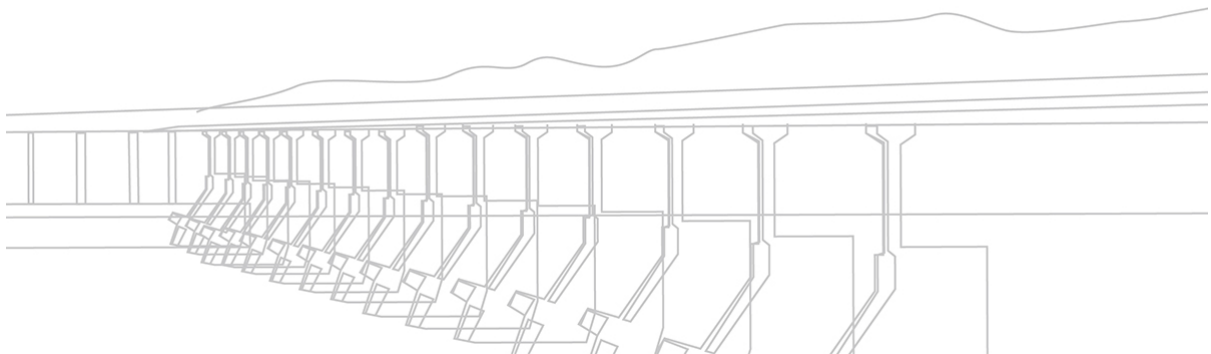




Dams Safety

Dams Safety Focus



June 2021



Message from Chris

November 1, 2021 will mark two years since the commencement of the new dams safety legislation, and concludes the end of the statutory transition period. This two-year period was given to allow dam owners to become familiar and compliant with several significant statutory requirements.

Clause 30 of the *Dams Safety Regulation 2019* highlights several requirements that come into effect from 1 November 2021 - including the need to carry out safety reviews, emergency exercises and the need to report on dams safety standards, detailed in clause 26.

Each year declared dam owners must publish a Safety Standards Report that demonstrates their compliance with the dams safety standards. A letter and fact sheet outlining the requirements of the annual Safety Standards Report was sent to declared dam owners on 15 June 2021. You can read more about it in this newsletter, in the story below.

As always please reach out to us if you have any questions about completing your report.

Chris Salkovic
CEO, Dams Safety NSW

Annual Safety Standards Report due March 2022

Under the *Dams Safety Act 2015*, every year declared dam owners must publish a report that demonstrates their compliance with the dams safety standards. This is a new legislative requirement. The information that you provide in your annual Safety Standards Reports allows Dams Safety NSW (DSNSW), as the Regulator, to prioritise our compliance activities.

Your first annual Safety Standards Report must be submitted to Dams Safety NSW by **31 March 2022**. The report must demonstrate your compliance with the safety standards prescribed in the *Dams Safety Regulation 2019* at 31 December 2021. Declared dam owners are required to submit a separate annual Safety Standards Report for each declared dam that they own. This is because most of the information required in the report is specific to each dam.

The report must be provided to Dams Safety NSW in a form approved by Dams Safety NSW. Dams Safety NSW will provide the form for dam owners to use, including an on-line version, in December 2021. A copy of your annual Safety Standards Report must be made publicly available at your office and on your website.

For more information about the annual Safety Standards Report, including the information that will be required in the first report, read our [fact sheet](#).

If you have any questions, please call **DSNSW Governance and Assurance Manager, Peter Boyd, on 0418 259 984** or email info@damsafety.nsw.gov.au.

Report an incident

Serious incidents or injuries that occur at, or in relation to, a declared dam must be reported to Dams Safety NSW as soon as possible after the incident by calling **0403 681 645 (24 hours/7 days a week)**.

A written report of an incident in a form approved by Dams Safety NSW must be given to Dams Safety NSW no later than 72 hours after the incident, even if an oral report of the incident has already been given. [Click here to complete the online incident report form](#).



Lithgow No. 2 Dam in the Blue Mountains, owned by Lithgow City Council.

Have you missed any of our webinars?

If you didn't get the chance to join our 'Emergency plans for declared dams' or our 'Operations and maintenance plans for declared dams' webinars held in April 2021 and May 2021, you can find links to the recorded sessions [here](#).

Dams Safety NSW's auditors and engineers explain:

- the requirements for Emergency and Operations and Maintenance Plans for declared dams, as detailed in the Dams Safety legislation;
 - how often these plans must, under the legislation, be reviewed.
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Dam safety planning is a team game

With the heavy rain and subsequent flooding NSW experienced in March 2021, Dams Safety NSW (DSNSW) fielded 20 calls from declared dam owners, some of them having to implement their emergency plans.

Under the *Dams Safety Act 2015*, all declared dams must have an up-to-date emergency plan. An emergency plan is a tool that the dam owner, and emergency management groups like the NSW State Emergency Service (SES), use during an emergency to help protect people, property and the environment. The plan outlines the processes and procedures to enable a coordinated response to the emergency event. DSNSW works closely with the SES during such events.

In an emergency plan there are three failure alerts – white, amber and red – used to activate emergency response actions. In scenarios where people and property would be at risk from a dam failure, the NSW SES is the legislated emergency management lead agency.

DSNSW meets regularly with the SES' planning and engagement team, and is working on formalising this relationship with a MOU. [Learn more about Dams Safety.](#)



DSNSW Auditor, Sherif Hussein, talks to Midcoast Water staff at Bootawa Dam near Port Macquarie.

DSNSW encourages dam owners to talk to each other

The relationship between a regulator and its regulated stakeholders is not always simple. It is, after all, the role of a regulator to ensure that its stakeholders comply with legislation and abide by agreed rules, and that they have adequate and reliable safeguards in place. It's also the role of a regulator to take action when non-compliances occur.

Dams Safety NSW (DSNSW) is committed to empowering dam owners to achieve responsible and transparent dam safety management. We want declared dam owners to be compliant. We want to work with dam owners so that they understand what they have to do to ensure the safety of their dams. It's in everyone's interest to keep dams safe.

It also makes sense to us, as a regulator, to encourage dam owners with similar dam types to talk to each other about their dam safety management systems. One dam owner may have a comprehensive compliant emergency plan, while another may need help addressing gaps in their plan. Comparing notes, particularly after being audited, and learning from each other is one of the most effective ways to ensure owners know what is required to keep their dams safe.

If you'd like to be put in contact with owners of dams similar to yours, call Dams Safety NSW on **(02) 9842 8073** or email us at

DSNSW assessing compliance with regulation

Dams Safety NSW has conducted 17 targeted audits on owners of off-stream dams as of 31 May 2021. The aim of the audits was to assess the dam owners' management practices in relation to their declared dam(s), and identify any high-level compliance gaps with nominated clauses of the *Dams Safety Regulation 2019*. The audits focussed particularly on Operations and Maintenance Plans, Emergency Plans and Dam Safety Management Systems.

- 70% of the audits targeted high consequence category dams (High-A, High-B and High-C)
 - The audits resulted in:
 - 183 transitional gaps (not classified as non-compliances because dam owners have until 1 November 2021 to implement new regulatory requirements).
 - 51 non-compliances with requirements of the *Dams Safety Regulation 2019*.
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Contact us

Dams Safety Focus is our newsletter on dam safety in NSW. If you have any questions or feedback contact us at:

Dams Safety NSW

Phone: (02) 9842 8073

Email: communications@damsafety.nsw.gov.au

Visit our website - Dams Safety NSW

Dams Safety NSW, Locked Bag 5022, Parramatta, NSW 2124

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