

Water affecting activities

Frequently asked questions



1. What are Water Affecting Activities (WAA)?

Water Affecting Activities (WAA) are works undertaken in water resources, such as watercourses, floodplains, estuaries, dams, lakes, springs, wetlands, and groundwater networks. These activities have the potential to cause environmental harm and impact other water users.

2. Why are permits required?

Permits are required under the *Landscape South Australia Act 2019* to ensure that proposed works are properly assessed and planned. The permitting process helps minimize environmental impacts, protects neighbouring properties, and prevents unforeseen issues. Permits ensure that the best practices in design and construction are followed for each specific site.

3. What WAA require a permit?

A permit is required for any WAA planned to be undertaken in water resources, unless an exemption applies. Please refer to the list at the back of this FAQ for a comprehensive list of WAA that require a permit.

4. What WAA do not require a permit?

WAA do not require a permit if they are in line with the Hills and Fleurieu Landscape Board's Current Recommended Practices or if they are part of an endorsed works plan approved by the board. In addition, if approval from another authority supersedes our permitting process, a permit is not required. This includes, but is not limited to, native vegetation clearance, development approvals from the local council, and dredging approvals from the Environment Protection Authority.

5. What is a Current Recommended Practice?

A Current Recommended Practice (CRP) is a guideline that outlines the best approach to undertake specific WAA. If you follow the CRP, you may not need a permit, but you are required to notify us before starting work.

6. Do I need a permit to construct, repair or remove a bore/well; use imported or treated effluent water for irrigation or industrial purposes?

Yes, these activities are regulated by Department for Environment and Water (DEW). For more information, visit: <https://www.environment.sa.gov.au/licences-and-permits/water-licence-and-permit-forms>

7. Who can apply for a permit?

Typically, the person or entity responsible for the project or activity requiring the permit can apply. This could include:

- Property owners: If you own the land where the work is being carried out, you can apply for the permit.
- Contractors or agents: A contractor or authorised representative can apply on your behalf, provided they have your consent or are officially hired for the project.
- Developers: In cases where a development project is being undertaken, the developer may apply for the necessary permits.

8. What is involved in the permit application process?

- Determine if a permit is required. Check if your activity is exempt or requires another approval. In some cases, you may need multiple approvals for a project.
- Fill out the permit application form and gather required documents.
- Submit your application via email, mail, or in person.
- Wait for confirmation and be prepared to provide additional information if needed.
- If a permit is granted, comply with permit conditions and complete your work within the permit validity period.
- Submit a Works Completion Notice once your project is finished.

9. How do I submit a permit application?

You can submit your application by:

- Email: hf.landscapeboard@sa.gov.au
- Mail: Hills and Fleurieu Landscape Board, Upper Level, Corner Mann & Walker Streets, Mt Barker SA 5251
- In-person: Drop off at our Mount Barker Office

10. How do I make payment?

You can make payments through the following options:

1. Bank transfer: Transfer the payment directly to our account.
2. Phone or in-person payment: Pay over the phone or visit our Mt Barker office to make the payment in person.

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11. What information do I need to submit with my application?

Your application must include the following:

- Completed sections of the application form
- Evidence of payment
- Written permission from the property owner (if applicable)
- Photos of the proposed works location(s)
- Map and coordinates of the proposed works location(s)
- Drawings of the planned works
- Hydrology report (for complex projects)
- Erosion and sediment control plan (for complex projects).

Failure to provide all necessary information may delay the application process.

12. Will a site visit be conducted?

Site visits are typically conducted for large-scale or complex projects. For simpler projects, a visit may not be necessary. You will be notified if a visit is planned.

13. Do I need to engage a contractor, or can I do the work myself?

It is recommended to engage an experienced contractor to ensure the work is done in accordance with environmental standards and best practices.

14. How do I engage a contractor?

Engaging a contractor requires thorough research and due diligence. Follow these steps to ensure you find the right fit:

- Start by looking for earthmovers or contractors in your area.
- Visit their websites to learn more about their services, expertise, and past projects.
- Look for contractors with experience in projects similar to yours. Review their portfolio or ask for case studies.
- Reach out to multiple contractors for quotes. Compare the prices, services offered, and timelines.

15. How long is the permit valid for?

A permit is usually valid for 12 months from the date of issue.

16. What do permit conditions mean?

Permits are issued with conditions that must be followed. It is important that all permit holders and contractors understand and comply with these conditions.

17. Do I need to notify the public about my permit application?

No, public notification is not required for any permit applications.

18. Can the permit be transferred to another person?

No, permits are not transferable. If the project is taken over by another party, or if the property owner (the permit holder) sells the property, a new permit application must be submitted by the new party involved.

19. What happens if I want to make changes to my approved work?

If your plans change, you must notify us of the proposed changes. These changes will need to be assessed, and a permit variation may be granted.

20. What happens if I cannot complete the work before the permit expires?

If you cannot complete the work before the permit expires, you must:

- Inform us of the work completed and work still pending.
- Indicate whether you plan to finish the work. Based on this, we may either issue a permit extension or require a new application.

21. What happens once the works are completed?

Once the work is completed, you must submit a 'Works Completion Notice' along with photos within 14 working days. A site visit may be conducted to ensure all permit conditions have been met.

22. What happens if I undertake WAA without a permit?

Undertaking WAA without a permit is an offence under the *Landscape South Australia Act 2019*. If you carry out unauthorised work, compliance staff will contact you. In most cases, we will seek voluntary compliance, where you agree to rectify the unauthorised work. Failure to comply may result in penalties of up to \$35,000 for individuals or \$70,000 for a body corporate.

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23. Can I appeal a decision or permit conditions?

Yes, you have the right to appeal to the Environment, Resources and Development Court if you disagree with a decision or permit conditions.

24. How do I report unauthorised WAA?

If you suspect unauthorised WAA, you can contact us via phone or email. Please provide:

- The property location
- Details of the suspected activity
- The date and time of observation
- Your preferred contact method (you may remain anonymous, but more details will help us investigate).

25. How do I find out if a WAA has been granted?

You can contact us, and we will check our records to confirm if a permit has been issued for the proposed WAA.

Examples of WAA:

1. Water Storage and Diversion Structures

- Construction, modification (e.g., repairs), or removal of:
 - Dams (including ponds, lagoons, basins, billabongs, wetlands, etc.), with a capacity below 5 megalitres or a wall height less than 3m, whether on-stream or off-stream
 - Weirs
 - Swales and contour banks

2. Building a Structure in a Watercourse, Floodplain, or Lake

- Weirs
- Levee banks or mounds
- Crossings, bridges, or other buildings
- Fencing or floodgates

3. Draining or Discharging Water into a Watercourse or Lake

- Stormwater discharge
- Pumping water

4. Obstructing a Watercourse or Lake

- Fencing or floodgates across a watercourse
- Planting vegetation
- Weirs

5. Depositing an Object or Solid Material in a Watercourse, Floodplain, or Lake

- Erosion control
- Constructing or repairing rock ford crossings
- Removing or filling a watercourse or lake
- Crossing or bridge construction, repairs, and removal
- Fencing or floodgate construction and repairs

6. Destroying Vegetation Growing in a Watercourse, Floodplain, or Lake

- Spraying, cutting, mulching, ripping, excavating, etc.

7. Excavating in a Watercourse, Floodplain, or Lake

- Watercourse realignment
- Desilting dams and watercourses
- Crossing or bridge construction, repairs, and removal
- Weir, fencing, etc. repairs and removal

Further information

Landscapes Hills and Fleurieu

<https://www.landscape.sa.gov.au/hf>

Mount Barker Office - Upper level, Corner of Mann and Walker Streets, Mt Barker, 5251

Phone: (08) 8391 7500

Email: hf.landscapeboard@sa.gov.au