

# Water Compliance Reporting and Planning

2019 - 2020



Ref: DEW-D0009868

## Background

The Department for Environment and Water (DEW) is responsible for managing South Australia's water resources for the future. This includes monitoring water users who take and use water from prescribed water sources such as a dam, bore, stream, river or creek to ensure they are meeting their legal obligations. In total, there are 13,971 water licences throughout South Australia.

This report includes both 'business as usual' compliance activities and targeted compliance activities undertaken by DEW during the 2019-20 water use year<sup>1</sup>.

## Summary

The statewide targeted compliance activity in 2019-20 was to assess all 4,082<sup>2</sup> River Murray Prescribed Watercourse (PWC) water accounts to measure compliance with the quarterly accounting requirements and penalties which were introduced for the River Murray PWC on 1 July 2019. This required the reconciliation of water accounts against water usage each quarter – which resulted in 94% compliance.

The remainder of the compliance activities undertaken across the rest of South Australia primarily involved engaging with water licence holders about meeting their metering obligations in accordance with the [South Australian Licensed Water Use Meter Specifications](#) (revised in June 2019) and the *Natural Resource Management (Financial Provisions) Regulations 2005* (replaced by [Landscape South Australia \(Water Management\) Regulations 2020](#) on 1 July 2019).

**During 2019-20, 18% of the 13,971 water licences in SA received a site visit associated with a 'targeted' or 'business as usual' compliance activity.**

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<sup>1</sup> The 2019-20 water use year compliance reporting is for the period of 1 August 2019 to 31 July 2020. Published 30 September 2020.

<sup>2</sup> Total number of River Murray PWC water accounts, current at 9 September 2020.

## COMPLIANCE ACTIVITIES REPORTING

**Table 1. Targeted water compliance operations conducted in 2019-20**

The Statewide targeted compliance activity in 2019-20 was to assess all 4,082 River Murray Prescribed Watercourse (PWC) water accounts to measure compliance with the quarterly accounting requirements and penalties which were introduced for the River Murray PWC on 1 July 2019. This required the reconciliation of water accounts against water usage each quarter.

Targeted Compliance Activity	Actioned (Y/N)	No. of water accounts that the activity applies to	Instances of Non-Compliance	Instances of compliance	Resolution	Comments
Auditing of all River Murray Watercourse water accounts to measure compliance with the requirement to provide a quarterly meter reading(s) by the due date as per condition of water resource works approvals.	Y	4082	243	3839	Readings obtained by DEW officer	94% compliance

**Table 2. Business as usual compliance activities undertaken in 2019-20**

Business as Usual Compliance Activity	Prescribed Area	Education/ Advisory communication (e.g. letters, emails, SMS)	Final Notice/ Direction Letter Issued	Administrative sanctions or expiations	Compliance breaches reports	Criminal investigation in progress	Proceedings commenced	Finalised - civil enforcement actions
Unauthorised taking of water from a prescribed surface water area, watercourse, lake or well (taking water without a section 105 authorisation or water licence with allocation; or by diverting to an illegally constructed dam; or taking water for stock and domestic	Western Mount Lofty Ranges	1	1					
	Northern Adelaide Plains	1	8					
	McLaren Vale	1						
	Far North							
	Other Statewide	2						
	Eastern Mount Lofty Ranges							
	River Murray	1						
	Angas Bremer							
	Marne Saunders							
	Mallee							
	Peake, Roby and Sherlock							
	Clare Valley							
	Barossa							
	Baroota							
	Southern Basins and Musgrave							
	Lower Limestone Coast							
	Tatiara							
Tintinara								

purposes unless entitled to)	Padthaway						
	Morambro Creek						
<b>NRM Act s127(6)</b> <b>(replaced by section 104(7) of the LSA Act</b>	Western Mount Lofty Ranges	1192	3	27		4	
	Northern Adelaide Plains	876	18			1	
	McLaren Vale	427	1	11			1
	Far North						
	Other Statewide						
	Eastern Mount Lofty Ranges	1502	97	16			
	River Murray	8291	243				
	Angas Bremer	126		1			
	Marne Saunders	123					
	Mallee	500	24				
	Peake, Roby and Sherlock	5					
	Clare Valley	266		5			
	Barossa	358		5			
	Baroota						
	Southern Basins and Musgrave						
	Lower Limestone Coast	9027	80				
	Tatiara	1670	15				
	Tintinara	659	3				
	Padthaway	537	1				
Morambro Creek	7						
<b>NRM Act s115(1)(a)</b> <b>(replaced by section 88(1) of the LSA Act</b>	Western Mount Lofty Ranges	58	48	50			
	Northern Adelaide Plains	84	69	70			1
	McLaren Vale	13	14	6			
	Far North						
	Other Statewide						
	Eastern Mount Lofty Ranges			7			
	River Murray			53			
	Angas Bremer						
	Marne Saunders			2			
	Mallee			2			
	Peake, Roby and Sherlock						
	Clare Valley			23			
	Barossa			14			
	Baroota						
	Southern Basins and Musgrave						
	Lower Limestone Coast						
	Tatiara						
	Tintinara						
	Padthaway						
Morambro Creek							
Western Mount Lofty Ranges	26	3					

<b>NRM (Financial Provisions) Regulations 2005 R14(1) (replaced by LSA (Water Management) Regulations 2020 R12</b>	Northern Adelaide Plains	54	12					
	McLaren Vale	10	6					
	Far North							
	Other Statewide							
	Eastern Mount Lofty Ranges		21					
	River Murray		23					
	Angas Bremer							
	Marne Saunders		5					
	Mallee		7					
	Peake, Roby and Sherlock							
	Clare Valley		3					
	Barossa							
	Baroota							
	Southern Basins and Musgrave							
	Lower Limestone Coast	31	2					
	Tatiara	14						
	Tintinara	7						
	Padthaway	5						
	Morambro Creek							
<b>NRM Act s215(2) (replaced by LSA Act s230)</b>	Western Mount Lofty Ranges	2						
	Northern Adelaide Plains	1						
	McLaren Vale	2						
	Far North							
	Other Statewide							
	Eastern Mount Lofty Ranges							
	River Murray							
	Angas Bremer							
	Marne Saunders							
	Mallee							
	Peake, Roby and Sherlock							
	Clare Valley							
	Barossa							
	Baroota							
	Southern Basins and Musgrave							
	Lower Limestone Coast							
	Tatiara							
	Tintinara							
	Padthaway							
Morambro Creek								
<b>Total</b>		<b>25,879</b>	<b>707</b>	<b>292</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>1</b>

### Table 3. Compliance follow up site visits in 2019-20

The table relates to business as usual and targeted compliance follow up site visits for each prescribed water resource in South Australia.

PLEASE NOTE:

No. visits = Number of sites visited during compliance reporting year (1 August 2019 to 31 July 2020).

No. compliant = If a site is fully compliant with no compliance issues observed, then this is counted as "1" in this column.

No. that required action = If a site had compliance issues and required action, then this is counted as "1" in this column.

\*Does not include site visits in relation to well drillers licences as this is addressed in Table 5.

Regional Office Responsible	Water Resource	No. visits*	No. compliant	No. that required action
<b>SA Murray Darling Basin</b>	River Murray	346	346	0
	Mallee	35	35	0
	Angas Bremer	18	18	0
	Eastern Mount Lofty Ranges	32	32	0
	Marne Saunders	5	5	0
	Peake, Roby, Sherlock	0	0	0
	Clare	117	117	0
	Barossa	47	47	0
	Southern Basins and Musgrave	38	38	0
<b>South East</b>	Lower Limestone Coast	352	352	0
	Tatiara	59	59	0
	Tintinara Coonalpyn	30	30	0
	Padthaway	17	17	0
	Morambro Creek	2	2	0
<b>Adelaide and Mount Lofty Ranges</b>	Northern Adelaide Plains	1,279	1,222	57
	McLaren Vale	25	18	7
	Western Mount Lofty Ranges	80	73	7
<b>Total</b>		<b>2,482</b>	<b>2,411</b>	<b>71</b>

**Table 4. Compliance actions undertaken pertaining to wells and well drillers licences in 2019-20**

<b>Breach Section</b>	<b>Description</b>	<b>Compliance Letters</b>	<b>Criminal Investigation in progress</b>	<b>Proceedings commenced</b>	<b>Finalised Civil enforcement actions</b>	<b>Site visits where the breaches were detected</b>	<b>Site visits where no breach was detected (Statewide)<sup>3</sup></b>	<b>Total site visits by Drilling Inspector (Statewide)</b>
<b>LSA Act s115 (4) and LSA (Water Management) Regulations 2020 R25</b>	If the holder of a well driller's licence contravenes or fails to comply with a condition of the licence	13			2	4	65	77
<b>LSA Act s104(3)</b>	<ul style="list-style-type: none"> <li>• Drilling, plugging, backfilling or sealing a well;</li> <li>• Repairing, replacing or altering the casing, lining or screen of a well;</li> <li>• Without a water management authorisation or permit or contrary to an NRM/Landscape Plan</li> </ul>	2			1			
<b>LSA Act s119(1)</b>	Obligation to maintain a well	2			2			
<b>LSA Act s120 (1), (2) and (3)</b>	Requirement for remedial or other works	6	1		5			
<b>Total</b>		<b>23</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>12</b>	<b>65</b>	<b>77</b>

<sup>3</sup> During the site visits there were 22 breaches detected that did not relate to sections 114(4), 104(3), 119(1), or 120 (1),(2) and (3) of the LSA Act.

## WATER COMPLIANCE PLANNING FOR 1 JULY 2020 TO 30 JUNE 2021

The table below identifies targeted compliance activities that will occur in 2020-21.

**Table 5. Proposed targeted compliance activities to be undertaken in 2020-21**

<b>PRESCRIBED AREA</b>	<b>DELIVERABLE ACTIVITY</b>	<b>DESCRIPTION</b>
<b>All SA prescribed resources</b>	Audit of new meter installations for year 2020-2021 for meter validation certification	Desktop audit of certification for new meter installation validations and follow up compliance investigations and procedures where necessary.
<b>River Murray PWC</b>	Border Designated Area meter reading and site compliance audit	Visit sites to: <ul style="list-style-type: none"> <li>• Inspect current installation of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>;</li> <li>• Inspect current installation of the meter to check the compliance of the meter installation maintenance with the LSA Act and LSA Regulations; and</li> <li>• Take an authorised meter read.</li> </ul>
<b>Lower Limestone Coast PWA</b>	Follow up with water licence holders regarding the reporting of meters not working correctly	Visit sites to: <ul style="list-style-type: none"> <li>• Inspect current installation of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>;</li> <li>• Inspect current installation of the meter to check the compliance of the meter installation maintenance with the LSA Act and LSA Regulations; and</li> <li>• Take an authorised meter read.</li> </ul>
<b>Border Designated Area Zones</b> <ul style="list-style-type: none"> <li>• <b>Donovons</b></li> <li>• <b>Zone 3A</b></li> <li>• <b>Frances</b></li> <li>• <b>Bangham</b></li> <li>• <b>Zone 5A</b></li> </ul>	Meet with water licence holders who have notified DEW of a faulty meter on site	
<b>Tatiara Prescribed Wells Area</b>	Follow up with water licence holders regarding the reporting of meters not working correctly	Visit sites to: <ul style="list-style-type: none"> <li>• Inspect current installation of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>;</li> <li>• Inspect current installation of the meter to check the compliance of the meter installation maintenance with the LSA Act and LSA Regulations; and</li> <li>• Take an authorised meter read.</li> </ul>
<b>Border Designated Area Zones</b> <ul style="list-style-type: none"> <li>• <b>Zone 7A</b></li> <li>• <b>Zone 8A</b></li> <li>• <b>Shaugh</b></li> </ul>	Meet with water licence holders who have notified DEW of a faulty meter on site	
<b>Western Mount Lofty Ranges PWRA</b>	Follow up with water licence holders regarding the meter reading obligation process	Visit sites to: <ul style="list-style-type: none"> <li>• Collect annual meter reading, educate licence holder on meter reading obligations;</li> <li>• Verify meter reading installations and usage adjustments; and</li> <li>• Note any compliance issues.</li> </ul>
<b>Far North</b>	Far North well integrity and water taking infrastructure audit	Follow up of any issues identified through a well and surface water audit.

# Acronyms

ACO	DEW Assessment and Compliance Officer
DEW	Department for Environment and Water
LSA Act	<i>Landscape South Australia Act 2019</i>
LSA Regulations	<i>Landscape South Australia (Water Management) Regulations 2020</i>
NRM Act	<i>Natural Resources Management Act 2004</i>
PWA	Prescribed Wells Area
PWC	Prescribed Watercourse
PWRA	Prescribed Water Resource Area