Alignment with legislation - Consumptive pools

Introducing consumptive pools into the revised Lower Limestone Coast Water Allocation Plan (the revised Plan) addresses an inconsistency between the Plan and the *Landscape South Australia Act 2019*.

The concept of consumptive pools was introduced early in the amendment process in broader consultations in 2024. The initial proposal has been revised to the new proposal included in this document.

The key drivers for the revising the proposal were:

- Ensuring alignment with legislation. Additional complexities were identified in the legislation around the interaction between consumptive pools and forest water licences.
- Ensuring the revised Plan remains as simple as possible. The number of consumptive pools has been simplified based on feedback from initial consultation.

The Limestone Coast (LC) Landscape Board Governing Body and the Stakeholder Advisory Group have contributed feedback on the current proposal.

The First Nations Consumptive Pool is not present in the current proposal. The LC Landscape Board remains committed to pursuing options for First Nation water rights and is continuing to work through this complexity. Contact the LC Landscape Board if you would like further information.

The proposal is not considered final, and we welcome your feedback.

You may provide any feedback you wish on the proposal, but the following questions may be useful in guiding your response.

1. How well do you understand the idea of a consumptive pool in this proposal?
2. What concerns, if any, do you have about the proposed consumptive pools?
3. How important is trading between the Lower Limestone Coast Unconfined Aquifer Consumptive Pool and forest water licences?
4. Do you support the current proposal? If not, what would you change and why?

Consumptive pools

The Plan has become inconsistent with relevant legislation. A focus area for the amendment process is to produce a revised Lower Limestone Coast Water Allocation Plan (the revised Plan) in alignment with the *Landscape South Australia Act 2019* (the Act).

The Act requires that a water allocation plan sets out one or more consumptive pools. 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.*

Consumptive pools will be defined in the revised Plan to support sustainable water management and use and create alignment with the Act. A consumptive pool is the water that constitutes the resource available for consumptive uses within a prescribed water resource area. Consumptive uses, in terms of how the Act defines consumptive pools, only includes licensed uses that have a water access entitlement.

Examples of consumptive uses (in a consumptive pool) include:

- irrigation
- public water supply.

For the purposes of the revised Plan, a consumptive pool does not include:

- forest water licences
- unlicenced uses such as stock and domestic or farm forestry
- the water required to maintain the condition of the water resource or the ecosystems that depend on it.

Although not in a consumptive pool these uses are still addressed in the revised Plan. Where relevant the revised Plan will apply conditions to these uses.

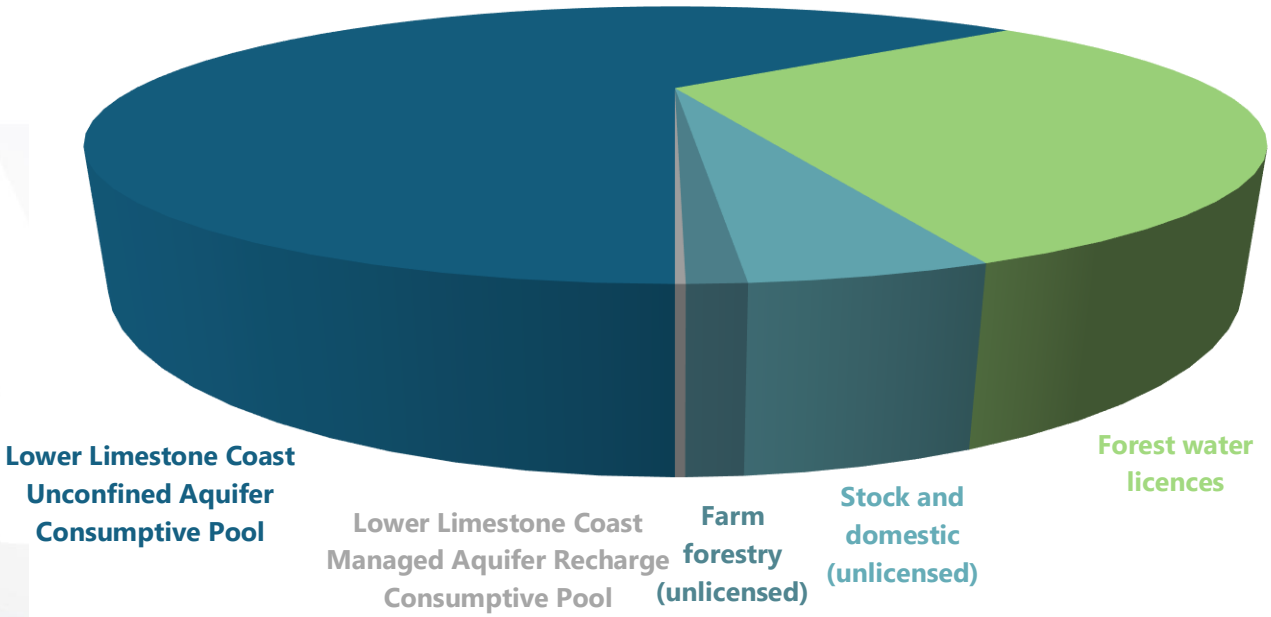
The unconfined and confined aquifer will have management zones in the revised Plan (currently management areas in the Plan). Consumptive pools do not replace management zones. Management zones will allow principles and settings to occur at a different spatial scale to consumptive pools.

Consumptive pools proposed for the revised Plan

Unconfined aquifer:

- Introduce two consumptive pools:
  - Lower Limestone Coast Unconfined Aquifer Consumptive Pool
  - Lower Limestone Coast Managed Aquifer Recharge Consumptive Pool
- Forest water licences have access to the unconfined aquifer but are outside of the consumptive pools, in alignment with the Act.
- Account for unlicensed use (e.g. stock and domestic and farm forestry) in the water balance.
- Recognise that certain purposes such as road-making, fire-fighting, water for the purpose of the application of chemicals (e.g. spraying crops or pest control) and water for Native Title purposes have a statewide authorisation to take water without the need for a licence or being accounted for.

Note: Proportions are based on current allocations and maybe subject to change in the amendment process. The Lower Limestone Coast Managed Aquifer Recharge Consumptive Pool will start with no allocation but is included for completeness.



Key points:

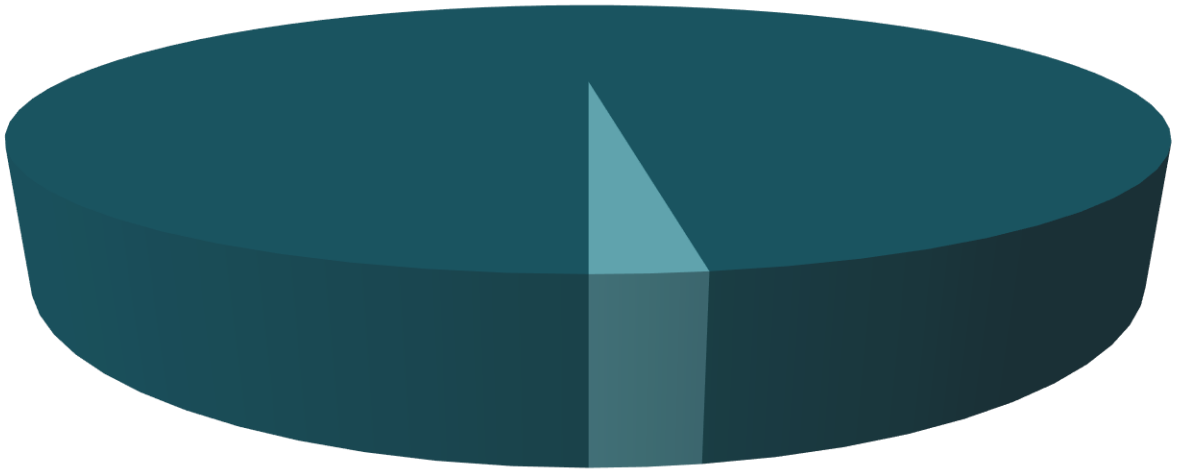
- All water licences (distinct from forest water licences) will sit within the Lower Limestone Coast Unconfined Aquifer Consumptive Pool.
  - Each water access entitlement on a water licence will refer to the consumptive pool that it relates to.

- Transfers will be possible between forest water licences and the Lower Limestone Coast Unconfined Aquifer Consumptive Pool. Water may not be transferred to or from unlicensed water uses (farm forestry, stock and domestic).
- The volume of water for forest water licences and the Lower Limestone Coast Unconfined Aquifer Consumptive Pool can vary through time due to transfers, reductions (to water access entitlements or forest water licences) or restrictions to allocations.
- The Lower Limestone Coast Managed Aquifer Recharge Consumptive Pool will start with no allocation. The volume of water will change through time as water is added and taken through managed aquifer recharge schemes.

Confined aquifer:

- Introduce one consumptive pool:
  - Lower Limestone Coast Confined Aquifer Consumptive Pool
- Account for unlicenced use (e.g. stock and domestic) in the water balance.
- Recognise that certain purposes such as road-making, fire-fighting, water for the purpose of the application of chemicals (e.g. spraying crops or pest control) and water for Native Title purposes have a statewide authorisation to take water without the need for a licence or being accounted for.

Note: Proportions are based on current allocations and maybe subject to change in the amendment process.



Lower Limestone Coast Confined Aquifer Consumptive Pool

Stock and domestic (unlicensed)

Key points:

- All confined aquifer water licences will sit within the Lower Limestone Coast Confined Aquifer Consumptive Pool.
    - Each water access entitlement on a water licence will refer to the consumptive pool that it relates to.
- Forest water licences do not access the confined aquifer.
- The volume of water in the Lower Limestone Coast Confined Aquifer Consumptive Pool can vary through time due to reductions (to water access entitlements) or restrictions to allocations.