

Queensland Floods Commission of Inquiry Final Report Implementation Update

October 2014



Introduction

In June 2012, the Queensland Government released its response to the Queensland Floods Commission of Inquiry Final Report. The government's response supported all of the final report's recommendations and committed to working collaboratively with local government and other key stakeholders to implement all of the Commission's recommendations. Queensland is vulnerable to many natural hazards, including cyclones and flood events. Hazards like these demonstrate the need for Queensland to continue to better plan, prepare and respond when disasters occur.

As a result, the government has developed the Queensland Strategy for Disaster Resilience as part of its vision to make Queensland the most disaster resilient state in Australia. The strategy provides a blueprint for building Queensland's resilience to all hazards, both natural and man-made, harnessing and complementing the roles of state and local government, business and the community. Disaster mitigation and resilience funding also continues to be delivered to Queensland communities through a streamlined joint application package for funding from Royalties for the Regions, the Local Government Floods Response Subsidy and the Natural Disaster Resilience Program.

The Queensland Government will continue to work with local governments and other organisations to protect communities from future flooding and other natural hazards, and to build more resilient communities.

Implementation framework

As outlined in the government's response to the Commission's final report, the government established a framework to guide, coordinate and monitor the implementation of the Commission's recommendations. This involved the establishment of five implementation groups to deliver on recommendations, overseen by a committee of Queensland Government chief executives.

Responsibility for the remaining recommendations has now transferred to relevant chief executives, as part of departments' core departmental business.

Key implementation achievements

Significant progress continues to be made on implementing a wide range of measures that address the Commission's recommendations. Those measures implemented by the government since the last implementation update in August 2013 are outlined in the following table.

**Update on completion of ongoing Queensland floods commission of inquiry
Recommendations – October 2014**

PROJECT	RECOMMENDATION NUMBER/S	RESPONSIBLE DEPARTMENT	PROGRESS TO DATE
COMPLETED RECOMMENDATIONS (since August 2013 Implementation Update)			
State Planning Policy for natural hazards	4.1a, 4.4, 4.5, 5.1, 5.2, 5.4, 5.6, 7.1, 7.2, 7.4, 7.11, 7.16, 7.24, 8.3, 10.16	Department of State Development, Infrastructure and Planning (DSDIP)	<p>COMPLETED</p> <p>The review of State Planning Policy (SPP) 1/03: <i>Mitigating the Adverse Impacts of Flood, Bushfire and Landslide</i> and development of model flood planning controls has been addressed with the adoption of the new single SPP. The single SPP includes a chapter on natural hazards management which incorporates mandatory requirements for councils to identify natural hazard areas, undertake fit-for-purpose natural hazards studies and risk assessments and include planning provisions to achieve the State's interest.</p> <p>The natural hazards chapter of the SPP is supported by guidance materials which include model flood planning controls as recommended by the Queensland Floods Commission of Inquiry (the commission) (through model overlay codes and planning scheme policies) which may be adapted for use by councils in their planning schemes. The single SPP reflects the broader objectives of the planning reform process of removing unnecessary prescription and empowering local governments to make planning decisions for their communities.</p> <p>Consultation on the draft SPP was undertaken between 15 April 2013 and 12 June 2013 and the final SPP was adopted on 2 December 2013. The SPP was updated on 1 July 2014. No significant policy change was made but emphasis was placed on planning for 'resilience' to natural hazards.</p> <p><u>Completion date:</u> December 2013</p>
National best practice for floodplain management	2.20, 2.21, 2.22	DSDIP	<p>COMPLETED</p> <p>Queensland has fully participated in the preparation of the new Australian Emergency Management Handbook No.7 – <i>Managing the Floodplain: Best Practice in Floodplain Management in Australia</i> – through representation on the National Flood Risk Advisory Group. This involvement has ensured that Queensland's policy interests are reflected in the new handbook and that the content of the manual adequately accounts for Queensland conditions. The handbook was finalised</p>

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			<p>and published online in February 2014.</p> <p>The handbook provides high level policy guidance on management of flood risk in Australia. In the Queensland context, the handbook is supported by the single SPP and associated guidance material, which expresses the State's interests in relation to local planning decisions associated with floodplain management and disaster mitigation. Further implementation of the handbook's guidance will be carried out by Queensland Government agencies as part of normal business.</p> <p>Technical guidelines are being developed with Commonwealth Government funding to support the Australian Emergency Management Institute Handbook No. 7 – <i>Managing the Floodplain: Best Practice Floodplain Management in Australia</i>. The current draft guidelines include the National Work Program for Floodplain Mapping, a guide on flood hazard including flood emergency response classification of communities, and generic scoping briefs for flood studies to assist local governments.</p> <p>Once released, these guidelines will assist Queensland in flood risk management and emergency response planning. An administrative guideline is being drafted for jurisdictions to enable the handbook and technical guidelines to be made fit-for-purpose across the range of flood risk management.</p> <p><u>Completion date:</u> February 2014</p>
Prescribed tidal work code	7.14	Department of Environment and Heritage Protection	<p>COMPLETED</p> <p>A review of the design and construction elements in the prescribed tidal work code was conducted to address the concerns raised by the commission. Amendments were made to the code, a part of the <i>Coastal Protection and Management Regulation 2003</i>, on 7 March 2014.</p> <p>Amendments to the code consisted of:</p> <ul style="list-style-type: none"> • revised provisions that more clearly state that new pontoons are to be restrained in the event of flooding (up to the 1:100 defined flood event) to prevent the structure washing away, • the inclusion of a requirement for new pontoons to be identifiable in the event they are dislodged from their restraint system, where the defined flood

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			<p>event is exceeded, and</p> <ul style="list-style-type: none"> clarification of the specific outcomes required to be certified by a registered professional engineer to ensure design and construction standards are met. <p><u>Completion date:</u> March 2014</p>
Abandoned mines	13.18, 13.19	Department of Natural Resources and Mines (DNRM)	<p>COMPLETED</p> <p>DNRM has developed a single dedicated abandoned mines database, which went live on 30 September 2013. All currently held data was uploaded into the database by 30 November 2013. Further data will be added as DNRM conducts inspections and assessments at sites of historical mining activity on an ongoing basis.</p> <p>On 30 June 2013, DNRM published an online smart form giving the public the ability to submit information regarding abandoned mines on all tenures including private land. The information provided by members of the public utilising this smart form will be entered into the abandoned mines database.</p> <p><u>Completion date:</u> December 2013</p>
Regulation of levees	7.19, 7.20, 7.21, 7.22, 7.23	DNRM	<p>COMPLETED</p> <p>The new regulatory framework for levees commenced on 16 May 2014. The <i>Water Act 2000</i> defines what a levee is and provides that the construction of a new levee or the modification of an existing levee is now an 'assessable development' under the <i>Sustainable Planning Act 2009</i>.</p> <p>Three categories of levees have been prescribed in the <i>Water Regulation 2002</i> according to the level of impact. A self-assessment code has been published on DNRM's website for low risk levees that have no off-property impacts. For medium and high risk levees, an Integrated Development Assessment System code has been included as schedule 15B in the amended <i>Water Regulation 2002</i>. Local government is the designated assessment manager for medium and high risk levees and the Queensland Government is the referral agency for high risk levees. A state code against which the Queensland Government will assess high risk levees has been included in Module 7 of the State Development Assessment Provisions.</p>

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			<p>Guidelines for the construction and modification of levees are available on DNRM's website and will undergo a review to October 2014. A full review of the codes will take place over the next 12 months. DNRM is continuing to consult with local councils and other stakeholder groups on the implementation of the regulation.</p> <p><u>Completion date:</u> July 2014</p>
Wivenhoe, Somerset and North Pine dams operations	17.3, 17.8, 17.9, 17.15, 17.25, 17.26	Department of Energy and Water Supply (DEWS)	<p>The optimisations studies for Wivenhoe, Somerset and North Pine dams were released for public consultation on 1 April 2014. Each study report was released with an accompanying discussion paper which detailed the Government's preferred options. The publication of the optimisations study reports and consideration by government of the range of options implemented the recommendations of the Final Report.</p> <p><u>Completion date:</u> August 2014</p>
Referable dams	17.14, 17.33, 17.35, 17.36	DEWS	<p>Amendments to the <i>Water Supply (Safety and Reliability) Act 2008</i> have put in place new statutory requirements for referable dam owners and the regulator. The requirement for the regulatory approval of emergency action plans has also been introduced into the <i>Water Supply (Safety and Reliability) Act 2008</i>.</p> <p>A series of training and awareness sessions in relation to the new statutory requirements have been conducted around Queensland. These sessions were held in Brisbane, Toowoomba, Bundaberg, Emerald, Mackay, Mt Isa, Rockhampton, Townsville and Cairns and almost 140 participants attended the presentations. Training and awareness in relation to the requirements will be an ongoing task for DEWS.</p> <p><u>Completion date:</u> August 2014</p>
ONGOING RECOMMENDATIONS			
Delivery of flood provisions in the planning framework	4.1b, 5.8, 7.18	DSDIP	<p>The commission's recommendations relating to the compensation provisions of the <i>Sustainable Planning Act 2009</i> (recommendation 4.1b) and temporary local planning instruments (recommendation 5.8) are being addressed through the new Planning and Development Bill 2014.</p> <p>The draft Planning and Development Bill was released for public consultation from 1 August 2014 until 26</p>

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			<p>September 2014, and contains provisions to resolve and implement recommendation 5.8. Consultation was undertaken on proposed amendments to the compensation provisions during the first half of 2013 to address recommendation 4.1b. The draft Bill proposed an alternative provision to provide greater protection to local governments making planning decisions in good faith to reduce risks from natural hazards. The Government is currently considering all submissions made during the consultation process before finalising the new planning legislation.</p> <p>Regulatory provisions relating to operational work or plumbing and drainage work undertaken for public sector entities (recommendation 7.18) are also being considered in finalising the new planning legislation.</p> <p><u>Expected completion date:</u> end of 2014</p>
Brisbane River Catchment Flood Study	2.2	DNRM / DSDIP	<p>The conduct of the Brisbane River catchment flood study is progressing in partnership with local governments. Following completion of the flood study, it is anticipated that work will continue on a floodplain management study (including an integrated assessment framework) and floodplain management plan until at least 2019.</p> <p>The Disaster Management Modelling Tool has been finalised and the final plans have been issued to each of the local councils; Brisbane City Council, Ipswich City Council and Somerset Regional Council. Councils will use this information to inform disaster management strategies should another flood event occur before the finalisation of the Brisbane River Catchment Flood Study.</p> <p><u>Expected completion date:</u> end of 2015</p>
Referable dams	17.30	DEWS	<p>DEWS is continuing to work with the Toowoomba Regional Council to implement the recommendation. The Clewley Street Detention Basin has been redesigned and will not place any people at risk if it was to fail and is not considered to be referable.</p> <p>DEWS is currently assessing Toowoomba Regional Council's failure impact assessment for the West Creek Basin and Toowoomba Regional Council is expected to submit the failure impact assessment for the East Creek Basin soon.</p>

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			<u>Expected completion date:</u> December 2014
LN1 drain	10.12	DEWS	<p>SunWater recognises that it is the owner of the LN1 drain in Emerald and its irrigation and drainage systems. As such, SunWater is the entity responsible for the maintenance of the LN1 drain system, which it conducts in accordance with the terms of its current agreement with the Central Highlands Regional Council.</p> <p>Should the Government decide to transfer the ownership and operation of these SunWater irrigation and drainage systems to local management entities, responsibility for maintenance of the LN1 drain system will be an essential condition negotiated between the parties.</p> <p>To date, a decision has not been made by the Government on this transfer and work on a formal agreement with Central Highlands Regional Council on the future ownership and maintenance of the drain has been put on hold. As such, unless and until it is formally agreed to the contrary, SunWater will continue to maintain the LN1 drain for the Emerald community.</p> <p><u>Expected completion date:</u> 2015</p>
Wivenhoe, Somerset and North Pine dam operations	17.4, 17.5, 17.7 17.13	DEWS	<p>Seqwater will continue its long term revisions to the manuals after the summer wet season to consider the outputs from the ongoing Brisbane River Catchment Flood Study. The 2015 revisions will also reconsider the amount of discretion (or professional judgement) that is able to be exercised by Seqwater's flood engineers and the description of the circumstances in which such discretion may be exercised (part of recommendation 17.4 and recommendation 17.5).</p> <p>The Queensland Government's formal response to the commission's Final Report recognised that discretion will be reconsidered after the optimisation study reports. The optimisation study reports are likely to show that ongoing scientific research is necessary for the use of forecasts which is the key area where discretion may apply.</p> <p><u>Expected completion date:</u> late 2015.</p>