

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 2017-18¹

Tables 1 below summarises the types of compliance actions undertaken in for each prescribed water resource in South Australia in 2017-18. These actions relate to offences which occurred in the 2017-18 water use year.

Table 2 details the compliance actions undertaken pertaining to wells and well drillers licences for the 2017-18 water use year.

Table 3 details specific, targeted water compliance operations that occurred in 2017-18 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 2017-18 water use year.

¹ This publication contains data that is current up to 25 October 2018.

Table 1. Summary of Compliance Actions Undertaken in 2017-18.

BAU Compliance activity		Prescribed Area	Advisory letters issued	Final Notice/Direction Letter Issued	Administrative sanctions/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	1	1			1		
		Northern Adelaide Plains				1			
		McLaren Vale					1	1	*
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges							
		River Murray							
		Noora							
		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)(b)	Contravening a condition of a water management authorisation or permit (conditions on water licences, sec 128 authorisations and well permits)	Western Mount Lofty Ranges	517	196					
		Northern Adelaide Plains		17					
		McLaren Vale	131	40					
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges	657		1				
		River Murray	1328		2				
		Noora							
		Angas Bremer	131		1				



		Marne Saunders	95		1				
		Mallee	254						
		Peake, Roby and Sherlock	5						
		Clare Valley	173		2				
		Barossa	213		3				
		Baroota							
		Southern Basins and Musgrave							
		Lower Limestone Coast	530	90	14				
		Tatiara	307	13					
		Tintinara	105	4					
		Padthaway	97	4	2				
		Morambo Creek							
NRM Act s115(1)(a)	Penalty for taking water in excess of allocation	Western Mount Lofty Ranges	15		12				
		Northern Adelaide Plains	42		42				
		McLaren Vale	3		2				
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges			6				
		River Murray			9				
		Noora							
		Angas Bremer							
		Marne Saunders							
		Mallee			1				
		Peake, Roby and Sherlock							
		Clare Valley			6				
		Barossa			4				
		Baroota							
		Southern Basins and Musgrave							
		Lower Limestone Coast			5				
		Tatiara			5				
		Tintinara							
		Padthaway			1				
		Morambo Creek							
NRM (Financial Provisions) Regulations 2005 R17(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	1						
		Northern Adelaide Plains							
		McLaren Vale							
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges	7						



		River Murray	20						
		Noora							
		Angas Bremer							
		Marne Saunders							
		Mallee	1						
		Peake, Roby and Sherlock							
		Clare Valley							
		Barossa							
		Baroota							
		Southern Basins and Musgrave							
		Lower Limestone Coast	67						
		Tatiara	21						
		Tintinara	3						
		Padthaway	1						
		Morambo Creek							
NRM Act s215(2)	Interfering with a meter	Western Mount Lofty Ranges							
		Northern Adelaide Plains			1		1	1	1
		McLaren Vale							
		Far North							
		Other Statewide							
		Eastern Mount Lofty Ranges							
		River Murray							
		Noora							
		Angas Bremer							
		Marne Saunders							
		Mallee							
		Peake, Roby and Sherlock							
		Clare Valley							
		Barossa							
		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

Breach Section	Description	Compliance letters	Criminal investigation in process	Proceedings commenced	Finalised - Civil enforcement actions	Site visits where the breaches were detected	Site visits where no breach was detected State-wide	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	5	3	1^	1	7	76	125
127 (3)	Drilling, plugging, backfilling or sealing a well; repairing, replacing or altering the casing, lining or screen of a well; without a water management authorisation or permit or contrary to an NRM Plan	4	5 includes *or #	*	*	3		
144 (1)	Obligation to maintain a well	10	0	0	0	7		
145 (1),(2) and (3)	Requirement for remedial or other works	11	0	0	0	24		

* Breach of 139 (4), was because the driller failed to sight a permit as there was no permit for the work undertaken.

#Two referrals for prosecution relating to the construction of a well without a permit (s127(3)(a) NRM Act) (SAAL Region).

^Case finalised in early in 2018-19

Table 3. Targeted Water Compliance Operations Conducted in 2017-18.

Region	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	Y	40	1	39	NA	NA
	Northern Adelaide Plains - Education activity with water instrument holders regarding water licensing requirements and compliance - Develop fact sheet/FAQ	Y	NA	NA	NA	NA	NA
	Holding meetings with licence holders	Y	12	2	9	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	Y	1,777*	NA	NA	NA	*Total number of MLV PWA bores minus licenced/metered bores. Desktop assessment still under action
	Visit sites to identify potential illegal take of water for a purpose other than stock and/or domestic use	N	**	NA	NA	NA	**No of site sites won't be known until the desktop assessment is complete. Ongoing.
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	314	249	65	Ongoing	Ongoing

	<p>Visit sites to</p> <ul style="list-style-type: none"> inspect current installation of meter to check installation is compliant 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 	Y	73	5	61	NA	NA
River Murray	<p>Review of unmetered water instruments, including desktop review of any water licence with no associated meter linked. Validate complicate with metering requirements</p> <p>Ensure all relevant data is recorded in the water licensing system</p>	Y - Instruments identified and desktop review commenced	210	0	175	<p>Conforms to requirements for metering - the 175 licences are a mixture of water traders, no infrastructure (WRWA), water not used for licensed purposes (e.g S&D only), licence previously surrendered or being supplied by other party.</p>	35 yet to be finalised. No indication that non-compliance is likely.
	<p>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</p>	<p>Status of metering requirements still uncertain for 35 licences following desktop review. Further investigations required. Meter directives issued to all 35 licence holders.</p>	35	0	35	<p>11 licence holders installed meters; 5 not required (riparian users); 2 have sold water allocations; 2 no longer use water so are dismantling infrastructure, 2 private irrigator associations being devolved (individual allocations will be less than required 5 ML); 6 selling allocation, will retain less than 5 ML; 2 have windmills (low volume inadequate capacity to meter); water/property sold; no contact established with licence holder although aerial imagery verifies no water use is occurring.</p>	<p>The aims and tasks of this plan are completed; the targeted compliance plan for 2018-19 incorporates any residual issues that emerged from this program as 'phase 2'.</p>

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 - Commenced. Draft fact sheet developed. This will be finalised and send to Mallee licence holders by 31 December 2018	200	NA		NA	ONGOING
	Hold meetings with licence holders	Y - 3 staff attended Karoonda Farm Fair on 6 and 7 April 2018	NA	NA	NA	NA	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.	Y - 93 sources identified and desktop review commenced	Compliance plan relates to 58 individual licences, although most (36) have multiple unmetered sources	Follow-up of these licences is rescheduled to form part of targeted actions for 2018-19, with priority actions to occur during 1 November 2018 to 30 March 2019.	NA	NA	NA
	Visit to sites to identify potential illegal take of water.	Not started	Priority to be given to those licence holders who do not have an existing meter on at least one source already (to occur during 1 November 2018 to 30 March 2019).	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.	Yes - commenced	132	NA	NA	NA	NA
	<p>Visit sites to</p> <ul style="list-style-type: none"> inspect current installation of meter to check compliance 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 	Ongoing - 5 site visits	33	NA	7 completed	NA	NA
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	87	32	55	NA	NA
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments.	y	6	1	5	NA	NA
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	16	5	11	NA	NA
	Potato Growers water licence education project - Education activities in South East Region regarding compliance with meter conditions on water instruments	y	2	NA	2	NA	NA



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	11	8	3	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
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.	NA	NA	NA	NA	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
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.	NA	NA	NA	NA	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

NA means data not available or not applicable

Table 4. Site visits undertaken for each prescribed area in South Australia as part of business as usual compliance follow up

	# visits	# compliant	# required action
SA Murray Darling Region			
River Murray	1,564	NA	NA
Mallee	4	NA	NA
Angas Bremer	30	NA	NA
Eastern Mount Lofty Ranges	5	NA	NA
Marne Saunders	6	NA	NA
Peake, Roby, Sherlock	0	NA	NA
Clare	16	NA	NA
Barossa	33	NA	NA
Southern Basins and Musgrave	32	NA	NA
South East Region			
Lower Limestone Coast	153	153	144
Tatiara	31	31	33
Tintinara Coonalpyn	19	9	20
Padthaway	23	23	7
Morambo Creek	1	1	0
Adelaide and Mount Lofty Region			
Northern Adelaide Plains	91	70	18
McLaren Vale	33	24	9
Western Mount Lofty Ranges	108	92	14

NA = No data available

Table 5. Site visits undertaken for targeted compliance programs for the 2017-18 water use year

		# visits	# compliant	# required action
SA Murray Darling Region				
	River Murray	1	NA	NA
	Mallee	NA	NA	NA
	EMLR	31	NA	NA
	Marne Saunders	1	NA	NA
South East Region				
	LLC	107	95	70
	Tatiara	187	181	35
	Tintinara Coonalpyn	15	15	19
	Padthaway	15	15	4
	Morambo Creek	NA	NA	NA
Adelaide and Mount Lofty Region				
	NAP	1,275	1,232	43
	McLaren Vale	119	109	10
	WMLR	405	354	51
	SAAL	10	NA	NA

NA = No data available

STATEWIDE PROPOSED TARGETED WATER COMPLIANCE MONITORING OPERATIONAL PLAN FOR 2018-2019

Proposed targeted water compliance operations for the 2018-19 water use year (not part of the annual meter reading program) include the following:

Within the South Australian Murray-Darling Basin Natural Resources Management Region:

- Site inspections of unmetered water instruments in the River Murray Prescribed Watercourse (PWC)
- Audit of unmetered water instruments in the Marne Saunders Prescribed Wells Area (PWA)
- Audit of unmetered water instruments in the Eastern Mount Lofty Ranges Prescribed Water Resources Area (PWRA)
- Analysis of meter self-reads in the River Murray PWC
- Education activity to increase awareness of licensing options for on farm irrigation activities in the Mallee PWA

Outside of the South Australian Murray-Darling Basin Natural Resources Management Region:

- Inspection of the integrity of existing installed meters in the Lower Limestone Coast PWA
- Inspection of the integrity of existing installed meters in the Northern Adelaide Plains PWA
- Audit of unmetered water instruments in the Northern Adelaide Plains PWA
- Inspection of deferred meters within the Western Mount Lofty Ranges PWRA
- Audit of spring fed dams within the Western Mount Lofty Ranges PWRA

Previous years' reports

- [Water Compliance Activities \(2016-17\)](#)
- [Water Compliance Activities \(2015-16\)](#)
- [Water compliance activities \(2014-15\)](#)
- [Water compliance activities \(2013-2014\)](#)
- [Targeted water compliance monitoring \(2014\)](#)

PWRA *Prescribed Water Resources Area*

PWC *Prescribed Watercourse*

PWA *Prescribed Wells Area*