were needed; overlap, inconsistencies, and duplication of efforts for grant funding; significant delays to restoration works, and late payments to cash-strapped councils.

Effective and efficient recovery and restoration activities require systems, processes, and governance structures to be developed, coordinated, and embedded during “peacetime” so that they are ready to be immediately implemented following a disaster. While some long-term resourcing is available to plan response activities through Emergency Management frameworks, improved outcomes during recovery and restoration phases will require greater and consistent long-term resourcing at both state government and council levels. Benefits would include better resilience outcomes for public assets, higher uptake of prevention activities such as elimination of at-risk housing stock, and greater community and business preparedness.

IPWEA NSW & ACT are of the strong belief that the role of the NSW Reconstruction Authority should be centralised, such that it is the sole agency responsible for coordinating natural disaster prevention, preparedness, adaptation, recovery, and restoration in NSW. This will provide clarity and certainty across all three tiers of government and avoid the inconsistencies and duplication of effort that are currently being experienced. Creating a single point of contact and coordination will also help streamline planning and coordination responsibilities, and decision making, leading to timelier and more cost-effective adaptation, reconstruction, and recovery activities. We note that a similar model has been in operation in Queensland for a number of years, and suggest that NSW could look to adopt some of these existing structures and systems rather than developing a NSW specific version. Such an approach would allow NSW to learn from the Queensland experience and avoid potential pitfalls, as well as having flow on benefits for disaster recovery businesses and industry experts who operate across state borders.

IPWEA NSW & ACT also strongly support moves towards standardising and reducing the contestability, application, and reporting requirements of post disaster funding arrangements. This would reduce the administrative burden on councils and state government agencies, whilst simultaneously acknowledging and trusting in the ability of local government to deliver for their communities. We are also supportive of widespread reform to funding programs to NSW councils, such that the coordination of funding can be leveraged to improve the overall resilience of the state roads and other assets to natural disasters. As such, we encourage the committee to strongly consider a wider review of the structure of funding programs across NSW, with a view to streamline these programs (not just disaster related programs), and to make similar representations to the Federal government.

Lastly, and most importantly, IPWEA NSW & ACT are supportive of improving planning processes to better prepare for future disaster events. We acknowledge the work that has been undertaken to date by the NSW Reconstruction Authority on developing Disaster Adaptation Plans (DAPs) but are concerned that many unknowns remain. It is not clear how the DAPs will meet the broader needs of local communities and businesses; nor how they will integrate with other existing government arrangements, such as Local Emergency Management Committees, Council’s legislated Integrated Planning and Reporting framework, or existing legislation such as the EP&A Act. It is not clear who will be responsible for developing the DAPs, but we suggest the NSW Reconstruction Authority should take ownership of their development including the significant engagement and coordination that will be required with state agencies, councils and affected business and community members. Councils will need to be heavily involved but are not resourced to undertake the substantial stakeholder engagement nor empowered to enable the required all-of-government commitment.



Similarly, where DAPs identify future actions, the NSW Reconstruction Authority should be responsible for identifying effective implementation partners and providing required funding.

The culmination of the above suggestions would be a two-stage process whereby strategic and integrated planning activities are undertaken by state and local government in advance of future natural disasters. This would require a long-term commitment of funding and resources to achieve but would lead to a more proactive approach to disaster management, saving money over the longer term. The net benefit of these planning activities, alongside the centralisation of functions under the NSW Reconstruction Authority, would manifest in the second stage of this process. Recovery and reconstruction activities in the immediate aftermath of future disasters would be streamlined, with clarity of responsibility, consistency in funding arrangements and certainty of betterment and adaptation activities.

IPWEA NSW & ACT appreciates the above proposals will be difficult to achieve. The Reconstruction Authority will need to balance being responsible for the changes, while still ensuring key stakeholders such as local government remain engaged and empowered in the process. This applies equally to ensuring compatibility with existing emergency management approaches; and will require an agency who can coordinate to make sure no one is left behind, with the authority to get consensus across state and local government, and who can make quick decisions which are promptly actioned where and when necessary. Commitment will also be required for long-term and consistent resourcing and funding to ensure state agencies, local government, communities, and businesses are able to change NSW's focus from recovery and restoration to greater preparedness, prevention and adaptation. We see the NSW Reconstruction Authority as the right choice to fill this role.

Recommendations

In accordance with the terms of reference of this inquiry, and with reference to the Primary Object of the *NSW Reconstruction Authority Act 2022*, we offer the following non-exhaustive list of detailed recommendations to address the issues we have outlined above.

The primary object of this Act is to promote community resilience to the impact of disasters in New South Wales through—

- (a) disaster prevention, preparedness, and adaptation, and*
- (b) recovery and reconstruction following disasters.*

Objective (a) requires:

- A long-term commitment to resourcing and funding to support identified short/medium/long-term actions
- Significant engagement with community members and businesses – to create understanding, implement changes, and ensure they are maintained. This should be led and resourced by the NSW Reconstruction Authority in collaboration with local councils.
- Support to councils for the development of Disaster Adaptation Plans, with a particular focus on the expertise and resources required to develop these plans, and support to conduct the community consultation required for such plans.
- Significant work between disaster events so that systems, processes, and decisions are ready for when disasters strike.
- Data collection systems and reporting be standardised, and occurring continuously, including between disaster events.

Objective (b) requires:

- A streamlined, consistent, and well-resourced approach co-ordinated by the NSW Reconstruction Authority.
- Centralised responsibility for all aspects of recovery and reconstruction under the NSW Reconstruction Authority.
- Implementing processes after disasters to quickly, easily, and cost-effectively engage and maintain the private sector in reconstruction activities; and to simply, consistently, and reliably provide funds in a timely manner to support such activities.
- Planning for prevention, resilience, and betterment prior to disaster events, such that these plans can be implemented quickly when needed.
- Providing assistance to councils to enable best practice approaches to recovery and reconstruction activities.

Specific changes to the Act:

- Requires greater clarity that the NSW Reconstruction Authority is legislatively responsible for coordinating and implementing natural disaster prevention, preparedness, adaptation, recovery, and restoration holistically in NSW. The Act currently reads more like the NSW Reconstruction Authority has a guiding and liaison role only. e.g. Cl 10 (1) (c) (i) – change “supporting” to “coordinating” to clarify that the NSW Reconstruction Authority is responsible for coordinating information and engagement between all stakeholders.
- Where the NSW Reconstruction Authority intends to carry out functions normally undertaken by a Council, there be a requirement to consult with the affected Council as a part of this process.

Presented by,

Mr Joshua Devitt
Chief Engineer
IPWEA NSW and ACT

Mr Tim Mackney
Board Director
IPWEA NSW and ACT