

Water Affecting Activities: Contractors

Contractors or developers undertaking work in or near any watercourse, lake or wetland in the SA Arid Lands should understand the requirements of the Water Affecting Activity permit process.



If you are a contractor, or developer, who is undertaking work in, or near, any watercourses, lakes, wetlands (or other water ecosystems), or involved in dam construction and modification in the South Australian Arid Lands Landscape region and neighbouring regions, it is important you understand the Water Affecting Activities (WAA) permit process.

A WAA permit may be required by your client, or yourself, and it is important that one is obtained, or sighted, before works begin.

Permits

WAA permits are legal authorisations that are required before certain works in watercourses, lakes, floodplains, wetlands, springs, waterholes and dams are undertaken. Permits are legislated under the *Landscape South Australia Act 2019* and through the Water Affecting

Activities Control Policy of the South Australian Arid Lands Landscape Board (the board). Permits are issued by the board with specific conditions that must be met while undertaking the WAA and afterwards for maintenance and monitoring of the site.

Activities requiring permits

The *Landscape SA Act 2019* and the Water Affecting Activities Control Policy outlines the WAA that require a permit. These include, but are not limited to:

- Construction, modification, or removal of dams or structures to collect or divert water.
- Building structures or obstructing, or depositing solid materials in a water course, lake or floodplain.

- Excavating material from a watercourse, or lake or the floodplain of a watercourse.
- Destroying vegetation growing in a watercourse or lake or growing on the floodplain of a watercourse.
- Draining or discharging water or brine directly or indirectly into a watercourse or lake.
- Taking water from a non-prescribed water course or lake.

Whose responsibility?

It is the responsibility of landholders, owners of infrastructure or principal project managers to gain permits to undertake WAA. However, contractors can apply for permits on behalf of a person who wants to undertake a WAA.

Permit Application

We recommend that permits are applied for at least three months prior to beginning works. The time taken to assess an application varies depending on the type of activity, the level of detail provided and whether scientific assessments or native title notifications are required.

Permit applications are assessed against the principles and objectives of the board's WAA Control Policy.

Further information is available on the board's website:

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

Do the works have permit approval?

It is illegal to undertake a WAA without a permit and sub-contractors can also be liable for a breach of the Landscape Act if they engage in works that are not authorised.

This risk can easily be avoided by simply asking if a permit has been issued. Contact SAAL to ask for advice on whether a permit has been issued or if the activity needs a permit.

The regulation of WAAs is aimed at protecting water resources, water dependent ecosystems and other water users. Managing the impact of WAA is important, to maintain the health and

integrity of our water resources, particularly in our region's arid environment.

In the SAAL region, the water resources include rivers, creeks, waterholes, floodplains, dams, wetlands, and lakes. Lakes include salt lakes, clay pans, temporary waterholes and Great Artesian Basin springs and their associated wetlands.

What does a permit include?

- Permit number
- Expiry date
- Permission is granted to (name of person or company)
- Type of Water Affecting Activity
- Location of WAA (CT and Coordinates)
- Conditions and Notes

Penalties may apply

Undertaking a WAA without a permit or breaching permit conditions is an offence under the *Landscape SA Act 2019*. The serving of Protection Orders or Criminal or Civil enforcement notices may be undertaken by the board or the Department for Environment and Water for breaches of the Act. Financial penalties or prosecution may also apply.

Contact us

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