

Water Compliance Reporting and Planning

2021 - 2022



Ref: DEW-D0019582

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 14,054 water licences throughout South Australia.

This report includes both 'business as usual' compliance activities and targeted compliance activities undertaken by DEW during the 2021-22 water use year¹ and relates to commitment SA 2.6 in the *Murray-Darling Basin Compliance Compact*.

Summary

The targeted compliance activities for 2021-22 were:

- Audit all new meter installations for meter validation certification;
- Audit sites and meter readings within the Mallee Prescribed Wells Area (PWA) Border Designated Area;
- Undertake inspections and take authorised meter reads for reported instances of meters not working correctly within specified zones in the Lower Limestone Coast and Tatiara PWAs;
- Collect annual meter readings, educate licence holders on meter reading obligations, verify meter reading installations and usage adjustments, and note any compliance issues for the Western Mount Lofty Ranges Prescribed Water Resources Area; and
- Audit well integrity and water taking infrastructure in the Far North PWA.

The remainder of the compliance activities undertaken across the rest of South Australia primarily involved engaging with water licence holders regarding meeting their metering obligations in accordance with the [South Australian Licensed Water](#)

[Use Meter Specifications](#) and the [Landscape South Australia \(Water Management\) Regulations 2020](#) (LSA Water Regulations) under the [Landscape South Australia Act 2019](#) (LSA Act).

During 2021-22, 19% of the 14,054 water licences in SA received a site visit associated with a compliance activity, and 95% of those who received a site visit were compliant.

In relation to water licence holders compliance with water allocations, DEW has a target of 95% compliance. This is consistently achieved and exceeded each year (with compliance rates around 99%) and it is expected that this trend has continued in 2020-21².

Contents

The business as usual compliance activities and targeted compliance activities that occurred in 2021-22 (1 August 2021 to 31 July 2022) are summarised in table 1 and 2.

[Table 1:](#) Compliance actions pertaining to water take and use.

[Table 2:](#) Compliance actions pertaining to wells and well driller licences.

Please refer to Attachments A and B for further information about the targeted compliance activities:

[Attachment A:](#) Targeted compliance activities undertaken in 2021-22.

[Attachment B:](#) Planned targeted compliance activities for 2022-23.

¹ The 2021-22 water use year compliance reporting is for the period of 1 August 2021 to 31 July 2022. Published October 2022.

² Noting compliance processes are still underway at time of publication.

Table 1. Compliance actions pertaining to water take and use for 2021-22

Table 1 includes compliance actions and site visits undertaken between 1 August 2021 and 31 July 2022, for business as usual and targeted compliance activities, as committed to in 2021-22 (refer Attachment A). Each compliance action recorded in this table relates to the following sections of the LSA Act or LSA Water Regulations:

- Section 104(1): 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 purposes unless entitled to);
- Section 104(7): Contravening a condition of a water management authorisation or permit (conditions on water licences, section 105 authorisations and well permits);
- Section 88(1): Penalty for taking water in excess of allocation;
- Regulation 12: Failure to comply with 'Part 5: Meters' (Failure to comply with a direction to install a meter etc.); and
- Section 230: Interfering with a meter.

Prescribed Area	Education / Advisory comms (e.g. letters, emails, SMS)	Final Notice / Direction Letter Issued	Administrative sanctions or expiations	Criminal investigation in progress	Proceedings commenced	Finalised - civil enforcement actions	Site Visits ³			
							Number of visits	Number compliant	Number that required compliance action ⁴	% compliant
River Murray	18,835	40	80		1	1	25	25		100%
Mallee	2,198	5	13				26	26		100%
Angas Bremer	66	1	3				58	47	11	81%
Eastern Mount Lofty Ranges	5,766	16	27				18	15	3	83%
Marne Saunders	61	4	2							
Peake, Roby, Sherlock	4						140	138	2	99%
Clare	100	1	22				61	61		100%
Barossa	104	4	5							
Southern Basins & Musgrave	2						899	890	9	99%
Lower Limestone Coast	4,523	63	14				2	2		100%
Tatiara	606	17	2							
Tintinara Coonalpyn	180	2	1				4	4		100%
Padthaway	312	6					1	1		100%
Morambro Creek	9						1146	1066	80	93%
Northern Adelaide Plains	1281	111	85				13	7	6	54%
McLaren Vale	822	11	12				37	28	9	76%
Central Adelaide	4365	40	21				16	16	0	100%
Western Mount Lofty Ranges	754		14	1			19	19		100%
Baroota										
Far North	120	9								
Other Statewide	137	14					25	25	0	100%
Total	40,245	344	301	1	1	1	2,490	2,370	120	95%

³ Site visits includes both targeted site visits undertaken as part of activities outlined in Attachment A, and also business as usual or other compliance visits conducted as needed.

⁴ If a site had any compliance issues and required further compliance action, then this is counted as "1" in this column.

Table 2. Compliance actions pertaining to wells and well drillers licences in 2021-22

Each of the compliance actions undertaken in this table relate to the following sections of the LSA Act or LSA Water Regulations:

- Section 115(4) and Regulation 25: If the holder of a well driller's licence contravenes or fails to comply with a condition of the licence
- Section 104(3)(a): Drilling, plugging, backfilling or sealing a well;
- Section 104(3)(b): Repairing, replacing or altering the casing, lining or screen of a well;
- Section 119(1): Obligation to maintain a well; and
- Section 120 (1), (2) and (3): Requirement for remedial or other works.

Education / Advisory comm's (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	Site Visits ⁵			
							Number of visits	Number compliant	Number that required compliance action ⁶	% compliant
39	14	0	16	0	0	0	43	35	8	81

⁵ Site visits includes both targeted site visits undertaken as part of activities outlined in Attachment A, and also business as usual or other compliance visits conducted as needed.

⁶ If a site had any compliance issues and required further compliance action, then this is counted as "1" in this column.

ATTACHMENT A: TARGETED COMPLIANCE ACTIVITIES FOR 2021-22

Outlined below are the targeted compliance activities that were committed to for 2021-22. The site visits undertaken and level of compliance has been reported in Table 1 and 2 of this report.

PRESCRIBED AREA	DELIVERABLE ACTIVITY	DESCRIPTION
Northern Adelaide Plains PWA	Educational compliance program.	Educate water licence holders on their water licensing obligations, the importance of complying, how they can monitor their compliance and the implications of not complying.
Eastern Mount Lofty Ranges PWRA	Field visits to occur for 10% of licensed sites with unmetred sources (i.e. dams) ⁷ .	Visit sites to: <ul style="list-style-type: none"> – Inspect sites to determine that water is not being taken for a licensed purpose; and – Where it is found that water is being taken for a licensed purpose, compliance action to be undertaken.
Lower Limestone Coast PWA	Field visits to occur for 10% of metered sites, with a focus on sites identified as having broken meters that have been replaced or on meters greater than 5 years old.	Visit sites to: <ul style="list-style-type: none"> – Inspect current installation and maintenance of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and – Take an authorised meter read.
Tatiara PWA	Field visits to occur for 10% of metered sites, with a focus on sites identified as having broken meters that have been replaced or on meters greater than 5 years old.	Visit sites to: <ul style="list-style-type: none"> – Inspect current installation and maintenance of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and – Take an authorised meter read.
Tintinara Coonalpyn PWAs	Field visits to occur for 10% of metered sites, with a focus on sites identified as having broken meters that have been replaced or on meters greater than 5 years old.	Visit sites to: <ul style="list-style-type: none"> – Inspect current installation and maintenance of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and – Take an authorised meter read.
Padthaway PWA	Field visits to occur for 10% of metered sites, with a focus on sites identified as having broken meters that have been replaced or on meters greater than 5 years old.	Visit sites to: <ul style="list-style-type: none"> – Inspect current installation and maintenance of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and – Take an authorised meter read.
Morambo Creek Prescribed Watercourse	Field visits to occur for 10% of metered sites, with a focus on sites identified as having broken meters that have been replaced or on meters greater than 5 years old.	Visit sites to: <ul style="list-style-type: none"> – Inspect current installation and maintenance of meter to check compliance with the <i>South Australian Licensed Water Use Meter Specification</i>, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and – Take an authorised meter read.
Statewide	Education for well drillers	Upload explanatory video to www.environment.sa.gov.au to assist well drillers to correctly fill out well completion reports and comply with the well drillers licence condition to submit reports within 30 days.

⁷ The focus of this audit will be unmetred sources (i.e. dams) that are licensed and are exempt from metering due to water not currently being taken from the resource for licensed purposes.

ATTACHMENT B: TARGETED COMPLIANCE ACTIVITIES FOR 2022-23

PRESCRIBED AREA(S)	DELIVERABLE ACTIVITY	DESCRIPTION
Central Adelaide PWA	Field visits to occur for metered sites that were not included in the 2021-22 CAPWA program.	Visit sites to: <ul style="list-style-type: none"> - Inspect current installation and maintenance of meter to check compliance with the South Australian Licensed Water Use Meter Specification, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and - Take an authorised meter read.
Central Adelaide PWA	Investigate compliance of water use against the meter implementation plan.	Assessment of water use in association with the meter implementation plan, followed by site visits as necessary.
Northern Adelaide Plains PWA River Murray PWC	Field visits to 10% of metered sites, with a focus on determining whether water is used for licensed purposes.	Unannounced site visits to: <ul style="list-style-type: none"> - Inspect current installation and maintenance of meter to check compliance with the South Australian Licensed Water Use Meter Specification, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and - Take an authorised meter read - Confirm that those only authorised for S&D are not taking for commercial purposes.
Barossa Valley PWRA	Assessment of 75% of surface water meters.	Assessment of surface water meters, followed by site visits as necessary.
River Murray PWC	Field visits to 90% of ELMA sites, to confirm meter reads and compliance.	ELMA licences were reissued 29 September 2022. Field visits will be undertaken to: <ul style="list-style-type: none"> - Inspect current installation and maintenance of meter to check compliance with the South Australian Licensed Water Use Meter Specification, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; and - Take an authorised meter read.
River Murray PWC	Field visits to occur for 50% of metered sites, with a licence recording nil use.	Visit sites to: <ul style="list-style-type: none"> - Investigate whether nil usage appears valid (e.g. no identified illegal water take), and issue directives as applicable. - Take an authorised meter read.
Lower Limestone Coast PWA	Field visits to occur for 10% of metered sites, with a focus on sites identified as having broken meters that have been replaced or on meters greater than 5 years old.	Visit sites to: <ul style="list-style-type: none"> - Inspect current installation and maintenance of meter to check compliance with the South Australian Licensed Water Use Meter Specification, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; - Take an authorised meter read.
Lower Limestone Coast PWA	Review 90% of licenses which include stock estimates for dairy (where the stock deduction is greater than metered usage).	Visit sites to: <ul style="list-style-type: none"> - Inspect current installation and maintenance of meter to check compliance with the South Australian Licensed Water Use Meter Specification, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>; - Inspect configuration of stock off-takes and undertake appropriate compliance action for off-takes that are configured incorrectly (e.g. before the meter) - Take an authorised meter read.

Padthaway PWA	Field visits to occur for 90% of sites, to confirm that the meter details in the DEW register align with the listed well unit numbers.	Visit sites to: <ul style="list-style-type: none">- Confirm that the meter details align with the listed well unit number- Confirm that broken meters have been replaced.- Inspect current installation and maintenance of meter to check compliance with the South Australian Licensed Water Use Meter Specification, the <i>Landscape South Australia Act 2019</i> and <i>Landscape South Australia (Water Management) Regulations 2020</i>;- Take an authorised meter read.
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