



To the Parliament of NSW, Joint Select Committee on the NSW Reconstruction Authority

Review of the *NSW Reconstruction Authority Act 2022*

Supplementary questions for Nimbin Neighbourhood and Information Centre Incorporated

1. Your submission suggested that the Act should be amended to include time limitations on the application of powers conferred under the Act.

- a) Could you give examples of which powers under the Act should be time limited? What time frame you would suggest?**
- b) Given the sometimes unpredictable nature of disasters and emergency response, how could the Act include time limitations that still allow a flexible and appropriate response?**

I have concerns about the very broad powers conferred on the Reconstruction Authority under the Act, particularly those that override existing laws and regulations (e.g., ss12(8), 39(4), 40(3) and 41(4)) and suggest some boundaries should apply and hence I suggested some kind of timeframes or time limitations on those powers.

It would not be appropriate to impose arbitrary time limitations on the powers conferred, due to the varying scale and nature of disasters which require and response tailored to the situation.

However it is feasible to apply time limits, particularly in relation to sections referred to above (ss12, 39, 40 and 41), e.g. a maximum of three years, and then provide for renewal or extension processes in defined circumstances.

Overall, it should be stipulated that the active timeframe for such powers be tied to the achievement of identified recovery goals, such goals being laid out in a regional recovery plan or similar and in consultation with local communities. Once such goals are achieved, the powers should be extinguished.

2. Why have you argued in your submission that the term 'betterment' needs to be defined under the Act? What other terms in the Act do you believe need to be defined in the legislation?

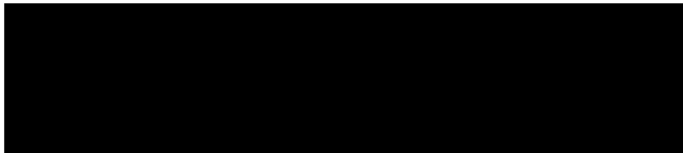
As I understand it, the term is intended to apply to reconstruction/rebuild issues and reflects the aim to build back structures/infrastructure so that they are more resilient to floods, fires, cyclones etc.

This is not clear in the Act, however, and seems to apply to all activities under the Act and furthermore it is not defined and is a highly subjective term. Better according to whom?

In relation to issues such as social networks and community wellbeing, it is essential that community itself is central to the conversation as to what the community feels would be the best outcomes – this should not be for government agencies to decide.

I therefore believe it is important to define this term under the Act and to expressly include the need for community consultation and community-led recover in the Objects of the Act.

Kind Regards



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