

Fact Sheet



Water Licences and Dams

The construction of a dam, levee, mound or any other structure that will collect, direct or divert water will require either:

- A development approval under the Planning, Development & Infrastructure Act 2016, or
- A permit under the Landscape South Australia Act 2019.

When is development approval required?

Schedule 4 of the Planning, Development & Infrastructure (General) Regulations 2017 provide that development approval will be required in the following circumstances:

- a dam wall with a height of more than three metres above the natural surface of the ground and/or where the dam is to have a capacity greater than five Megalitres;
- a levee or mound is constructed (or any excavation or filling is carried out) in an area shown in the Planning and Design Code as being subject to flooding; and,
- retaining walls are to be constructed which retain a difference in ground levels greater than one metre.

Dams, earthworks or retaining walls not falling within these criteria may require development approval where they are part of an application for a change in land use (e.g. horticulture, tourism, recreation, farming or other proposals).

Water allocation permit or licence

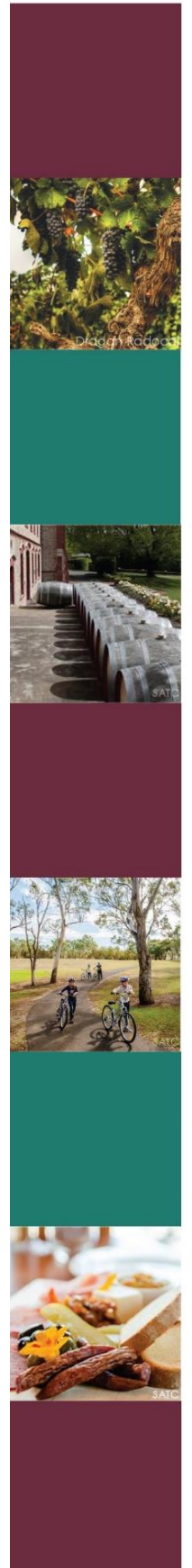
If a dam does not require development approval (as it does not constitute 'development' in accordance with Schedule 4 a Water Allocation Permit and/or Water Affecting Activity Permit must be sought and obtained from the relevant regional Landscape SA Board.

It is only necessary to apply to the Landscape SA Board/Department for Environment and Water for a permit or licence where development approval is not required.

Development application requirements

When submitting a development application for a dam the following details must be supplied:

- Site plan indicating:
 - location of proposed dam
 - details of any existing dams (size, location, etc.)
 - location of existing structures near the proposed dam
 - setback distances to boundaries (equivalent to the depth at the nearest point)
 - contours
 - details of any watercourse on the site, as defined by a blue line on a current 1:50,000 SA Government standard topographical map, or 1:10,000 ortho photo maps
 - native vegetation which is to be retained or enhanced and any vegetation proposed to be removed



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- if water is proposed to be taken from a prescribed water resource:
 - evidence that a licence for such extraction is held by the applicant
 - evidence that sufficient water is available within the allocation for the intended extraction (where surface water is to be collected provision is to be made for environmental flows)
- describe the quality of this water (e.g. bacteria and salinity levels)
- existing depth to water table of any aquifer to be affected by the development (if applicable)
- measures to be put in place to manage breach of dam walls
- a report from an experienced contractor or engineer on the suitability of the site and adequacy of the construction approach
- eastings/northings of the dam spillway (grid reference)
- capacity of the dam in mega litres
- structural details, including dam wall height and spillway details.

Referrals

Where development approval is required for a dam, and the development may require water to be taken from a prescribed watercourse, lake or well, or surface water to be taken from a surface water prescribed area under the Landscape South Australia Act 2019, Council must refer the application to the Department of Environment and Water for comment and direction (pursuant to Schedule 9 of the Planning, Development & Infrastructure (Regulations) 2017.

The Department generally has six weeks to return its comments to Council and will direct Council to approve or refuse the application (depending on its potential impact on the water resource) and/or suggest conditions to be attached to any approval granted.

Further information

Department of Environment and Water
Ground Floor, 81-95 Waymouth Street
ADELAIDE SA 5000
Phone: 8204 1910
Website: www.environment.sa.gov.au

Northern and Yorke Landscape Board
Clare - Head Office
155 Main North Road
CLARE SA 5453
Ph: (08) 8841 3400
Website: <https://landscape.sa.gov.au/ny>

The Barossa Council's website www.barossa.sa.gov.au or by contacting the Development and Environmental Services Section.

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