

Dams Safety NSW


[www.damsafety.nsw.gov.au](http://www.damsafety.nsw.gov.au)



# Annual Report

2023-2024





# Acknowledgement of Country

Dams Safety NSW acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

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Annual Report

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## Acknowledgements

*Cover image: Chichester Dam, copyright Hunter Water.*

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# Letter of submission



Dams Safety NSW

The Hon. Rose Jackson MP

Minister for Water, Housing, Homelessness, Mental Health, Youth, and the North Coast

52 Martin Place

SYDNEY NSW 2000

Dear Minister

We are pleased to submit the annual report for Dams Safety NSW for the year ended 30 June 2024, for tabling in Parliament by 30 November 2024.

This report has been prepared in accordance with the annual reporting provisions (Division 7.3) of the *Government Sector Finance Act 2018* (GSF Act) and Treasury Policy and Guidelines 23-10 Annual Reporting Requirements (TPG23-10).

Yours sincerely

A handwritten signature in blue ink that reads "Paul O'Connor".

Paul O'Connor

Chairperson

A handwritten signature in blue ink that reads "Chris Salkovic".

Chris Salkovic

Chief Executive Officer

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# Message from the Chairperson

At Dams Safety NSW we support dam owners to anticipate, manage and reduce the threats of harm arising from their declared dams and their possible impact on lives, the environment and economic assets.

Our work guides dam owners as they acquire and sustain the knowledge, skills and expertise to manage risk and keep their dams safe. Dam owners need to have robust risk management systems in place and ensure these are regularly tested. Much is at stake.

Protecting people and place requires dam owners to make the right decisions, at the right time, and with the right information. Our focus this year has been to strengthen our education programs, broaden guidance and support for good practice in dam owner risk management, and promote stronger collaboration.

From an audit perspective, we continued the inaugural five-year cycle of risk reports. We saw an improving standard of compliance. Dam owners and their specialist engineering consultants are building the body of knowledge and understanding of what is required to keep dams safe. Timely risk reporting is a continuing challenge.

We have seen strong thought leadership, industry support and community engagement from the state-owned entities established on behalf of the people of NSW across the water sector. We will strengthen our partnership with these entities to make a positive difference.

In a tight fiscal environment, we have been efficient in allocating our specialist resources to assist dam owners most needing to be prepared for risk. IPART, the NSW independent pricing regulator was commissioned by the Government to undertake a review into options for a dam safety levy. This work tests if our risk management and regulatory support services are effective and reliable at a fair price. We welcome scrutiny and challenge to optimise our efficacy.

Our five-year strategic plan maps our intent and focus. The detailed programs of work underway address our statutory charter and include one-off capability building actions. We are on track to deliver the expected public value outcomes we are accountable for.

Next year, we will take the opportunity to refresh our strategy to take account of our changing environment as a portfolio agency within the Department of Climate Change, Energy, Environment and Water (DCEEW). We need to be ready to tackle the challenges of resilience and climate change adaption as our population grows and we face more frequent and extreme weather cycles.

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A new State Disaster Risk Mitigation Plan has been released, the first of its type in Australia. It maps the natural hazards that could impact NSW communities. Our joined-up support for the NSW Reconstruction Authority will help dam owners reduce the impacts of floods, storms, earthquakes and landslides. Dam owners will be better informed on climate impacts and changing communities. Our expert, capable staff continue to make a difference and deliver public value.

On behalf of the appointed members of Dams Safety NSW, I acknowledge the focus, effort and commitment of the agency staff who deliver on our mandate. They are well led by the agency's CEO, Mr Chris Salkovic, DCEEW's accountable officer for the team.

I acknowledge and thank my colleague appointed members for their thought leadership and stewardship of risk management excellence. We welcomed Dr Lisa Caffery as our newest member in December 2023. Lisa's proven governance, water sector and community engagement acumen has helpfully broadened our skill base and expertise.

We continued with our program of outreach and engagement with dam owners across NSW. We held meetings in Newcastle, Tamworth and Batemans Bay in addition to meetings in DCEEW's Parramatta office. We engaged with local dam owners, councils, and industry stakeholders across several site visits. Dam owners shared their risk management updates and the challenges they face to be fully prepared for risk. We enjoyed receiving their service experience insights and suggestions for change.

It has been a privilege to lead the agency's delivery of public value. We are committed to being fair and transparent and promoting the public interest as an independent regulator.

We will deploy, effectively and efficiently, the resources needed to support and review dam owners' risk practices, and to secure and sustain community trust and confidence in the safety of NSW dams. The people of New South Wales expect no less.



**Paul O'Connor FAICD, FGIA**

**Chairperson, Dams Safety NSW**

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# Overview

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## About Dams Safety NSW

We are the State's independent regulator responsible for ensuring dam owners manage the safety of their declared dams in NSW.

Established under the *Dams Safety Act 2015*, Dams Safety NSW (DSNSW) makes decisions on how the legislation is administered and advises the Minister for Water on dam safety standards.

During 2023/2024 DSNSW comprised five appointed members and the CEO with combined expertise in dam engineering, mine engineering, emergency management, dam operations and management, community engagement and governance, public safety risk analysis and best practice regulation.

The Chief Executive Officer is responsible for managing day-to-day operations of Dams Safety NSW. Staff were employed under the NSW Department of Planning and Environment until 31 December 2023. From 1 January 2024, staff transitioned to the newly established NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW).

## Our Vision

Safe dams for NSW

## Our Mission

To empower, support and regulate dam owners in managing dam safety risks for the NSW community

## Our Values

Trust, Service, Integrity, Accountability

## Our behaviours

- We will be open and transparent
- We will establish cooperative and collaborative relationships with stakeholders to promote trust
- We will listen and be responsive to requests
- We will publish our performance results in a timely manner

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# Strategy

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## Our Strategic Plan 2022-2027

DSNSW's [Strategic Plan for 2022-2027](#) has been developed to ensure dams safety risks are acceptable to the community and add value to our stakeholders.

DSNSW has developed three goals and ten strategies to achieve our Mission and Vision.

We have made a firm commitment to be future-focused, confident and collaborative in the next phase of our growth. In the next five years we will build on what we have learned to:

- make it easier for dam owners to comply with NSW dam safety laws
- encourage voluntary compliance
- reinforce dam owner accountability
- engage effectively with stakeholders to promote transparency and accountability.



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# Operations and performance

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## Operational statistics at a glance



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## What we do

DSNSW 'declares' dams that have the potential to endanger downstream life, cause major damage or loss to infrastructure, the environment, or have major health and social impacts. Owners of declared dams are accountable for managing their dams to ensure their safety, and to be compliant with the requirements of the *Dams Safety Act 2015* and *Dams Safety Regulation 2019*.

We audit dam owners' safety management systems and plans and offer guidance to dam owners to help them comply with their statutory obligations. DSNSW is empowered to enforce compliance through statutory notices, directions, emergency orders and penalties.

As of 30 June 2024, DSNSW regulates 381 declared dams. There are 149 owners of declared dams in NSW.

We are also responsible for declaring notification areas surrounding, or in the vicinity of declared dams. If a mining company applies to a consent authority to operate in a notification area, DSNSW will raise any concerns with the relevant consent authority. The authority must take these matters into account before granting development consent.

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## Our achievements

Our key achievements for the 2023-2024 financial year are listed below, aligned to the three strategic goals from the [Dams Safety NSW 2022-2027 Strategic Plan](#).

### Goal 1: Ensure dam safety risk is acceptable to the community

#### 1.1 Develop a comprehensive profile of dams in NSW

*We will continually identify and assess potential dams for declaration and maintain an accurate database of declared dams in NSW.*

##### **Submissions made/advice provided on major projects**

DSNSW is aware of projects that are underway as part of State Significant Infrastructure (SSI) or Secretary's Environmental Assessment Requirements (SEARs) that may fall under our responsibility. Staff are in contact on an as-needs basis with the (note date) Department of Planning, Infrastructure and Environment (DPIE) – (now Department of Planning, Housing and Infrastructure (DPHI)) and dam owners to ensure that all DSNSW compliance-related activities are addressed in the planning phase.

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## Identifying potential dams for declaration

DSNSW consistently searches for existing dams that may need to be assessed for possible declaration. This approach ensures that dam owners manage safety risks to make certain their dams align with community expectations.

A screening tool developed by Aurecon in 2022 using GIS and aerial photogrammetry resulted in 138 dams being investigated and one dam subsequently being declared. One other dam from the sample is currently under investigation.

The project was innovative and was an important step to establish useful parameters for assessing dams using GIS and aerial photogrammetry, particularly when checking for changes in dams and the surroundings that may require deliberate reassessment of the consequence categories.

## Dams declared and declarations revoked

The DSNSW Board can declare or revoke declaration of dams (“de-declare”) by order published in the NSW Government Gazette.

Under the Dams Safety Regulation 2019, dams - or proposed dams - may be “declared” if they are more than 15m high, or if they failed would cause major or catastrophic damage and loss, or would endanger the life of a person. These terms are defined in the Declared Dams Consequence Category Assessment and Determination Methodology. The Regulation itself also stipulates that a declared dam must be classified into one of seven consequence categories.

The danger to life is based on the population at risk (PAR), or a more detailed potential loss of life (PLL) assessment. The assessments for PAR and PLL are undertaken by dam owners (or their competent persons) and then verified by our engineering team. The assessments are checked against requirements of the regulation and the Declared dams consequence category assessment and determination methodology.

During 2023/24 we screened eight proposed dams for potential declaration, reviewed the consequence categories for nine declared dams, revoked declaration of one dam (Table 1) and declared two dams (Table 2).

At the end of 2023/24 there were 381 declared dams, with their consequence categories summarised in Table 3.

**Table 1. Dams removed from the list of declared dams in 2023/24**

Name of dam	Location
Ashton Coal Clean Water Dam 1	Tributary of Glennies Creek, near Singleton

**Table 2. Dams added to the list of declared dams in 2023/2024**

Name of dam	Location
Tomingley Residue Storage Facility 2	Near Gundong Creek, Narromine
Retford Farm Detention Basin	Old South Road, Bowral

**Table 3. Breakdown of consequence categories of declared dams in 2023/2024**

Consequence category	Number of dams
Extreme	33
High A	48
High B	34
High C	99
Significant	148
Low	17
Very Low	2
<b>TOTAL</b>	<b>381</b>

**Table 4. Breakdown of declared dams by owner organisation types**

Organisation type	Number of declared dams owned
Councils	145
Mines	109
State Owned Corporations	62
Government enterprises	28
Private	18
Coal-fired power stations	11
Miscellaneous	8
<b>TOTAL</b>	<b>381</b>

## 1.2 Engage with the community about acceptable dam safety risk

*We will consult the community on dam safety risks.*

### **Hunter Water and Chichester Dam community consultation**

Hunter Water briefed DSNSW in July 2023 regarding the outcomes of Chichester Dam’s risk report. Chichester Dam is above the safety threshold and Hunter Water commenced a consultation process regarding the safety risks of Chichester Dam with the downstream community in August 2023. Dams Safety NSW is working with Hunter Water to ensure they are meeting their regulatory obligations.

### **DSNSW CEO and Chairperson met with WaterNSW Board**

The DSNSW Chairperson and CEO attended the April 2024 WaterNSW board meeting and discussed community engagement, trends in dam safety and the Water NSW plans for remediating risk across its portfolio of dams.

### **DSNSW meet with concerned residents living downstream of Wingecarribee Dam**

On 14 June 2024, DSNSW CEO and DSNSW Governance & Assurance Manager met online with concerned residents living downstream of Wingecarribee Dam (owned by WaterNSW), about 10km

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south-east of Bowral. Residents were concerned about the increased flood risk resulting from a planned housing development below the dam.

### **1.3 Ensure dam owners are managing their dams' safety risk**

*We will audit declared dam owners in line with our compliance priorities and respond with appropriate regulatory action where required. We will provide timely advice to planning authorities about the potential risks of mining activities to dams, and work with dam owners to bring NSW declared dams below the safety threshold.*

#### **Compliance audit program**

Our compliance audit program assesses requirements under the *Dams Safety Act 2015* and the *Dams Safety Regulation 2019*. It examines the performance of declared dam owners to ensure the safety of their dams.

The audit program is developed using a risk-based approach to ensure timely and efficient allocation of DSNSW's resources. The program addresses our Regulatory Policy, the *Dams Safety Act 2015* and regulatory requirements, and the AS/NZ ISO 19011:2019 framework for auditing management systems.

This year, our audit program focussed on the following requirements for dams with Extreme, High and Significant consequence categories:

- Operations and Maintenance (O&M) Plans
- Dam Safety Emergency Plans
- Dam Safety Management Systems
- Annual Dam Safety Standards Reporting

Since May 2020, a review of Dams Safety NSW (DSNSW) audit and compliance data indicates that non-compliance with parts of Clause 9 of the *Dams Safety Regulation 2019* are the most frequently recorded non-compliances.

The most recorded O&M plan non-compliances related to:

- Details of each circumstance in which an alarm will be triggered in respect of the dam and the response and reporting protocols that will occur when that alarm is triggered (cl.9(1)(b))
- operating procedures for the dam with a concise description of the procedures and limits (operator controls) of plant and equipment used in the operation of the dam (cl. 9(1)(a))
- maintenance that will be carried out on the dam, when that maintenance will be carried out and by whom.

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The DSNSW Capability team has developed an education and engagement campaign focussed on common non-compliances in O&M plans which will be launched in late 2024. The focus of the campaign is on empowering, supporting and enhancing the capability of dam owners to voluntarily comply and manage their dams safely.

### **Risk Reports received and reviewed**

Under clause 15 of the Dams Safety Regulation 2019, declared dam owners are required to use the regulation's risk management framework contained in clause 14, and the published societal and individual risk rating methodology, to produce a written report on all foreseeable risks to their dam at least once every five years.

As of 30 June 2024, DSNSW had received 109 Risk Reports. DSNSW is actively following up on 28 overdue reports from 2023 and 17 from 2022. Extensions have been granted to several dam owners who have presented justification to DSNSW. In other circumstances, DSNSW is using various regulatory tools, including letters and statutory notices, to bring dam owners into compliance with risk report requirements.

At 30 June 2024, DSNSW's Engineering team had reviewed 100 compliant Risk Reports. An additional 15 Risk Reports had been reviewed and non-compliances were being followed up.

Timeliness of submissions continues to be an issue. Common barriers to on-time submission of risk reports include availability of consultants, lack of availability of required background information and studies, procurement timeframes and competing cost demands for dam owners. A number of local government dam owners have engaged with the NSW Government Town Water Risk Reduction Program to prepare their Risk Reports and are subject to the timeframes of that program.

### **Dam safety notices issued**

This year, under the *Dams Safety Act 2015*, we issued 30 statutory notices under section 15 of the Act, and one statutory notice under section 19 of the Act.

Eighteen section 15 notices were issued to dam owners requiring them to submit overdue Annual Dam Safety Standards Reports. An additional 12 section 15 notices were issued to dam owners requiring them to submit overdue Risk Reports. We have issued more notices than last year due to our strengthened focus on responding transparently, effectively and efficiently to non-compliances.

### **Mining in notification areas**

In accordance with section 48 of the *Dams Safety Act 2015* (the Act), DSNSW may declare a notification area surrounding, or in the vicinity of, a declared dam.

DSNSW will consider the impact of mining on the declared dam structure when declaring notification areas, not the impact of mining on the contents impounded by the dam.

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Notification areas are delineated around declared dams to encompass the area within which Dams Safety NSW considers mining impacts on the dam might potentially occur.

Not all declared dams have notification areas, only those dams which DSNSW considers may be affected by mining.

In accordance with the Act, the consent authority will refer an application for mining within a notification area to DSNSW.

DSNSW will normally have 28 days to assess the application and raise any dam safety concerns with the consent authority.

The aim is to determine that mining operations will not introduce unacceptable dam safety risks, based on the dam's design and construction and its consequence category.

When considering an application Dams Safety NSW will need to understand the impact of the proposed mining on the declared dam and any management or monitoring strategies that will be put in place. Supporting documentation addressing predicted mining impacts on the dam, management or monitoring strategies should be prepared by competent dam specialists and provided with the application.

### **Mining consent and lease condition applications**

Before granting development consent for any mining operations in a notification area, a consent authority must:

- refer the application for development consent to DSNSW, and
- consider any matters that are raised by DSNSW in relation to the application.

Any existing lease conditions that relate to mining in notification areas continue to apply. Any reference to the former Dams Safety Committee in existing lease conditions can be taken to refer to DSNSW, and the conditions remain in force. For example:

- a lease condition that requires notification to the minister of any plans to mine in a notification area
- a specific lease condition that required regular reporting of mining parameters to the Dams Safety Committee. The lease holder must report to DSNSW in accordance with the lease condition.

This financial year DSNSW reviewed and provided advice on seven mining consent applications, 87 mining lease reviews, and provided 10 submissions to NSW Department of Planning in relation to proposed mining projects, pumped hydro projects or dam wall raising projects and lease condition applications.



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## Dams with risks above the safety threshold undergo thorough monitoring

For a dam owner to ensure they have reduced the risks at their dam so far as is reasonably practicable, they must first investigate the risks of dam failure and compare them to the safety threshold, which is a risk level defined in the Dams Safety Regulation 2019.

DSNSW closely monitors those dams above the safety threshold to ensure the owners of these dams are taking steps to reduce the risks So Far As Is Reasonably Practicable (SFAIRP).

DSNSW works with dam owners to ensure remedial actions are in place to reduce safety risks to acceptable levels in a timely manner, and to monitor compliance with agreed remedial action plans. DSNSW will continue to monitor progress being made by affected dam owners and identify proposed escalated regulatory action, if warranted under the [Dams Safety NSW Regulatory Policy](#).

During the 2023/24 financial year, Eraring Ash Dam, Dumaresq Dam, Winburndale Dam and Palm Tree Grove Detention Basin were removed from the previous year's list of dams above the safety threshold following successful and ongoing addressing of risk mitigation measures. We are acting with all dam owners listed in the table below to ensure that risks are mitigated So Far as Is Reasonably Practicable (SFAIRP) within an acceptable timeframe.

On 30 June 2024 there are 15 dams identified as having safety risks above the safety threshold.

**Table 1. Dams above the safety threshold as at 30 June 2024**

Name of dam	Owner of dam
Cataract Dam	WaterNSW
Chichester Dam	Hunter Water
Fairfield Golf Course Basin	Fairfield City Council
Gosling Creek Dam	Orange City Council
Grahamstown Dam	Hunter Water
Jounama Dam	Snowy Hydro Limited
King Park Basin	Fairfield City Council
Manly Dam	Sydney Water Corporation
Mimosa Road Basin	Fairfield City Council

Name of dam	Owner of dam
Sawyers Swamp Creek Ash Dam	Generator Property Pty Ltd
Stockdale Basin	Fairfield City Council
Talbingo Dam	Snowy Hydro Limited
Thornleigh Reservoir	Sydney Water Corporation
Tumut Dam No.3 Inlet Structure	Snowy Hydro Limited
Warragamba Dam	WaterNSW

## Goal 2: Dam owners are capable, accountable and transparent in managing dam safety

### 2.1 Make it easy for dam owners to comply with NSW dams' safety laws

*We will deliver targeted and user-friendly information and education to make our regulatory expectations clear and increase the level of compliance with dam safety laws.*

#### Stakeholder engagement activities

DSNSW is committed to helping declared dam owners comply with dam safety laws because we know most people want to do the right thing. We aim always to listen, acknowledge different perspectives, and encourage a two-way relationship.

By addressing the actual causes of non-compliance, rather than only its outcomes, we facilitate greater compliance.

This year DSNSW focussed on engaging with our primary stakeholders, declared dam owners, through both one-on-one engagement (including through audit activities and educational sessions), as well as targeting consultants. Informed by the 2022/23 stakeholder engagement survey, other feedback on educational needs and information from audit findings and DSNSW staff, the Capability team prepared a program of education and engagement activities that included the following:

#### Engagement and education at the ANCOLD 2023 Conference

The November 2023 Australian National Committee on Large Dams (ANCOLD) conference in Cairns, Queensland, provided an opportunity for DSNSW to engage with declared dam owners and dam safety consultants.

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The DSNSW Board Chairperson, CEO and four staff attended the national dams conference. Staff presented three peer-reviewed papers, one in collaboration with NSW SES:

The paper *“Tell me what you want - what you really, really want: feedback from, and to, the NSW dam safety regulator”* reminded declared dam owners of the regulatory requirements and discussed select non-compliances identified in audits, through self-reported information in Annual Dams Safety Standards Reports (ADSSRs) and reviews of risk reports. It also highlighted some of the feedback DSNSW received from stakeholders via its first independent stakeholder engagement survey.

- *“Are you emergency prepared?”* focussed on DSNSW’s education project encouraging emergency exercising in collaboration with the NSW SES and
- *“Dam safety emergency preparedness - lessons from the recent NSW floods”*, which was presented in collaboration with the NSW SES. This paper reflected on over two years of flood events and the critical role dam Emergency Plans play in assisting combat agencies, to manage the response to the flood events.

DSNSW had an information booth where staff answered dam owner and consultant queries and showcased our existing educational materials to support compliance.

### **ANCOLD Dam Operators Forum 2023**

The Australian National Committee on Large Dams (ANCOLD) Dam Operators Forum, held in Bendigo, Victoria, from 15-17 September 2023, brought together 102 participants representing a wide range of industries, organisations and government bodies. Attendees shared their experiences and insights, improved their water dam knowledge, and expanded their professional networks. DSNSW attended the forum to promote our online dam operator courses, and network with stakeholders who were interested in participating in our competency assessments.

### **Speaking events and webinars**

In November 2023, the CEO presented at the Mine Managers Association of Australia seminar in Pokolbin in the Hunter Valley. The CEO explained DSNSW’s regulatory framework with a focus on emergency exercises for declared dams.

The CEO chaired the dam safety regulators meeting at the ANCOLD conference on 23 October 2023. This annual meeting is a community of practice to exchange regulatory insights between states and territories. Highlights from this year’s meeting included:

- Discussion around dams’ safety management including governance.
- Reconfirmed commitment to working towards developing a national dam’s safety regulatory requirements standard.

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In February 2024 DSNSW met with a delegation of senior dam owners' from India hosted by Western Sydney University.

During 2023/24 DSNSW's webinar program included:

### **Dams and floods: current and future risks**

In June 2024 DSNSW hosted an online presentation by Professor Rory Nathan, Professor of Hydrology and Water Resources, University of Melbourne. Professor Nathan provided an update on his recent research on the impact of climate change on flood estimation and flood risks, and updates to the federal government's Australian rainfall and run-off flood estimation guidelines. To comply with dam safety legislation in NSW, declared dam owners must incorporate foreseeable flood events within the risk management framework for their dams.

### **Online forum about the changes to dam emergency plans**

An online Q&A forum, held in March 2024, about the changes to emergency plans gave stakeholders the chance to hear about how recent NSW State Emergency Service (NSW SES) changes would impact declared dam emergency planning.

The forum covered the:

- new dam summary information sheet for emergency plans (the template dam owners must use and when to include it)
- updated DSNSW Emergency plans guideline
- new Australian Warning System (AWS) that is being adopted by the NSW SES.

### **Consultants' forum on preparing Risk Reports for declared dams**

The DSNSW consultants' forum, held in August 2023, was an opportunity for engineering consultants to ask the regulator questions about new legislative requirements related to Risk Reports for declared dams.

Principal Dams Safety Engineer, Jason Porter, and Governance and Assurance Manager, Peter Boyd, talked about DSNSW's expectations on how declared dam Risk Reports should be prepared so that the reports comply with the regulation.

Recordings of the webinar program are available on our [website](#).

### **International Conference on Dam Safety, Jaipur, India**

DSNSW shared its expertise at the International Conference on Dam Safety in Jaipur, India, from 14-15 September 2023. DSNSW's CEO Chris Salkovic, Peter Boyd, Governance and Assurance Manager and DSNSW Board member, Shane McGrath, attended the conference to present on NSW's approach to dam safety governance and regulation, integrated risk management, and asset management.

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The visit was supported by the Australian Department of Foreign Affairs and Trade and the Australian Water Partnership.

### **Dams Safety Levy – IPART review**

This year DSNSW was involved in supporting the NSW Independent Pricing and Regulatory Tribunal's (IPART) review of the proposed dam safety levy design, initiated by the NSW Government in accordance with the Act. IPART has been asked by the NSW Government to investigate the efficient costs of DSNSW carrying out its functions under the *Dams Safety Act 2015* and recommend a methodology for recovering these costs from declared dam owners.

IPART began their work in January 2024 and on 19 March 2024 published a discussion paper to engage with interested stakeholders. DSNSW's role was to assure IPART of our commitment to managing the Act's provisions in a prudent and efficient way. Following the release of this discussion paper, IPART received 28 submissions from various stakeholders. The review is ongoing. IPART aims to deliver a final report and recommendations to the Government for consideration by the end of September 2024.

### **Publications**

*Dams Safety Focus* is the DSNSW e-newsletter that provides important safety information to declared dam owners and other stakeholders.

Three editions of the quarterly e-newsletter were sent out to approximately 600 subscribers, as well as other Electronic Direct Mail items inviting stakeholders to webinars and asking for their feedback.

### **New guide published to help small dam owners understand how to manage their dam's safety**

In November 2023 DSNSW published a new guide, *Small dam safety: a guide for owners*, to help small dam owners (whose dams are **not** declared by DSNSW) understand their obligations in managing their dams safely.

There are tens of thousands of small water dams throughout New South Wales. Many of these dams are on private properties and play a vital role in providing water for farming, livestock and natural resource industries, such as quarries. Small dams are made and operated in many different ways. Although there are risks associated with every dam, not all dams in NSW are regulated by DSNSW.

### **Fact sheets**

This year DSNSW developed and updated the following fact sheets and online articles to help our declared dam owners understand their legislative responsibilities:

- [New dam emergency plan summary information sheet: what you need to know](#)
- [Dam emergency plan summary information sheet: Frequently Asked Questions](#)
- [Preparing a risk report for a declared dam - updated](#)

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In response to the many calls DSNSW receives from declared dam owners asking for recommendations for consultants to conduct dam-related safety work, we continued to maintain an online [list of consultants](#) involved with dam safety work.

## **Education program**

### **Dams Safety Management System online tool developed**

All declared dam owners must implement a dam safety management system (DSMS) to ensure the ongoing safety of their dams and to comply with the requirements specified in the regulation. But what exactly is a DSMS? What should it include? How often should it be updated?

To answer these questions DSNSW developed an [online tool](#) that gives dam owners easy access to our existing materials about the different components of a dam safety management system, sorted by topic.

### **Online and face-to-face educational visits for Annual Dams Safety Standards Reports**

This year, most educational visits were provided online and focused on the requirement to submit Annual Dams Safety Standards Reports (ADSSR). Declared dam owners must lodge a separate report for each of their declared dams with DSNSW by 31 March every year.

Five information sessions were conducted with dam owners who had not previously submitted an ADSSR. The purpose of the online sessions was to assist participants to complete the ADSSR form and to talk them through the submission process. Additionally, five dam owners were assisted via phone sessions after contacting DSNSW directly.

One new dam owner was also visited onsite and given an overview of the regulatory requirements.

### ***Dam Safety Insights* – new podcast series launched**

Five podcasts on operations and maintenance plan requirements were filmed and finalised in 2023/24. They have since been made available on our website. These resources are part of a pilot of the podcast format. DSNSW will be seeking feedback from dam owners and viewers on the usefulness of this new medium.

## **Training**

### **Update on online training courses “Surveillance of embankment dams – routine inspections”**

During the 2023-24 financial year 169 people enrolled in the DSNSW ‘Surveillance of embankment dams – routine inspections’ online courses.

Nine participants were assessed against the National Water Training Package unit of competency 'NWPCAD011 - inspect and report on embankment dam safety' by registered training organisation Water Training Australia. These competency assessments are run on behalf of DSNSW for declared dam owners and their staff.

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### **Launch of “Surveillance of concrete dams – routine inspections” online training course**

Dams Safety NSW again collaborated with TAFE NSW to launch the three-hour online course ‘[Surveillance of concrete dams - routine inspections](#)’. The course will help NSW dam owners understand the activities involved in conducting routine visual inspections of concrete dams.

Since its release in October 2023, 61 people have enrolled in the DSNSW ‘Surveillance of concrete dams – routine inspections’ online courses.

Our competency assessment program is available for people who successfully completed either course, and work for a declared dam owner in NSW.

### **DSNSW a finalist in NSW Australian Water Association (AWA) Awards**

In March 2024 DSNSW was nominated as a finalist in the ‘Organisational Excellence’ category at the 2024 NSW Water Awards for our online courses for safer dams in NSW.

DSNSW’s courses are self-paced and fully online, which is quite different from previous face-to-face training in dam safety. This delivery style allows for a greater range of people and organisations to access knowledge.

The courses are aimed at anyone responsible for routinely inspecting embankment or concrete dams in NSW but are focused on dams that have been declared by DSNSW. To date, 259 people have successfully completed the courses.

### **Emergency exercise workshop**

In June 2024 DSNSW engaged ACIIM Solutions, a registered training organisation, to deliver a workshop for declared dam owners on designing emergency exercises. A small number of dam owners from local government and a small private business who had expressed interest in the training were invited to participate in this interactive workshop. The workshop content was based on the Australian Institute for Disaster Resilience Handbook and the ‘Design emergency management exercises’ unit of competency and was recorded. The edited recording will be made available to all declared dam owners in the second half of 2024.

## **2.2 Reinforce dam owner accountability**

*We will engage dam owner senior leadership during audits and education activities. We will conduct enforcement activity where necessary to deter and rectify non-compliant behaviour. We will launch a self-reporting portal for dam owners.*

### **New compliance and audit IT project**

This year DSNSW launched our Dams Information Management System (DIMS), which operates on the Microsoft Power Platform. This system is integrated within DCCEEWS’s secure tenancy, ensuring a high level of data protection. The transition to DIMS offers a modern approach to managing dam

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information, enhancing our ability to generate reports and bolstering the efficiency and effectiveness of our audit and compliance activities. With its advanced capabilities, DIMS promises to significantly improve our operational processes now and in the future.

## **2.3 Support dam owners to be transparent about their dams' safety risks**

*We will drive improvement in dam owners' annual safety reporting and develop communications tools that help dam owners explain dam safety risks to their communities.*

### **Annual Dams Safety Standards Reports**

The dam safety legislation requires all declared dam owners to publish an Annual Dams Safety Standards Report (ADSSR) for their dam, and to provide a copy to DSNSW. The report is the means by which a dam owner's 'accountable office holder' attests to the dam owner's level of compliance with the dam safety standards prescribed in the Dams Safety Regulation.

Seventy-four per cent of ADSSRs were submitted by the due date of 31 March 2024. Reminder letters were issued to 48 dam owners who did not submit their ADSSR by the due date. Eighteen dam owners who did not submit their reports within 30 days of the reminder letter were then issued a section 15 Notice and were contacted by phone. As of 30 June 2024, DSNSW has received 97% of all ADSSRs, an improvement on the 79% received by the same time the previous year.

### **Dam safety reported incidents responded to promptly**

An owner of a declared dam must ensure that incidents occurring at, or in relation to, the dam are reported to us as soon as possible after the incident. Depending on the severity of the incident, we carry out follow up investigations with the dam owner.

This year we established a standby duty officer system to ensure that we could promptly respond to incidents 24 hours a day, 7 days a week.

In 2023/24 we received notification of 17 incidents, comprising of the following:

- 9 exceedances of water level trigger alerts in dams
- 2 minor slumping or damage to dam walls
- 1 spillway blockage
- 1 spill from a non-declared dam
- 1 break and enter to a declared dam
- 3 instances of seepage or leakage from tailings dams and associated pipelines

Of the reported incidents, four required additional follow-up from DSNSW to ensure that adequate actions were undertaken to address the causes and impacts of the incident.



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## Goal 3: Dams Safety NSW is recognised as a fair, transparent and effective regulator

### 3.1 Identify and follow best practice

*We will seek to continually improve our regulatory approach through regular benchmarking, striving for gains in effectiveness and efficiency, and actively engaging with the latest developments in regulatory practice.*

#### Policy developed for dams with spillways, spillway gates and fuse plug spillways

DSNSW has a role in the regulation of a declared dam's controlled spillway design, maintenance, and operating protocols and procedures to protect the dam from failure. As such, during 2023-24, DSNSW prepared a policy position for regulating dams with controlled spillways because:

- the design, maintenance, and operating protocols and procedures for controlled spillways are important to ensure they operate to protect the dam from failure
- the operation of spillway gates can lead to a sudden rise in downstream river levels which, in some circumstances, may appear to the community to be a 'dam failure'. The policy describes DSNSW's role in the regulation of declared dams with respect to controlled spillways. This policy position is:

*DSNSW's regulatory role focuses on ensuring: (a) a declared dam's controlled spillways operate as designed; and (b) the dam owner's controlled spillway operating rules do not increase the risk of dam failure.*

*For the avoidance of doubt, the routine operation of controlled spillways is a matter for the owner of a declared dam. This includes the downstream impacts at any time from the operation of controlled spillways including floods through the dam and engaging with emergency services and communities affected by such an event.*

#### Regulatory project recommends actions to reduce number of overdue Risk Reports

A regulatory project to better understand and respond to the emerging problem of overdue Risk Reports commenced in February 2024 and was completed in June 2024. The regulatory project sought to understand why dam owners might be failing to submit Risk Reports on time.

By the end of 2026, all declared dam owners must complete a 'first round' of Risk Reports for their dams to comply with the requirement in clause 15 of the *Dams Safety Regulation 2019* for 'Assessment of societal and individual risk'.

At the end of January 2024, 100 out of 163 required reports in the 2022 and 2023 tranches had not been completed, pointing to a developing build-up of late reports.

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## Key findings of the project

- The number of Risk Reports completed has improved since January 2024
- Discussions with consultants and the increasing completion rate of Risk Reports indicate that consultant capacity is on the rise. This improvement can be attributed to consultants becoming more familiar with the regulatory requirements
- The improving Risk Report completion rate can also be attributed to the efforts of the compliance team, which is in regular contact with dam owners with overdue Risk Reports
- Dam owners have not been starting the risk report process early enough. It's crucial to start early, as substantial time is required to conduct the necessary preliminary studies for the report
- Consultants recommend frequent reminders to dam owners to raise awareness of the time needed to complete Risk Reports.

## Actions resulting from the project included:

- Increase communication with consultants to direct them to Risk Report requirement information on the DSNSW website.
- Increase the frequency of communication with dam owners who have Risk Reports due in the next year's tranche.
- Use the full range of our regulatory tools, including issuing directions to owners who do not respond to our requests for information, and subsequently issue penalty notices to those who do not comply with these directions.
- Publicise examples of how dam owners' Risk Reports have led to positive outcomes to encourage similar actions among owners.

## Quality Management System

DSNSW has continued to work on the progression of a quality management system (QMS), with the continuation of key assurance processes such as the internal audit schedule and internal procedure, and the continued advancement of the Regulatory Oversight Committee's processes. These processes have ensured that DSNSW continues to strive for improvement in the implementation of the agency's functions. Consideration will be given to whether ISO 9001 certification is appropriate in 2024/25.

## 3.2 Invest in our people

*We will develop the capability of existing staff and aim to attract, retain and progress the best people through a sustainable employment model and fostering an effective organisational culture.*

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## Development program for DSNSW leaders

We invest in our leaders' personal and professional development. To this end, this financial year DSNSW continued to partner with the Anson Group to deliver a development program for its current and future leaders. The program provided an opportunity for participants to understand the impact of their leadership and influence. It also provided tools and models for both leadership and team development.

Participants gained new perspectives on how to solve problems, communicate well and maintain strong working relationships. It also helped them to maintain and improve a healthy work life balance. The program concluded in February 2024.

## 3.3 Demonstrate excellence in governance

*We will maintain robust governance frameworks to ensure clear accountabilities and support transparent regulatory decision-making.*

### Regulatory Oversight Committee (ROC)

The Regulatory Oversight Committee (ROC) was established in August 2021 to ensure that DSNSW's regulatory decisions and actions reflect robust governance frameworks, ensure clear accountabilities and support transparent regulatory decision-making. While the ROC itself does not make decisions, it considers and endorses proposed decisions for consistency and appropriateness. The ROC aims to ensure that there is appropriate internal oversight, accountability and consistency in regulatory decision-making within DSNSW in accordance with the principles set out in the Regulatory Policy. The ROC provides the mechanism for DSNSW to review previous regulatory decisions to enable consistent decisions to be made. The ROC also ensures appropriate assurance processes are in place for independent review of regulatory decisions. The ROC comprises the CEO and all senior managers plus, by invitation, any staff subject matter experts for specific dams or basins as needed.

In 2023-24, the ROC met 11 times. Regulatory decisions made included action to be taken for:

- Dam owners who had not submitted an Annual Dams Safety Standards Report
- Dams with overdue Risk Reports
- Escalation of non-compliances
- Dams recommended for revocation of their declaration.

### Emergency plan update and summary sheet

In an emergency, the NSW State Emergency Service (NSW SES) needs to find information about a dam quickly, including key contact details. Searching through an emergency plan wastes precious

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time. In March 2024 the NSW SES developed a summary information sheet to provide the information in a consistent format, at the front of any dam emergency plan.

Declared dam owners must use the summary information sheet template and place it at the front of their dam's emergency plan. DSNSW expects declared dam owners to add the new summary information sheet to the front of their emergency plans when the plan is next due for its annual review.

### **3.4 Engage effectively with stakeholders**

*We will update our stakeholder engagement strategy and seek feedback from dam owners and other stakeholders through forums, surveys and other engagements. We will increase the availability of information about dams safety, including publishing enforcement activities on our website to enhance the safety of dams in NSW.*

#### **Relationships with other agencies continue to be strengthened**

As a contemporary regulator, DSNSW learns from and shares information about our experiences with other regulators. Accordingly, this financial year we continued to advocate for better ties with other regulatory and industry agencies.

DSNSW continues to liaise closely with the NSW State Emergency Service (NSW SES). DSNSW and the NSW SES held meetings in August 2023 and November 2023 to discuss how to improve declared dam emergency planning in NSW, and how the two organisations could better work together. Both organisations participated in a webinar on emergency plans in March 2024 and co-presented two papers at the Australian National Committee on Large Dams (ANCOLD) conference in October 2023.

DSNSW maintains the following Memoranda of Understanding with four NSW agencies:

- NSW Resources Regulator, as both agencies have a role in ensuring the safety of declared dams on mine sites. The MOU clarifies the responsibilities and functions of each agency and establishes a framework for cooperation on joint operational activities and investigations. The MoU was reviewed and updated in February 2024.
- NSW Environment Protection Authority, to clarify the responsibilities and functions of each agency regarding declared dams and to establish a framework for cooperation on joint operational activities
- Public Works Advisory, to establish the working arrangements during dam safety incidents or emergencies
- Commissioner of Fines Administration, to provide a framework for cooperation in implementing and maintaining administrative arrangements for the collection and enforcement of fines.

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In 2023 DSNSW became a member of the Australasian Environmental Law Enforcement and Regulators neTwork (AELERT). AELERT is an internationally recognised professional network for regulators across Australasia and plays an important role in Australasia to advance world class regulatory practice. AELERT's current membership includes over 250 member agencies and more than 3,000 individual members. Membership of AELERT will ensure DSNSW improves its regulatory practice through regular contact with other regulatory agencies. DSNSW also participates in the following AELERT Communities of Practice (CoP):

- Better Regulation CoP
- Organisational Maturity CoP

This year DSNSW supported the local water utilities' Town Water Risk Reduction Program, particularly in supporting regional utilities in fulfilling their risk assessment duties, in collaboration with the program's sponsor, the NSW Department of Climate Change, Energy, Environment, and Water.

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# Management and accountability

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## Our people

In accordance with the *Dams Safety Act 2015*, DSNSW does not directly employ staff. Staff are employed by the Department of Climate Change, Energy, Environment and Water to enable DSNSW to exercise its functions.

### People Matter 2023 NSW Public Sector Employee Survey

From August 21 to September 15, 2023, the staff of Dams Safety NSW took part in the annual People Matter survey.

The NSW People Matter Employee Survey asks employees about their experience and perceptions of a range of workplace issues and practices, including management and leadership, service delivery, employee engagement, diversity and inclusion, public sector values, and unacceptable conduct. The survey is conducted by the NSW Public Service Commission with assistance from NSW public sector agencies and Ipsos, an external service provider.

The survey results for DSNSW were outstanding, with 90% of responses indicating positive engagement in job purpose and enrichment. Teamwork and collaboration also scored highly, with an 83% favourability rating, while job satisfaction scored a high 89%.

These figures, along with other positive indicators, reflect a robust and constructive culture within our team. This culture is instrumental in achieving our strategic goals and delivering significant benefits to the communities we serve.

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## Our management team

### Chris Salkovic

Chris is the Chief Executive Officer of Dams Safety NSW, overseeing the agency's day-to-day operations.

Chris is an experienced asset management leader and safety regulator, holds credentials as a professional engineer, Certified Asset Management Assessor (CAMA), and a graduate of the Australian Institute of Company Directors (GAICD). With 30 years of expertise, he specialises in risk

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assessment, asset management, corporate governance, strategic planning, program management, and improving operational and maintenance practices.

## **Peter Boyd**

Peter was the Governance and Assurance Manager until he became DSNSW's Principal Policy Officer, transitioning to retirement. Peter is responsible for regulation and policy development, and regulatory best practice.

Peter has a mechanical engineering background, with extensive experience in developing and auditing quality and safety management systems.

## **Margaret Hynes**

Margaret is the Capability Manager. Margaret's 20 years' experience in water and in corporate services, business improvement and administration bring vital skills and leadership to the organisation.

Margaret oversees the Board Secretariat, stakeholder engagement, information management, education activities and the corporate relationship with the Department of Climate Change, Energy, the Environment and Water. Margaret runs continuous improvement initiatives to ensure that Dams Safety NSW successfully supports dam owners and the Government.

## **Jason Porter**

Jason is Dams Safety NSW's Principal Dam Safety Engineer with 30 years' professional engineering experience.

Jason is responsible for reviewing and analysing dam safety documentation and studies for declared large dams. He provides specialist advice to Dams Safety NSW on the risk levels posed by large dams and the extent to which dam owners are meeting their obligations under the legislation.

## **Alison Collaros**

Alison is the Compliance Manager, with over 14 years of experience in natural resource management, regulation and compliance with the NSW State Government. Alison commenced with Dams Safety NSW in November 2023. Alison is responsible for managing the audit and compliance functions of Dams Safety NSW. This includes auditing dam owners to assess compliance with the requirements of the Dam Safety Act and Regulation, and applying a risk-based approach to how Dams Safety NSW responds to non-compliances.

## Richard Nevill

Richard is the Governance & Assurance Manager, with over 30 years' experience in environmental regulatory operations and governance.

Richard commenced with Dams Safety NSW in February 2024 and is responsible for the development, implementation and maintenance of Dams Safety regulatory policy, legislative, governance and assurance frameworks. He ensures robust and defensible decision-making processes within the agency and provides expert advice that drives the development of innovative, cost-effective best practice regulation policy and practice.

**Table 5: Number of officers and employees by category with previous year comparison**

	2023-2024	2022-2023
Ongoing	20	12
Temporary	1	7
Executive	1	1
<b>TOTAL</b>	<b>22</b>	<b>20</b>

**Table 6: Numbers and remuneration of senior executives 2023-2024**

	2023-2024		
	Male	Female	Total
Band 4 Secretary	0	0	0
Band 3 Group/Deputy Secretary	0	0	0
Band 2 Executive Director	0	0	0
Band 1 CEO Dams Safety NSW	1	0	1
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>1</b>



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## Our governing body

DSNSW is governed by five part-time members, each appointed by the Minister for Water, Housing and Homelessness and the Chief Executive Officer who is also responsible for the day-to-day operations of the agency. The *Dams Safety Act 2015* specifies the collective professional expertise, qualifications, and experience required of appointed members. Notably, owners of declared dams are prohibited from being appointed as a member.

### Dams Safety NSW (Board) effectiveness review

Following the board governance effectiveness review conducted in March and April 2023, we have been making steady advancements. As of 30 June 2024, only three recommended actions remain to be completed. These include revising the board's charter and the completion of a service level agreement with our portfolio department. We anticipate finalising these actions by the end of 2024, underscoring our commitment to best practice governance standards.

### Dams Safety NSW members

#### Paul O'Connor – Chairperson

**Term of appointment: November 2022 – October 2025**

Paul is an experienced governance leader and former federal safety regulator, passionate about the prevention of harm. He cares deeply about communities being safe and confident, well prepared for risk and uncertainty. He has an outstanding record of achievement in delivering public value as a CEO and non-executive director.

Paul has an extensive governance practice and is a Fellow of the Australian Institute of Company Directors, a Fellow of the Governance Institute of Australia and a national Fellow of the Institute of Public Administration Australia.

#### Julie Garland McLellan – Deputy Chairperson

**Term of appointment: November 2021 - October 2024**

Ms Garland McLellan is a Chartered Civil Engineer with experience in both the water and the resources industries. Her senior executive and board roles have included business development manager for Thames Water, Board member for Melbourne Water and City West Water, Director for Bounty Mining and Tamar Gold.

Ms Garland McLellan is also a course creator and facilitator for both the Australian Institute of Company Directors and the Governance Institute of Australia.

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## Shane McGrath

### **Term of appointment: November 2019 – October 2025**

Mr McGrath is a civil engineer with over 40 years' experience in the water industry. He has extensive experience in senior leadership roles for construction, operation, maintenance and management of major dams and other water supply infrastructure, both in Australia and overseas.

Mr McGrath was an executive member of the Australian National Committee on Large Dams (ANCOLD) and a member of the Dam Safety Committee of the International Commission on Large Dams (ICOLD) and is a Fellow of the Institution of Engineers and a Chartered Professional Engineer.

## Ian Landon-Jones

### **Term of appointment: November 2022-October 2025**

Ian Landon-Jones is a civil engineer, project director, senior executive and director with over 40 years' experience in the water industry, and more than 20 years in the implementation of regulation.

He has expertise in dam safety management, asset management, design and delivery of major infrastructure, mining impacts on assets, emergency management, financial management and policy development.

His senior executive and board roles have included General Manager Dam Safety and Technical Director for WaterNSW, Chair of the Interim Dam Safety Advisory Committee, Chair and Board member of the Australian National Committee on Large Dams.

Ian currently serves as a member of the hydro-mechanical and earthquake committees of the International Commission on Large Dams. He was a member of the former NSW Dams Safety Committee for 15 years.

## Dr Lisa Caffery

### **Term of appointment: December 2023 to December 2026**

Lisa is a community engagement and governance specialist who is passionate about regional Australia. She is a skilled executive in governance, strategy, engagement, social performance management, and social research. Lisa completed a Doctor of Philosophy (PhD) at Central Queensland University (CQU) in 2021 and maintains research interests in rural and remote communities, social impact, health and STEM education. She also possesses undergraduate and postgraduate tertiary qualifications in communications/public relations and is a graduate of the Australian Institute of Company Directors.

She is the founder and managing director of a small Environment Social Governance advisory firm and is also the current board Chair of Sunwater Ltd.

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## Chris Salkovic - Chief Executive Officer

Mr Salkovic is an asset management leader and certified asset management assessor (CAMA) with over 25 years' experience in infrastructure risk management, strategic planning, program management and operations and maintenance improvement. As Chief Executive Officer of Dams Safety NSW, Chris is responsible for the day-to-day operations of the agency.

## Dams Safety NSW meetings

In 2023-24 DSNSW members met for 7 scheduled meetings.

- 25 July 2023
- 28 August 2023
- 6 October 2023
- 21 November 2023
- 14 February 2024
- 9 April 2024
- 4 June 2024

Four members attended all meetings during the 2023/24 financial year. Dr Lisa Caffery commenced her tenure in December 2023 and attended 3 meetings.

## Integrity of Dams Safety NSW

Members DSNSW must disclose any pecuniary or other interests that may conflict with the proper performance of their duties. All members of DSNSW lodged their disclosures for the 2023-24 financial year. These disclosures are monitored and discussed for their relevance at the start of every meeting.

## Code of Conduct

Members of DSNSW follow:

- the [Dams Safety NSW Code of Conduct](#), which outlines the fundamental values and principles that define the standards of behaviour expected by each member
- the [Dams Safety NSW Charter](#), which outlines the main principles adopted by the Members of Dams Safety NSW to develop, implement and maintain good corporate governance
- the NSW Government Boards and Committees Guidelines, which outline fundamental values and principles that members should adhere to when carrying out their duties

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## External complaints

If complaints about DSNSW are received they are managed under the Department's complaint handling process and are included in the Department's statistical information. In 2023-24, DSNSW received no complaints.

## Consultants

**Table 7. Consultancies less than \$50,000**

Name	Description	Cost
Nil	Nil	\$0

**Table 7. Consultancies more than \$50,000**

Name	Description	Cost
Nil	Nil	\$0

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## Governance framework

The DSNSW Governance framework describes how DSNSW sets responsibilities, practices, policies, processes and procedures to provide strategic direction, achieve DSNSW's intended purpose, manage risks, comply with all relevant legislation and meet expectations of probity, accountability and transparency.

### Delegation assurance framework

DSNSW has established financial and operational instruments to delegate functions of DSNSW to officers of DSNSW.

As part of its governance processes, DSNSW has implemented a delegation assurance plan and associated procedures to ensure that delegations to officers are managed appropriately, and that officers of DSNSW are exercising their delegations appropriately.

The plan's controls and assurance measures have been designed to be commensurate with the risk associated with each delegation.

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## Ethics and integrity

The Department of Climate Change, Energy, Environment and Water's Ethics Portal provides an online, centralised and up-to-date resource for all employees to declare and comply with their obligations under the Code of Ethics and Conduct (the Code).

## Public Interest Disclosures

On 1 October 2023 a new *Public Interest Disclosures Act 2022* (PID Act) commenced in NSW which completely replaced the previous *Public Interest Disclosures Act 1994*. The new PID Act requires all agencies in NSW to have a Public Interest Disclosure (PID) Policy.

DSNSW has developed its own PID Policy, which is publicly available on [our website](#). Staff are also regularly reminded of responsibilities and opportunities under the PID Act through emails and discussions in team meetings.

During the reporting period, DSNSW received no PID reports in any category.

## Standing Order 52

During the reporting period, the NSW Legislative Council did not compel DSNSW to produce any documents.

## Public access to information

DSNSW has delegated its functions under section 9 of the *Government Information (Public Access) Act 2009* (GIPA Act) to the Information Access and Privacy Unit of the Department of Climate Change, Energy, the Environment and Water. Therefore, all statistical information about access applications required to be included in an annual report regarding DSNSW, in compliance with section 125 of the GIPA Act and clause 8 of the GIPA Regulation, is included in the annual report for the Department of Climate Change, Energy, the Environment and Water.

In 2023-24, DSNSW received two applications for access to information, one of which was outside of DSNSW's remit and therefore resulted in a nil response.

## Privacy

Under clause 6 of the Annual Reports (Departments) Regulation 2010, DSNSW must provide a statement of its actions to comply with the requirements of the *Privacy and Personal Information Protection Act 1998* (PPIP Act). It must also provide statistical details of any reviews conducted by or on behalf of the Department, under Part 5 of the PPIP Act.

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DSNSW complies with the Privacy Management Plan for the Department of Climate Change, Energy, the Environment and Water. The Plan outlines how the Department and its cluster agencies comply with the principles of the PPIP Act and the *Health Records and Information Privacy Act 2002*. Officers in the Department's Information Access & Privacy unit also provide specialist privacy advice and training to departmental cluster staff. In 2023-24, DSNSW did not receive any applications for review under Part 5 of the PPIP Act.

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# Sustainability

DSNSW complies with the Department of Climate Change, Energy, the Environment and Water’s policies for sustainable work practices.

## Work Health and Safety (WHS)

DSNSW is part of the Department of Climate Change, Energy, the Environment and Water’s WHS Committee. As such, DSNSW follows the policies and procedures adopted by this Committee for the broader department.

DSNSW is also a ‘person conducting a business or undertaking’ (PCBU) for the purposes of section 5 of the *Work Health and Safety Act 2011*. As such, all statistical information about WHS incidents are required to be included in the annual report. All DSNSW WHS incidents reported in 2023-24 to the Department of Climate Change, Energy, the Environment and Water’s WHS team are summarised below.

**Table 8. Incidents reported to the department's WHS Team in 2023 - 2024**

Incident recorded	Date occurred
Back injury	16 April 2024

## Workplace diversity

Workforce diversity includes (but is not limited to) diversity of the workforce in respect of gender, cultural and linguistic background, Aboriginal people and people with a disability.

Under section 63 of the *Government Sector Employment Act 2013*, the head of a NSW government sector agency is responsible for workforce diversity and ensuring that workforce diversity is integrated into workforce planning within their agency.

DSNSW recognises the value of diversity and inclusion and is subject to the actions outlined in the Department of Climate Change, Energy, the Environment and Water’s Diversity and Inclusion Workforce Strategy 2021–25. Through the Strategy, the broader department focuses on improving outcomes for multicultural, LGBTQIA+, Aboriginal, and gender equity outcomes, as well as outcomes for staff with disability.

Further information on this issue is available in the Department of Climate Change, Energy, the Environment and Water’s annual report.

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## Disability inclusion

Disability inclusion planning aims to reduce and remove barriers for people with disability and foster a more accessible and inclusive community. Under the *Disability Inclusion Act 2014*, all public authorities (including NSW government departments) are required to develop a Disability Inclusion Action Plan and report annually on progress.

DSNSW is subject to the Department of Climate Change, Energy, the Environment and Water's Disability Inclusion Action Plan and further information in this regard is available in the Department of Climate Change, Energy, the Environment and Water's annual report.

## Modern slavery

DSNSW receives procurement services from the Department of Climate Change, Energy, the Environment & Water (DCCEEW), which operates under the procurement framework of, and receives procurement services from, the Department of Planning, Housing & Infrastructure (DPHI).

All Modern Slavery Act 2018 (NSW) requirements for DCCEEW are managed through this procurement framework, and activities to support and uphold the intent of the Modern Slavery Act 2018 are reported in DPHI's Annual Report 2023-2024.



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# Internal Audit and Risk Management Attestation Statement

I, Paul O'Connor, Chairperson of Dams Safety NSW, am of the opinion that Dams Safety NSW has internal audit and risk management processes in operation that are, taking into account the Small Agency Exemption granted to Dams Safety NSW, consistent with the Core Requirements set out in the Internal Audit and Risk Management Policy for the General Government Sector, specifically:

## Core Requirements

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### Risk Management Framework

- |   |           |
|---|-----------|
| 1.1 The Accountable Authority shall accept ultimate responsibility and accountability for risk management in the agency.  | Compliant |
| 1.2 The Accountable Authority shall establish and maintain a risk management framework that is appropriate for the agency. The Accountable Authority shall ensure the framework is consistent with AS ISO 31000:2018. | Compliant |
- 

### Internal Audit Function

- |  |  |
|--|--|
| 2.1 The Accountable Authority shall establish and maintain an internal audit function that is appropriate for the agency and fit for purpose.                                | Non-Compliant;<br>Small Agency<br>Exemption    |
| 2.2 The Accountable Authority shall ensure the internal audit function operates consistent with the International Standards for Professional Practice for Internal Auditing. | Non-Compliant;<br>Small<br>Agency<br>Exemption |
| 2.3 The Accountable Authority shall ensure the agency has an Internal Audit Charter that is consistent with the content of the 'model charter'.                              | Non-Compliant;<br>Small Agency<br>Exemption    |
- 

### Audit and Risk Committee

- |   |   |
|---|---|
| 3.1 The Accountable Authority shall establish and maintain efficient and effective arrangements for independent Audit and Risk Committee oversight to provide advice and guidance to the Accountable Authority on the agency's governance processes, risk management and control frameworks, and its external accountability obligations. | Non-Compliant;<br>Small Agency<br>Exemption |
| 3.2 The Accountable Authority shall ensure the Audit and Risk Committee has a Charter that is consistent with the content of the 'model charter'.   | Non-Compliant;<br>Small Agency<br>Exemption |
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### *Departures from Core Requirements*

I, Paul O'Connor, Chairperson of Dams Safety NSW, advise that the internal audit and risk management processes for Dams Safety NSW depart from the following Core Requirements set out in the *Internal Audit and Risk Management Policy for the General Government Sector*.

The circumstances giving rise to these departures have been determined by the Responsible Minister, a Small Agency Exemption has been granted, and Dams Safety NSW has implemented the following practicable alternative measures to meet the Core Requirements:

<b>Departure</b>	<b>Reason for departure and description of practicable alternative measures implemented/being implemented</b>
<b>Non-Compliance</b>	
<ul style="list-style-type: none"><li>• Core Requirement 2.1</li></ul>	Dams Safety NSW has established an internal audit function that is commensurate with the size of the agency. A Small Agency Exemption applies.
<ul style="list-style-type: none"><li>• Core Requirement 2.2</li></ul>	Dams Safety NSW has established an internal audit function that is commensurate with the size of the agency. A Small Agency Exemption applies to the internal audit function to the extent that it is consistent with the International Standards for Professional Practice for Internal Auditing.
<ul style="list-style-type: none"><li>• Core Requirement 2.3</li></ul>	Dams Safety NSW has established an Internal Audit Charter that is commensurate with the size of the agency. A Small Agency Exemption applies.
<ul style="list-style-type: none"><li>• Core Requirement 3.1</li></ul>	Dams Safety NSW members carry out applicable internal audit committee activities. A Small Agency Exemption applies.
<ul style="list-style-type: none"><li>• Core Requirement 3.2</li></ul>	The Internal Audit Charter includes activities normally undertaken by an audit committee. A Small Agency Exemption applies.

These processes, including the practicable alternative measures being implemented, demonstrate that Dams Safety NSW has established and maintained frameworks, including systems, processes, and procedures for appropriately managing audit and risk within Dams Safety NSW.



Mr Paul O'Connor FAICD, FGIA  
Non-executive Chairperson, Dams Safety NSW

Date: 17 September 2024

Agency contact:  
Mr Richard Nevill  
Governance and Assurance Manager  
Email: richard.nevill@damsafety.nsw.gov.au

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# Financial performance



## INDEPENDENT AUDITOR'S REPORT

### Dams Safety NSW

To Members of the New South Wales Parliament

#### Opinion

I have audited the accompanying financial statements of Dams Safety NSW (DSNSW), which comprise the Statement by the Accountable Authority, the Statement of Comprehensive Income for the year ended 30 June 2024, the Statement of Financial Position as at 30 June 2024, the Statement of Changes in Equity and the Statement of Cash Flows, for the year then ended, and notes to the financial statements, including a Summary of Material Accounting Policy Information, and other explanatory information.

In my opinion, the financial statements:

- have been prepared in accordance with Australian Accounting Standards and the applicable financial reporting requirements of the *Government Sector Finance Act 2018* (GSF Act), the *Government Sector Finance Regulation 2024* (GSF Regulation) and the Treasurer's Directions
- presents fairly the financial position, financial performance and cash flows of the DSNSW.

My opinion should be read in conjunction with the rest of this report.

#### Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the DSNSW in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I have fulfilled my other ethical responsibilities in accordance with APES 110.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## **The Members of DSNSW's Responsibilities for the Financial Statements**

The Members of DSNSW is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the GSF Act, GSF Regulation and Treasurer's Directions. The Members of DSNSW's responsibility also includes such internal control as the Members of DSNSW determines is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Members of DSNSW is responsible for assessing the DSNSW's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: [www.auasb.gov.au/auditors\\_responsibilities/ar4.pdf](http://www.auasb.gov.au/auditors_responsibilities/ar4.pdf). The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the DSNSW carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.



Caroline Karakatsanis  
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

1 October 2024  
SYDNEY



Mr Paul O'Connor  
Chairperson  
Dam Safety NSW  
Locked Bag 5123  
SYDNEY NSW 2124

Contact: Caroline Karakatsanis  
Phone no: 02 9275 7143  
Our ref: R008-2124742775-6464

1 October 2024

Dear Mr O'Connor

## **STATUTORY AUDIT REPORT**

### **for the year ended 30 June 2024**

### **Dam Safety NSW**

I have audited the financial statements of Dam Safety NSW (DSNSW) as required by the *Government Sector Audit Act 1983* (GSA Act). This Statutory Audit Report outlines the results of my audit for the year ended 30 June 2024, and details matters I found during my audit that are relevant to you in your role as one of those charged with the governance of DSNSW. The GSA Act requires me to send this report to DSNSW's Accountable Authority, responsible minister and the Treasurer.

This report is not the Independent Auditor's Report, which expresses my opinion on DSNSW's financial statements. I enclose the Independent Auditor's Report, together with DSNSW's financial statements.

My audit is designed to obtain reasonable assurance the financial statements are free from material misstatement. It is not designed to identify and report all the matters you may find of governance interest. Therefore, other governance matters may exist that I have not reported to you.

My audit is continuous. If I identify new significant matters, I will report these to you immediately.

### **Audit result**

I expressed an unmodified opinion on DSNSW's financial statements.

### **Misstatements in the financial statements**

Misstatements (both monetary and disclosure deficiencies) are differences between what has been reported in the financial statements and what is required in accordance with DSNSW's financial reporting framework. Misstatements can arise from error or fraud.

I have certain obligations for reporting misstatements:

- the Auditing Standards require matters of governance interest and significant misstatements identified during the audit to be communicated to those charged with governance
- statutory obligations require the Auditor-General to report misstatements resulting from or not detected because of failures in internal controls and/or systemic deficiencies which pose a significant risk to DSNSW.

The financial statements did not contain misstatements.

### **Compliance with legislative requirements**

My audit procedures are targeted specifically towards forming an opinion on DSNSW's financial statements. This includes testing whether DSNSW complied with key legislative requirements relevant to the preparation and presentation of the financial statements. The results of the audit are reported in this context. My testing did not identify any reportable instances of non-compliance with legislative requirements.

### **Auditor-General's Report to Parliament**

The 2024 Auditor-General's Report to Parliament will incorporate the results of the audit.

### **Publication of the Statutory Audit Report**

The information in this Statutory Audit Report and any attachments is confidential and intended for management and those charged with governance only. This document may not be shared with other parties without the consent of the Audit Office.

### **Acknowledgment**

I thank DSNSW's staff for their courtesy and assistance.

Yours sincerely



Caroline Karakatsanis  
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

# **Dams Safety NSW**

## **Financial Statements**

*for the year ended 30 June 2024*



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**Dams Safety NSW**  
**Statement by the accountable authority**  
**For the year ended 30 June 2024**

Pursuant to section 7.6(4) of the *Government Sector Finance Act 2018*, we state on behalf of Dams Safety NSW that these financial statements:

- have been prepared in accordance with the Australian Accounting Standards and the applicable requirements of the *Government Sector Finance Act 2018*, the *Government Sector Finance Regulation 2024*, and the Treasurer's directions, and
- present fairly Dams Safety NSW's financial position, financial performance, and cash flows.

Signed

**Paul O'Connor**  
**Chairperson**



**Dated: 29 September 2024**

Signed

**Julie Garland McLellan**  
**Deputy Chairperson**



**Dated: 29 September 2024**

**Beginning of the financial statements**  
**Dams Safety NSW**  
**Statement of comprehensive income for the year ended 30 June 2024**

---

	Notes	2024 \$'000	2023 \$'000
<b>Expenses excluding losses</b>			
Personnel services	2(a)	4,221	2,926
Operating expenses	2(b)	633	874
Depreciation and amortisation	2(c)	13	13
<b>Total expenses excluding losses</b>		<b>4,867</b>	<b>3,813</b>
<b>Revenue</b>			
Grants and contributions	3(a)	11,701	4,000
Sale of goods and services	3(b)	38	15
Investment revenue	3(c)	115	57
Acceptance by the Crown of employee	3(d)	273	64
<b>Total revenue</b>		<b>12,127</b>	<b>4,136</b>
<b>Net result</b>	11	<b>7,260</b>	<b>323</b>
<b>Total comprehensive income</b>		<b>7,260</b>	<b>323</b>

The accompanying notes form part of these financial statements.

**Beginning of the financial statements**  
**Dams Safety NSW**  
**Statement of financial position as at 30 June 2024**

	Notes	2024 \$'000	2023 \$'000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	4	8,234	1,351
Receivables	5	2	2
<b>Total current assets</b>		<b>8,236</b>	<b>1,353</b>
<b>Non-current Assets</b>			
Intangible assets	6	360	109
<b>Total non-current assets</b>		<b>360</b>	<b>109</b>
<b>Total assets</b>		<b>8,596</b>	<b>1,462</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	7	428	554
<b>Total liabilities</b>		<b>428</b>	<b>554</b>
<b>Net assets</b>		<b>8,168</b>	<b>908</b>
<b>EQUITY</b>			
Accumulated funds		8,168	908
<b>Total equity</b>		<b>8,168</b>	<b>908</b>

The accompanying notes form part of these financial statements.

**Dams Safety NSW**  
**Statement of changes in equity for the year ended 30 June 2024**

---

	<b>Accumulated funds \$'000</b>	<b>Total equity \$'000</b>
<b>Balance at 1 July 2023</b>	<b>908</b>	<b>908</b>
Net result for the year	7,260	7,260
<b>Balance at 30 June 2024</b>	<b>8,168</b>	<b>8,168</b>
<b>Balance at 1 July 2022</b>	<b>585</b>	<b>585</b>
Net result for the year	323	323
<b>Balance as at 30 June 2023</b>	<b>908</b>	<b>908</b>

The accompanying notes form part of these financial statements.

**Dams Safety NSW**  
**Statement of cash flows for the year ended 30 June 2024**

	Notes	2024 \$'000	2023 \$'000
<b>Cash flows from operating activities</b>			
<b>Payments</b>			
Personnel services		(4,075)	(2,562)
Suppliers for goods and services		(632)	(726)
<b>Total payments</b>		<b>(4,707)</b>	<b>(3,288)</b>
<b>Receipts</b>			
Sale of goods and services		38	15
Interest received		115	57
Grants and contributions		11,701	4,000
<b>Total receipts</b>		<b>11,854</b>	<b>4,072</b>
<b>Net cash flows from operating activities</b>	10	<b>7,147</b>	<b>784</b>
<b>Cash flows from investing activities</b>			
Purchases of intangibles		(264)	-
<b>Net cash flows from investing activities</b>		<b>(264)</b>	<b>-</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>			
Opening cash and cash equivalents		1,351	567
<b>Closing cash and cash equivalents</b>	4	<b>8,234</b>	<b>1,351</b>

The accompanying notes form part of these financial statements.

### 1. Summary of material accounting policy information

#### a) Reporting entity

Dams Safety NSW was constituted on 1 November 2019, under the *Dams Safety Act 2015* to be an independent, transparent, and effective regulator with the responsibility for the safety of declared dams within NSW. Schedule 2, Part 2 (3) of the Act establishes Dams Safety NSW to be a continuation of the Dams Safety Committee which was established under the *Dams Safety Act 1978*.

Dams Safety NSW is a NSW government entity and is controlled by the State of New South Wales, which is the ultimate parent. It is a not for profit entity, as profit is not its principal objective, and it has no cash generating units.

The financial statements have been authorised for issue by the Chairperson and Deputy Chairperson of Dams Safety NSW on the date the accompanying statement by the accountable authority of Dams Safety NSW was signed.

#### b) Basis of preparation

Dams Safety NSW's financial statements are general purpose financial statements which have been prepared on an accrual basis and in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting Interpretations).
- the requirements of the *Government Sector Finance Act 2018 (GSF Act)*; and
- the Treasurer's Directions issued under the *GSF Act*

Financial assets and liabilities are measured using the fair value basis. Other financial statement items are prepared in accordance with the historical cost convention except where specified otherwise.

Judgements, key assumptions, and estimations management has made are disclosed in the relevant notes to the financial statements.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency, which is Dams Safety NSW's presentation and functional currency with the exception of note 12 which is expressed in whole dollars.

#### c) Statement of compliance

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

#### d) Accounting for the goods and services tax (GST)

Income, expenses, and assets are recognised net of the amount of GST, except that:

- the amount of GST incurred by Dams Safety NSW as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of the cost of acquisition of an asset or as part of an item of expense; and
- receivables and payables are stated with the amount of GST included.

Cash flows are included in the statement of cash flows on a gross basis. GST components of cash flows arising from investing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

#### e) Services provided by the Department of Climate Change, Energy, the Environment and Water

Dams Safety NSW does not employ any staff and receives personnel services, administrative and secretarial support and operational assistance from the newly formed Department of Climate Change, Energy, the Environment and Water, (DCCEEW) from 1 January 2024 onwards (previously provided by the Department of Planning and Environment (DPE)).

**1. Summary of material accounting policy information (continued)****f) Comparative information**

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is disclosed in respect of the previous year for all amounts reported in the financial statements.

Crown receipts have been disclosed as Acceptance by the Crown of employee benefits and other liabilities and the 2023 comparative amounts have been adjusted as detailed in note 2(a) and 3(d).

**g) Changes in accounting policies, including new or revised Australian Accounting Standards****(i) Effective for the first time in FY 2023-24**

The accounting policies applied in 2023-24 are consistent with those of the previous year however *AASB 2021-2 Amendments to Australian Accounting Standards - Disclosure of Accounting Policies and Definition of Accounting Estimates* is effective for the first time in financial year 2023-24 and accordingly, Dams Safety NSW has revised its notes to the financial statements to disclose material accounting policy information.

No other new accounting standards or interpretations that applied to Dams Safety NSW for the first time in 2023-24 had a material impact on the recognition and measurement of financial statement transactions and balances.

**(ii) Issued but not yet effective**

NSW public sector entities do not early adopt new Australian Accounting Standards unless the Treasury determines otherwise. Dams Safety NSW has assessed any potential impact on the financial statements due to the new accounting standards or interpretations and find that there will be no material financial impact when they are implemented in the future.

**h) Impact of Climate-related matters on financial reporting for 2023-24**

Dams Safety NSW has assessed and determined that there are no material impacts of potential climate related matters on the financial statements.

**i) Going concern**

The financial statements have been prepared on a going concern basis. Dams Safety NSW receives financial support from DCCEEW from 1 January 2024 onwards and from DPE prior to this date. At the date of this report there is no reason not to expect this financial support to continue.

**2. Expenses excluding losses****a) Personnel services**

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Appointed Members Remuneration	172	187
Salaries and wages (including annual leave)	3,455	2,316
Superannuation	372	248
Payroll tax	216	150
Workers compensation insurance	6	25
	<u>4,221</u>	<u>2,926</u>

The 2023 comparatives for Salaries and wages and Superannuation have been revised due to reclassifications of Crown reimbursements from Salaries and wages to revenue under Acceptance by the Crown of employee benefits (Note 3 (d) and 2) senior executive superannuation has been moved from the Salaries and wages to the Superannuation lines. Salaries and wages has increased by \$42,619 to \$2,316,280 and superannuation has increased by \$21,831 to \$247,961. The effect on the net result for 2023 is nil.



## Dams Safety NSW

### Notes to and forming part of the financial statements for the year ended 30 June 2024

## 2. Expenses excluding losses (continued)

### a) Personnel services (continued)

#### Recognition and measurement

##### **Personnel services**

Dams Safety NSW does not employ staff but uses the personnel services of DCCEEW. The costs of salaries, wages, superannuation, annual leave, long service and sick leave, are directly charged to Dam Safety NSW for hours worked. Provision for unused employee leave entitlements remain the responsibility of DCCEEW. Refer Note 1(e).

##### **Appointed members fees and on-costs**

Appointed member fees include superannuation and payroll tax. Appointed members are not entitled to any leave provisions.

### b) Operating expenses

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Audit fees	17	16
Communication	72	36
Consultants	-	30
Contractors	159	523
Education and training	61	60
Legal Costs	11	-
Low value assets	26	6
Low value and short term leases	130	120
Subscriptions	26	-
Other operating expenses	29	22
Travel	102	61
	<b>633</b>	<b>874</b>

#### Recognition and measurement

##### **Insurance**

Dams Safety NSW's activities are covered by DCCEEW's insurance policy under the NSW Treasury Managed Fund Scheme of self-insurance for Government agencies.

##### **Low value and short-term leases**

Dams Safety NSW recognises the lease payments associated with the following types of leases as an expense on a straight-line basis:

- Leases that meet the definition of short-term. i.e., where the lease term at commencement of the lease is 12 months or less.
- Leases of assets that are valued at \$10,000 or under when new.

### c) Amortisation expense

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Intangible Assets	13	13
	<b>13</b>	<b>13</b>

Refer to note 6 for recognition and measurement policies on amortisation.

## Dams Safety NSW

### Notes to and forming part of the financial statements for the year ended 30 June 2024

#### 3. Revenue

##### Recognition and measurement

Income is recognised in accordance with the requirements of AASB 15 *Revenue from Contracts with Customers* or AASB 1058 *Income of Not-for-Profit Entities*, dependent on whether there is a contract with a customer defined by AASB 15 *Revenue from Contracts with Customers*.

##### a) Grants and contributions

	2024	2023
	\$'000	\$'000
Grant without sufficiently specific performance obligations	11,701	4,000
	<u>11,701</u>	<u>4,000</u>

##### Recognition and measurement

Grant revenue is recognised when the Dams Safety NSW obtains control over the funds i.e. receives cash.

##### b) Sale of goods and services from contracts with customers

	2024	2023
	\$'000	\$'000
Course fee revenue	38	15
	<u>38</u>	<u>15</u>

##### Recognition and measurement

##### *Rendering of services*

Revenue from rendering of services is recognised when Dams Safety NSW satisfies its performance obligations for the training courses it provides.

##### c) Investment revenue

	2024	2023
	\$'000	\$'000
Interest	115	57
	<u>115</u>	<u>57</u>

##### Recognition and measurement

##### *Interest Income*

Interest income is recognised when it is earned.

##### d) Acceptance by the Crown of employee benefits

	2024	2023
	\$'000	\$'000
Superannuation - defined benefit	32	-
Long service leave	241	<u>62</u>
	<u>273</u>	<u>62</u>

The 2023 comparatives have been amended to include Crown reimbursements of employee benefits. Previously this re-imburement was included in the Salaries and wages line under Personnel expenses in Note 2(a). The net effect of this change on the 2023 net result is nil.

**3. Revenue (continued)****e) Deemed appropriation**

A special deposit account has been established under section 40 of the *Dams Safety Act 2015* into which all funds received are deposited. All monies that are expended by Dams Safety NSW in the exercise of its functions are also paid from this account. Dams Safety NSW therefore does not have any deemed appropriations and hence no disclosure under section 4.7 of *the GSF Act* is required.

**4. Current assets – cash and cash equivalents**

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Cash at bank and on hand	8,234	1,351
	<b>8,234</b>	<b>1,351</b>

Cash and cash equivalent assets recognised in the statement of financial position are reconciled at the end of the financial period to the statement of cash flows as follows:

Cash and cash equivalents (per statement of financial position)	8,234	1,351
Closing cash and cash equivalents (per statement of cash flows)	<b>8,234</b>	<b>1,351</b>

For the purposes of the statement of cash flows, cash and cash equivalents includes cash at bank and cash on hand.

Refer Note 11 for details regarding credit risk, liquidity risk and market risk arising from financial instruments.

**5. Current assets – receivables**

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Net GST receivable	2	2
	<b>2</b>	<b>2</b>

**6. Intangible assets**

	<b>Software</b>
	<b>\$'000</b>
<b>At 1 July 2022</b>	
Cost (gross carrying amount)	135
Accumulated amortisation and impairment	(12)
<b>Net carrying amount</b>	<b>123</b>
<b>Year ended 30 June 2023</b>	
Net carrying amount at the beginning of the year	123
Amortisation	(13)
<b>Net carrying amount</b>	<b>109</b>
<b>At 1 July 2023 fair value</b>	
Cost (gross carrying amount)	135
Accumulated amortisation and impairment	(26)
<b>Net carrying amount</b>	<b>109</b>
<b>Year ended 30 June 2024</b>	
Net carrying amount at the beginning of the year	109
Additions	264
Amortisation	(13)
<b>Net carrying amount at the end of the year</b>	<b>360</b>
<b>At 30 June 2024</b>	
Cost (gross carrying amount)	399
Accumulated amortisation and impairment	(39)
<b>Net carrying amount</b>	<b>360</b>

**Recognition and measurement**

The Dams Safety NSW recognises intangible assets only if it is probable that future economic benefits will flow to Dams Safety NSW and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, the cost is its fair value as at the date of acquisition.

Following initial recognition intangible assets are subsequently measured at fair value only if there is an active market. As there is no active market for Dams Safety NSW's intangible software assets, the assets are carried at cost less any accumulated amortisation and impairment losses.

All research costs are expensed. Development costs are only capitalised when certain criteria are met.

The useful lives of intangible assets are assessed to be finite. Dams Safety NSW's intangible assets are amortised using the straight-line method over their estimated useful lives. A useful life of 10 years is used for software intangible assets. The amortisation period and the amortisation method for an intangible asset with a finite useful life are reviewed at the end of each reporting period.

Intangible assets are tested for impairment where an indicator of impairment exists. If the recoverable amount is less than its carrying amount, the carrying amount is reduced to recoverable amount and the reduction is recognised as an impairment loss.

## Dams Safety NSW

### Notes to and forming part of the financial statements for the year ended 30 June 2024

---

#### 7. Current liabilities – payables

	2024	2023
	\$'000	\$'000
Creditors - DPHI	-	536
Creditors - DCCEEW	409	-
Accruals	19	18
	<u>428</u>	<u>554</u>

Details regarding liquidity risk, including a maturity analysis of the above payables are disclosed in Note 11.

Details regarding related parties are disclosed in note 12.

#### Recognition and measurement

Payables represent liabilities for goods and services provided to Dams Safety NSW. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

#### 8. Commitments

There are no capital expenditure commitments as at balance date (2023: nil).

#### 9. Contingent liabilities and contingent assets

Dams Safety NSW does not have any contingent liabilities or contingent assets as at 30<sup>th</sup> June 2024. (2023: nil).

#### 10. Reconciliation of cash flows from operating activities to net result

	2024	2023
	\$'000	\$'000
<b>Net cash from operating activities</b>	<b>7,147</b>	<b>784</b>
Amortisation	(13)	(13)
Increase / (decrease) in receivables	-	(36)
Decrease / (increase) in payables	126	(412)
<b>Net result</b>	<u><b>7,260</b></u>	<u><b>323</b></u>

#### 11. Financial instruments

Dams Safety NSW's principal financial instruments are outlined below. These financial instruments arise directly from Dams Safety NSW's operations. Dams Safety NSW does not enter or trade financial instruments, including derivative financial instruments, for speculative purposes.

Dams Safety NSW's main risks arising from financial instruments are outlined below, together with Dams Safety NSW's objectives, policies, and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout these financial statements.

Dams Safety NSW's Executive has overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by Dams Safety NSW, to set risk limits and controls and to monitor risks. Compliance with policies is reviewed by the entity on a continuous basis.

**11. Financial instruments (continued)**

**a) Financial instrument categories**

Class:	Note	Category	Carrying Amount	
			2024 \$'000	2023 \$'000
<b>Financial Assets</b>				
Cash and cash equivalents	4	Amortised cost	8,234	1,351
<b>Financial Liabilities</b>				
Payables <sup>1</sup>	7	Financial liabilities measured at amortised cost	428	554

1. Payables excludes statutory payables and unearned revenue, not within scope of AASB 7.

Dams Safety NSW determines the classification of its financial assets and liabilities after initial recognition and, when allowed and appropriate, re-evaluates risk at each financial year end.

**b) Derecognition of financial assets and financial liabilities**

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when the contractual rights to the cash flows from the financial assets expire; or if Dams Safety NSW transfers its rights to receive cash flows from the asset or has assumed an obligation to pay the received cash flows in full without material delay to a third party under a 'pass-through' arrangement; and either:

- Dams Safety NSW has transferred substantially all the risks and rewards of the asset; or
- Dams Safety NSW has neither transferred nor retained substantially all the risks and rewards of the asset but has transferred control.

Where Dams Safety NSW has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset continues to be recognised to the extent of Dams Safety NSW's continuing involvement in the asset.

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled or expired.

**c) Financial risks**

**(i) Credit risk**

Credit risk arises when there is the possibility of Dams Safety NSW's debtors defaulting on their contractual obligations, resulting in a financial loss to Dams Safety NSW.

Credit risk arises from Dams Safety NSW's cash and receivables. No collateral is held by Dams Safety NSW. Dams Safety NSW has not granted any financial guarantees.

Credit risk is managed by holding cash within the NSW Treasury Banking system and by reviewing and managing the collectability of receivables on an on-going basis adopting procedures established in the Treasurer's Directions.

Dams Safety NSW did not have any trade debtors at reporting date.

## Dams Safety NSW

### Notes to and forming part of the financial statements for the year ended 30 June 2024

#### 11. Financial instruments (continued)

##### c) Financial risks (continued)

##### (ii) Liquidity risk

Liquidity risk is the risk that Dams Safety NSW will be unable to meet its payment obligations when they fall due. Dams Safety NSW continuously manages risk by monitoring future cash flows to ensure adequate funding is held to meet future obligations.

Dams Safety NSW's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

Liabilities are recognised for amounts due to be paid in the future for goods or services received, whether invoiced or not. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in NSW TC 11-12. For small business suppliers, where terms are not specified, payment is made not later than 5 days from date of receipt of a correctly rendered invoice. For other suppliers, if trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received.

The table below summarises the maturity profile of Dams Safety NSW's financial liabilities, together with the interest rate.

##### Maturity analysis and interest rate exposure of financial liabilities

	Weighted Average Effective Int. Rate %	Nominal Amount <sup>1</sup> \$'000	Interest Rate Exposure			Maturity Dates		
			Fixed Interest Rate \$'000	Variable Interest Rate \$'000	Non- interest bearing \$'000	< 1 year \$'000	1 to 5 years \$'000	> 5 years \$'000
<b>2024 Payables</b>	0%	428	-	-	428	428	-	-
<b>2023 Payables</b>	0%	554	-	-	554	554	-	-

##### Notes:

1. The amounts disclosed here exclude statutory payables and unearned revenue (not within scope of AASB 7).

**11. Financial instruments (continued)**

**c) Financial risks (continued)**

**(iii) Market risk**

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Dams Safety NSW's exposure to market risk is very limited as it has no borrowings, and all its deposits are at call.

The effect on profit and equity due to a reasonably possible change in risk variable is outlined in the information below, for interest rate risk. A reasonably possible change in risk variable has been determined after considering the economic environment in which Dams Safety NSW operates and the time frame for the assessment (i.e., until the end of the next annual reporting period). The sensitivity analysis is based on risk exposure in existence at year end. The analysis is performed on the same basis as for 2023. The analysis assumes that all other variables remain constant.

*Interest rate risk*

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Exposure to interest rate risk arises primarily through Dams Safety NSW's cash balances.

A reasonably possible change of + / - 1% is used, consistent with current trends in interest rates. The basis will be reviewed annually and amended where there is a structural change in the level of interest rate volatility.

The following table demonstrates the sensitivity to a reasonably possible change in interest rates:

	Carrying Amount \$'000	Profit \$'000	Equity \$'000	Profit \$'000	Equity \$'000
		-1%		+1%	
<b>2024</b>					
<b>Financial Assets</b>					
Cash and cash equivalents	8,234	(82)	(82)	82	82
<b>2023</b>					
<b>Financial Assets</b>					
Cash and cash equivalents	1,351	(14)	(14)	14	14

**d) Fair value measurement**

***Fair value compared to carrying amount***

Financial instruments are generally recognised at cost. The amortised cost of financial instruments recognised in the statement of financial position approximates the fair value, because of the short-term nature of many of the financial instruments.



## Dams Safety NSW

### Notes to and forming part of the financial statements for the year ended 30 June 2024

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#### 12. Related party disclosure

During the year Dams Safety NSW incurred \$455,334 (2023: \$421,431) of key management personnel service expenses that were provided by DPE (up to 31 December 2023) and DCCEEW from 1 January 2024 onwards.

During the year, Dams Safety NSW did not enter into transactions with key management personnel, their close family members and controlled or jointly controlled entities thereof.

During the year, Dams Safety NSW entered into transactions with other entities that are either controlled, jointly controlled or significantly influenced by NSW Government. These transactions, (incurred in the normal course of business) in aggregate, are a significant portion of Dams Safety NSW's revenue and expenses. The nature of these material transactions is detailed below:

Entity	Nature of Transaction
Department of Planning, Housing and Infrastructure (formerly Department of Planning and Environment)	Provision of administrative and secretarial support, personnel services, operational assistance and grants revenue until 31 December 2023.
Department of Climate Change, Energy, the Environment and Water	Provision of administrative and secretarial support, personnel services, operational assistance and grants revenue from 1 January 2024 onwards.

#### 13. After balance date events

There are no known events that would impact on the state of Dams Safety NSW or have an impact on the financial statements.

**End of unaudited financial statements**