

Department of Primary Industries Parks Water and Environment

Notice of Intent to Undertake Dam Works (Division 4 Permit)

Use this form to notify DPIPWE in accordance with section 160 of the Water Management Act 1999 (the Act) of your intention to undertake dam works under the authority of a Division 4 permit

A dam works permit may be taken to be granted under Division 4 of the *Water Management Act 1999* (the Act) for dams that represent a low risk to the environment and other users. Information on the requirements for a Division 4 permit is available at: <http://dpiipwe.tas.gov.au/water/dams/dam-works-permit-guidelines>.

There are extensive details on the dam works permitting process and associated requirements on the Department's web site at: <http://dpiipwe.tas.gov.au/water/dams>

In certain circumstances dam works may be exempt from the requirement to hold an approval. Before commencing any work it is recommended you contact a Regional Water Management Officer at your local DPIPWE office to determine if your proposed dam works is exempt or requires a permit.

Alternatively, you may choose to engage a professional consultant to provide advice. Contact details for these are also available on the web site listed above.

If you intend to **take water** you will need to complete a separate form [to apply for a Water Licence/allocation](#).

Steps to Completing this Form

- 1. If the Notice is being made by a company or a partnership** then all members of the company or partnership/joint venture must complete a membership details form and attach it to this Notice. A Company details form is available at: <http://dpiipwe.tas.gov.au/Documents/CompanyDetailsForm> and a form for a partnership is available at: <http://dpiipwe.tas.gov.au/Documents/PartnershipDetailsForm>
- 2. Complete all the information in this Notice of Intent**
 - Section 1 deals with details of the applicant; who they are, and how to contact them
 - Section 2 deals with details of the property where the dam is to be built
 - Section 3 deals with specifications of the dam; its height, length, capacity, etc.
 - Section 4 deals with details of the contractor who will be undertaking the works
 - Section 5 is a declaration to be signed by the applicant stating that all the information provided is true and accurate and this declaration must be signed in the presence of an appropriate authorised person. (details of appropriate persons are available at the Tasmanian Law web site: http://www.justice.tas.gov.au/commissionersfordeclarations/list_of_groups)
 - Section 6 a review to ensure that all relevant details have been provided and that the notice of intent is complete.
- 3. Submit all the required documents** as set out in section 6
- 4. Sign and have witnessed the declaration** set out in section 5
- 5. Submit the completed and signed Notice of Intent**

There are two options for submitting the completed Notice of Intent form;

 - Post the completed form, with the prescribed fee, in the form of a cheque or money order (made payable to DPIPWE), to:
DPIPWE, Water Management & Assessment Branch, PO Box 44, Hobart TAS 7001,
or
 - Lodge the completed form, with the prescribed fee, at any Service Tasmania outlet.



Water Management Act 1999
NOTICE OF INTENT TO UNDERTAKE DAM WORKS PERMIT
under DIVISION 4 of PART 8 of the WATER MANAGEMENT ACT 1999
(pursuant to Section 160)

(This form is effective from 1 July 2020 to 30 June 2021)

- * *If in a Company name, please complete a Company Information Form and Application to Record a Nominated Natural Person Application form.*
- * *If in a Joint name, please complete an Application to Record a Nominated Natural Person on behalf of a Joint Client.*

Section 1: Details of Proponent

Full Name of Proponent: Date of birth: ABN: (if applicable)..... ACN: (if applicable)..... Postal Address: Postcode: Phone No: (Home/ Business): (Mobile): Email: Street Address: Postcode:

Section 2: Property Details

Property Address: Postcode: Property PID:
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Section 3: Dam Details

The proposed works are for: a new dam, the repair or raising an existing dam, decommissioning an existing dam Coordinates of the proposed dam wall (using GDA 94) Easting: Northing: Storage Volume at Full Supply Level:(ML) (If over 100 ML a capacity survey must be attached) Wall Height: (m) Crest Length: (m) Crest Width: (m) Upstream Batter: Downstream Batter: Storage Area at FSL:(ha) Consequence Category: The proposed works and inundation area including at Maximum Flood Level are on land that I own: Yes / No

Section 4: Contractor Details

Company Name: Contractor Name: Contact Phone Number: Email Address:
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Section 5: Declaration

I declare that:

- I have read and understand the *Division 4 Permit Dam Works Code 2015*.
- The dam works will be undertaken in accordance with the *Division 4 Permit Dam Works Code 2015*.
- The dam works will be undertaken in accordance with the *Water Management (Division 4 Permit Conditions) Order 2015*.
- A Consequence Category Assessment for the proposed dam has been undertaken, by a suitably qualified person, in accordance with the *Water Management (Safety of Dams) Regulations 2015*.
- If the dam is over 100 ML, a capacity survey has been undertaken by a suitably qualified person.
- the dam works to be undertaken meet all the matters specified in S.159 of the Act, including the dam works:
 - (a) are not on a watercourse¹; and
 - (b) relate to a single dam and not to a group of dams that collectively store, hold back or impede the flow of a single body of water; and
 - (c) are on land that –
 - (i) is unvegetated land; or
 - (ii) is vegetated land on which the harvest of timber, or the clearing of trees, that would be required as part of the dam works is a circumstance that is prescribed for the purposes of section 17(6) of the Forest Practices Act 1985;
 - (d) do not constitute in whole or in part the clearance and conversion of a threatened native vegetation community unless in a circumstance that is prescribed for the purposes of section 17(6) of the Forest Practices Act 1985; and
 - (e) will not take threatened species or destroy or damage nests of threatened species; and
 - (f) are not wholly or partly within a pipeline planning corridor; and
 - (g) are not wholly or partly within a heritage area entered in the Heritage Register; and
 - (h) are not subject to a conservation covenant; and
 - (i) are not subject to an agreement under Part 5 of the Land Use Planning and Approvals Act 1993; and
 - (j) are on land in relation to which the person is the owner or, if the person is not the owner in respect of the land, if the owner of land has given his or her consent, in writing, to the proposed dam works; and
 - (k) will not inundate land owned by another person, unless the owner of land has given his or her consent, in writing, to the proposed dam works or any inundation; and
 - (l) are not declared works.
- All information contained in this Notice of Intent is accurate, true and complete;
- If I am not the owner of the land on which the proposed dam works will be undertaken or inundated (including at Maximum Flood Level) I have notified the owner of the land of the intention to undertake works and attached a completed and signed land owner approval form;
- The details about the arising permit will be recorded in the Water Licence and Dam Permit Register.
- I acknowledge that the Minister may issue a notice directing a person undertaking dam works to stop work and to apply for a Division 3 permit or to undertake specific work or activity to the Minister’s satisfaction.
- I acknowledge a Notice of Completion must be submitted within 30 days of the completion of the dam works.
- The prescribed fee of **\$105.30** has been paid.

¹**Watercourse** means a river, creek or other natural stream of water (whether modified or not) flowing in a defined channel, or between banks, notwithstanding that the flow may be intermittent or seasonal or the banks not clearly or sharply defined, and includes –

- (a) a dam that collects water flowing in any such stream; and
- (b) a lake through which water flows; and
- (c) a channel into which the water of any such stream has been diverted; and
- (d) part of any such stream; and
- (da) the floodplain of any such stream –

but does not include –

- (e) a channel declared by the regulations to be excluded from this definition; or
- (f) a drain or drainage depression in the contours on the land which only serves to relieve upper land of excess water in times of major precipitation.

Name in full of Proponent:

Signature of Proponent: **Date signed:**

Declared at:

Name in full of person witnessing declaration:
(must be Justice of the Peace, Commissioner for Declarations or Authorised Person)

Signature of Witness: **Date signed:**

Section 6: Review

To complete this notice of intent in addition to signing and submitting this form along with the prescribed fee of \$105.30, you must also attach:

A Consequence Category Assessment of the proposed dam works satisfying the requirements of the *Water Management (Safety of Dams) Regulations 2015*.

Photographs of the full extent of the location of the proposed dam works and inundation area.

If you are not the owner of the land, you must attach the completed form: *'Land Owner Consent to the Proposed Dam Works and/or any Inundation under a Division 4 Permit'*.

A capacity survey if the dam is over 100 ML.

A dam works site plan

Personal Information and Privacy Statement

Personal information will be collected from you for the purpose of managing Tasmania's water resource and will be used by DPIPWE for purposes permitted by the Water Management Act 1999 and regulations made under this Act. Under the Water Management Act 1999, a person must not furnish information to the Minister, a water entity or an authorised officer that is false or misleading in a material particular. Your personal information will be used for the primary purpose for which it is collected, and may be disclosed to contractors and agents of the Agriculture and Water Division, law enforcement agencies, courts and other organisations authorised to collect it. Your basic personal information may be disclosed to other public sector bodies where necessary, for the efficient storage and use of the information. Personal information will be managed in accordance with the Personal Information Protection Act 2004 and may be accessed by the individual to whom it relates on request to DPIPWE.