

Dams

Are you thinking of building a new dam or modifying, deepening or enlarging an existing dam? A Water Affecting Activity permit or approval under the Planning, Development and Infrastructure Act 2016, may be required.



This fact sheet provides important details on dam development and your obligations under the *Landscape South Australia Act 2019*.

Why control dam development?

Dams form an important part of the regions water supply, however they can impact on catchment hydrology, existing or downstream water users and the environment (water-dependant ecosystems). Dam development must be managed in a way that balances existing needs with future needs.

If there were no controls for the building of dams a number of problems could result such as:

- reduced flows to downstream users;
- changes to the volume and timing of flows to ecosystems that depend on particular flow conditions; and
- increased salinity and land management issues.

Rules are needed to ensure that water resources are shared equitably between all water users and the environment.

Permit requirements

Under the *Landscape South Australia Act 2019*, a Water Affecting Activity (WAA) Permit authorised by the Eyre Peninsula Landscape Board is required for dams smaller than five megalitre, which have wall heights equal to or less than three metres and are within the Hundred areas containing the priority surface water catchments. Those Hundreds are: Ulipa, Cummins, Stokes, Yaranyaka, Warrow, Mortlock, Koppio, Hutchison, Wanilla, Louth, Lake Wangary, Uley, Sleaford and Lincoln.

Under the *Planning, Development and Infrastructure Act 2016*, a Development Approval authorised by the relevant local Council is required for dams larger than five megalitres or that have wall heights greater than three metres and occur anywhere in the Board's region. WAA permits are available on our website at www.landscape.gov.au/ep/water or by contacting the Water Resources Assessment Officer.

Planning for dam construction

Dams are significant and important water infrastructure that need to be planned in advance. To help with planning, design, approvals and construction it is recommended that people contact an appropriate contractor or the Board's Water Resources Assessment Officer as an initial part of the process.



A farm dam on Eyre Peninsula equipped with a solar-powered water pump.

Your obligations when building a new dam, or deepening or enlarging an existing dam within the Eyre Peninsula Landscape Board region.

The following criteria are based on **principles 30 – 42** which must be followed for constructing a dam and this information can be found on pages 12 - 17 of the [EP Landscape Board's Water Affecting Activity Control Policy](#).

Criteria for issuing permits

A dam application will be assessed against the principles in the regional landscape plan. The plan sets out the principles by which any application for a dam will be assessed. We recommend you [read the plan](#) on the Board's website to be clear about the principles that apply. These principles cover criteria including (but not limited to); local soil conditions and salinity; water quality; hydrological impacts; impacts on downstream users; impact on remnant vegetation; protection of aquatic ecosystems; dams constructed in watercourses; dam construction and design; the number and size of dams already existing on your property; the need for low flow by-passes when sited in a watercourse; and protection of habitat.

How long does it take?

Apply for permits at least two months before you intend to undertake the activity. The exact time taken to process an application depends on the nature of the activity, the time of year and the information provided by the applicant. For

this reason you are encouraged to seek your permit well in advance of the time planned for your dam construction. Permits are generally valid for one year from date of issue.

Definition of a watercourse or lake

Under the Eyre Peninsula regional plan a watercourse means a river, creek, or other natural watercourse in which water is contained or flows whether permanently or from time to time. Examples include; a dam or reservoir that collects water flowing in a water course, or a lake, channel, part of a watercourse, or estuary, through which water flows. A watercourse must have a defined channel with both bed and banks (as distinguished from a mere fold or depression or contour in land along which surface water flows). A lake means a natural lake, pond, lagoon, wetland or spring (whether modified or not).

Dam construction resource

Farm Dams - [A guide to siting, design, construction and management on Eyre Peninsula](#). This book has been developed for landowners, property managers and contractors.

Penalties may apply

Ensure you are not in breach of the Landscape Act. Undertaking a WAA without a permit or, in breach of the permit conditions is an offence under the Act. If you are unsure whether the works you are proposing to do will require a permit, call the Board for advice before undertaking any works. The serving of protection orders or criminal/civil enforcement notices may be undertaken by the Board for breaches of the Landscape Act. Financial penalties or prosecution may also apply. For more information in relation to dam permits and prior to constructing a dam please contact the Board.

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