

# Water Affecting Activities

It is important to maintain the health and integrity of our water resources, particularly in the region's arid environment where water health is critical for the plants, animals and people that rely on them.



## What are water affecting activities?

Water affecting activities (WAA) are activities that have the potential to adversely affect the health and condition of water resources, water dependent ecosystems, and other water users.

In the SA Arid Lands, the water resources include rivers, creeks, waterholes, floodplains, lakes, dams and wetlands. The lakes are typically salt lakes, clay pans or temporary waterholes situated along creek beds. Great Artesian Basin springs and their associated wetlands are also classified as lakes under the *Landscape South Australia Act* (the Act) but this can also include artificial wetlands, waterholes and rock holes.

## Why are they regulated?

Managing the impact of water affecting activities is important to maintain the health and integrity of our water resources.

In South Australia, everyone has a duty of care to act reasonably and responsibly in relation to landscape management. This includes an obligation to maintain and not damage a watercourse, lake or floodplain. It is also a requirement under the Act.

## Activities requiring a permit

The Act outlines WAA that may require a permit. They include, but are not limited to:

### Surface water and watercourses

- 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, such as for erosion control, planting vegetation, constructing water crossings or dumping materials
- Excavating material from a watercourse, lake or a watercourse floodplain, such as excavating or cleaning soaks, rock holes, springs, waterholes, or on-stream dams
- Destroying vegetation growing in a lake or a watercourse or the floodplain of a watercourse.
- Draining or discharging water or brine directly or indirectly into a watercourse or lake, such as maintenance of water delivery systems, desalination waste or stormwater.

Anyone planning to undertake surface water or watercourse activities must lodge a permit application with the SAAL Landscape Board (SAAL).

### Groundwater, imported or recycled water

Permit applications may be required for activities relating to groundwater, imported water and recycled water. These include:

- Drilling, deepening and backfilling wells, bores and groundwater access trenches,
- Draining or discharging water directly or indirectly into a well,
- The use of imported water, including effluent, for commercial activities.

Anyone planning to undertake any of the activities listed above must lodge a permit application with the Department for Environment and Water (DEW).

## Permit application process

### Step 1: Obtain an application form

Permit application forms can be downloaded from the board's website [www.landscapesa.gov.au/SAAL](http://www.landscapesa.gov.au/SAAL) or contact the board's office.

Before starting an application contact the board for a discussion on the proposed activity. Apply at least three months before works commence to allow enough time for assessments such as Native Title notification.

### Step 2 Submit the application

Fill out the application form, providing all necessary information. Guides on how to do this are available.

All applications should include:

- Property identification details and copies of Certificate of Title
- Any plans and photographs of the proposed activity and site location
- A site plan
- Consultant or engineering reports, where applicable
- Other supporting information as required under the WAA Control Policy

Information about the fee and lodging instructions are on the application form.

### Step 3 Permit Application Assessment

The application will be assessed against the objectives and principles in the WAA Control Policy. Assessments will also include consideration of Aboriginal Heritage, Native Title, threats to flora and fauna, native vegetation and biosecurity, however applications for these approvals are the responsibility of the applicant.

During this process you may be asked to provide additional information. An officer of the board may also visit your property and site location to assess the application and identify any possible impacts that may result from the proposed activity.

### Step 4 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 is not approved, or you disagree with any of the permit conditions, you may appeal to the Environment, Resources and Development Court within six weeks of the decision.

### Step 5 Notification of completion

Upon completion of works associated with an approved WAA, a WAA Completion Form must be returned to the SAAL Landscape Board. An officer from the board may conduct a further site visit to ensure permit conditions have been met.

### Penalties may apply

Undertaking a WAA without a permit, or breaching permit conditions is an offence under the Act. If you are unsure whether any proposed works require a permit, you should call the Board for advice before beginning any work. The serving of Protection Orders or Criminal or Civil enforcement notices may be undertaken by the board or DEW for breaches of the *Landscape South Australia Act 2019*. Financial penalties or prosecution may also apply.

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*. Additional permits may also be required for prescribed activities under other Acts. Please check with the board or relevant authority to confirm.

## Contact us

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