

[Annual Dams Safety Standards Report](#)

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The Annual Dams Safety Standards Report demonstrates the declared dam owner's compliance with the dam safety standards set out in the Dams Safety Regulation 2019 (the Regulation).

Every year, declared dam owners must lodge a separate report for each of their declared dams with Dams Safety NSW by 31 March.

The report covers the period 1 January to 31 December of the previous calendar year.

How to submit your Annual Dams Safety Standards Report

Use the online form below to enter information into your Annual Dams Safety Standards Report. Note: you can save your progress and resume at a later time.

Once completed and submitted, you will receive an email with an unsigned pdf copy of your Annual Dams Safety Standards Report. The PDF report then needs to be signed by the dam owner's accountable office holder(s). A digital signature can be used.

Once the report is signed by the correct office holder(s), please email to info@damsafety.nsw.gov.au by **31 March**.

Date of report

07/02/2023

Section 1 - Declared dam identification details

Dam name and location

Liddell Ash Levee - Bayswater Creek, Muswellbrook

Type of dam (If a combination, then consider major type)

Earthfill

Main purpose of dam

Impound Coal Ash

Is the dam built on a river, stream or watercourse?

Yes

Name of dam owner

Maxwell Ventures (Management) Pty Ltd (Dual owner with AGL Macquarie)

ACN number

002028257

Name of contact person Regulation, subclause 24A (3)

Robert Hayes

Phone number Email address

0439415703

rhayes@malabarresources.com.au

Website address (if any)

<https://malabarresources.com.au/>

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Section 2 - Dams safety standards

Consequence category of dam - Regulation, Part 3

The dam consequence category is a rating of potential impacts resulting from a dam failure. It must be assessed:

- within 6 months of the dam being declared
- at least once every 15 years
- after any significant change in the number of people likely to be affected by a dam failure
- or if required by Dams Safety NSW. [Regulation, subclause 7 \(2\)](#)

Dam consequence category

High C

For extreme and high consequence dams only If the consequence category is extreme or high, the consequence category assessment must be reviewed by a competent person who has not been involved in the assessment process. Regulation, subclause 7(4) Has an independent review been done?

Yes

Name of independent reviewer (must be a competent person)

In progress with WSP

Do you know the date of last consequence category assessment by a competent person? Regulation, subclause 3 (1)

Yes

Date of last consequence category assessment

26/08/2022

Date next consequence category assessment planned

26/08/2037

Has the number of people likely to be affected by a dam failure changed since the last consequence category review?

No

How was this checked?

Study and report by consultant

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Dam safety management system - Regulation, Part 5

The dam safety management system is a structured approach to manage all foreseeable risks relating to dam failure. It is designed to be used by the dam owner to ensure, as far as reasonably practicable, the safety of people, property and the environment is not put at risk from the dam. [Regulation Part 5, clause 12](#)

Name of individual responsible for ensuring compliance with dam safety management system

Robert Hayes

Email

rhayes@malabarresources.com.au

Documenting the dam safety management system

Is the dam safety management system fully documented?

Yes

Does the dam safety management system apply to more than one dam?

Yes

Implementing the dam safety management system

Is the dam safety management system fully implemented at this dam?

Yes

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Dam safety management system review

Since implementing your dam safety management system, have you reviewed it?

Yes

Date of last review

21/12/22

Assessment of societal and individual risk rating

The owner of a declared dam (other than a proposed dam) must use the risk management framework, [Regulation Part 5, clause 14](#) to produce a written report on all foreseeable risks to the dam:

- at least once every 5 years
- when a major change to the dam is proposed, and
- when required by Dams Safety NSW. [Regulation, clause 15](#)

Is your dam above the safety threshold?

Don't know

Do you know the date of your last risk report?

Date of next planned risk report

21/12/2024

Name of competent person and their organisation who signed off the risk report (if risk report commenced after 1 July 2022)

Name of independent competent person and their organisation who reviewed the report (if risk report commenced after 1 July 2022 - for an extreme, high A or high B consequence dam)

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Other safety requirements - Regulation, Part 6

Incident reporting

The declared dam owner must report incidents that happen at or in relation to the dam to Dams Safety NSW. [Regulation, clause 19](#)

Have you had any reportable incidents during the 2022 calendar year

No

Safety review

The declared dam owner must ensure that a safety review to assess the overall safety of the dam is undertaken by:

- for an extreme or high consequence dam, other than a high C consequence dam—a team of at least 2 competent persons, or
- otherwise—a competent person.

The declared dam owner must ensure a safety review is carried out at least once every 15 years, and as soon as practicable after:

- a deficiency or weakness in the dam is identified
- there is a change in the accepted technology or methods used in one of the relevant specialties or design criteria for dams
- the dam consequence category changes, or
- it is required by Dams Safety NSW. [Regulation, clause 20](#)

Date of last safety review Regulation, subclause 20(2)

Review not done yet

Planned date for next safety review

1/11/2036

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For extreme and high consequence dams only

If the dam's consequence category is extreme, high A or high B, the safety review must be reviewed by a panel of at least 2 independent competent persons. [Regulation, subclause 20\(6\)](#)

If Safety Review commenced after 1 July 2022 - names of independent competent reviewers and their organisation

If the dam's consequence category is high C, the safety review must be reviewed by an independent competent person. [Regulation, subclause 20\(6A\)](#)

Name of independent competent reviewer and their organisation

Notification of significant changes to the dam

Before making any significant change to the configuration of the declared dam that may affect the safety of the dam, the dam owner must inform Dams Safety NSW of the proposed change in writing. [Regulation, clause 21](#)

Has any significant change to the configuration of the dam been made during the 2022 calendar year?

No

Is any significant change to the configuration of the dam planned? Describe the change and when it is planned?

Yes

Other

Other

Capping/Decommissioning, Lowering Crest and flattening of batters on wall

Date

01/05/2023

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Emergency exercises

The declared dam owner must ensure that staff who are involved in the operation of the dam undertake emergency exercises at least once every 3 years. [Regulation, clause 22](#)

Have you done a 'theoretical classroom' emergency exercise?

Yes

Date of last 'theoretical classroom' emergency exercise Regulation, subclause 22(1)

07/12/2021

Planned date of next 'theoretical classroom' emergency exercise

07/12/2024

For extreme or high consequence dams only

The declared dam owner must ensure that staff who are involved in operating the dam undertake practical emergency exercises at least once every 5 years, where possible including relevant agencies identified in the emergency plan. [Regulation, subclauses 22 \(3\) and 22 \(4\)](#)

Have you done a practical emergency exercise?

No

Planned date of next practical emergency exercise

31/10/2026

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Design and construction

Do not complete this section unless you are in the design, construction, commissioning, or decommissioning phase

Dam safety management system for design and construction

Does the dam safety management system cover dam design and construction? Regulation, Clause 12(3)

Yes

Was the risk management framework used or is it currently being used to prepare a risk report at the dam design stage? Regulation, clause 15(2)

Yes

Certain work must be carried out by a person subject to a quality management system [Regulation, subclause 23\(1\)](#)

Have you ensured that design and construction are carried out by a person subject to an AS ISO 9001:2016 quality management system?

Yes

Independent competent persons must review work involving dam design [Regulation, clause 24](#)

For Extreme and High consequence category dams, provide the name of the independent person(s) and their organisation who reviewed or are reviewing the design Regulation, clause 24

TBA

For dams still in an early design phase, have you planned an independent competent person design review?

Yes

Section 3 - Additional information for Dams Safety NSW

Date of last Emergency Plan review

21/12/2022

Date of last Operations and Maintenance Plan review

21/12/2022

Did you publish the 2021 Annual Dams Safety Standards Report on your website?

Yes

Section 4 - Attestation

The Attestation of the information provided in the form must be completed by the dam owner office holder(s):

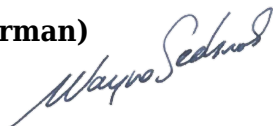
Dam owner	Attesting office holder(s)
Local council	General Manager
Company	<ul style="list-style-type: none">• 2 directors, or• 1 director and 1 company secretary• The combined director and company secretary (Where there is only 1 director)
Statutory state- owned corporation	Chief Executive Officer or Managing Director responsible for managing the operation of the statutory state-owned corporation in accordance with the general policies and specific directions of the board
Statutory corporation	Corporation with 2 or more members: <ul style="list-style-type: none">• President, chairperson or another principal officer of the corporation• Sole corporation• The person who constituted the constitution• The person managing the affairs of the corporation
Government department	Secretary
Individual	Individual

Declared dam owner office holder(s) attesting to the accuracy of this report

Name and position of declared dam owner office holder attesting to the accuracy of this report:

Wayne Seabrook (Chairman)

Signature:



Name and position of declared dam owner office holder attesting to the accuracy of this report:

Lindi-May Lochner (Company Secretary)

Signature: