

Proposal to make a Regulation to re-open the water licence application period for Central Adelaide

For the benefit of the South Australian businesses and the South Australian community the State Government is considering re-opening the application period for groundwater licences in the Central Adelaide Prescribed Wells Area (PWA). A Regulation is required for this to occur.

The Regulation (if made) will give persons who used groundwater during the period 1 July 2002 to 30 November 2005 that have not previously applied for a water licence, another chance to apply.

What is a Regulation?

A Regulation is subordinate legislation that enables an amendment or variation to be made to an Act.

What would the proposed 'Central Adelaide' Regulation do?

The Regulation that is currently being considered by the State Government proposes the re-opening of the water licence application period in the Central Adelaide PWA (applications for a water licence previously closed in 2007).

Should the Regulation be made, it will allow *eligible* water users a further six month opportunity to apply for a groundwater licence. The re-opening of the application period would not allow 'new' water users to apply for a water licence (groundwater must have been used during the period 1 July 2002 to 30 November 2005) and applies only to the Central Adelaide Prescribed Wells Area.

If the Regulation were made and an *eligible* water user submitted an application, the assessment of their application would be on the same basis as those who applied in 2007.

The water needs of all *eligible* users, along with that of the environment will be balanced against the capacity of the resource.

Water users who submitted an application in 2007 would not need to re-apply.

A copy of the draft *Natural Resources Management (Central Adelaide—Prescribed Wells Area) Variation Regulation 2016* is available on www.yoursay.sa.gov.au.

Who is an eligible water user?

An *eligible* water user is an individual/business who, either used Central Adelaide groundwater or committed significant financial, legal or other resources to a project that would require the use of groundwater for a licensable purpose during the period 1 July 2002 to 30 November 2005.

What is a licensable purpose?

The taking of any groundwater, aside for stock and domestic use, is a licensable purpose and requires a water licence. This would include the taking of water for industrial use, irrigating turf and gardens greater than 0.4 hectares in size, and irrigating crops.

What is stock and domestic use?

'Stock' use means watering stock, other than stock subject to intensive (commercial) farming.



'Domestic' use includes normal household use, including watering up to 0.4 hectares of land solely in connection with a dwelling.

You are not required to have a licence for taking of water used for stock and/or domestic purposes in the Central Adelaide Prescribed Wells Area.

However, if you wish to use groundwater for stock or domestic purposes you are still required to obtain a *Well Construction Permit* prior to the installation of any well.

Why is the State Government considering making a Regulation in Central Adelaide?

While many *eligible* users applied for a licence in 2007, there are some *eligible* users that did not make an application within the required timeframe.

There are also other users that subsequently acquired a business where the previous owner satisfied the eligibility requirements but had not applied for a water licence.

Now that groundwater in the Central Adelaide Area is prescribed, licences (or a licence application) are required to use groundwater for any purpose other than stock and domestic use (unless you are authorised to use groundwater under Section 128 of the Natural Resources Management Act 2004).

The Regulation (if made) will give *eligible users* another chance to apply for a water licence. The State Government believes it is important that all *eligible* users are able to access their fair share of water now and into the future. This will help contribute to the wellbeing of our communities and to the economic growth of our State.

Has the decision to make the Regulation already been made?

No. The Government is seeking comments from the community, *before* making its decision.

What if the Regulation is not made?

If the Regulation is not made, *eligible* groundwater users that did not apply for a water licence in 2007 will not receive a water licence or allocation through the current process. There is no guarantee that these individuals will be able to secure a right to access Central Adelaide groundwater in the future.

The SA Government is proposing to re-open the application period to ensure ALL *eligible* users are able to access their rightful share of the Central Adelaide groundwater resource into the future.

I've already applied for a licence in 2007. How will the Regulation impact me?

The Department of Environment Water and Natural Resources is currently assessing your application.

If the Regulation is made, you will not need to reapply for a water licence.

The same eligibility criteria would apply for the second application period as applied in 2007, and the new application period will not influence the determination of water licence applications that were submitted in 2007.

How can my input influence the decision to make or not make the Regulation?

The Government will consider your feedback on the proposal to re-open applications for a water licence before deciding on whether to approve the proposal.

Making of a Regulation – Have Your Say!

The State Government wants to give South Australians more of a say on matters that affect them, thus the State Government wants to know what you think about the decision to re-open the application window for *eligible* water users.

Go to the YourSAy website www.yoursay.sa.gov.au and tell us what you think. Comments and feedback are welcome, closing 25 November 2016.

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