Dams Safety
NSW

Meeting 45

Held on: 10 June 2025 – 09:00am – 14:00pm

Held at: 4PSQ – L11:12 and via Teams

Attended

Members

Mr Paul O'Connor (Chair), Ms Julie Garland McLellan (Dep Chair), Mr Shane McGrath, Mr Ian Landon-Jones, Dr Lisa Caffery, Mr Chris Salkovic (CEO).

Management invitees

Ms Margaret Hynes (Manager Capability), Mr Jason Porter (Principal Dams Safety Engineer), Mr Richard Nevill (Manager Governance & Assurance) and Ms Alison Collaros (Manager Compliance).

External Invitees

Ms Beth Overton (Director Water Policy) and Ms Susan Pucci (Manager Water Policy and Legislation) – Item 2.2, Ms Claire Hendley (Principal Project Officer) - Item 2.4, Mr John Sukkar (Senior Dams Engineer, DSNSW) - Item 2.6, Mr Ryan Sullivan (Manager Business Advisory, Corporate & Enabling Services, DCCEEW) - Item 3.1.

Staff observer

Ms Sahaja Shanadi (Compliance Officer)

Secretariat

Mr Peter Skehan (Senior Policy Officer)

Agenda item discussion and actions

Item 1. Meeting Administration

1.1 Acknowledgement of country

Members acknowledged meeting on the land of the Darug people, and paid respect to Elders past, present, and emerging.

1.2 Welcome, apologies and absences

The Chair welcomed the attendees.

Board member Lisa Caffery attended via teams because of travel disruptions.

Ms Alison Collaros joined the meeting in person at 09:15.

1.3 Declarations

1.3.1 Declarations of interest and disclosures

No new declarations were advised. Members discussed the conflict arising from a member's role as a public officer in an industry body and resolved to their satisfaction with controls in place to mitigate the impacts, if any of the conflict. Members discussed the merits of tabling relevant previous work history to ensure there is a fulsome account of interests, past and present. This discussion was linked to an inquiry raised by a member of the public.

The board appreciated the inquiry and will continue its rigorous processes to identify and manage conflicts of interest.

Action: 20251006-01: DSNSW Management to adjust the current approach to interests' declarations to include relevant past work histories.

Action: 20251006-02: DSNSW management to develop a board paper regarding public interest in flood inundation maps taking account of practices in other jurisdictions.

1.3.2 Declarations of appointed members' review of papers

Appointed members declared all papers were reviewed.

1.4 Confirmation of agenda and acceptance of items for noting (namely item numbers 4.1 through 4.5)

The agenda was confirmed by appointed members, noting observations for management relating to items 4.1 and 4.4.

1.5 Confirmation of previous minutes

The minutes of 15 April 2025 were reviewed and accepted subject to minor edits.

Action: 20251006-03: Secretariat to edit minutes to reflect agreed changes.

1.6 Confirmation of board action items

The board action items were confirmed and accepted.

Chair has reached out to the Dutch risk expert and awaits a response.

Action: 20251006-04: Shane McGrath to assist the Chair in contacting the Dutch risk expert.

Item 2. Strategic matters

2.1 Declaration and revoking of declaration

Appointed members accepted the paper, noting recently declared/de-declared dams.

Members also outlined a need for management to reassess its processes to determine which dams require declaration.

2.2 Review of the Dams Safety Act – update

Ms Beth Overton and Ms Susan Pucci from the DCCEEW Water Policy team presented a paper for discussion to update members on the progress of the *Dams Safety Act 2015* legislative review. Key elements of discussion included:

- A brief on the Dams Safety Act Statutory review is with the minister and is due for approval at the end of June.
- A public consultation process is set for mid-July 2025, pending Ministerial approval.

- Following public consultation, a final report will be prepared for the Minister to table in Parliament by 31 October 2025, with findings and recommendations.
- The role of DSNSW with respect to regulating Commonwealth owned dams.

Appointed members noted the update by the Water Policy team and thanked them for the opportunity to discuss concerns.

Action: 20251006-05: CEO to distribute Shane McGrath's observations with the DCCEEW Water Policy team.

2.3 Strategic plan refresh update.

The meeting paper updated members on the progress of the strategic plan refresh. At the 15 April 2025 meeting, the one-page strategic objectives document was endorsed by members, subject to minor edits. Building on that foundation the CEO presented for discussion:

- A final draft of the DSNSW strategic objectives.
- A working draft of the 2025-26 Business Plan
- Feedback from the DCCEEW Deputy Secretary on draft strategic objectives.
- A draft message for the Minister seeking endorsement of strategic objectives.

Appointed members noted the work done on the presented items and requested the timely finalisation of this documentation subject to minor edits.

Action: 20251006-06: CEO to prepare a briefing for the Minister seeking endorsement of the revised strategic objectives, including a message from the Chair.

Action: 20251006-07: CEO to address feedback provided by the DCCEEW Deputy Secretary.

2.4 Dams safety levy implementation update.

The meeting paper provided an update on the progress of the Government's introduction of a dam safety levy and the governance framework surrounding it. Key elements discussed included:

- The planned issuance of levy notices from mid-July 2025.
- The establishment of a dam owner communications and finance system.
- An update on a proposed amendment to the Dam Safety Regulation 2019 to enact the levy.
- Budget forecast, expected levy revenue and financial year 25/26 levy amounts.
- Key governance framework updates.

Appointed members expressed gratitude and acknowledged the work DSNSW has done to be prepared to implement the levy.

Action: 20251006-08: Appointed members to provide feedback on distributed questions.

2.5 Risk and opportunity in the strategic environment

The CEO initiated a discussion on DSNSW's strategic environment outlining key issues management has identified for consideration. Key issues included:

- The IPART reports into the WaterNSW and Sydney Water pricing reviews.
- An opportunity for DSNSW to shape the State Disaster Mitigation Plan (SDMP) actions.
- Regulating Commonwealth entities.

Appointed members noted the investments in dam safety endorsed in the draft IPART water pricing report and welcomed DSNSW involvement in the SDMP actions.

2.6 Dams above the safety threshold

Three dams with risks above the safety threshold were presented. Interim risk reduction measures for Mimosa Road, Stockdale Reserve, and King Park were discussed. All three dams are owned by Fairfield City Council.

Members reaffirmed the importance of reporting on dams with risks above the safety threshold as well as educating smaller dam owners on the importance of reducing risks So Far as is Reasonably Practicable (SFAIRP).

Appointed members noted the discussion.

Action: 20251006-09: John Sukkar and Ian Landon Jones to discuss resolution of potential inconsistencies in the dams above the safety threshold reports.

Action: 20251006-10: DSNSW to develop a one-pager to assist small dam owners undertake risk and SFAIRP assessments.

2.7 Engagement program

Jason Porter updated the members on the engagement program, outlining DSNSW's history of engagement with Fairfield City Council.

Appointed members noted the discussion and the engagement by Fairfield City Council to ameliorate its dam safety risks.

2.8 Ageing profile of NSW dams and our risk response

Appointed members noted the paper, highlighting the importance of risk profile as the major determinant of DSNSW's regulatory attention.

2.9 Fraud prevention and ethical governance measures FY2024/25

An update was provided to members explaining mitigating controls for fraud and corruption risks during FY 2024/25 including those identified in DSNSW's Risk Management Framework. Key elements discussed included:

- DSNSW is doing more than the minimum required of an agency, as most agencies are usually covered by departmental governance measures.
- The impact of transitioning to a user-pays levy system.
- Departmental whistleblower protections and staff ethical behavior training.

Action: 20251006-11: DSNSW management to liaise with the Chair ahead of the annual statements to NSW Audit Office regarding the addressing of fraud, corruption and ethical governance.

2.10 WHS focus topic – psychosocial hazards

Ms Alison Collaros presented a paper on psychosocial hazards in the workplace.

Appointed members noted the paper as well as the agency's approach to managing psychosocial risks.

Item 3. Governance matters

3.1 Finance and 2025/26 budget

Mr Ryan Sullivan (Manager Business Advisory, Corporate and Enabling Services, DCCEEW) presented key DSNSW budget assumptions and projections for the 2025/26 financial year. Members were asked to approve an expenditure ceiling for the 2025/26 financial year and note information provided on forward estimates, assumptions, risks and mitigation.

A key implication to note is a change in governance cadence and procedure. Appointed members requested further work on potential reporting gaps as well as quarterly updates from DCCEEW Corporate and Enabling Services.

Appointed members noted the information on forward estimates, endorsed the assumptions in the budget and approved the expenditure ceiling.

Action: 20251006-12: DSNSW to explore small agency exemption conditions with introduction of levy.
Action: 20251006-13: DSNSW to investigate whether the NSW Government Deed of Indemnity applies to DSNSW.

3.2 Board effectiveness review

The Deputy Chair introduced the summary of the recent review of board effectiveness highlighting key opportunities and achievements.
Members noted the results of the review and thanked the Deputy Chair for her work on the presentation.

Action: 20251006-14: Appointed members to liaise with the Chair regarding actions to make a difference across the next 12 months.

Item 4. Operational matters

4.1 Organisational health update (including WH&S)

CEO informed appointed members about key insights into the current state of the agency. Insights included:

- Number of injuries reported for financial year 2024/25.
- Mandatory WHS training for all staff.
- Excess recreation leave.
- Current staffing opportunities.
- Agency expenditure for the year 2024/25.

Appointed members noted the paper.

4.2 Dams Safety NSW Annual Report schedule and outline

The CEO presented to appointed members:

- An outline of the Dams Safety Annual Report 2024-25
- Evidence that the report complies with NSW Treasury's draft TPG-02 Framework for Financial and Annual Reporting – Group 2: Annual Information Statement.
- The proposed timeframes to complete the annual report.

Appointed members noted the paper.

4.3 Operations update

The meeting paper provided information on the operational affairs of DSNSW. Key topics included:

- Change in CEO reporting.
- Organisational realignment.
- State Disaster Mitigation Plan implementation governance.
- Stakeholder engagement activities such as the Joint Organisations Chairs Forum, Podcasts, Education visits, DSNSW presence at conferences and NARCLiM webinar.
- May 2025 flood event.
- SFAIRP guidance feedback.

Appointed members noted the information contained in the paper under Item 1.4.

Item 5. General business

5.1 Other business

Appointed members were informed about end of financial year Key Management Personal (KMP)

Declarations to be sent out in June 2025.

Action: 20251006-15: Secretariat to distribute KMP declaration mid-June.

5.2 Topics and issues of interest for future agendas

Future agenda items include:

- Report on the work of the United Nations Office for Disaster Risk Reduction (UNDRR), the lead UN agency for coordinating disaster risk reduction efforts.
- Crisis Management and the role members play.
- Invite NSW Reconstruction Authority to update actions on State Disaster Mitigation Plan

Action: 20251006-16: Ian Landon Jones to report on dams in China
Action: 20251006-17: DSNSW to investigate work of UN Disaster Preparation Agency

5.3 Communication priorities and protocols

Key priorities and protocols include:

- KMP reporting
- Brief to Minister on Strategy
- DSNSW NARCLiM Seminar.

5.4 Forward plan of board meetings

Next meeting to be held in Parramatta.

Action: 20251006-18: CEO to invite Madeleine Mispel, A/Executive Director Regional Water Strategies, to the next meeting in August and a representative from the Reconstruction Authority.
Action: 20251006-19: CEO and Chair to engage with Sydney Water

5.5 Meeting evaluation

Lisa Caffrey provided an evaluation of the meeting.

Item 6. Appointed member – in camera

Members discussed the approach taken to reviewing the profile and risk management actions of dam owners for dams above the safety threshold. It was agreed the agency's preferred regulatory posture is to test the efficacy of assurances from dam owners. This requires comprehensive auditor engagement with these dam owners and ensuring their actions are timely and appropriate. Members discussed the importance of agency representatives attending annual ANCOLD conferences to ensure robust engagement with dam owners and stakeholders and keeping abreast of dam safety risk management and governance trends and issues. It was agreed the Chair, and the

CEO attend the 2025 congress.

Item 7. Next meeting

7.1 Next meeting on 5 August in Parramatta.

Item 8. Meeting close

The meeting closed at 14:00pm.