

Will I Need a Permit to Construct, Modify, Repair, or Remove a Dam?

In most cases a Permit will be required before undertaking dam works. However, dam works are exempt from requiring a permit under the *Water Management Act 1999* if they are:

- (a) undertaken for the primary purpose of storing waste; or
- (b) for the construction, erection, enlargement or modification of a levee or bank, in preparation for or during a flood, that is entirely removed within 4 weeks after the day on which the levee or bank was constructed or the flood ceases;
- (c) not situated on a watercourse;
- (d) are undertaken for the construction, modification, repair or removal of a dam with a capacity of less than one megalitre;
- (e) there is no public or private infrastructure situated on land, that is within 100 metres of, and downhill from, any part of the dam works.
- (f) are prescribed for the purposes set out in the *Water Management Dam Works Exemption Order 2005* or *Water Management Dam Works Exemption Order 2007*.

If the proposed dam works are not exempt, you may be able to undertake dam works under either a Division 3 Permit or Division 4 Permit.

A Division 3 permit is obtained by lodging a permit application to the Minister for assessment and determination.

Dam works that meet specified criteria may be undertaken without an application, under the authority of a Division 4 Permit, after written notice is given to the Minister of the intention to commence dam works.

For information on obtaining a Division 3 or Division 4 Permit, read the guideline **'Under What Authority May I Construct, Modify, Repair, or Remove a Dam?'**