



DEPARTMENT OF
THE ENVIRONMENT,
CLIMATE CHANGE,
ENERGY AND WATER

Information About Dams

Water Resources Act 2007

FACTSHEET

Issued: 11 May 2009

The following information is for people interested in constructing a dam (including farm dams), or using water from dams.

Are there restrictions on dams?

The *Water Resources Act 2007* which came into effect on 1 August 2007 makes provision for controls on dams and other waterway structures. The construction of a dam or a waterway structure can reduce the volume of water available downstream of the dam. If too much water is collected in dams there can be undesirable impacts lower in the catchment. The controls are designed to ensure that there is no unacceptable impact on the public interest, the environment or the rights of other water users.

Where are dams allowed?

A Waterway Works Licence is required to construct or alter a dam, water storage or other waterway structure. However no licence is required for a dam with a capacity of less than 2 megalitres and which is not on a waterway. Licences may be granted subject to conditions which are designed to protect the public interest, the environment and the interest of other users. All persons proposing to construct a dam or undertake works in a waterway should contact the Environment Protection Authority for an assessment as to whether a licence is required or not.

A licence, for the construction of a dam or waterway structure, may be issued for periods of up to twelve months. The construction of a dam under a Waterway Works Licence may also be considered a development requiring approval under the Planning and Development Act 2008. If this is the case, development approval is needed in addition to a licence for the dam's construction.

You can find out about the need for a development approval by contacting the Applications Secretariat in the ACT Planning and Land Authority (telephone 6207 1687) or on the ACTPLA website www.actpla.act.gov.au

What can you use water from a dam for?

The *Water Resources Act 2007* (the Act) states that the right to the use, flow and control of all water of the Territory is vested in the Territory. All persons or organisations wishing to use water from dams/waterways are subject to the requirements of the Act which includes holding a Water Access Entitlement (WAE) and Licence to take Water. However, water to be used from dams for stock or domestic purposes, including irrigation of a domestic garden, does not require a WAE or licence. Leases which abut or include the waterway from which the water is taken do not require a WAE or licence for stock or domestic purposes.

A licence under the *Water Resources Act 2007* does not negate the responsibility of an applicant under any other relevant legislation, including potential for interference with easements and access rights.

- continued overleaf

Water Resources

For more information call Canberra Connect
on 13 22 81 or visit www.environment.act.gov.au

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How much will it cost?

A \$130.05 application fee is payable for each Waterway Work Licence application.

In addition, a \$130.15 application fee for a Licence to take Water applies and there is a yearly administration fee, which is \$336.60.

The fee attached to the grant of a Water Access Entitlement by the Minister is \$587.95 per megalitre and 25 cents per kilolitre usage charge applies to all licensed water use.

How can you apply for a licence?

Contact Canberra Connect on 13 22 81 during business hours and ask to speak with the Water Resources area or visit the DECCEW website at www.environment.act.gov.au to obtain the appropriate application forms. Once we receive your application form you will be contacted to arrange an inspection.



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