

# Water affecting activities

## OBLIGATIONS UNDER THE LANDSCAPE SOUTH AUSTRALIA ACT 2019

### What are water affecting activities?

Water affecting activities (WAAs) are activities that can potentially have adverse impacts on the health and condition of water resources, other 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, among others. 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.

### Activities requiring a permit

The Landscape SA Act 2019 (LSA Act) outlines certain WAAs which, when undertaken in the Northern & Yorke Landscape Board (the Board) region, may require a permit. These include, but are not limited to:

- 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, e.g. erosion control, construction of water crossings or dumping material.
- Excavating material from a watercourse, lake or floodplain, e.g. excavating or cleaning soaks, waterholes or 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 or lake, e.g. desalination waste, stormwater including urban discharge, drainage and salinity control
- 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.

Landholders, property managers, local governments, industry and organizations must lodge permit applications with the Board. Apply for your permit at least two months before you intend to undertake the activity.

### Duty of Care

In South Australia all persons have a general statutory duty under the LSA 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 usually valid for one year from date of issue.

#### Step 1 Obtain a permit application form

Permit application forms for various activities can be downloaded from the Board's website <https://www.landscape.sa.gov.au/ny/water/water-affecting-activities> or contact the Board.

#### Step 2 Complete the application

Provide information on the proposed activity. Clear and detailed information assists in the assessment process and helps to have your application assessed as soon as possible.



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For further information on how to apply for a water affecting activity please refer to our information guide which can be downloaded from our website. All applications should include:

- A Certificate of Title;
- 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 relevant WAA Principles or Water Allocation Plan.

### 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 WAA 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 LSA 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/Civil enforcement notices may be undertaken by the Board for breaches of the LSA Act.

*Note: A permit may not be required if the activity has been authorised under other legislation, for example the Planning, Development and Infrastructure Act 2016, Environment Protection Act 1993, or the Native Vegetation Act 1991. Please check with the Board to confirm.*

## Further Information

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.

For further info please go to our website:

<https://www.landscape.sa.gov.au/ny/water/water-affecting-activities>

## Other Landscape SA N&Y Factsheets

Dams

Watercourse Crossings

Best practice management for springs, soaks and waterholes

## For more information

### Northern and Yorke Landscape Board

155 Main North Road

Clare SA 5453

Ph: (08) 8841 3444

Hours: Monday-Friday, 9am-5pm

<https://www.landscape.sa.gov.au/ny/home>



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