




Speech By
Shane King

MEMBER FOR KALLANGUR

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WATER LEGISLATION (DAM SAFETY) AMENDMENT BILL

 **Mr KING** (Kallangur—ALP) (4.36 pm): I rise to support the Water Legislation (Dam Safety) Amendment Bill 2016, a bill that has as its objectives to improve the integration of dam safety and disaster management and improve the way dam owners manage dam safety, with a focus on simplifying processes and reducing regulatory burden. I note that it is stated in the explanatory notes that before the tragic Queensland floods in 2011 there was limited integration between dam safety emergency planning and the broader community with emergency management planning and that the planning focused primarily almost exclusively on hazards relating to the potential failure of dams.

In 2012 the water supply act was amended to require all dam owners to have an emergency action plan for their dams approved by the Department of Energy and Water Supply and to enable the chairs of local disaster management groups to review those emergency plans. This gave actions to some of the recommendations of the Queensland Floods Commission of Inquiry and introduced the requirement for dam owners to notify the community about downstream release hazards such as gate or spillway releases. These provisions were largely untested until two events in 2015—Tropical Cyclone Marcia and releases from Wivenhoe Dam into the Brisbane River in May 2015. Both of these events saw further concerns from both downstream residents and local disaster management groups.

Arising from this, the honourable minister requested that the Inspector-General Emergency Management review SunWater and Seqwater's flood release notification and communication following community criticism of SunWater and Seqwater's flood releases on both those occasions. The Inspector-General's review of Seqwater and SunWater's warning communications made a number of recommendations that included improved warnings for the community, emergency planning for dams and better integration of dam safety and disaster management. The Public Works and Utilities Committee reviewed the bill and I want to thank the members on the committee for their work, as well as our hardworking secretariat staff and also the witnesses and submitters to the consultation and public hearing on 31 January.

This is a simple piece of legislation proposing to enhance the safety of people living downstream of a dam—which is what the community's expectation clearly was after these recent tragic events. It was disappointing to see the opposition members provide a statement of reservation over issues that I believe were clearly explained by the department, some several times. In my response today I want to specifically speak about the signage issue raised by those opposite. On one hand they were saying they were concerned about onerous demands on local government with respect to signage and on the other hand they are—I think—wanting us to put in place a raft of rules relating to signage placement, size and style—an expectation that would quite rightly leave the process open to excessive bureaucratic argy-bargy that delays the sign being in place and takes away the local knowledge of the area from both dam and landowners.

The answer is simple and well explained: let us ensure that the dam owner is the responsible one for entering, erecting and maintaining the sign in consultation with the landowner. In its reply to the question on notice asked by the committee about this concern, the department was very clear and, in my view, addressed well the issues that were raised unnecessarily by the dissenting report. In its response the department explained the following—

The intention is that the dam owner will be responsible for maintenance of the warning signs and not the land manager, which in many instances is likely to be a local government.

The provision is simply to overcome any potential delays in getting approval from the relevant land manager to enter land to erect warning signs. It wasn't considered necessary to expressly state in the entry power that the dam owner is responsible for maintenance of the sign.

However, this is the case. The department's answer continues—

While the power will facilitate timely action, it is expected that dam owners would consult with the land manager before proceeding to erect the signage.

I point out to those opposite that it is most important to note the following in the department's response—

This provision was agreed with the Local Government Association of Queensland as being preferable to a standard agreement or MOU between it and dam owners across Queensland but it also agrees that it should be clear that the dam owner is responsible for maintenance of signs.

As for concerns of ambiguity around type and sign size, again, the department's response is very clear in relation to prescriptive measures. It states—

There are no existing guidelines produced by the department, and the department was not proposing to develop guidelines.

...

It would not be appropriate to standardise requirements for warning signs, as each warning sign will need to take account of the particular location and type of dam or weir and contain an appropriate warning message for that site.

Most referable dam owners that are also registered service providers are large professional local government or State-owned organisations. These organisations, for example, Seqwater and SunWater, have significant knowledge and experience with the design of signs and manage warnings on land they own as many people visit their dams for recreational purposes.

Once again, this bill was designed purely to enhance safety by providing an authority for all dam owners to erect signs on public land to make sure that people are fully aware of the dangers to try to reduce the chances of any tragedy happening again. With those few words, I support the bill before the House.