Consumptive pools proposed for the amendment of the Lower Limestone Coast Water Allocation Plan

The Lower Limestone Coast Water Allocation Plan (the Plan) is being amended. This information is to assist you in understanding some changes that are being considered. These changes are not final. They are being developed with feedback from the Limestone Coast Landscape Board Governing Body, Stakeholder Advisory Group and stakeholders and community.

What is a consumptive pool?

A consumptive pool is the water that constitutes the resource available for consumptive uses within a prescribed water resource area. Consumptive uses include both licensed and unlicensed uses. Examples of consumptive uses include irrigation, plantation forestry, stock and domestic use and public water supply.

A consumptive pool does not include the water required to maintain the condition of the water resource or the ecosystems dependent on it. For the purposes of a water allocation plan these are not considered consumptive uses.

A water allocation plan may set out one or more consumptive pools.

Why do consumptive pools need to be included in the revised Lower Limestone Coast Water Allocation Plan?

Consumptive pools need to be introduced to align the revised Lower Limestone Coast Water Allocation Plan (the Plan) to the *Landscape South Australia Act 2019* (the Act).

Section 53 (1)(c) of the Act states – *A water allocation plan: must determine, or provide a mechanism for determining, from time to time, a consumptive pool, or consumptive pools, for the water resource.*

The Act defines consumptive pool as: *the water that will from time to time be taken to constitute the resource within a particular part of a prescribed water resource for the purposes of Part 8, as determined—*

> *(a) by or under a water allocation plan for that water resource; or*
>
> *(b) in prescribed circumstances—by the Minister*

Proposal for consumptive pools for the revised Plan

At this stage in the amendment process six consumptive pools are being considered for the revised Plan. These are consumptive uses which will likely need different and/or separate mechanisms (rules in the form of principles) in the Plan to manage them.

This proposal does not exclude combining some consumptive pools later in the process. Consideration will be given to whether this may simplify the Plan without compromising the management of these consumptive uses.

The six consumptive pools proposed are:

- **Lower Limestone Coast Confined Aquifer Consumptive Pool**
- **Lower Limestone Coast Unconfined Aquifer Consumptive Pool**
- **Lower Limestone Coast Stock and Domestic Consumptive Pool**
- **Lower Limestone Coast Supplementary Environmental Water Consumptive Pool**
- **Lower Limestone Coast First Nations Consumptive Pool**
- **Lower Limestone Coast Managed Aquifer Recharge Consumptive Pool**.

Assumptions made in the development of the consumptive pools proposal

There are other policy amendments under consideration that will impact how the consumptive pools are developed.

For the purposes of this version of the proposal for consumptive pools there are two key assumptions:

- Water licences for extraction will be partially unbundled. This would result in two licensing instruments, a water access entitlement and a water allocation.

  Read more about partially unbundling a water licence

- Introduction of classes of water access entitlements. A simplification of the water licensing system proposes that the components and purposes of use will be replaced by classes.

  Read more about classes of water access entitlements

The consumptive pools proposal adopts terminology and concepts used as the current standard for water allocation planning in South Australia, becoming familiar with these will provide a better understanding of the proposal.

Lower Limestone Coast Confined Aquifer Consumptive Pool

Purpose of the consumptive pool:

The Lower Limestone Coast Confined Aquifer Consumptive Pool would apply to the confined aquifer for the whole of the Lower Limestone Coast Prescribed Wells Area. It would constitute the water resource available to water licence holders in the confined aquifer. Unlicensed uses from the confined aquifer, such as stock and domestic water use, would be included in the Lower Limestone Coast Stock and Domestic Consumptive Pool.

How will the consumptive pool be defined?

The Lower Limestone Coast Confined Aquifer Consumptive Pool would be defined by a maximum number of water access entitlement shares.

A water access entitlement is the entitlement of a water licence holder to gain access to a share of water available in the consumptive pool to which the licence relates. A water access entitlement is expressed as a number of unit shares e.g. one entitlement unit share is equal to one kilolitre (kL).

A water access entitlement will be assigned a class and a management zone (refer to ***Classes of Water Access Entitlements***).

Within the consumptive pool there will be a maximum number of water access entitlement shares specified for each management zone and for each class in the management zone.

Who can access water in this consumptive pool?

Anyone who currently has a water licence for the confined aquifer. Also, anyone who subsequently purchases a water licence for the confined aquifer.

No new entitlement shares will be available.

Trade within the consumptive pool:

Trade could occur, temporarily or permanently, between management zones where the receiving management zone has capacity to receive the water. Trade would need to be within the trade rules for classes of water access entitlements.

Trade with other consumptive pools:

Trade would be possible from this consumptive pool to the Lower Limestone Coast First Nations Consumptive Pool or to the Lower Limestone Coast Supplementary Environmental Water Consumptive Pool.

Trade would not be possible into this consumptive pool from any other consumptive Pool.

Principles it will be subject to:

A water licence could be subject to reductions.

An adaptive management framework may apply to the Lower Limestone Coast Confined Aquifer Consumptive Pool. A water licence could be subject to restrictions to allocations, depending on the class of water access entitlement and the status of the management zone.

Lower Limestone Coast Unconfined Aquifer Consumptive Pool

Purpose of the consumptive pool:

The proposed Lower Limestone Coast Unconfined Aquifer Consumptive Pool applies to the unconfined aquifer for the whole of the Lower Limestone Coast Prescribed Wells Area. It constitutes the water resource available to water licence holders (extractive uses), forest water licence holders and an allowance for farm forestry (unlicensed, currently defined on pg. 50 of the **Lower Limestone Coast Water Allocation Plan 2013**, but may be subject to change in the amendment process). Other unlicensed uses from the unconfined aquifer, such as stock and domestic use, are accounted for in the Lower Limestone Coast Stock and Domestic Consumptive Pool.

How will the consumptive pool be defined?

The Lower Limestone Coast Unconfined Aquifer Consumptive Pool will be defined by a maximum volume of water rather than a maximum number of water access entitlement shares. This is different from the Lower Limestone Coast Confined Aquifer Consumptive Pool as under current legislation a forest water licence does not provide the holder with a water access entitlement. A forest water licence instead provides a volumetric allocation attached to the licence.

The proposed inclusion of both water (taking) and forest water licences in the same consumptive pool is to allow for trade throughout the water use year between the two types of licences. The mechanism and supporting administration for such trades is yet to be confirmed.

A water access entitlement is the entitlement of a water licence holder to gain access to a share of water available in the consumptive pool to which the licence relates. A water access entitlement is expressed as a number of unit shares e.g. one entitlement unit share is equal to one kilolitre (kL).

A water access entitlement will be assigned a class and a management zone (refer to ***Classes of Water Access Entitlements***).

Within the consumptive pool there will be a maximum volume set for each management zone. A maximum number of Class 1 and Class 2 water access entitlement shares will also be set for each management zone.

The maximum volume for Class 3 licences (water (taking) and forest water licences) is determined as the maximum volume of the consumptive pool, less the volume allowed for unlicensed farm forestry and less the Class 1 and Class 2 annual allocation.

Who can access water in this consumptive pool?

Anyone who currently has a water licence or forest water licence for the unconfined aquifer. Also, anyone who subsequently purchases a water licence or forest water licence for the unconfined aquifer. Anyone who undertakes farm forestry in accordance with the rules of the Plan.

It will not be possible to increase the maximum volume for the consumptive pool.

Trade within the consumptive pool:

Trade could occur, temporarily or permanently, between management zones where the receiving management zone has capacity to receive the water. Trade would need to be within the trade rules for classes of water access entitlements.

Trade with the other consumptive pools:

Trade would be possible from this consumptive pool to the Lower Limestone Coast Supplementary Environmental Water Consumptive Pool or to the Lower Limestone Coast First Nations Consumptive Pool.

Trade would not be possible into this consumptive pool.

Principles it will be subject to:

A water licence could be subject to reductions.

An adaptive management framework may apply to the Lower Limestone Coast Unconfined Aquifer Consumptive Pool. A water licence could be subject to restriction to allocations, depending on the class of water access entitlement and the status of the management zone.

Lower Limestone Coast Stock and Domestic Consumptive Pool

Purpose of the consumptive pool:

The proposed Lower Limestone Coast Stock and Domestic Consumptive Pool is a social and cultural consumptive pool that provides for unlicensed consumptive uses.

These may include:

- domestic purposes
- stock watering, excluding intensive animal keeping
- authorisations under section 105 of the *Landscape South Australia Act 2019*. Examples include:
    - Native Title purposes / traditional cultural purposes
    - road making
    - fire fighting.

How will the consumptive pool be defined?

Setting a volume allowance for the whole of the Lower Limestone Coast Prescribed Wells Area and management zones for both the confined and unconfined aquifers provides visible accounting for current unlicensed water use and expected increases in those uses for the foreseeable future.

Who can access water in this consumptive pool?

Under the *Landscape South Australia Act 2019*, Division 1 there are general rights in relation to water. These apply to the Lower Limestone Coast Stock and Domestic Consumptive Pool as water in this consumptive pool is not licensed.

Trade within the consumptive pool:

The proposed stock and domestic consumptive pool does not include any licensed water use and water may not be traded.

Trade with the other consumptive pools:

The proposed stock and domestic consumptive pool does not include any licensed water use and water may not be traded.

Principles it will be subject to:

Unlicensed uses will not be subject to reductions.

An adaptive management framework will not apply to unlicensed uses. Unlicensed uses will not be subject to restrictions to allocations.

Lower Limestone Coast Supplementary Environmental Water Consumptive Pool

Purpose of the consumptive pool:

A Lower Limestone Coast Supplementary Environmental Water Consumptive Pool is proposed to provide water for environmental purposes additional to that required to maintain the resource and dependent ecosystems (which is met through sustainable allocation and adaptive management).

The Lower Limestone Coast Supplementary Environmental Water Consumptive Pool applies to both the confined and the unconfined aquifers for the whole of the Lower Limestone Coast Prescribed Wells Area.

The water is only to be used for environmental purposes and not as a trade-off for unsustainable use. Example uses are:

- Augment winter/spring flows in creeks or into wetlands, to promote an environmental outcome (e.g. seedling recruitment, fish migration, bird breeding).
- Pumping groundwater into creek or connected wetlands to provide refuge for obligate aquatic species when under stress.
- Provide connectivity between wetlands/creeks/watercourses.
- Pumping groundwater into a wetland to maintain critical hydrological condition.

How will the consumptive pool be defined?

All water in the consumptive pool will be licensed. A water licence gives rise to an entitlement to gain access to a share of the water, expressed as a number of unit shares e.g. one entitlement unit share is equal to one kilolitre (kL).

There is no maximum limit on the number of water access entitlement shares or volume of water in the Lower Limestone Coast Supplementary Environmental Water Consumptive Pool.

It is yet to be determined if the water access entitlements will be designated a class or a management zone, or subject to reductions or to restrictions under adaptive management.

Who can access water in this consumptive pool?

The Lower Limestone Coast Supplementary Environmental Water Consumptive Pool will be managed by the Supplementary Environmental Water Holder in accordance with agreed terms of reference and operating procedures. The LC Landscape Board will act as the Supplementary Environmental Water Holder or delegate the responsibilities to an independent committee or organisation. The Supplementary Environmental Water Holder may receive applications and/or advice regarding the use of water in the consumptive pool.

Water for the consumptive pool may be sourced via donations, lease or purchasing. Water will not be sourced via reductions or restrictions to other licensed water user. Outside of this the initial entitlements and allocation would be zero.

Trade within the consumptive pool:

Trade will depend on whether the water access entitlement is designated a class or management zone.

Trade with the other consumptive pools:

Trade would be possible into this consumptive pool from the Lower Limestone Coast Unconfined Aquifer Consumptive Pool and the Lower Limestone Coast Confined Aquifer Consumptive Pool.

Trade would not be possible from this consumptive pool into any other consumptive pool.

Principles it will be subject to:

Principles will depend on whether it is determined that the licences are to be subject to reductions or restrictions to allocations.

Lower Limestone Coast First Nations Consumptive Pool

Purpose of the consumptive pool:

The purpose of the Lower Limestone Coast First Nations Consumptive Pool is to increase the involvement and influence of First Nations peoples in water management, including accessing, owning and managing water. This has been recognised at both Federal and State Government level as an area of focus. Identifying a separate consumptive pool for First Nations acknowledges that responsibility and provides visibility around First Nations water access interests.

First Nations peoples are being consulted on this proposal and may advise of alternative means of representing their interests. However, a First Nations consumptive pool provides a positive basis from which to commence consultations.

How will the consumptive pool be defined?

All water in the consumptive pool will be licensed. A water licence gives rise to an entitlement to gain access to a share of the water, expressed as a number of unit shares e.g. one entitlement unit share is equal to one kilolitre (kL).

There is no maximum limit on the number of water access entitlement shares or volume of water in the Lower Limestone Coast First Nations Consumptive Pool.

It is yet to be determined if the water access entitlements will be designated a class. Water access entitlements will be designated a management zone and may be subject to restrictions under adaptive management.

Who can access water in this consumptive pool?

Lower Limestone Coast First Nations Consumptive Pool will be managed by the First Nations Water Holder in accordance with agreed terms of reference and operating procedures.

Water for the consumptive pool may be sourced via donations, lease or purchasing. Water will not be sourced via reductions or restrictions to other licensed water user. Outside of this the initial entitlements and allocation would be zero.

Trade within the consumptive pool:

Permanent trade will not be possible. Temporary trade or leasing may be able to occur between management zones where the receiving management zone has water available to receive the water. Trade would need to be within the trade rules for classes of water access entitlements.

Trade with the other consumptive pools:

Permanent trade into the consumptive pool will be possible from the Lower Limestone Coast Unconfined Aquifer Consumptive Pool and Lower Limestone Coast Confined Aquifer Consumptive Pool.

Whether trade will be possible out of the consumptive pool is yet to be determined.

Principles it will be subject to:

An adaptive management framework may apply to the Lower Limestone Coast First Nations Consumptive Pool.

A water licence in the Lower Limestone Coast First Nations Consumptive Pool will not be subject to reductions. It could be subject to restrictions to allocations.

Lower Limestone Coast Managed aquifer recharge consumptive pool

Purpose of the consumptive pool:

A managed aquifer recharge consumptive pool is proposed to provide for the licensed take and use of water that has been artificially pumped directly into the aquifer for later metered extraction. It does not include water that would otherwise naturally recharge the aquifer and must comply with the *Environment Protection Act 1993* and any authorisations or permits required by the *Landscape South Australia Act 2019* or the Limestone Coast Landscape Board's Water Affecting Activity Control Policy.

The managed aquifer recharge consumptive pool applies to the unconfined aquifer across the whole of the Lower Limestone Coast Prescribed Wells Area.

How will the consumptive pool be defined?

Water licence holders undertaking managed aquifer recharge will be issued a recharge water access entitlement that will be calculated as an available balance, reflecting the proportion of water able to be taken based on the volume drained or discharged into the aquifer.

The proportion of water able to be recovered, where it can be taken from and over what period it may be taken, is yet to be determined. Considerations would include source water, losses during the process, distance between recovery and discharge bores and potential impacts on the resource, dependent ecosystems and other users.

Who can access water in this consumptive pool?

Anyone who obtains a recharge water access entitlement from undertaking a permit process.

Trade within the consumptive pool:

Recharge water licences, water access entitlement shares and allocations may not be traded.

Trade with the other consumptive pools:

Recharge water licences, water access entitlement shares and allocations may not be traded.

Principles it will be subject to:

Principles will depend on whether it is determined that the licences are to be subject to reductions or restrictions to allocations.

Water Management Authorisations

Under the current Plan licence holders have a water licence that includes:

- A right to take water from the resource.
- Management area that water can be taken from.
- Relevant purposes of use or components.
- The wells and land on which water may be taken and used from.
- Any licence conditions.
- The allocation (annual volume of water).

It is proposed to change this so a water licence would become two instruments. A water licence would entitle the holder to gain access to a share of water in a consumptive pool (a water access entitlement). The water access entitlement, expressed as a number of unit shares, gives rise to an annual allocation of water permitted to be extracted, the volume of which may be adjusted dependent on resource condition (adaptive management).

Under this proposal a water licence would include:

- A water access entitlement (an ongoing share of the resource)
- The consumptive pool the licence applies to.
- Management zone that water can be taken from.
- The class of water access entitlement.
- The wells and land on which water may be taken and used from.
- Any licence conditions.

The water allocation would be separate and would be an annual volume of water.

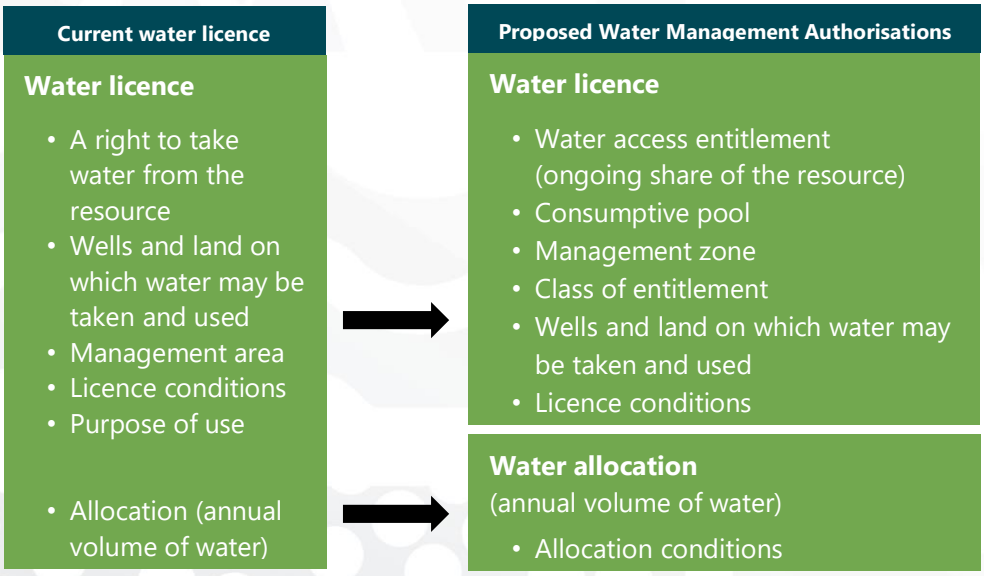


Figure 2: Proposed water licensing system for the revised Lower Limestone Coast Water Allocation Plan.

Classes of Water Access Entitlement

Under the current licensing system, there are 21 components and purposes of use: holding; forestry (hardwood plantation, softwood plantation); aquaculture; environmental; industrial; industrial (dairy); intensive animal keeping; irrigation; public water supply; pulp and paper mill operations; recreational; delivery supplement (aquaculture, flood, spray); specialised production requirements (frost protection, fruit trees, maximum production pasture: flood, maximum production pasture: spray, olive trees, sub-clover seed/onion/potatoes).

A simplification of the water licensing system proposes that the components and purposes of use be replaced by three classes.

Each class allows for a different level of security. The highest level of security is restricted to public water supply. The lowest level of security may be used for any purpose, as set out in Table 1.

Classes of water access entitlements would not be able to be changed. For example, if SA Water were to purchase some Class 3 water on the market it could not be converted to Class 1 water.

Table 1: Proposed classes of water access entitlements for the revised Lower Limestone Coast Water Allocation Plan.

Class	Description	Example uses
1	Highest level of security. Not tradeable. Only available to protect critical human needs. Not subject to reductions or restrictions.	Public water supply
2	Provides comparable protections as current Plan. Limited trade. May have specific conditions relating to particular uses. Not subject to restrictions.	Public water supply Industrial Recreational Intensive animal keeping
3	Lowest level of security. Fully tradable. May have specific conditions relating to particular uses.	Any use as allowed by the water allocation plan