

My name is Jim Mangleson and have been a resident of Byron Shire since 1972.

I have researched and documented man made changes to the floodplain from Wooyung to Brunswick Heads since 1887.

This research has uncovered drastic changes to the natural drainage system and liability for the flooding by both Government and Local Government Agencies as well as Rutile miners in the late 50's.

You will also find in my documentation an admission by the Byron Shire Council for causing increases of up to half a metre in flood heights on developed properties by ordering the developers of the Ocean Shores estate to close flood outlets for development which were a condition of development consent for the construction of the estate.

You will also find documentation of attempts to cover up their minuted liability for the flood height increases.

I am the only foundation Community representative of the original Marshalls Creek Flood Plain Management Plan Committee that has been running now for over 40 years.

During this time this committee has managed to spend over \$3,000,000 of Council and NSW government monies to create a Flood Plain Plan which is supposed to reduce flood levels on existing and future development in the North of Byron Shire.

In those 40 years plus this Council has not made any reduction in flood levels on existing residential properties.

It has knowingly INCREASED flood levels on existing properties by filling the floodplain, constructing bunds and levee banks, well aware that these structures raised flood levels outside those structures.

The current plan adopted by Council in 1997 is a LIE in that it claims that no structural mitigation works can reduce flood levels even though documentation was and is still available showing this was incorrect before the plan was adopted.

Council has allowed field surveys to ignore historical natural and artificial outlets *closed by order of the Council despite those outlets being a condition of development consent for the Ocean Shores Estate.*

As stated before Council has accepted the liability for the increase in flood heights caused by these ordered closures (See Council Minutes July and September 1976) as well as numerous warnings from Government Ministers and Departments over acknowledging that liability (See Cranston Report and Department of Public Works warnings as well as Council letter 1985).

Council has ignored past residents pleas in Local Government polls to dredge the river remove the rock walls and re-establish the flood outlet as well as provided incorrect conclusions in it's current adopted Plan.

The siltation of Marshalls Creek in Readings Bay was identified as having been caused by the erection of rock walls across the mouth of Reading Bay by the Public Works Department in the late 60's over 40 years ago. (See Professor Warner extract).

The dredging of Marshalls Creek, the removal of these rock walls and the re-establishment of the Ocean Outfall were identified by the Shire residents, as well as Government Departments as being a necessary flood mitigation option which will "significantly" reduce flood levels.

Council and the Government is in an invidious position regarding their role in causing unnecessary flooding on residents in the north of the Shire.

Jim Mangleson

Ocean Shores Community Representative Marshalls Creek Flood Plain Committee