



Water Compliance Reporting

The Department for Environment and Water (DEW) is responsible for managing South Australia's water resources for the future. This includes monitoring water users who take and use water from prescribed water sources such as a dam, bore, stream, river or creek to ensure they are meeting their legal obligations.

DEW is required to report on any water use compliance breaches as part of the [National framework for compliance and enforcement systems for water resource management](#).

Water Compliance Activities Conducted in 2018-19¹

Tables 1 below summarises the types of compliance actions undertaken in each prescribed water resource in South Australia in 2018-19. These actions relate to offences which occurred in the 2018-19 water use year.

Table 2 details the compliance actions undertaken pertaining to wells and well drillers licences for the 2018-19 water use year.

Table 3 details specific, targeted water compliance operations that occurred in 2018-19 and where data was available, the number of compliant and non-compliant sites.

Table 4 details the number of site visits carried out as part of business as usual compliance follow up in each prescribed water resource area in South Australia.

Table 5 details the number of site visits undertaken for targeted compliance programs for the 2018-19 water use year.

¹ The 2018-19 water use year compliance reporting is for the period of 1 August 2018 to 31 July 2019. The data is current up to 1 October 2019.

Table 1. Summary of Compliance Actions Undertaken in 2018-19 (1 August 2018 to 31 July 2019)

Business as Usual Compliance Activity		Prescribed Area	Education/Advisory communications (e.g. letters, emails, SMS)	Final Notice/Direction Letter Issued	Administrative sanctions or expiations	Compliance breaches reports	Criminal investigation in progress	Proceedings commenced	Finalised - civil enforcement actions
NRM Act s127(1)	Unauthorised taking of water from a prescribed surface water area, watercourse, lake or well (taking water without a section 128 authorisation or water licence with allocation; or by diverting to an illegally constructed dam; or taking S&D unless entitled to)	Western Mount Lofty Ranges							
		Northern Adelaide Plains		1		1	1		
		McLaren Vale	1						
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges				1			
		River Murray				2			
		Angas Bremer							
		Marne Saunders							
		Mallee							
		Peake, Roby and Sherlock							
		Clare Valley							
		Barossa					1		
		Baroota							
		Southern Basins and Musgrave							
		Lower Limestone Coast							
		Tatiara							
Tintinara									
Padthaway									
Morambo Creek									
NRM Act s127(6)	Contravening a condition of a water management authorisation or permit (conditions on water licences, sec 128 authorisations and well permits)	Western Mount Lofty Ranges	1413	132					
		Northern Adelaide Plains		33					
		McLaren Vale	523	28					
		Far North							
		Other Statewide	1						
		Eastern Mount Lofty Ranges	904	125					
River Murray	3461	431							



Business as Usual Compliance Activity		Prescribed Area	Education/Advisory communications (e.g. letters, emails, SMS)	Final Notice/Direction Letter Issued	Administrative sanctions or expiations	Compliance breaches reports	Criminal investigation in progress	Proceedings commenced	Finalised - civil enforcement actions
		Angas Bremer	123						
		Marne Saunders	155						
		Mallee	190	91					
		Peake, Roby and Sherlock	7						
		Clare Valley	305						
		Barossa	450			1 Expiated			
		Baroota	0						
		Southern Basins and Musgrave	33						
		Lower Limestone Coast	2634	138	2				
		Tatiara	473	31					
		Tintinara	103	7					
		Padthaway	115	5					
		Morambo Creek	4						
NRM Act s115(1)(a)	Penalty for taking water in excess of allocation	Western Mount Lofty Ranges	46		30				
		Northern Adelaide Plains	53		53				
		McLaren Vale	8		6				
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges	18						
		River Murray	59						
		Angas Bremer	6						
		Marne Saunders	3						
		Mallee	4						
		Peake, Roby and Sherlock							
		Clare Valley	36						
		Barossa	17						
		Baroota							
Southern Basins and Musgrave									
Lower Limestone Coast	60		11						
Tatiara	8		3						



Business as Usual Compliance Activity		Prescribed Area	Education/Advisory communications (e.g. letters, emails, SMS)	Final Notice/Direction Letter Issued	Administrative sanctions or expiations	Compliance breaches reports	Criminal investigation in progress	Proceedings commenced	Finalised - civil enforcement actions
		Tintinara	6		1				
		Padthaway	5		2				
		Morambo Creek							
NRM (Financial Provisions) Regulations 2005 R14(1)	Failure to comply with 'Part 3: Meters' of Regulations (Failure to comply with a direction to install a meter, etc)	Western Mount Lofty Ranges							
		Northern Adelaide Plains							
		McLaren Vale							
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges	78						
		River Murray							
		Angas Bremer							
		Marne Saunders							
		Mallee							
		Peake, Roby and Sherlock							
		Clare Valley							
		Barossa				2 Expiated			
		Baroota							
		Southern Basins and Musgrave							
		Lower Limestone Coast	65						
Tatiara	17								
Tintinara	6								
Padthaway	7								
Morambo Creek									
NRM Act s215(2)	Interfering with a meter	Western Mount Lofty Ranges							
		Northern Adelaide Plains							
		McLaren Vale							
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges							
River Murray									



Business as Usual Compliance Activity	Prescribed Area	Education/Advisory communications (e.g. letters, emails, SMS)	Final Notice/Direction Letter Issued	Administrative sanctions or expiations	Compliance breaches reports	Criminal investigation in progress	Proceedings commenced	Finalised - civil enforcement actions
	Angas Bremer							
	Marne Saunders							
	Mallee							
	Peake, Roby and Sherlock							
	Clare Valley							
	Barossa				1			
	Baroota							
	Southern Basins and Musgrave							
	Lower Limestone Coast							
	Tatiara							
	Tintinara							
	Padthaway							
	Morambo Creek							

Table 2. Compliance actions undertaken pertaining to wells and well drillers licences (1 August 2018 to 31 July 2019)

Breach Section	Description	Compliance Letters	Criminal Investigation in progress	Proceedings commenced	Finalised Civil enforcement actions	Site visits where the breaches were detected	Site visits where no breach was detected (Statewide)	Total site visits by Drilling Inspector (Statewide)
139 (4) and 20 Regulations (General)	If the holder of a well driller's licence contravenes or fails to comply with a condition of the licence	0	1	0	0	0	166	190
127 (3)	<ul style="list-style-type: none"> • Drilling, plugging, backfilling or sealing a well; • Repairing, replacing of altering the casing, lining or screen of a well; • Without a water management authorisation or permit or contrary to an NRM Plan 	6	1	0	0	0		
144 (1)	Obligation to maintain a well	3	0	0	0	0		
145 (1), (2) and (3)	Requirement for remedial or other works	6	0	0	0	12		

Table 3. Targeted Water Compliance Operations Conducted in 2018-19 (1 August 2018 to 31 July 2019)

NA means data not available or not applicable

Water Resource	Targeted Compliance Activity	Actioned (Y/N)	No. of Licences (that the activity applies to)	Instances of Non-Compliance	Instances of compliance	Resolution	Comments
Northern Adelaide Plains	Northern Adelaide Plains - Inspection of the integrity of existing installed meters - Out of hours inspection during peak summer period	N	NA	NA	NA	NA	NA
	Holding meetings with licence holders	N	NA	NA	NA	NA	NA
McLaren Vale	Desktop identification of S&D wells Desktop review to identify potential illegal take of water for a purpose other than stock and/or domestic use	N	NA	NA	NA	NA	NA
	Visit sites to identify potential illegal take of water for a purpose other than stock and/or domestic use	Y	3	0	3	NA	All compliant
Western Mount Lofty Ranges	Overdue meter installations - Desktop analysis and site visits to ensure that water instruments with a condition to install a meter have been complied with, including submitting a meter notification form to DEW.	Y	6	2	4	Meters to be installed	The two that were non-compliant were found to be due to land being sold. Also may be possible that the requirement for meters will be deferred depending on intended use.

Water Resource	Targeted Compliance Activity	Actioned (Y/N)	No. of Licences (that the activity applies to)	Instances of Non-Compliance	Instances of compliance	Resolution	Comments
	Visit sites to <ul style="list-style-type: none"> inspect current installation of meter to check installation is compliant with the South Australian Licences Water Use Meter Specification inspect current meter installation to check the compliance of meter installation maintenance with the Natural Resources Management (Financial Provisions) Regulations 2005 	Y	45	3	42	Directed meters to be installed	Installation of two meters to date, follow up required.
River Murray	Review of unmetered water instruments, including desktop review of any water licence with no associated meter linked. Validate complicate with metering requirements Ensure all relevant data is recorded in the water licensing system	Y	55	0	55	Cross-reference hard file records, licensing & metering data, and imagery to determine if meter is required, i.e. previous deferral still valid?	<ul style="list-style-type: none"> 38 licences confirmed as taking water for S&D only; 7 licences take water under riparian rights (shack associations); 10 licences from this list were identified as requiring more information – see next task
	Visit to sites to identify potential illegal take of water. Approximately 210 in the water register with more than 5 ML entitlement on water licence	Y	10	0	10	<ul style="list-style-type: none"> 4 – infrastructure disabled, no water use occurring (retired land); 4 – meters installed but not listed in system (see comment); 1 – no licensed water use, no infrastructure: connected to SA Water supply. 1 – property/licence sale occurring, no water use occurring 	

Water Resource	Targeted Compliance Activity	Actioned (Y/N)	No. of Licences (that the activity applies to)	Instances of Non-Compliance	Instances of compliance	Resolution	Comments
Mallee	Education activity with water instrument holders regarding supply arrangements and potential overuse penalties Develop fact sheet/FAQ Provide written advice to water instrument holder advising proper practice to avoid potential overuse situations	Y	198	0	198	Bulk mail out sent to all Mallee licensees	
	Hold meetings with licence holders	Y	10	0	198	Departmental presence at 2 field day sites (Karoonda and Riverland) to provide information about water licensing. There were a total of 10 queries specifically relating to supply arrangements and penalties.	NA
Marne Saunders	Audit of instruments without meters. Desktop review of any water licence with no associated meter linked. Validate complicate with metering requirements. Ensure all relevant data is recorded in the water register.	No, deferred	NA	NA	NA	NA	NA
	Visit to sites to identify potential illegal take of water.	N	NA	NA	NA	NA	NA
Eastern Mount Lofty Ranges	Overdue meter installations - Desktop analysis and site visits to ensure that water instruments with a condition to install a meter have been complied with, including submitting a meter notification form to DEW.	Y	44	1 expiated	43	<ul style="list-style-type: none"> • 18 licences deferred from meter requirement under MIP provisions; • 26 licences required site visit for verification. 	See next task

Water Resource	Targeted Compliance Activity	Actioned (Y/N)	No. of Licences (that the activity applies to)	Instances of Non-Compliance	Instances of compliance	Resolution	Comments
	Visit sites to <ul style="list-style-type: none"> inspect current installation of meter to check compliance with the South Australian Licenses Water Use Meter Specification inspect current meter installation to check the compliance of meter installation maintenance with the Natural Resources Management (Financial Provisions) Regulations 2005 	26	26	0	26	<ul style="list-style-type: none"> Directives to install meters were issued to 10 licensees. All complied; 12 licenses confirmed to use water for S&D only; 4 have no infrastructure/retired land, not using water. 	
Lower Limestone Coast	Follow up with water licence holders regarding the reporting of meters not working correctly. Meet with water licence holders who have notified DEW of a faulty meter on site.	Y	130	57	73	NA	In progress
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments.	Y	18	3	53	Advised licensee of lead in lead out requirements. Licensee has engaged meter installer to amend incorrectly fitted meters	<ul style="list-style-type: none"> Education regarding meter relocation Ongoing management plan to amalgamate licences where possible to enable improved management of water allocation
Tatiara	Follow up with water licence holders regarding the reporting of meters not working correctly. Meet with water licence holders who have notified DEW of a faulty meter on site.	Y	36	23	13	NA	In progress
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments	Y	4	1	3	Over use of allocation proceeding through penalties process	NA



Water Resource	Targeted Compliance Activity	Actioned (Y/N)	No. of Licences (that the activity applies to)	Instances of Non-Compliance	Instances of compliance	Resolution	Comments
Tintinara Coonalpyn	Follow up with water licence holders regarding the reporting of meters not working correctly. Meet with water licence holders who have notified DEW of a faulty meter on site.	Y	19	8	11	NA	In progress
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments	NA	NA	NA	NA	NA	NA
Padthaway	Follow up with water licence holders regarding the reporting of meters not working correctly. Meet with water licence holders who have notified DEW of a faulty meter on site.	Y	9	1	8	NA	In progress
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments	NA	NA	NA	NA	NA	NA
Morambo Creek	Follow up with water licence holders regarding the reporting of meters not working correctly. Meet with water licence holders who have notified DEW of a faulty meter on site.	Y	0	0	0	NA	NA
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments	NA	NA	NA	NA	NA	NA

Table 4. Business as usual compliance follow up site visits for each prescribed area in South Australia (1 August 2018 to 31 July 2019)

PLEASE NOTE:

No. visits = Number of sites visited during compliance reporting year (1 August 2018 to 31 July 2019).

No. compliant = If a site is fully compliant with no problems observed, then this is counted as "1" in this column.

No. that required action = If a site had problems and required action, then this is counted as "1" in this column.

*Does not include site visits in relation to well drillers licences.

Regional Office Responsible	Water Resource	No. visits*	No. compliant	No. that required action
SA Murray Darling Basin	River Murray	5	5	0
	Mallee	0	0	0
	Angas Bremer	3	3	0
	Eastern Mount Lofty Ranges	11	11	0
	Marne Saunders	2	2	0
	Peake, Roby, Sherlock	0	0	0
	Clare	0	0	0
	Barossa	0	0	0
	Southern Basins and Musgrave	0	0	0
South East	Lower Limestone Coast	362	359	3
	Tatiara	113	112	1
	Tintinara Coonalpyn	20	20	0
	Padthaway	13	13	0
	Morambo Creek	0	0	0
Adelaide and Mount Lofty Ranges	Northern Adelaide Plains	1297	1024	273
	McLaren Vale	112	28	84
	Western Mount Lofty Ranges	227	57	170

Table 5. Site visits undertaken for targeted compliance programs for the 2018-19 water use year (1 August 2018 to 31 July 2019)

PLEASE NOTE:

No. visits = Number of sites visited during compliance reporting year (1 August 2018 to 31 July 2019).

No. compliant = If a site is fully compliant with no problems observed, then this is counted as "1" in this column.

No. that required action = If a site had problems and required action, then this is counted as "1" in this column.

*Does not include site visits in relation to well drillers licences.

Regional Office Responsible	Water Resource	No. visits*	No. compliant	No. that required action
SA Murray Darling Basin	River Murray	28	28	0
	Mallee	0	0	0
	Angas Bremer	2	2	0
	Eastern Mount Lofty Ranges	10	10	0
	Marne Saunders	2	2	0
	Peake, Roby, Sherlock	0	0	0
	Clare	0	0	0
	Barossa	0	0	0
	Southern Basins and Musgrave	0	0	0
South East	Lower Limestone Coast	179	176	3
	Tatiara	132	130	2
	Tintinara Coonalpyn	38	38	0
	Padthaway	50	50	0
	Morambo Creek	1	1	0
Adelaide and Mount Lofty Ranges	Northern Adelaide Plains	0	0	0
	McLaren Vale	0	0	0
	Western Mount Lofty Ranges	45	43	2