




Speech by

Michael Hart

MEMBER FOR BURLEIGH

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WATER LEGISLATION (DAM SAFETY AND WATER SUPPLY ENHANCEMENT) AND OTHER LEGISLATION AMENDMENT BILL

 **Mr HART** (Burleigh—LNP) (9.13 pm): I rise to speak in support of the Water Legislation (Dam Safety and Water Supply Enhancement) and Other Legislation Amendment Bill 2012, introduced into the parliament on 12 September 2012 by the honourable Minister for Energy and Water Supply, the member for Caloundra. We do not have to cast our minds back very far to remember the horrific days of late 2010 and early 2011. The unprecedented rainfall and subsequent flooding across Queensland left a wake of destruction and loss that will be forever etched in the memory of all Queenslanders. Three-quarters of the state was declared a disaster zone, 2.5 million people were affected, 29,000 homes and businesses were inundated and, sadly, 35 people lost their lives. The Queensland Reconstruction Authority estimated that restoration and reconstruction costs would exceed \$5 billion.

But these floods did not break Queensland or the spirit of Queenslanders. Instead, it made this state and its people stronger and, following in the spirit of making this state stronger, the Water Legislation (Dam Safety and Water Supply Enhancement) and Other Legislation Amendment Bill 2012 will go a long way towards addressing the recommendations of the Queensland Floods Commission of Inquiry. As we know, the commission released its interim report on 1 August 2011 and its final report only days before this year's state election on 16 March 2012. On 7 June 2012, the Premier released the *Queensland government response to Queensland Floods Commission of Inquiry final report*, which supported all recommendations relevant to the state government and outlined the government's framework for implementation of the recommendations.

The Newman government has committed to implementing all 177 recommendations of the commission's final report, with many of the recommendations already implemented and other recommendations that will be implemented over the coming months and years as some will take longer to implement. Indeed, the Newman government is committed to and is already working collaboratively with other levels of government and the community to improve disaster preparedness. But one thing can be assured: although implementing these recommendations is a considerable task and will take discipline, like many other tasks that have faced the Newman government since taking office, this task is not something that the LNP will walk away from. The Water Legislation (Dam Safety and Water Supply Enhancement) and Other Legislation Amendment Bill 2012 has been prepared to implement the government's legislative response to the final report in relation to dams, with an emphasis on responding to recommendations that need to be implemented before the 2012-13 wet season.

I would also like to thank the chair, the member for Mirani, and the other members of the State Development, Infrastructure and Industry Committee and the committee staff for their work on this legislation and the organisations that participated in the public meeting that was held on this legislation, those being the Queensland Farmers Federation, the Queensland Conservation Council and Seqwater. The committee made a number of recommendations and I am glad to see that the minister is looking at those recommendations. Importantly, these legislative changes will reduce red tape as well as provide Queensland with a framework that will allow more transparency and better tools to manage one of the

state's most valuable resources. In brief, the purpose of the Water Legislation (Dam Safety and Water Supply Enhancement) and Other Legislation Amendment Bill 2012 is to amend the Water Supply (Safety and Reliability) Act 2008 to implement the recommendations of the Queensland Floods Commission of Inquiry relating to dam safety and flood mitigation matters; amend the Water Act 2000 to relocate provisions for declaring temporary full supply levels for flood mitigation dams to the Water Supply (Safety and Reliability) Act; amend the Water Supply (Safety and Reliability) Act to change the criteria determining which dams must carry out failure impact assessments; extend the due date for when certain recycled water schemes supplying for lower risk uses must have an approved recycled water management plan or an exemption from a plan in place; provide exemptions for small non-urban water service providers from certain planning and reporting requirements; and amend the Electricity Act 1994 to align the operation of the Solar Bonus Scheme with government policy to reduce the feed-in tariff for new small customers after 9 July 2012 and clarify the conditions for the feed-in tariff entitlement.

This bill also streamlines provision for declaring temporary full supply levels for relevant dams to mitigate potential emergencies, reduces regulatory burden on some water service providers and implements changes to the operation of the Queensland Solar Bonus Scheme to limit the escalating future costs of the scheme and its contribution to increasing residential bills in Queensland, something I notice that those opposite do not seem to grasp. The legislative amendments are required to implement and support implementation of nine of the Queensland Floods Commission of Inquiry final report recommendations relating to dam safety and flood mitigation. Although the Bureau of Meteorology does not foresee a repeat of the rains received during late 2010 and early 2011 for the 2012-13 period, Queensland and Queenslanders alike are again moving to prepare for the wettest season of the calendar year. It is interesting to note that unlike 2010-11, it is the Indian Ocean and not the Pacific Ocean that is warmer and the temperatures of the Indian Ocean are likely to remain drivers of weather patterns which could otherwise deliver above average rains for south-west Queensland as well as usual summer storms for the east coast.

I apologise for sounding like a weatherman, but this is a real example of showing the timeliness of these legislative amendments and another way the Newman government is getting on with the job. The Queensland Floods Commission of Inquiry has identified that the current regulatory framework regulating dam operations is in need of reform to sharpen governance arrangements and to clarify state responsibility for flood mitigation in Queensland. Government action is needed to regulate dam safety because there is a significant risk to life and property if we do nothing.

This legislation will provide the people of Queensland the transparency and safety they deserve. This legislation will go a long way to reduce anxiety in those who now fear the sound of heavy rain on their roof. This legislation will provide clearer instruction by moving some of the current requirements to primary legislation instead of conditions imposed on individual dams at the regulator's discretion. It will also increase transparency and provide an opportunity for community scrutiny. In summary, the amendments of the Water Supply (Safety and Reliability) Act and the Water Act will establish the minister as the approving authority for flood mitigation manuals and provide criteria for that approval; introduce a legislative requirement for owners of referable dams to have an emergency action plan approved by the chief executive; introduce a legislative requirement for dam owners to submit flood event reports and emergency event reports within 30 business days after the end of the event; set out legislative criteria that outlines which dams should be operated under a flood mitigation manual; and relocate and streamline the provisions for declaring temporary full supply levels for flood mitigation dams to mitigate potential emergencies.

With regard to the dam safety related amendments, the current criteria require many dams to be failure impact assessed despite there being no obvious risk to the public. About half of the assessed dams have less than two persons at risk. Around 80 per cent of the dams captured by the current criteria for failure impact assessments were assessed not to have a population at risk and so were not classified as referable dams. However, these dam owners must still review the failure impact assessments at a period set by the chief executive which is, on average, every 12 years.

The amendments to the Water Supply (Safety and Reliability) Act with regard to dam safety will change the criteria determining which dams must carry out failure impact assessments thereby reducing regulatory burden on small referable dam owners and make minor consequential amendments to section 561 and 562 for referral of operational works applications for referable dams and appeal provisions respectively. With regard to recycled water providers, the Newman government is helping to reduce the regulatory burden. Recycled water providers are currently required to submit a recycled water management plan by 1 July 2013. However, the framework for low-risk uses is being reviewed in response to stakeholder concerns and it is likely the review will recommend changes to regulating low-risk schemes. Requiring providers to submit more onerous plans before the review would substantially reduce the likely savings from introducing a more standardised approach. A non-urban service provider typically provides bulk water, non-potable water for irrigation or stock and domestic purposes or drainage services. Currently there are 60 service providers that fit within this group of small non-urban service providers that are

required to apply for exemptions from preparing management plans. The process for exempting small non-urban service providers from management plans places an administrative burden on providers and government. The specific amendments to the Water Supply (Safety and Reliability) Act will reduce the regulatory burden by extending the due date for recycled water management plans while providing an exemption from doing a plan by one year for recycled water schemes supplying for lower risk uses to 1 July 2014 to allow time to simplify regulatory arrangements and provide exemptions for small non-urban service providers from certain regulatory requirements.

Finally, the changes to the Solar Bonus Scheme through the amendments to the Electricity Act will align the operation of the Solar Bonus Scheme with government policy which saw the 44c-per-kilowatt-hour feed-in tariff close to new entrants at midnight on 9 July 2012 and be replaced with an 8c-per-kilowatt-hour feed-in tariff. It will also insert a head of power in section 44A(2) of the act to prescribe the circumstances in which different categories of small customers are no longer entitled to be credited with a feed-in tariff and an end date of 1 July 2014 for the 8c-per-kilowatt-hour feed-in tariff.

It will also insert a new transitional provision that clarifies ongoing eligibility to the 44c credit amount for qualifying generators covered by section 328 of the act. It will also update section 44A and 55DB of the act as a result of the Electricity Amendment Regulation No. 3 prescribing two credit amounts for section 44A(1)(b) of the act. This includes updating distribution and retail authority reporting requirements for each prescribed credit amount and moving redundant scheme review provisions. Furthermore, the changes to the Solar Bonus Scheme are another example of how the Newman government is making inroads to deliver cost savings for all Queenslanders. For example, Energex alone will need to recover \$78.5 million in excess solar feed-in tariff payments at the current 44c a kilowatt hour. Energex is currently applying to the Australian Energy Regulator for a determination to pass through these costs. Energex has predicted that this will impact network prices for residential customers by approximately 10 per cent and the retail tariff by approximately four to five per cent. None of us here want to see that, do we? In essence, the pass-through costs of the over 147,400 homes on the 44c-per-kilowatt-hour rate is approximately \$70 per annum on the average electricity bill for every Queensland home. I am getting a lot of people in my office, and I am sure other members in this chamber are as well, who are complaining bitterly about their electricity prices. This is a good thing. This change to the Solar Bonus Scheme in the legislation will be another way the Newman government is reducing the cost of living for all Queenslanders.

The amendment of Water Legislation (Dam Safety and Water Supply Enhancement) and Other Legislation Amendment Bill 2012 has been created to provide Queensland and Queensland residents with a more transparent and accountable framework for managing water and other assets, particularly when decisions regarding loss of property and life need to be made in the time of flood, as well as providing a more equitable solution to the determination of the Solar Bonus Scheme that will help Queenslanders keep their cost of living in check. I commend the honourable Minister for Energy and Water Supply for his timely work in bringing this amendment before the House and I commend the bill to the House.