

JULY 2009

From 1 September 2009, you will need to obtain a Well Works Permit before you have well works undertaken anywhere within Tasmania, other than for the exemptions for well works listed below. This is a requirement under section 135 of the *Water Management Act 1999* (the Act).

It is also a requirement that a person must not undertake well works without holding a well driller's licence under Part 7 Division 4 of the Act.

These requirements have been introduced to ensure that wells are constructed to minimum standards, and to protect consumers and the drilling industry from unqualified and inexperienced practitioners. It will also enable the Department to collect further information about groundwater in the State and on the use and development of groundwater resources.

What is a well?

The definitions in the Act are:

"well" means –

- (a) an opening in the ground below the surface of the earth excavated or used for the taking of groundwater; or
- (b) a natural opening in the ground that gives access to groundwater; or
- (c) any other excavation as may be provided by the regulations;

"well works" means an excavation undertaken to give access to groundwater, any other works



undertaken to repair or modify the structure of a well or any works undertaken to plug, backfill, seal or decommission a well;

Exemptions

A Well Works Permit is not required for the construction of wells where the purpose is not to take groundwater. This includes most geotechnical, engineering and mineral exploration drilling activities. In addition the following classes of well works that do access groundwater are currently exempt:

- (a) well works carried out (and the well subsequently used solely) for the purposes of –
 - (i) groundwater sampling and monitoring (including collection of data for geotechnical, engineering or environmental purposes); or
 - (ii) investigating potential or actual groundwater contamination;
- (b) well works carried out solely for maintenance purposes and not involving –
 - (i) the repositioning of the casing, lining or screen of the well; or

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(ii) a major modification of the casing, lining or screen of the well; or

(iii) the replacement of the casing, lining or screen of the well with a casing, lining or screen of entirely different design or specifications; or

(iv) the deepening of the well by more than 1.5 metres;

(c) well works that reasonably need to be undertaken urgently (in circumstances where it is not feasible to apply for a permit under section 135A of the Act) to –

(i) prevent the pollution or deterioration of groundwater; or

(ii) prevent water wastage;

(d) well works undertaken in good faith in an emergency (in circumstances where it is not feasible to apply for a permit under section 135A of the Act) to –

(i) prevent the death or injury of any person or animal; or

(ii) safeguard property.

Application for a Well Works Permit

An application will have to be completed on the appropriate form which can be obtained from DPIPWE Offices or from the DPIPWE website at www.dpipwe.tas.gov.au/water/licensing/allocation_and_works_permits/well_works_permits

The form will have to be signed by the owner or agent of the owner of the property on which the well is to be situated.

Your well driller may be able to complete the form for you but you will still be required to sign the form.

Fees

The application fee for a Well Works Permit is 189 fee units (equal to \$251.37 in 2009-2010)

Taking water from a well – do I need a licence?

A Well Works Permit is a permit to construct a well but is not a licence to take water.

However, under Part 5 of the Act, an owner or occupier of land may take groundwater from the land for any purpose, unless an order has been made to appoint the area a Groundwater Area under section 124(A) of the Act, and the order also provides that groundwater may not be taken from that Groundwater Area without the authority of a licence.

Parts of the State will be progressively appointed as Groundwater Areas in coming years to allow groundwater management provisions to be introduced where these are required.

Provision of information relating to construction of wells

The licensed well driller constructing any well must inform DPIPWE of:

- the location of the well;
- the depth of the well and the level of the water in the well;
- details of cuttings and other materials obtained during the construction of the well; and
- the analysis of any water obtained from the well.

CONTACT DETAILS

Water Licence and Dam Administration Section OR
1 Franklin Wharf, GPO Box 44, HOBART TAS 7001
Phone: 1300 368 550
Fax: 03 6224 4977

Contact your **Regional Water Management Officer**. The contact details are available at the DPIPWE website page :
[Home>Water >Licensing, Allocation and Works Permits>Water Management Regions](#)

