Regulation approved: licence application period for Central Adelaide to re-open

Following consultation with the South Australian community and businesses, a Regulation has been passed to re-open the application period for groundwater licences in the Central Adelaide Prescribed Wells Area (PWA).

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

What does the ‘Central Adelaide’ Regulation do?
The Natural Resources Management (Central Adelaide—Prescribed Wells Area) Variation Regulations 2017 (the Regulation) permits the re-opening of the water licence application period in the Central Adelaide PWA (applications for a water licence previously closed in 2007).

Following a compulsory four month interim, the Regulation will come into operation on the 01 December 2017, at which point, the Department of Environment, Water and Natural Resources (DEWNR) will commence accepting applications. The application process will allow eligible water users a further six month opportunity to apply for a groundwater licence. This application period will not allow ‘new’ water users to apply for a water licence (groundwater must have been taken during the period 1 July 2002 to 30 November 2005) and applies only to the Central Adelaide Prescribed Wells Area.

For any eligible water users who submit an application within the upcoming period, 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 do not need to re-apply.

Who is an eligible water user?
An eligible water user is an individual/business who, either took Central Adelaide groundwater or committed significant financial, legal or other resources to a project that would require the taking of groundwater for a commercial, industrial or irrigation purpose during the period 1 July 2002 to 30 November 2005.

Eligible water users may also include persons who subsequently acquired a business/property where the previous owner satisfied the eligibility requirements but had not applied for a water licence.

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, irrigating crops and for dewatering operations.

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 did the State Government make a Regulation to re-open the existing user water application period for Central Adelaide PWA?**

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 State Government sought feedback from the South Australian community on the draft Regulation in 2016. Feedback was supportive of the draft Regulation and the proposed Regulation was approved in August, 2017.

The Regulation 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.

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

DEWNR is currently assessing your application. The issuing of licences for 2007 applicants will not be delayed as a result of the second application period.

If you have already applied for a licence within the application period in 2007, you will not need to reapply for a water licence.

The same eligibility criteria will 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.

I think I may qualify as an ‘eligible water user’ and have not previously applied for a water licence. **How do I apply?**

If you think that you may qualify as an ‘eligible water user’ or have questions about the application form please contact the Central Adelaide Licensing Project team using the contact details below.

Follow the instructions on the application form to ensure your completed application form is received by the Central Adelaide Licensing Project team prior to 5pm EST on the 01 June 2018. Late submissions cannot be considered.

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**Contact Us**

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