

Regulation of Levees in Queensland

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Great state. Great opportunity.

The story

- New regulatory framework commences tomorrow
- What is it ?
- Why do we need it ?
- How was it developed?
- What next ?
- What were the challenges/problems/things that woke us up at 3am ?



16 May 2014

- New framework commences
- Website (or Google “levees Queensland”)
- Construction or modification of a levee will be an assessable development
 - Category 1 (no off property impacts) – self assessable by applicant
 - Category 2 (off property impacts plus <3 people impacted) – code assessable by local council
 - Category 3 (off property impacts plus >3 people impacted) – code assessable by local council plus state government for specific issues
- Existing Levees
- Levees ‘under construction’

Life before the QFCoI

- Who was responsible for managing levees ?
 - Local council ?
 - State government ?
 - Someone else ?
- Yes, but no, but yes, but no but maybe
- What is a levee ?
- Dams or OLF take or roads or lump of dirt or levees
- Some good approaches, some non-existent but most not managed as 'levees'
- Confused yet ?

The Queensland Floods Commission of Inquiry (January 2011 to March 2012)

- They were (confused)
- 2010/2011 flood events
- Queensland Floods Commission of Inquiry
- Five recommendations on levees (out of 177):
 - 7.19 Levees should be regulated
 - 7.20 The Queensland Government should consult with councils to determine an effective method to regulate levees
 - 7.21 The Queensland Government should consult with councils to formulate a definition of 'levee' to identify what should be regulated
 - 7.22 There should be a consistent process for the determination of applications to build levees
 - 7.23 There should be a common set of considerations in the decision whether to approve an application to build a levee

Then what ? (May 2012 to May 2013)

- Where to start
 - Define the term 'levee'
 - Make them assessable developments under the Sustainable Planning Act
- Consider, consult and do
- Land, Water and Other Legislation Amendment Act 2013 (passed in May 2013)
- Then to work out the details



Working out the details (October 2012 to May 2014)

- You have 14 months (until Dec 2013)
- Extent of the issue – March 2013 survey
- Regulatory Impact Statement – testing some ideas
- Develop, consult, test, analyse, look at calendar, repeat
- Consultation takes time (6 more months)
- Develop categories of levees based on risk
- Assessment codes
- Who is responsible for what ?
- No clear or simple solution
- “Don’t talk about the assessment manager”
- Guidelines

Commencement

16 May 2014

Beer

Back patting

Who are these small people who live in my house ?

- The jobs not done yet
- Maybe we should tell people about it
- The journey continues (after the hangover)

What's next ?

(May to December 2014 and beyond)

- At some point you have to stop analysing
- Testing the codes and guidelines
- Information sessions (July 2014)
- Improving the guidelines (August 2014)
- Capacity building
- 'Empowerment'
- Review of codes (May 2015)
- Sustainable Planning Act changes
- Existing levees

Challenges and opportunities

- Not the official government view
- It's a great idea but no-one wants to do it
- What is the problem ? – information vs government commitments
- Where are they and who is building them ?
- Data, information, tools and technical capability
- One size fits all – BCC is not the PRC
- Understanding of capacity – local vs state government
- Cost vs effective regulation
- The drivers of this framework – sorry Kylie
- A good team and commitment from stakeholders
- 19 months, 2.5 people, no money but freedom

Contact details

DNRM levees website:

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