

[REDACTED]

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**From:** Reilly Bob [REDACTED]  
**Sent:** Thursday, 20 January 2011 4:26 PM  
**To:** Bradley John  
**Cc:** Ellwood Dean; Allen Peter  
**Subject:** FW: Letter to Peter Borrows (2).doc  
**Attachments:** Letter to Peter Borrows (2).doc

Hi John

Crown-Law amended letter attached. (I have made the amendments to point 3 that Vass mentioned in his email below).

I will amend this letter into one from the Minister, once you advise of any further amendments that you would like..

Regards

Bob

-----Original Message-----

**From:** Poteri Vass  
**Sent:** Thursday, 20 January 2011 4:21 PM  
**To:** Ellwood Dean; Reilly Bob  
**Cc:** Gerard Sammon; Walsh Paul; Steve Marton  
**Subject:** FW: Letter to Peter Borrows (2).doc

Attached is the draft letter as amended by Crown Law. Paul Walsh and I are happy with the proposed draft.

I note that Bob Reilly has suggested a small amendment to point (3) to better reflect the actual findings in Mr Cooper's report. Bob has verbally advised me of his suggested amendment and I am agreeable to Bob's amendment.

Gerard thank you for the quick action in this matter. Greatly appreciated.

Regards,

Vass Poteri

Director, Legal Services

Telephone: [REDACTED] Facsimile: [REDACTED] Mobile: [REDACTED]  
Email: [REDACTED]  
[www.derm.qld.gov.au](http://www.derm.qld.gov.au)

Department of Environment and Resource Management Level 1, 41 George Street, Brisbane Q 4000 GPO Box 2454, Brisbane Q 4001

9/02/2012

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-----Original Message-----

From: Gerard Sammon [REDACTED]  
Sent: Thursday, 20 January 2011 4:10 PM  
To: Poteri Vass  
Subject: FW: Letter to Peter Borrows (2).doc

<<Letter to Peter Borrows (2).doc>>

-----Original Message-----

From: Gerard Sammon  
Sent: Thursday, 20 January 2011 3:57 PM  
To: Walsh Paul  
Subject: Letter to Peter Borrows (2).doc

Paul

Please find attached my suggested changes (in mark-up) to the draft letter for your DG to send to Seqwater. The changes I have made are consistent with what I think DERM wants to achieve at this point in time

- please see my email advice of earlier this PM.

Kind regards

Gerard Sammon  
Assistant Crown Counsel | Commonwealth Constitutional Law Crown Law

Floor 11 | State Law Building | 50 Ann Street | Brisbane Qld 4000

Ph: [REDACTED]  
[REDACTED]

Solutions for Government

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Mr Peter Borrows  
Chief Executive  
Seqwater  
PO Box 16146  
City East QLD 4002

Dear Peter

You will be aware that the Premier recently announced a Commission of Inquiry into Queensland Floods which will consider among other things, compliance with, and the suitability of the operational procedures relating to flood mitigation and dam safety.

The Commission is required to deliver an interim report by 1 August 2011 (on matters associated with flood preparedness to enable early recommendations to be implemented before next summer's wet season); and its final report by 17 January 2012.

However, I am also aware that Seqwater is currently managing the releases from the flood compartment of Wivenhoe and Somerset Dams in South East Queensland, in the context of the company's current Flood Mitigation Manual for those dams. There are three matters I wish to raise with you in this letter:

Deleted: them

(1) I note that under the Flood Mitigation Manual for Wivenhoe and Somerset Dams, Seqwater is required to prepare a report on the recent flood event (see clauses 2.9 and 7.4 of the Manual). It is essential that a report (covering the requirements of both clauses 2.9 and 7.4 of the Manual) to the Department of Environment and Resource Management (DERM) is completed within the required timeframe of six weeks from the date of the incident. However in view of the fact that we remain in the middle of the wet season and further significant inflows are possible, I would urge you to complete this review, which should include consideration of the appropriate Full Supply Levels, earlier than the required date, if at all possible.

Deleted: this report

Any other changes you propose to the Flood Mitigation Manual, or related matters, eg improved data collection, should be clearly identified in the Review report, along with a timetable to implement them.

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(2) Furthermore, while this review of factors relevant to the operating release strategy and the Full Supply Levels is underway, I would request that you develop a contingency protocol which would ensure that if rainfall, that is likely to result in a flood release from Wivenhoe Dam, is forecast for the catchment then Seqwater will immediately convene a discussion with myself and my officers and other appropriate parties.

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Deleted: (being the regulator responsible under the Water Supply (Safety and Reliability) Act 2008)

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ABN 46 640 294 485

(3) I note that the recent preliminary report by Mr Cooper identified a number of improvements that Seqwater could implement to achieve a better outcome in the application of the Draft Communication Protocol between government agencies and local governments. I would ask that you contact DERM (Mr Bob Reilly, General Manager, Office of the Water Supply Regulator on [REDACTED] as a matter of urgency to resolve these matters.

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Should you have any further enquiries, please do not hesitate to contact me on telephone [REDACTED]

Yours sincerely

John Bradley  
**Director-General**

cc. Gary Humphreys, Chair, SEQ Water Grid Manager