




Speech By  
**Stephen Bennett**

**MEMBER FOR BURNETT**

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### **WATER LEGISLATION (DAM SAFETY) AMENDMENT BILL**

 **Mr BENNETT** (Burnett—LNP) (6.48 pm): I rise to make a contribution to the Water Legislation (Dam Safety) Amendment Bill 2016. It has been articulated by our shadow minister that we do not oppose the bill. However, I do intend to highlight some concerns that were raised by some of the stakeholders and talk about some of the positives as well.

We all acknowledge that the integration of the dam safety and disaster management were part of the motivation. We are all about improving the way dam owners manage the safety of their dams, simplifying the process and reducing the regulatory burden. I think it is widely acknowledged and there is general acceptance that there is a need for effective regulation. I note that the committee received submissions from several stakeholders. I note that the Queensland Farmers' Federation commends and supports the process of reducing the regulatory burden where appropriate to do so, but the sector did question the department's overall philosophy of dam safety and the application of an appropriate risk framework which is specifically appropriate for on-farm dams.

Information provided to the committee notes that there are approximately an additional 100 dams yet to be assessed by the department which may result in considerable further impacts on the farming community. Local governments in Queensland own and operate approximately a third of the referable dams that are affected by the changes in the bill. As dam owners, local governments recognise the need to amend current legislative requirements to improve planning and communication in response to emergency events, as defined in the bill.

Local government believes that community engagement contains the core elements of information, consultation and participation. The changes contained within this bill are an important step in preparing communities for future flood events that will affect communities living below Queensland's dams. As has been reported, the LGAQ supports the bill.

Queenslanders are keenly aware of the impact of dam operations on communities. From the 2011 floods to the events surrounding the Callide dam in 2016, the operation of Queensland dams has been and still is under great scrutiny. With flood events since 1974 occurring in Queensland on average every two years, there is undeniably a need for constant vigilance in ensuring dam safety. Including the community in emergency event planning is necessary to ensure that anyone potentially affected by the event has the best possible chance of preparing for and responding to the event. The LGAQ supports the inclusion of local governments in the development of emergency action plans for dam operations, as per clause 18 of the bill.

Acknowledging the significant role local governments play in the planning and response to emergency events is crucial to ensuring the best chance of protecting lives and property. As the level of government closest to the community, we acknowledge that local governments are well positioned to take immediate actions that can improve responses to emergency events. Notwithstanding the need for ensuring dam safety, the recent concern over dam related events is driving increases in legislative requirements, as evidenced in part by this bill.

The LGAQ believes that such legislation should be based on sound risk assessment and reasonable levels of acceptable risk—not the absence of risk entirely. Stakeholders noted that there has not been a single death attributable to the failure of an on-farm dam in Queensland and therefore question if on-farm dams exceed the societal or individual risk. The context of the review of the Inspector-General Emergency Management and more broad public concern is focused on large-scale infrastructure—that is, large dams and weirs.

We all know that it is in the farmers' own interest to manage their dams as effectively and efficiently as possible—a failed dam is a waste of effort, a loss of water security and future income. The committee was reminded that perverse outcomes arise from regulation that is not warranted or appropriately targeted and when it is not well communicated or easily understood. The collective benefits of regulation must outweigh the collective costs of doing so.

Stakeholders, I note, extended an invitation to the committee to visit examples of on-farm dam storages so that a practical, on-the-ground assessment of the associated risk, or lack thereof, could be made. The committee was satisfied, I am sure, that the real risk posed by on-farm dams should not add additional regulation or cost impost to the agricultural sector. I think that has been achieved.

Warning signs on public land have been debated here tonight. It has been acknowledged that the bill provides a power for dam owners who are registered as a service provider to place warning signs on public land in appropriate areas immediately downstream of weirs and dams. The bill gives dam owners an express power to reduce the full-supply level of their dam in response to emerging engineering issues before the situation becomes an emergency without contravening the resource operations licence conditions under the act under which they were granted.

The LGAQ noted some amendments and we look forward to those being debated in consideration in detail. While the LGAQ supports the bill, it noted that there will be a financial impact imposed on councils. There were several other concerns. We have talked about the regulatory impact statement that was not prepared to assess the additional costs on farmers. The department's modelling about how many dams will be 'regulated dams' based on changes to the definition of population are inconclusive and we do not know the impact of the changes. Local governments are bearing an additional burden of now reviewing emergency management plans and important liability issues are still unclear. The notification process and procedure lacks any specificity, and there is no mechanism in the bill for an incoming purchaser to be notified that a dam on a property is a referable dam.

With that, I acknowledge the Fred Haigh Dam in the Burnett electorate. The Paradise Dam is also a dam of some consideration and debate. The Woongarra Balancing Storage, which is of particular interest, and the Isis Balancing Storage are all part of the implications of this bill. We commend the bill to the House.