

The Hon Kerry Hickey MP
Minister for Local Government
Fax No 029228 5551

15th November 2005

Dear Minister,

FLOOD RAINFALL DATA

I am writing to you to seek your assistance in obtaining data confirming the rainfall event experienced last June 30th in Byron Shire.

I am specifically seeking confirmation of the identification of the event recorded for the Ocean Shores area at that time. i.e: 1-10yr, 1-20yr, 1-50yr, 1-100yr or as suggested 1-500yr.

I understand that Byron Council has sought this specific information from Manly Hydraulics as it is necessary for fine tuning of a new computer model Council wishes to use, rather than the computer model used by Council in formulating their adopted Marshalls Creek Floodplain Management Plan.

This Floodplain Plan to date has cost in excess of \$1.3million (Hansard) and the net result of the expenditure of this amount of funding has been to raise flood levels throughout our residential area.

This computer model was made by Webb McEwan and Associates over a ten year period at a cost of over \$750,000 and it is one of the data resources used by the RTA's consultants for the upgraded section of the Pacific Highway adjoining the Ocean Shores Estate.

This model is relevant to the area of Ocean Shores which adjoins Marshalls Creek.

Ocean Shores experienced it's worst recorded flooding during the June 30th flood and there is a firm local belief that this flooding was compounded by Council past negligence.

This belief has led to the establishment of a community based website to publicly expose Council's acknowledged liability in that regard as well as numerous warnings from past Ministers and the Public Works Department that Council was in breach of Government Floodplain Management Guidelines and Policy.

That website is www.brunswickvalley.com.au/flood-history

I am the only original foundation member of the Marshalls Creek Floodplain Management Committee and would strongly claim that this computer model, paid for by Byron Council and the NSW Government, belongs to Council and the Government and should be available to be able to compare this recorded event against the modelled flood height.

I cannot believe that it would take the full resources of the Public Works over 5 months to establish the rainfall event and suspect the reluctance to publicly announce that event is because the recorded flood level is well above the projected level which was based on the existing topography at the time of making the computer model.

You will find in the community website that Byron Council, apart from acknowledging their liability for past flooding in our area, significantly altered the catchment system after the Floodplain Model by consultants Webb McEwan was made for Council.

This could be conclusively established by factoring into the computer model the recorded rainfall June 30th event which is documented by the Weather Bureau as being no greater than a 1-20 yr event in the immediately surrounding areas to Ocean Shores and by local rainfall recordings by residents.

Would you please use your influence to obtain for us confirmation of the rainfall event at June 30th last and order Councils consultants to program the adopted model to ascertain what height the flood level should have reached before the alteration of the drainage and storage areas in our residential area of Ocean Shores.

Local residents are now firmly of the belief that their properties are now at greater risk than ever to flooding because of their recent experience and urgently seek your assistance to provide this vital information in order that it can be used to help implement easily adopted flood reduction methods.

Hoping you may be able to assist

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jim Mangleson', with a long horizontal flourish extending to the right.

Jim Mangleson
For
Ocean Shores Community Association Inc.
P.O Box 6, Mullumbimby NSW 2482.