



This advice sheet has been developed to provide general information regarding dams as they relate to the Colac Otway Planning Scheme.

A planning permit is NOT required to construct or carry out buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the *Water Act* 1989.

### What needs a licence under the *Water Act* 1989?

In summary, in accordance with the *Water Act* 1989 a licence is required with Southern Rural Water to:

- Use water from a new or existing dam for irrigation or commercial purposes.
- Construct, alter, extend, operate or remove a dam:
  - on a waterway regardless of the purpose of the dam; or
  - with a wall that is 5 metres or more high above ground level at the downstream end of the dam and a capacity of 50 megalitres or more; or
  - with a wall that is 10 metres or more high above ground level at the downstream end of the dam and a capacity of 20 megalitres or more; or
  - with a wall that is 15 metres or more high above ground level at the downstream end of the dam, regardless of the capacity.

### A waterway is:

A river, creek, stream, watercourse, lake, lagoon, swamp, marsh or a natural channel with a natural flow.

### What dams need to be registered under the *Water Act*?

From the start of 2011 in Victoria all new or proposed alterations to domestic and stock water and lifestyle dams located on a parcel of land smaller than 8 hectares within the Rural Living Zone, Low Density Residential Zone, Residential Zone, Green Wedge Zone or Township Zone must be registered with Rural Water Corporations prior to construction. Southern Rural Water is the relevant authority within the Colac Otway Shire.

The registration (as opposed to licensing under the *Water Act* 1989) does not exempt the need for a planning permit, if one is required. Please refer to the information on the reverse for circumstances where a planning permit may be required.

### Where can I get more information?

#### *Southern Rural Water*

Southern Rural Water (SRW) is the first point of contact when proposing a dam or considering taking water for irrigation or commercial purposes.

The SRW website at [www.srw@srw.com.au](http://www.srw@srw.com.au) has contact details, information, forms and guidelines regarding dams.

The SRW phone number is 1300 139 510.

#### *Department of Environment and Primary Industries*

In addition, the DEPI Water website - [www.water.vic.gov.au](http://www.water.vic.gov.au) has information regarding water and dams, including the following resources to download:

- *Questions & Answers: New regulations for household dams*, DSE 2011
- *Your Dam, Your Responsibility*, DSE 2007

**NOTE: While every effort has been made to ensure the information in this checklist is correct at the time of printing, the applicant/owner is responsible for ensuring compliance with all relevant requirements before commencing any activities.**

### CONTACT

(03) 5232 9400

101-105 Gellibrand Street, Colac

PO Box 283, Colac

[inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

[www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)





### What happens when a licence is not required under the *Water Act 1989*?

A planning permit is required for most other dams that do not require a licence under the *Water Act 1989*. In addition, a planning permit is required for earthworks within the Rural Living Zone, Farming Zone and Rural Conservation Zone in the following circumstances:

- Earthworks which change the rate of flow or the discharge point of water across a property boundary; or
- Earthworks which increase the discharge of saline groundwater.

### What do I need to submit with my application for a dam/earthworks?

In addition to the information identified on the General Planning Application Checklist, you must provide the following information:

- Detailed plans drawn to scale and with dimensions, showing:
  - Length and width of the dam
  - Capacity of the dam in megalitres
  - Cross section details of the dam including:
    - Width at base of dam wall
    - Width at top of dam wall
    - Depth and length
    - Slope of batters
  - The wall of the dam to have a suitable foundation and be constructed of compacted clay material so as to be completely stable and watertight
  - The spillway of the dam constructed of rock or similar non-erodible material
  - Diversion mechanisms
  - Erosion protection measures
  - Native vegetation protection measures
- A written explanation of the purpose of the dam.
- Cultural Heritage Management Plan (CHMP) - if required\*

*Please note that additional information may be required depending on the nature of the application and the site.*

*\*CHMP: The need for a Cultural Heritage Management Plan is determined by the Aboriginal Heritage Act 2006. More information is available online at <http://www.dpcd.vic.gov.au/indigenous/aboriginal-cultural-heritage/cultural-heritage-management-plans>.*

Consultation with the Planning team at Colac Otway Shire Council and with Southern Rural Water is highly recommended early in the process to assist in identifying the relevant approvals required for your activity.

Depending on the nature of the site and proposal, liaison with other parties may also be recommended - such as with Barwon Water, Wannon Water and Corangamite Catchment Management Authority.

### CONTACT

(03) 5232 9400

101-105 Gellibrand Street, Colac

PO Box 283, Colac

[inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au)

[www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au)

