

# Dam development

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



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

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

- reduced flows to downstream users
- changes to the volume and timing of flows to ecosystems that depend on particular flow conditions
- 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 or modifying a dam, you will need to get approval under **either** the *Natural Resources Management Act 2004* via the Adelaide and Mount Lofty Ranges Natural Resources Management (AMLR NRM) Board or the *Development Act 1993* via your local council.

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

- If the dam is **smaller than 5ML** 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.naturalresources.sa.gov.au/adelaidentloftyranges](http://www.naturalresources.sa.gov.au/adelaidentloftyranges)
- If the dam is **bigger than 5ML**, or has a **wall height greater than 3 metres**, or if your dam is located **in the hills face zone**, you must apply for development approval from your local council.

## 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. Off-stream dams are designed to hold water diverted, or pumped, from a watercourse, a drainage path, an aquifer or from another source. Off-stream dams may capture a limited volume of surface water from the catchment above the dam.

### 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 can include fish, frogs and plants, may receive water to survive (this is known as an environmental flow).

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

### Criteria for issuing permits

A dam application will be assessed against the principles in the relevant plan. The *AMLR NRM plan* and water allocation plans for prescribed surface water areas set out, in the policies and principles, the criteria by which any application for a farm dam will be assessed. Policies and principles may vary between NRM regions and water allocation plans. We recommend you download the relevant plan for this region (*Volume 2 – Business and operational plan* of the board's NRM plan and/or appropriate water allocation plan) from [www.naturalresources.sa.gov.au/adelaidemtoftyranges](http://www.naturalresources.sa.gov.au/adelaidemtoftyranges) to be clear about the principles 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 Natural Resources AMLR 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 more information in relation to water licensing and prior to constructing a dam or taking water please contact the Department of Environment, Water and Natural Resources on 8463 6876.

### Penalties may apply

Please ensure you are not in breach of the NRM 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 Natural Resources AMLR on 8273 9100, for advice before undertaking any works. The serving of protection orders or criminal/civil enforcement notices may be undertaken by the board or the Department of Environment, Water and Natural Resources for breaches of the NRM Act.

Financial penalties or prosecution may also apply.

### Contact

If you require further information please contact

**Natural Resources AMLR**  
Policy Officer - Water Permits  
T: 08 8273 9100

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