

Water licensing for Greenock and Salt Water Creek catchments

The process to issue existing user water licenses is the responsibility of the Department for Environment and Water and is being led by the Water Licensing Branch. The prescription process occurs under section 155 of the *Landscape South Australia Act 2019 (LSA Act)* and is separate to the process to develop a Water Allocation Plan.

The purpose of prescription is to:

- establish a water allocation and licensing framework
- protect water resources from overuse
- ensure water users are not adversely affected by other water users
- ensure that the environment gets enough water to support water-dependent ecosystems
- issue the first licences to those who had a pre-existing requirement for watercourse, surface water within the 'establishment period'

What's happened so far

In relation to Greenock Creek, the prescription process to date has been as follows:

- **A 'Notice of Intent to Prescribe the Water Resource', together with a 'Notice of Restriction' issued in 1999.** This signifies the Government's intention to prescribe the water resource and places a 'halt' on any new/increased water use developments – this was introduced for Greenock Creek in the Government Gazette on 11 February 1999.
- Following this, Greenock Creek existing users of surface/ watercourse water were **issued with temporary authorisations**, enabling those existing users to continue irrigating established areas. Under section 155 of the LSA Act, an existing user is someone who: took water from the resource at any time during the establishment period or who did not take water but who needs water for a future water use in which they had committed significant financial, legal or other resources towards. The establishment period was between 18 February 1999 to 19 May 2004. Note that if an existing user sells their land, then the person who acquires the land (or interest in land), or any successor of that person, will be regarded as the existing user and obtain the water licence.

- Prescription subsequently occurred on 19 May 2005 so that the Greenock Creek surface water resource and watercourse resource now formed part of the Barossa Prescribed Water Resources Area.
- Following prescription, in order to qualify for a water licence, **all existing users were required to make application for a water licence** within 6 months of the prescription date (e.g. by November 2005).

Next steps

These are the next steps in the process, as referenced in the *Landscape South Australia Act 2019* and in accordance with the Department's established practice.

1. **Develop a methodology for determining how much water each existing user receives.** This methodology has not been developed as yet for Greenock Creek and as outlined in the draft Barossa WAP, is a process that occurs under the LSA Act rather than the WAP process. Under the LSA Act, the existing user is entitled to obtain a water entitlement to meet the future requirements of the user — (a) based on their reasonable requirements during the establishment period; or (b) for water for a future development in which they were legally committed or had committed significant financial or other resources during the establishment period. In other prescribed areas, the Department has historically used either theoretical crop/enterprise requirements (based on industry and crop standards) or existing metered data if available. The methodology used in the current 2009 Barossa WAP for conversion of area-based to volumetric allocations for the broader Barossa Prescribed Water Resources Area (including limitations pertaining to available dam capacity) may also be considered as part of this process. During the development of this process, affected water users are engaged and their views considered.

Water licensing for Greenock and Salt Water Creek catchments

2. **Communicate with the water user what their proposed water entitlement** will be, providing an opportunity for the water user to communicate any other relevant information and if appropriate, resolve any final concerns.
3. **Issue final water entitlement**, noting there is an opportunity to appeal to the Environment, Resources and Development Court in the 6 weeks following.
4. It should be noted that as part of the process to issue licenses to existing users, under section 155 of the LSA Act, the Department is also required to consider whether the aggregate of existing user entitlements exceeds the capacity of the resource and if so, a management approach is to be developed to ensure the objectives of prescription are achieved. It is not known at this stage what the aggregate of existing user entitlements is compared to resource capacity so it is not known if management is required and if so, what this management approach will be. The Department will ensure that **affected parties are informed** of the status of this component of the process in its communications approach.

It is important to be aware that all existing users may continue to use water without a water management authorisation until all relevant applications have been granted or refused.

It is acknowledged that there has been a significant time delay since licence applications were made and that there is likely considerable changes in property ownership and water use activities between 2005 and current. The Department will accordingly seek to establish current water use activities and land ownership as part of the process, including:

- engaging with applicants and associated current landowners to ensure licenses are issued to the appropriate water user (e.g. the licence is issued to the successor if land has been sold); and
- the community more broadly to establish if there is any water use occurring that was not captured in the original prescription process – these should be logged so that the Department can identify methods to address this issue (including, for example, exploring mechanisms to concurrently capture these users in the licensing process, noting this is subject to relevant regulatory/legislative approvals).

If you are currently using water and would like to establish if there is an associated water licence application; or log the water use activity as not being captured in the original existing user process, please contact dew.waterlicensingprojects@sa.gov.au.

Licences have not been progressed due to competing priorities where risk-assessments have indicated greater need for assignment of Departmental resources.

The Department has recently commenced work on this project (in the second half of 2025) and will provide further information to existing users in the first half of 2026.

It is important to be aware that these processes necessitate following a legislated and established process, including development of a methodology, detailed analysis of all applications/land and water activities, consultation with individual users, consideration of resource risks and potential separate regulatory/legislated processes. For this reason, the process can take considerable time. Project planning is underway to map out projected timeframes, noting that this will be influenced by engagement and required legislated activities. Water users should be aware, however, that the process may take a number of years (e.g. 1-3 years).

Please note

The draft Barossa Water Allocation Plan currently out for public consultation will be amended to enable the water licensing process to continue for the Greenock and Salt Water creek management zones in accordance with the next steps as outlined above.

More information

Contact DEW Water Licensing Branch

E: dew.waterlicensingprojects@sa.gov.au

Or contact Northern and Yorke Landscape Board:

E: ny.landscapeboard@sa.gov.au

P: 08 8841 3444

www.landscape.sa.gov.au/ny