

Permits: water affecting activities

Do you want to modify, enlarge or build a dam? Excavate a drain or watercourse or construct a watercourse crossing? These are just a few examples of water affecting activities that require a permit.



What are water affecting activities?

These are activities that can have adverse impacts on the health and condition of water resources, catchment hydrology, water users and ecosystems that depend on water resources. These water resources include watercourses, lakes or dams, floodplains, groundwater, springs, wetlands, waterholes and catchment landscapes.

Activities requiring a permit

Water affecting activities outlined in the *Landscape South Australia Act 2019*, which may require a permit, include but are not limited to, the following activities.

Surface water and watercourse water

- The construction or enlargement of dams or structures to collect or divert water.
- Building of structures, obstructing or depositing solid materials in a watercourse, lake or floodplain. Examples include the construction of flood or flow control levies, construction of water crossings or dumping of material.
- Excavating material from a watercourse, lake or floodplain, e.g. digging or deepening drains, excavating or cleaning soaks, waterholes and on-stream dams
- Destroying vegetation in a watercourse, lake or floodplain, e.g. removal of reeds.
- Draining or discharging water or brine into a watercourse, wetland or lake, e.g. desalination waste, stormwater, drilling produced water, drainage and salinity control.

Landholders, property managers, local governments, industry and organisations must lodge permit applications for these activities with the Eyre Peninsula Landscape Board (contact details on next page).

Groundwater, imported water and recycled water

Permits for the following activities must be lodged with the Department for Environment and Water, Mount Gambier office on (08) 8735 1134.

- Drilling, deepening and backfilling wells, bores and groundwater access trenches.
- The use of effluent or water imported to an area for commercial activities, e.g. irrigation.
- Draining or discharging of water into a well.

Management of water affecting activities is needed to protect our natural systems and water dependent ecosystems, maintain water quality and minimise impacts on other water users.

Duty of care

In South Australia, all persons have a general statutory duty under the *Landscape South Australia Act* to act reasonably and responsibly in relation to the management of natural resources. This includes an obligation to maintain and not damage, a watercourse, floodplain or lake.

Permit application process

Apply for your permit at least two months before you intend to undertake the activity. Permits are valid for one year from date of issue (unless otherwise stated).

Step 1 Obtain a permit application form

Permit application forms for various activities can be downloaded from the Board's website landscape.sa.gov.au/ep/water or contact the Board.

Step 2 Complete the application

Provide information on the proposed activity. Clear and detailed information assists in assessing your application as soon as possible.

All applications should include:

- Property identification details;
- any plans and photographs of the proposed activity and site location;
- consultants or engineering reports (where applicable); and
- any other supporting information as required under the Regional Landscape Plan or relevant Water Allocation Plan.

Call us if unclear on what you should include.

Step 3 Lodge the application

Permit applications, accompanied by the prescribed fee, must be lodged with the Board. Information about the fee and lodging instructions are on the application form.

Step 4 Provide additional information

When you apply for a permit you may be requested, in writing, to provide additional information. The timeframe to assess the application and make a decision may be extended to take account of any delays in obtaining additional information.

Step 5 Site Assessment

An Officer from the Board may visit your property to assess the application and identify any possible impacts that may result from the proposed activity.

Step 6 Permit notification and conditions

The Board will notify you of the decision in writing. You may be required to undertake additional actions in accordance with the conditions of an approved permit. If your permit application is not approved, or you disagree with any of the permit conditions, you may appeal to the Environment, Resources and Development Court within six (6) weeks of the decision.

Step 7 Site Audit

Upon completion of works associated with an approved water affecting activity, an Officer from the Board may conduct a further site visit to ensure permit conditions have been met.

Penalties may apply

Undertaking a water affecting activity without a permit or breach of the permit conditions is an offence under the *Landscape Act*. If you are unsure whether the works you propose to do will require a permit, call the Board for advice before conducting any works. The serving of Protection Orders or Criminal or Civil enforcement notices may be undertaken by the EP Landscape Board or the Department for Environment and Water for breaches of the *Landscape Act*.

Note: A permit may not be required if the activity has been authorised under other legislation, for example the *Development Act 1993*, *Environment Protection Act 1993* or the *Native Vegetation Act 1991*. Please check with the Board to confirm.

Apply for your permit at least two months before you intend to undertake the activity.

Contact us

Eyre Peninsula Landscape Board Port Lincoln

Level 1, 86 Tasman Tce, Port Lincoln SA 5606

T: (08) 8688 3200 | F: (08) 8688 3110

E: ep.landscapeboard@sa.gov.au

www.landscape.sa.gov.au/ep/water