



2015 CHAPTER 8

PART 1

CONTROLLED RESERVOIRS, REGISTRATION  
AND RESERVOIR DESIGNATION

*Reservoir designation*

**Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a)**

**22.**—(1) The matters required by sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a) to be taken into account in so far as it is reasonably practicable to do so, are—

- (a) the potential adverse consequences of an uncontrolled release of water from the controlled reservoir,
- (b) the probability of such a release.

(2) The potential adverse consequences of an uncontrolled release of water from a controlled reservoir include—

- (a) potential damage to any of the following—
  - (i) human life or human health (as the Department considers appropriate in the circumstances),
  - (ii) the environment,
  - (iii) economic activity,
  - (iv) cultural heritage,
- (b) such other potential damage as the Department considers relevant.

(3) Issues that may be taken into account in assessing under subsection (1) the potential adverse consequences or probability of an uncontrolled release of water from a controlled reservoir include any of the following—

- (a) the purpose for which the reservoir is (or is to be) used,
- (b) the materials used to construct the reservoir,
- (c) the way in which the reservoir was or is being constructed,
- (d) the age and condition of the reservoir and how it has been maintained,
- (e) such other issues as the Department considers relevant.