

Commission of Inquiry

PARADISE DAM

Commissions of Inquiry Act 1950

PARADISE DAM COMMISSION OF INQUIRY

REQUIREMENT TO GIVE INFORMATION

To: **Mr Peter Allen**

C/- The Crown Solicitor
Crown Law
State Law Building
50 Ann Street
Brisbane QLD 4000

Attn: Mr Bill Rogers

By email: bill.rogers@crownlaw.qld.gov.au

I, the Honourable John Byrne AO RFD, Commissioner and Chairperson appointed pursuant to *Commissions of Inquiry Order (No. 1) 2019* to inquire into certain matters pertaining to the design, construction and commissioning of the Paradise Dam, require you, pursuant to s 5(1)(d) of the *Commissions of Inquiry Act 1950* (Qld), to give to the Commission within the time specified below, the information set out in the Schedule, in a statement sworn or affirmed in accordance with the *Oaths Act 1967* (Qld).

SCHEDULE

'Dam', when used in this Schedule, means the dam located on the Burnett River 20 km west of Biggenden and 80 km south-west of Bundaberg known first as the Burnett River Dam and on and from 7 December 2005 as 'Paradise Dam'.

1. For the period 2002 to 16 December 2005 (inclusive), the process and systems involved in, and material steps comprising, the receipt of applications for Development Permit/s for the Dam by the then Department of Resources, Mines and Energy (**the Department**), and the consideration and grant of such Permits, including:
 - a. any changes to those Permit/s;
 - b. the source of, and rationale for:
 - (i) conditions imposed by those Permit/s concerning the quality of the Dam's design, construction and/or commissioning;

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- (ii) any condition or other obligation in place during the design, construction and commissioning of the Dam constituting a 'reporting arrangement' (but only insofar as such reporting was required to be made to the Department).

YOU MUST COMPLY WITH THIS REQUIREMENT BY GIVING THE VERIFIED STATEMENT (WITH ANY ANNEXURES) TO THE COMMISSION BY 5.00 PM ON 27 JANUARY 2020.

You may do so:

- (a) in a manner to be agreed; or
(b) by email to secretary@paradisedaminquiry.qld.gov.au; or
(c) On a USB, or on another form of electronic storage device delivered to:

Suzanne Stone, Executive Director
At Level 23
State Law Building
50 Ann Street
Brisbane QLD 4001

If you intend to hand deliver documents, please contact the Commission's Executive Director, Suzanne Stone, by telephone 0475 985 817, or by email at secretary@paradisedaminquiry.qld.gov.au to arrange for that hand delivery.

Your solicitor may attend and produce the documents on your behalf.

DATED this 20th day of January 2020.



John Byrne AO RFD
Chairperson, Paradise Dam Commission of Inquiry

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IMPORTANT NOTE

Section 5 of the *Commissions of Inquiry Act 1950* (Qld) provides:

- (1) A chairperson may, by writing under the chairperson's hand –
 - (a) summon any person to attend before the commission at a time and place named in the summons and then and there to give evidence; and
 - (b) require any person to produce to the commission at a specific time and place such books, documents, writings and records or property or things of whatever description in the person's custody or control are a specified in the writing; and
 - (c) require any person to attend at a specified time and place to give information to, and answer questions asked by, a person authorised in writing by the chairperson; and
 - (d) require any person to give to the commission within a specified time and in a specified way written information verified as specified.

- (2) A person served with a writing under a chairperson's hand referred to in subsection (1) shall –
 - (a) comply in all respects with the summons and requirements contained in the writing; or
 - (b) within the prescribed period satisfy the chairperson that the person has a reasonable excuse for not complying as required by paragraph (a);unless the person is not a person to whom this subsection applies.

Maximum penalty – 200 penalty units or 1 year's imprisonment.