

The author:

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Civil Engineer – construction industry – Field of expertise earthworks, materials processing, concrete production.

Contracting Pacific region - PNG, Irian Jaya, Kalimantan, Bougainville, Solomons, Noumea, Fiji.

Retired 2010 – private consulting 2010 to 2013.

2014 – UQ semester 1 – Geographic Information Systems – GEOM 2001.

Introduction:

As a member of the LNP I receive regular newsletters from my local member for Moggill, Dr. Bruce Flegg and from our federal member for Ryan, Jane Prentice and “Latest LNP News”

In the March LNP News I read with interest the article titled “Agricultural Competitiveness Issues Paper” and noted in particular one of “The Issues to be addressed are”:

- *the effectiveness of regulations affecting the agriculture sector, including the extent to which regulations promote or retard competition, investment and private sector-led growth;*

Whilst not providing any constructive content for your paper that would add value to your primary objective to address Agricultural Competitiveness this sub topic prompted me to convey recent issues confronting a landowner over the past 6 years that is particularly pertinent to the question of this sub topic.

Background:

I was approached on a personal basis to assist a friend navigate the DEWS regulations associated with referable dams.

The property of approx. 3000 acres is being run for agistment of about 300 head of cattle –

The original owner constructed a dam on the property for cattle and irrigation possible around 1980 -

The wall is approx. 200 m long, maximum crest height + 6 m above NS with surface area, storage capacity, 200 ML, surface area 13 ha.

The DEWS commissioned a failure impact assessment 2008 and classified the dam “referable”.

This in turn has led to a series of requirements to be met by the owner:

Acceptable Flood Capacity Assessment Report - refer Guidelines January 2013 Appendix A

Comprehensive Inspection Report – Refer Queensland Dam Management Guidelines 2002 Section 6.4.4

Dam Safety Review Report – Refer Queensland Dam Management Guidelines 2002 2002 Section 7 and checklist Appendix3.

The Queensland Water Act 2000 specifies that all the above reports are to be submitted by a certified qualified engineer.

There are some aspects of the decision to classify the dam as referable that raise question:

- a) Under the act a ‘dwelling’ is deemed to be occupied by 2.9 (?) persons regardless of actual occupancy.
- b) Historical records of the adequacy of the construction are considered irrelevant - the region has undergone multiple flooding events since the current owner has been in residence and there has been no ‘danger to persons occupying the dwelling downstream of the dam.’
- c) The cost of providing all specified reports and undertaking proposed remedial works is estimated to be in excess of \$250,000 - a sum outside the means of the current owner (a widow) struggling to keep the property operating.

Conclusion:

This is merely one isolated instance of the perceived difficulties and cost of trying to understand and comply with regulations.

I have written this in the first person with permission from the owner who “does not want to rock the boat” at this stage and prefers to remain anonymous as discussions between the owner and DEWS have been in conjunction with AgForce officers and negotiations are currently underway involving the Queensland State member for Agriculture, Mark McArdle / AgForce / DEWS and the owner.

I shall continue to support the owner and would be please to make myself available should you want to further consider this issue.

Thank you,

John shenstone