

Submission on Dam Safety Review

Thank you for the opportunity to make a submission into the above review.

Recommendation 1 – The amendment of the Act i to provide clarity regarding the objectives of the Act and avoiding a singular focus on dam engineering solutions is supported. Council's experience with its Shannon Creek dam was that the singular focus on dam engineering resulted in what Council considers an "incorrect" classification of hazard category of "Extreme" because the conjunctive probability of the scenario used to justify the "extreme" classification was not assessed. It appeared to Council that the dam safety committee considered a dam of this size could not be assessed as other than extreme hazard and therefore required an implausible scenario which would place the dam in the extreme hazard category.

Recommendation 3 – While this recommendation is fine in theory, it is unclear as to how the recommendation for the committee to include "relevant independent expertise, including dam safety engineering" could be achieved because it is considered that most persons with the qualifications and experience to provide dam safety engineering expertise would either be employed by dam owners or working in consulting and, in the latter case, would have a conflict of interest. It is also noted that one of the state government agencies recommended to be on the committee undertakes consulting work in the dam field and thus would also not be considered independent.

Recommendation 4 – it is noted in the body of the report that this recommendation is based on revenue being raised from dam owners in proportion to the costs of regulation that they generate. Two issues with this recommendation are how the proportion of the costs of regulation are calculated for individual dam owners (e.g. is it based on number of dams, the risk category of the dam etc), and whether "external" costs to the regulator arising from issues such as restructuring of government departments should be borne by the dam owners on the basis that they have not generated this cost (see Recommendation 13). It is also considered that the regulator should continue to access external funding sources through offering training courses (see comment below).

Recommendation 13 – The proposal for the Dam Safety Regulator (or another agency) to approve the DSEP is conditionally supported. However, one issue which would need to be addressed is how the DESP can be modified when a dam owner or state government agency undergoes a restructure. As an example, in about 2011 due to restructures in Office of Water some positions which were listed in the notification protocols in the DSEP were abolished and the SES changed the notification from the local controller to the SES headquarters. This required a change in Council's DSEP to reflect the new arrangements. If every DSEP in the state needs to be changed every time the state government restructures its agencies then the approval agency would have a full time role for several staff in needing to approve the changes! As noted in the comment on recommendation 4, it is considered manifestly unreasonable that dam owners bear any costs associated with external changes such as this.

The report and recommendations do not address how the current training provided through the Dam Safety Committee would be provided in the future. It is recommended that this training should continue into the future, and it is considered the regulator would be in the best position to offer this training as they would have the highest level of expertise. It is noted from Section 4.3.3 of the report that over 20% of the current DSC revenue is from external sources (including interest), and it is presumed that the majority of this income is from training.

Thank you for the opportunity to make this submission. If you require any further information please contact Council's Manager Water Cycle.

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