

Building a Farm Dam

A new streamlined, risk-based approach for the approval of farm dam construction has been developed by the Tasmanian Government. This is the result of amendments to the *Water Management Act 1999* (the Act) that came into force on 1 January 2016.

If a proposed dam meets all of the specific criteria that deem it to be lower risk, it will go through a simple permitting process. Dams not meeting all of these criteria are considered to be higher risk and will require a full application, assessment and permitting process.

Lower risk dams

must meet ALL of these:

- are not on a watercourse or water way (including a flood plain), *and*
- have a maximum wall height of less than 10 metres, *and*
- do not involve the clearing of more than 1 ha of native vegetation, *and*
- present a low risk to people, infrastructure or the environment in the event of failure, *and*
- on land not subject to any covenants, encumbrances nor owned by a person other than the applicant.

Such dams are entitled to be constructed under Division 4 of the Act with the submission of a Notice of Intent.

Higher risk dams

meet at least one of these:

- are on a watercourse or water way (including a flood plain), *or*
- have a maximum wall height of more than 10 metres, *or*
- involve the clearing of more than 1 ha of native vegetation, *or*
- present a medium or high risk to people, infrastructure or the environment in the event of failure, *or*
- on land subject to covenants, encumbrances or owned someone not the applicant.

Such dams are require an application to be submitted and assessed under Division 3 of the Act.

All proposed dams (both lower risk and higher risk) require a consultant or dam engineer to make an assessment of the dam safety category¹.

Dam Works Codes

These codes include minimum construction standards that the dam owner is responsible for.

Including:

- maximum wall heights
- minimum crest widths
- upstream and downstream batter slope requirements
- minimum spillway widths and flood depths
- minimum dry freeboard depths
- minimum outlet pipe sizes

- DPIPWWE will be managing the application and permitting processes for farm dam construction under delegation from the Minister for Primary Industries and Water.
- Farm dams that are deemed to be lower risk by meeting ALL of the relevant criteria can be constructed under Division 4 of the Act. This requires the submission of a written *Notice of Intention* to commence works. The applicant will be notified by DPIPWWE within 14 days upon receipt of a valid notice and fees.
- The *Notice of Intention* to construct a lower risk dam requires an assessment to be undertaken addressing specific criteria as outlined in the form and supporting documentation.
- Higher risk farm dams, that is those not meeting ALL of the criteria for lower risk, can be applied for under Division 3 of the Act. This requires an application for a permit to be lodged and subsequent assessment and approval obtained. The applicant will be notified by DPIPWWE once the assessment has been undertaken.
- During the construction phase, a dam owner is the person with the authority to construct the dam and/or the person who owns the land the dam is being constructed on.
- Once a dam has been completed, the dam owner is the person who owns the dam or the person who owns the land that is covered by water when the dam is full.
- All dam owners have statutory responsibilities to ensure their dam is constructed according to the relevant Dam Works Code and any other conditions on the permit.
- Upon completion of the construction of a dam, the owner is responsible for the dam and its safety under the Act.

More information on the Dam Construction approval and permitting processes, including relevant codes and forms is available at www.dpipwe.tas.gov.au/water/dams

¹ Information on dam safety categories is available at www.ancold.org.au

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