

Dam Development

Are you wanting to build a new dam, or deepen, enlarge or remove an existing one? These are just some examples of water affecting activities (WAAs) that may require a permit.

New dam development can impact on existing water users and the environment (*water-dependent ecosystems*), and must be managed in a way that balances these existing needs with those for new development.

Without managing developments on dams, a number of problems could result, including:

- reduced flows to downstream users
- reduced flows or changes to the timing of flows to ecosystems that depend on a certain flow regime
- erosion and/or sedimentation
- increased salinity.

This management is needed to ensure water is shared equitably between all users and the environment.

Permit Requirements

Before constructing, modifying or removing a dam, you will need to get approval under **either** the *Landscape South Australia Act 2019* via the Murraylands and Riverland Landscape Board or under the *Planning, Development and Infrastructure Act 2016* via your local council.

The criteria for determining which Act your dam works falls under are:

- If the dam is **smaller than 5 megalitres (ML)** and has a **wall height less than 3 metres**, you will need a permit for a water affecting activity (WAA).

Application forms are available from:

www.landscape.sa.gov.au/mr/water/managing-water-resources/water-affecting-activities

- If the dam is **bigger than 5ML**, or has a **wall height greater than 3 metres** you must apply for development approval from your local council (development applications will be referred to the Murraylands and Riverland Landscape Board by the council for direction)



How long does it take?

Apply for your WAA permit at least two months before you intend to undertake the activity. The exact time taken to process the application depends on the nature of the activity, the time of year and the information provided in the proposal.

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

Definitions of dams to help you with your WAA permit

What is an off-stream dam?

A dam, wall or other structure that is not constructed across a watercourse or drainage path and is designed to hold water diverted, or pumped, from a watercourse, a drainage path, an aquifer or from another source. Off-stream dams may also capture a limited volume of surface water from the catchment above the dam.

A dam that will not capture any surface water (often referred to as a turkey nest dam) and will not sit in a drainage path may not require a WAA permit. It is recommended that you contact the Water Planning and Assessment Officer on 0448 699 514 to discuss your proposal in the first instance.

What is an on-stream dam?

A dam, wall or other structure placed, or constructed on, in or across a watercourse or drainage path for the purpose of holding and storing the natural flow of that watercourse or the surface water.

What is a low flow bypass?

A low flow bypass is a structure, such as a small weir, used to direct low stream flows around dams and back to their normal course of flow. Low flow bypasses ensure some water is retained in the stream so that downstream environments, which may include fish, frogs and riparian vegetation, may receive water to survive (this is known as an environmental flow).

A low flow bypass is one of many conditions that may be enforceable on your permit to construct an on-stream dam.



Criteria for issuing permits

The Murraylands and Riverland Water Affecting Activities Control Policy and water allocation plans for prescribed surface water areas set out, in the policies and principles, the criteria by which any application for a dam will be assessed. Policies and principals may vary between landscape board regions and water allocation plans. We recommend you download the [Murraylands and Riverland Water Affecting Activities Control Policy](#) and/or appropriate [water allocation plan](#) to be clear about the principals that apply in your circumstance.

These principles cover criteria including (*but not limited to*):

- local soil conditions and salinity
- impacts on downstream users
- remnant vegetation
- protection of aquatic ecosystems
- dam construction and design
- the number and size of dams
- the need for low flow bypasses
- protection of habitat for threatened species.
- special criteria relating to on-stream dams

A Murraylands and Riverland Landscape Board Officer may undertake a site inspection to determine if the site of the proposed dam is ecologically sensitive or prone to erosion and salinity.

Taking water from dams in prescribed areas

WAA permits do not cover for the taking of water. The taking of water from dams for certain purposes may require a licence in a prescribed area. For information in relation to water licensing please contact the regional water licensing branch of the Department for Environment and Water on 8595 2053 prior to constructing a dam or taking water.

Penalties may apply

Please ensure you are not in breach of the *Landscape South Australia Act 2019* (the 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 will require a permit, call the Water Planning and Assessment Officer on 0448 699 514 for advice before undertaking any works.

The serving of protection orders or criminal/civil enforcement notices may be undertaken by the Murraylands and Riverland Landscape Board or the Department for Environment and Water for breaches of the *Landscape South Australia Act 2019*.

Financial penalties or prosecution may also apply.

More information

Water Planning and Assessment
Officer

Phone: 0448 699 514

www.landscape.sa.gov.au/mr/water/managing-water-resources/water-affecting-activities

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