

UNBUNDLING WATER RIGHTS – WHAT DOES THIS MEAN?

Currently water rights and responsibilities across most of South Australia are outlined on a single water licence. Unbundling separates these rights and responsibilities and clearly describes and specifies them on separate authorisations, resulting in benefits such as quicker and more efficient transfer of water rights, and transparency in dealing with seasonal or long-term variations in water availability and water resource conditions.

The separate water management authorisations are:

- **Water access entitlement:** provides an ongoing right to a specified share of water available for allocation from a prescribed water resource and are issued on a **Water Licence**.
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- **Water allocation:** the right to take a specific volume of water for a given period of time, not exceeding 12 months, based on the volume of water available for allocation in that period.
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- **Water resource works approval:** permission to construct, operate and maintain works for the purpose of taking water from a prescribed water resource at a specific location and in a particular manner.
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- **Site use approval:** permission to use the water at a specific site for a particular purpose.

The first two authorisations are personal property and can be sold or transferred to another person. The last two attach to the land, to which the relevant approval relates and cannot be transferred.

- **Water affecting activity permits** already exist alongside water licences and can authorise a number of activities, such as construction of wells and dams or the use of effluent and imported water. These permits continue to exist after water rights are unbundled, but in some cases a water resource works approval can replace the water affecting activity permit.

The *Natural Resources Management Act 2004* (NRM Act) was amended in 2007 to establish the system for unbundling water rights across all prescribed water resources in South Australia. These amendments came into effect on 1 June 2009.



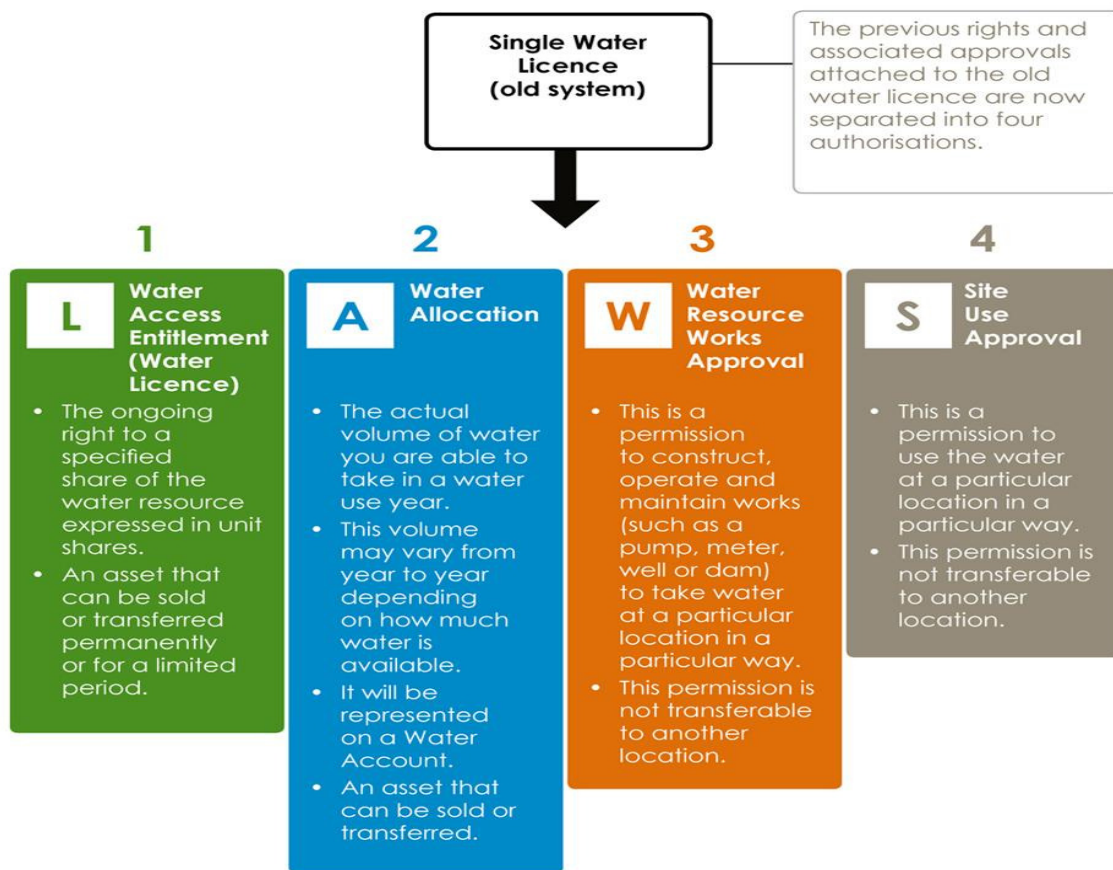


Figure 1: Water management authorisation for unbundled water licences

INTRODUCING UNBUNDLED WATER RIGHTS

Licences to access water from the River Murray Prescribed Watercourse were unbundled in 2009. Find out more about unbundled water rights for the River Murray ([link to page](#)).

Unbundled water rights will be progressively rolled out across the rest of the State as part of the normal water allocation plan review cycle, subject to feasibility and benefit assessments. This is outlined in the Policy on the Implementation of Unbundling Water Rights in South Australia ([link to policy](#)).

Until an unbundled water allocation plan is endorsed by the Minister, water licence holders can continue to operate as they do now - essentially, the situation is 'business as usual'.

As part of the water allocation plan review, a feasibility and benefit assessment will be used to determine the extent to which water rights will be unbundled. In some cases it may not be feasible to fully unbundle the water rights for a particular water resource or the administrative implications may outweigh the potential benefits.

Where full unbundling of water rights does not occur, the conditions of take and/or use of water remain attached to the water licence and/or the water allocation. This is known as partial unbundling.

In areas where water rights are partially unbundled, a licensee may hold a water licence with water access entitlements for a specific water resource. Water allocations are issued against these water access entitlements providing a volume of water that can be taken during a certain period.



Depending on the water resource, there are three options for the placement of conditions relating to the take and use of water and the construction and maintenance of works, such as wells and dams for taking water (also displayed in tables 1-4 below):

1. no conditions relating to taking and/ or using water are attached to the water licence and/or water allocation. Conditions for the construction and maintenance of works and the manner of taking water are on a separate water resource works approval and conditions for the use of water are on a separate site use approval;
2. conditions for the use of water are attached to the water licence and/or water allocation and the conditions for the construction and maintenance of works and the manner of taking water are on a separate water resource works approval;
3. conditions for the manner of taking water are attached to the water licence and/or water allocation, the conditions for construction and maintenance of works are on a water affecting activity permit and the conditions for the use of water are on a separate site use approval; or
4. conditions for the take and use of water are attached to the water licence and/or water allocation and conditions for the construction and maintenance of works are attached to the water affecting activity permit.

Table 1: Option 1

	Water licence and/or water allocation	Water resource works approval	Site use approval	Water affecting activity permit
Conditions for works		X		X
Conditions for taking water		X		
Conditions for use of water		x		

Table 2: Option 2

	Water licence and/or water allocation	Water resource works approval	Site use approval	Water affecting activity permit
Conditions for works		X		X
Conditions for taking water		X		
Conditions for use of water	X			



Table 3: Option 3

	Water licence and/ or water allocation	Water resource works approval	Site use approval	Water affecting activity permit
Conditions for works				X
Conditions for taking water	X			
Conditions for use of water			X	

Table 4: Option 4

	Water licence and/ or water allocation	Water resource works approval	Site use approval	Water affecting activity permit
Conditions for works				X
Conditions for taking water	X			
Conditions for use of water	X			

WHAT ARE THE BENEFITS?

Regardless of whether water rights are fully or partially unbundled, the benefits include:

- a clear distinction between an ongoing right to access water (water access entitlement) and the actual volume received (water allocation)
- quicker and more efficient transfer of water access entitlements and water allocations, without the need for technical and site assessments
- clarification of water rights for banks and financial institutions that may provide mortgages against those rights.
- a transparent way to deal with seasonal or long-term variations in the water resource's condition.

Where water rights are fully unbundled, additional benefits include:

- no need to apply to vary conditions on a water licence or water allocation following a transfer
- allowing for tailored policies to be developed for managing the impacts of taking and using water.



Unbundling water rights is also an important step towards national uniformity in water resource management, which will make water trade more efficient within and between the states. Victoria, New South Wales and Queensland have already unbundled their water rights for the River Murray.

WATER LICENCES AND WATER ACCOUNTS

Until an unbundled water allocation plan is endorsed by the Minister, water licence holders can continue to operate under their current licence.

When water rights and conditions are unbundled (following the amendment of a water allocation plan) current water licence holders will automatically receive an unbundled licence. If you do not already have a water licence, you will be issued with an unbundled water licence when you purchase a water access entitlement.

The water licence will specify:

- name of holder
- water resource
- date of issue and expiry (*if relevant*)
- dates of any variation
- whole of licence temporary transfers
 - reversion date
- water access entitlements
 - number of shares
 - the water resource or part of a water resource to which the shares apply
 - temporary transfers of water access entitlements, including the number of shares and return date for temporarily transferred entitlements
- conditions – depending on the extent of unbundling, these can be generic or very specific.

The number of shares you will receive will be related to the volume of allocation on your current bundled licence. For the River Murray the rule that was applied was that 1 kilolitre of allocation translated to one unit share of water access entitlement.

The water allocation you receive will depend on the volume available for allocation against water access entitlements. This will be published by the Minister in the Government Gazette and licensees will be notified through an update of their water account.

If you purchase a water allocation, you will be issued with a water account and receive your allocations on the account. A water account is similar to a bank account, in that, it lists all the transactions relating to water allocations that you own, or have bought or sold, including interstate transfers.



APPROVALS

Water resource works approval

A water resource works approval allows and sets conditions for the construction, operation or maintenance of works that are used to take water from a prescribed water resource. They can be issued subject to conditions that must be met.

Works include dams, wells, channels, pumps, pipes, tanks, drains and other structures or apparatus that can be used to take water.

Depending on the option chosen for the placement of conditions for the construction, operation and maintenance of works and conditions for taking water, water resource works approvals for the specific works at a specific location may be required by anyone who wants to carry out works for the purpose of taking water from a prescribed water resource.

Regardless of the option chosen, a water resource works approval is not required if the water can be taken without a water allocation, for example where water is taken:

- for stock and/or domestic use in certain areas;
- under an authorisation under section 128 of the NRM Act that authorises the taking of water for a particular purpose, e.g. for road making or fire fighting.

If water resource works approvals are required they will replace the current water affecting activity permit for the construction and maintenance of works such as dams used to take water from a prescribed water resource. Wells will continue to require water affecting activity permit even when a water resource works approval is required.

The necessary water resource works approvals will be issued to current licence holders when their licences are unbundled.

If you are not a current licensee and want to develop, operate or maintain works to take water, you can apply for a water resource works approval. Your application will be assessed on the basis of technical and site requirements to ensure that the impacts of the proposed works are consistent with relevant policies in the relevant water allocation plan.

Where water rights are partially unbundled, the water resource works approval may not be required. Instead conditions for taking water may be put on the water licence and/or water allocation, and conditions for the construction and maintenance of works will be managed by the water affecting activity permits.

Site use approval

A site use approval grants permission to use water from a prescribed water resource, at a specific site, for a particular purpose. It can be subject to conditions that must be met.

Depending on the option chosen for the placement of conditions for the use of water, site use approvals may be required by anyone who wants to use water from a prescribed water resource for a specific location and a specific purpose.

Regardless of the option chosen, a site use approval is not required if the water can be taken without a water allocation, for example where water is taken:

- for stock and/or domestic use in certain areas;
- Under an authorisation under section 128 of the NRM Act that authorises the taking of water for a particular purpose, e.g. for road making or fire fighting.



When water rights are unbundled, you will be issued with a site use approval covering the land parcels currently endorsed on your licence. The conditions on the site use approval will be linked to the policies relating to the use of water in the relevant water allocation plan.

If you are not a current licensee, you can apply for a site use approval. It will be subject to technical and site assessments and policies in the relevant water allocation plan.

Depending on the extent of unbundling water rights for the water resource, site use approvals may or may not be required. Where water rights are partially unbundled, the site use approval may not be used. Instead there may be conditions on the water licence and/or water allocation to manage the use of water or to gather information on water use.



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TRANSFERS

Transfers relate to changes in ownership or control of water access entitlements and water allocations. A 'transfer' is also referred to as a 'trade' in the water market.

Transfer of water access entitlements and water allocations are easier in an unbundled water rights system, because changes in ownership do not impact on water resource management - separate approvals are required in order to take and use water, or a variation to the conditions on the water access entitlement or water allocation can be sought separate from the transfer.

Rules for approving transfers are set out in the relevant water allocation plan.

Transfer of water licences, water access entitlements and water allocations do not require technical or site assessments; it is simply a change of ownership. However, a water resource works approval and/or site use approval will be needed before taking or using a water allocation.

If partially unbundled water access entitlements and/or water allocations are transferred, and they have conditions about taking and using water, the new owner may need to apply to vary the conditions.

Water resource works approvals and site use approvals cannot be transferred as they authorise works or site use at a particular location.

Water licences & water access entitlements

The whole licence, or all or part of the water access entitlement on a licence, can be transferred to another person. The transfer can be permanent or for a limited period. Table 1 displays the transfer transactions available.

The transfer of a licence or a water access entitlement is a transfer of the right to a share of the water resource, not the actual volume of water.

If you purchase water access entitlements, these will appear on your licence, but you will not receive any additional water allocation in your water account until the next water allocation announcement in the Government Gazette.

If you want to take and use that water during the current water year, you may also need to purchase the relevant volume of water allocations.

Water allocation

Water allocations can be transferred to another person, for use within a water use year (1 July – 30 June in the following calendar year). That is, water allocations are valid for up to 12 months and expire each year on 30 June.

A water allocation transfer is the transfer of an actual volume of water that can be taken in that particular water use year. The purchaser of a water allocation does not need a water licence to purchase the water allocation.



Table 1: Possible transfer transactions

Transfer	Meaning
Transfer of licence	Change of ownership of a water licence including water access entitlements endorsed on that licence
Limited period licence transfer	Change of ownership of a water licence including water access entitlements endorsed on that licence for a fixed period, after which ownership reverts i.e. a lease of a water licence
Transfer of water access entitlement	The reduction of water access entitlements (shares) on one licence and corresponding increase in water access entitlements (shares) on another licence
Limited period transfer of water access entitlement	Change of ownership of a water access entitlement (shares) for a fixed period, after which ownership reverts i.e. a lease of water access entitlements (shares)
Transfer of water allocation	Change of ownership of a quantity of water allocation for the remainder of the water use year (1 July to 30 June)



FREQUENTLY ASKED QUESTIONS

This page contains general information about unbundling water rights, for specific River Murray information, click [here](#).

Questions:

How does unbundling impact on new development?

How will unbundling water rights be implemented?

How will I get a water allocation?

How does the Department of Environment, Water and Natural Resources check my water use against the water allocation?

Can I change a site use approval?

I am interested in buying a parcel of land but I want to make sure before I commit to the purchase that I can get a site use approval on the land. Where do I get information?

How does the Department of Environment, Water and Natural Resources check compliance with conditions on the site use approval?

Can I change a water resource works approval?

Who can apply for a works approval?

How does the Department of Environment, Water and Natural Resources check compliance with conditions on a water resource works approval?

How does unbundling impact on new development?

In order to take water, the proponent of the development will require a water allocation.

The impact on new developments depends on the extent of unbundling water rights in that prescribed water resource. Where the water resource is fully unbundled, two approvals will be needed (a site use approval and a water resource works approval), as well as a water allocation. Where the water resource is partially unbundled, a water resource works approval and/or a site use approval may not be required.

If site use approvals and/or water resource works approvals are required, technical and site assessments will be needed, and the relevant policies in the relevant water allocation plan will apply.

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How will unbundling water rights be implemented?

Each current water licence will be translated into the separate water management authorisations that the owner(s) require.

Each current licensee will receive water access entitlements on a water licence that provide a share of the water available in the prescribed resource or part of the prescribed resource.

The number of shares you will receive will be related to the volume of allocation on your current bundled licence. For example, the River Murray the rule that was applied was that 1 kilolitre of allocation translated to one unit share of water access entitlement. This does not imply that for all other water allocation plans the value per unit share will automatically be 1 kilolitre.



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How will I get a water allocation?

Water allocations are issued to holders of water access entitlements. Water allocations can also be purchased from others and used during the water use year in which they are issued.

The Minister publishes the volume of water from a consumptive pool that is available for allocation. This is published in the South Australian Government Gazette annually, but may be published in the Gazette more frequently to suit resource conditions, e.g. to adjust to increased water availability in storages.

South Australia takes a precautionary approach when publishing the water allocation at the start of the water year. Water allocations generally start at a lower volume and may be increased throughout the year if there is more water in storages.

Each unit share of a water access entitlement provides an equal right to a share of the volume available for allocation from that water resource.

How does the Department of Environment, Water and Natural Resources check my water use against the water allocation?

Each water account will be referenced to one or more water meters. Meter readings will be used to compare volumes of water allocated with volumes taken.

In the absence of meters or in the case of metering complications, current protocols for estimating water use will continue to be used.

Usage will be debited from your water account after each meter reading has been processed.

Can I change a site use approval?

You can apply to vary a site use approval, eg to change the purpose or conditions of use at a location.

In these cases, technical or site assessments may be required and a fee will apply. The application will be assessed against the policies in the relevant water allocation plan that relate to that type and purpose of water use at that particular location.

Changes to the conditions on a site use approval can also be made by the Minister in limited circumstances such as where the water allocation plan for the resource has been changed or where the Minister considers the variation is necessary to more effectively regulate the taking of water from the resource in accordance with the relevant water allocation plan and the NRM Act.

I am interested in buying a parcel of land but I want to make sure that I can get a site use approval on the land first. Where do I get information?

Policies relating to the proposed location and nature of use in the current water allocation plan can give you a good indication of your chances of gaining a site use approval. You can discuss this with Department of Environment, Water and Natural Resources staff.

Please call your closest office:

- Adelaide (08) 8463 6800
- Berri (08) 8595 2053
- Mount Gambier (08) 8735 1134



How does the Department of Environment, Water and Natural Resources check compliance with conditions on the site use approval?

The site use approval may have conditions that include reporting obligations. The Department will check that the necessary reports have been provided.

If there is a maximum volume of water that can be used on a particular site, the site use approval will have a meter reference number to measure water used at the site. In the absence of meters or metering complications, current protocols for estimating water use will continue to be used.

There are also other processes for identifying breaches of site use approvals and conditions, such as community reporting and random audits.

Can I change a water resource works approval?

You can apply to vary a water resource works approval, eg the conditions applying to taking water or extraction infrastructure.

In these cases, technical or site assessments may be required and a fee will apply. The application will be assessed against policies in the relevant water allocation plan that manage the impacts of taking water on the water resource.

Changes to the water resource works approval can also be made by the Minister, but only in limited circumstances, such as through a change to the water allocation plan for the region, or where the Minister considers the variation necessary to more effectively regulate the taking of water from the resource in accordance with the relevant water allocation plan and the NRM Act.

Who can apply for a works approval?

In order to construct any works you will need legal access to the land.

The water resource works approval will generally state a time limit of 12 months for the approved works to be constructed and a requirement to notify the Department of Environment, Water and Natural Resources when construction is completed.

The approval can cover the ongoing operation and maintenance of works. Therefore, water resources works approvals for these aspects can be ongoing.

How does the Department of Environment, Water and Natural Resources check compliance with conditions on a water resource works approval?

The water resource works approval may include reporting obligations. The Department of Environment, Water and Natural Resources will check whether the required reports are provided, e.g. a report may be required when works have been completed.

If there is a condition on a works approval, such as a maximum volume that can be taken through the infrastructure, the approval will also have a meter reference number so that the volume taken through the works is measured.

In the absence of meters or in the case of metering complications, current protocols for estimating water taken will continue to be used.

There are also other processes for identifying breaches to works approvals or the conditions on which they are issued, including through community reporting and random audits.



RIVER MURRAY PRESCRIBED WATERCOURSE

The River Murray Prescribed Watercourse was the first water resource in South Australia to introduce unbundled water rights and issue separate water management authorisations.

Amendments were made to the River Murray Water Allocation Plan to facilitate the unbundling of water rights into separate water management authorisations from 1 July 2009.

The information below is specific to the River Murray. If you are not accessing water from the River Murray please refer to the general information on unbundling water rights ([link back to general page](#)).

WATER CLASSES

When River Murray licences were unbundled, the water access entitlements specified on the licences were grouped into classes, allowing separate policies to be applied when and where required. This was needed to facilitate drought allocation policies.

Although South Australian River Murray licences are predominantly 'high reliability', there can be circumstances in which water availability is less reliable and the amount of water available for allocation to licensees may need to be reduced.

In extended periods of low water availability, as experienced during the recent drought, it can be necessary to change how water is allocated to licensees to protect critical human water needs. In these circumstances there may be differences in the volumes issued to licensees and eligibility for carryover. Transfer and use restrictions may also apply.

The purpose of use (e.g. irrigation, stock and domestic use) is no longer indicated on the licence or water allocation because it is not relevant to managing the ownership, lease or sale of these water management authorisations.

There are two exceptions to this general principle. Water allocations issued on Class 8 and Class 9 water access entitlements are restricted to the taking and use of that water to environmental land management and wetlands uses, respectively.

Where the purpose of use is relevant, e.g. where allocations need to be prioritised during low water availability, use can be determined by referring to the site use approvals.

The relationship between classes, the former purpose of use and the number of unit shares assigned to each class of water access entitlement is:



Class	Former Purpose	Total Unit Shares
Class 1	Ex domestic and /or stock watering	8 704 910
Class 2	Ex Country Towns reticulated public water supply	50 000 000
Class 3a	Ex irrigation and holding	544 018 767
Class 3b	Ex irrigation Qualco-Sunlands Groundwater Control Trust area	21 038 369
Class 4	Ex recreation	4 423 526
Class 5	Ex industrial and industrial dairy	5 519 841
Class 6	Ex Metro Adelaide reticulated public water supply	130 000 000
Class 7	Ex environment	38 366 550
Class 8	Ex environmental land management	22 200 000
Class 9	Ex wetland management	200 000 000

These values are sourced from the current Water allocation plan for the River Murray prescribed watercourse.

The Minister determines the volume of water available to be allocated to each class of water access entitlement, taking into account prevailing conditions.

The maximum volume that can be assigned to a class of entitlement is 1 kilolitre per unit share. There are two exemptions to this:

- SA Water's metropolitan licence (Class 6) entitlement can be issued more than 1 kilolitre per unit share to reflect the variability in its five-year total allocation of 650 gigalitres for metropolitan Adelaide water supplies.
- Wetlands licences (Class 9) entitlements can be issued more than 1 kilolitre per unit share in times of above entitlement flow to South Australia.

Generally, when South Australia receives the expected annual flows agreed under the Murray-Darling Basin Agreement, the volume of water allocated to each share held by a licensee will be the equal, regardless of the class of entitlement.

During drought, the volume of water available for allocation can be less than the expected volume. In these circumstances, the Minister determines the volume of water available to be allocated to entitlement holders in accordance with government policy, and arrangements under the Commonwealth *Water Act 2007* and the Murray-Darling Basin Agreement.



RIVER MURRAY FREQUENTLY ASKED QUESTIONS

These frequently asked questions relate specifically to the operation of unbundled water rights for the River Murray Prescribed Watercourse. Unbundling of water rights in other parts of South Australia may not occur in exactly the same way as the River Murray (link to General web page).

What information is reflected on my unbundled River Murray Prescribed Watercourse water licence?

Can I convert from one class of entitlement to another?

Who can apply for a site use approval?

Can I transfer a site use approval?

Can I change a site use approval?

There is already a site use approval for a parcel of land. Can I apply for another one on the same parcel?

What happens if the land endorsed on the site use approval is sold, leased or there is a change of lease?

How does the salinity zoning policy affect site use approvals?

What if I use River Murray water outside of the River Murray region?

Who can apply for a works approval?

Can I transfer a water resource works approval?

Can I change a water resource works approval?

What happens if the land on which the works are situated is sold, leased or if there is a change of occupancy?

What information will be reflected on my unbundled River Murray Prescribed Watercourse water licence?

The water licence will specify:

- name of holder and contact details
- water resource
- date of issue and expiry (if relevant)
- dates of any variation
- whole of licence temporary transfers, including:
 - reversion date
- water access entitlements
 - number of unit shares
 - the consumptive pool (in this case the River Murray Prescribed Watercourse) to which the shares relate
 - class of entitlement
 - temporary transfers of water access entitlements including number of unit shares, their class and date of return of any temporarily transferred entitlements
- conditions - some classes of entitlements may have specific conditions.



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Can I convert from one class of entitlement to another?

You can convert from Class 3a to Class 3b or vice versa if you are moving water in or out of the Qualco-Sunlands Groundwater Control Trust Area.

You cannot convert between other classes, because the relative reliability of the water allocations under each class has not been fixed in the water allocation plan and depends on the Minister's decisions in relation to allocation of water during drought.

To enable conversion between water access entitlement classes an exchange rate would need to be developed. A policy on exchange rates may be developed and, once established, conversion between classes may be possible.

Until then, the unit shares will remain in the class they were issued and water allocations will be issued reflecting the water available for those classes under prevailing conditions.

Unless there is a condition on the water allocation, the water can be used for any purpose as long as you have a site use approval that covers that use. For example, Class 3 entitlement allocations can be used for irrigation, domestic, industrial or recreational uses, provided the site use approval covers these purposes.

Who can apply for a site use approval?

Any legal entity can apply for a site use approval, although the land owner will be required to counter sign if the applicant is not the land owner.

The approval will be assessed according to criteria set out in the River Murray Water Allocation Plan. Conditions on a site use approval will be those set out in the Water Allocation Plan that are relevant to the location or type of water use applied for.

Can I transfer a site use approval?

A site use approval is not transferable because it is attached to the land parcel or parcels to which it applies. However it is possible to change the name on the site use approval, e.g. when land is sold, leased or there is a change in lease.

It is important for the purchaser or lessee to have a clear agreement on what will happen to site use approval with the sale or lease of land.

The Department of Environment, Water and Natural Resources will only change the name of a site use approval holder when it receives an application to vary the site use approval and change the holder's name from the current holder. This is similar to an application to vary the name against the registration of a car when a car is sold.

Can I change a site use approval?

You can apply to vary a site use approval, e.g. to add parcels of land on which water can be used or to change the conditions of use.

In such cases new technical or site assessments may be required and a fee will apply. The application will be assessed against the relevant policies in the water allocation plan, e.g. for salinity and water use efficiency.

Changes to a site use approval can also be made by the Minister in limited circumstances such as where the water allocation plan has been changed or where the Minister considers the variation is necessary to more effectively regulate the taking of water from the resource in accordance with the relevant water allocation plan and the NRM Act, or in accordance with the objects of the *River Murray Act 2003* or the *Objectives for a Healthy River Murray* under that Act.



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Administrative amendments can also be made, such as correcting an error or changing contact details on the site use approval.

There is already a site use approval for a parcel of land. Can I apply for another one on the same parcel?

It may be possible for there to be more than one site use approval on a land parcel. However, each separate site use approval holder would need to have his/her own meter reference number for compliance purposes.

What happens if the land endorsed on the site use approval is sold, leased or there is a change of lease?

The current holder of the site use approval can apply to vary the name, similar to an application to vary the name against the registration of a car when a car is sold.

How does the salinity zoning policy affect site use approvals?

To manage salinity in the River Murray, South Australia and other Basin states maintain a salinity register that they aim to keep in balance or in credit. While actions such as irrigation can generate a debit on the salinity register, credits can be achieved through actions such as salt interception schemes or changes to practices that reduce in-stream salinity levels.

The salinity zoning policy establishes three salinity impact zones: high, low and high (salt interception). The objective of the policy is to maximise the potential for further irrigated agricultural development within the River Murray Irrigation Management Zone, while ensuring that South Australia remains in credit on the salinity register.

The salinity zoning policy provides rules for granting a new site use approval, approving a variation to an existing site use approval and allocation of salinity credits within the salinity impact zones. New site use approvals, or variations to existing approvals, will need to meet different criteria for each zone.

In the low salinity impact zones, site use approvals can be issued, or volume limits increased on existing site use approvals, subject to South Australia having available salinity credits.

South Australia aims to ensure there are enough salinity credits available to allow for new, or variations to, existing site use approvals in low salinity impact zones. However, if South Australia fully allocates available salinity credits in a particular year, new site use approvals or variations to existing approvals in the low salinity impact zone may be refused or delayed.

Applications for new, or to vary existing, site use approvals in the high salinity impact zone may be approved if the development's salinity impacts can be offset, or there is proof of significant commitment to the development at the proposed site prior to 30 June 2003.

To offset the salinity impacts of a development, the proponent will need to find a site use approval holder in the high salinity impact zone that is willing to reduce the maximum volume on their approval to offset the proposed increase in volume. This is referred to as a conjunctive site use approval.

In high salinity impact (salt interception) zones, site use approvals may be issued, or volume limits increased on existing site use approvals, provided the salinity impacts of the proposed water use can be managed within the available salinity credits allocated to the State of South Australia, to reflect the State's share of capacity of the salt interception scheme servicing that zone.

When there are no salinity credits left for a particular salt interception zone, the process for the underlying salinity impact zone applies.

Site use approvals are also subject to relevant policies in the River Murray Water Allocation Plan, e.g. salinity impacts and water use efficiency, and are likely to be subject to technical and site assessments.



Further information on the salinity zoning and policy (link to Salinity page with fact sheet: <http://www.waterforgood.sa.gov.au/rivers-reservoirs-aquifers/river-murray/managing-salinity/taking-action/>).

What if I use River Murray water outside of the River Murray region?

If you own a River Murray Prescribed Watercourse licence, you may use the water outside of the South Australian Murray-Darling Basin Natural Resources Management Region. This will require the same authorisations as if you were using the water within the Region.

If you do not own a River Murray Prescribed Watercourse licence but use a third party delivery provider (such as SA Water or Barossa Infrastructure Limited) who access SA Water's water allocation, you do not need water resource works approval or a site use approval. However, if you currently require an imported water permit you will continue to require the imported water permit.

Who can apply for a works approval?

In order to construct any works you will need legal access to the land.

The water resource works approval will generally state a time limit of 12 months for the construction of the approved works and a requirement to notify the Department of Environment, Water and Natural Resources when construction is completed.

The approval can cover the ongoing operation and maintenance of works. Therefore, water resource works approvals for these aspects can be ongoing.

Can I transfer a water resource works approval?

A water resource works approval is not transferable because it applies to a specific site and is attached to the land.

It is possible to change the name on the water resource works approval, e.g. when land is sold, leased or there is a change in lease.

The current holder of the water resource works approval needs to apply to vary the name, similar to an application to vary the name against the registration of a car when a car is sold.

Can I change a water resource works approval?

You can apply to vary a water resource works approval, e.g. to add locations from which water will be taken, or new extraction infrastructure.

In such cases, new technical or site assessments may be required and a fee will apply. Your application will be assessed against the relevant policies in the water allocation plan, e.g. about the location of pumps on backwaters.

You can also apply to vary the name of the water resource works approval holder when land has been sold or the lease has changed. The current holder of the water resource works approval needs to apply to vary the name, similar to an application to vary the name against the registration of a car when a car is sold.

Changes to the works approval can also be made by the Minister in limited circumstances such as a change to the water allocation plan or where the Minister considers the variation necessary to more effectively regulate the taking of water from the resource in accordance with the relevant water allocation plan and the NRM Act, or in accordance with the objects of the *River Murray Act 2003* or the *Objectives for a Healthy River Murray* under that Act.



Administrative amendments can also be made, such as correcting an error or changing the contact details on the water resource works approval.

What happens if the land on which the works are situated is sold, leased or if there is a change of occupancy?

The current holder of the water resource works approval needs to apply to vary the name, similar to an application to vary the name against the registration of a car when a car is sold.



Government of South Australia

Department of Environment,
Water and Natural Resources

WATER IS GOOD