

Padthaway Water Allocation Plan Transfers

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Limestone Coast Landscape Board

The consultation draft of the Padthaway water allocation plan (the Plan) introduces a new water licence authorisation system that will separate water rights and permissions into individual instruments. Permanent or temporary transfers of selected instruments will be permitted under the Plan.

What is a transfer and which water licence instruments can be transferred?

A transfer is a temporary or permanent trade of water rights that allows licensees to manage changes in their water needs or in response to water availability.

The Padthaway water allocation plan will allow the transfer of some classes of Water Access Entitlements and Water Allocations.

See Fact Sheet 1: Water Licence Instruments and Fact Sheet 2: Classes of Water Access Entitlement for more information on these instruments.

What are the rules for transferring a Water Access Entitlement?

It is proposed that Class T1 Water Access Entitlements may be transferred permanently, or temporarily for up to 5 years to another existing licensee. All or part of a Class T1 Water Access Entitlement can be transferred. Subject to conditions (e.g. Adaptive Management – see Fact Sheet 4), there would be no limit on the volume of water transferred, but the minimum transferable volume is 1 kilolitre (kL).

Similarly to the 2009 Padthaway Water Allocation Plan, Class D and Class S are not transferable on their own but may be transferred proportionately with Class T1 if the licensee receiving the transfer has a 'like for like' purpose of use e.g. a transfer of water access entitlements between flood irrigators that have the Class D (delivery supplement) purpose of use on their licence.

Licensees with a Class T1 Water Access Entitlement that has an associated Class D or Class S Water Access Entitlement that want to trade their Class T1, will forfeit their associated Class D or S Water Access Entitlement as part of the transfer if not being transferred to a licence that is not 'like for like'.

Licensees that undertake temporary transfers that result in the forfeit of a Class D or S Water Access Entitlement can apply to have their Class D or S Entitlements returned.

A water access entitlement transfer can take place between any licensees in the same consumptive pool and the same management zone and its use may occur anywhere within that management zone.

No transfers are permitted between consumptive pools or management zones in the Padthaway Prescribed Wells Area (PWA).

What are the rules for transferring a Water Allocation?

It is proposed that water allocations may be temporarily transferred to another licensee for up to 12 months. Water allocations are valid for up to 12 months and expire each year on 30 June. This means the transferred allocation must be used before the end of the relevant water use year.

A water allocation transfer can take place between any licensees in the same consumptive pool and the same management zone and its use may occur anywhere within that management zone.

Water allocations cannot be transferred to a different consumptive pool or a different management zone.

Water allocations associated with a Class D or Class S water access entitlement are not transferable on their own but are able to be transferred proportionately with water allocations associated with Class T1 water access entitlements if the receiving licensee has a 'like for like' purpose of use e.g. a transfer of water allocations between flood irrigators that have the Class D (delivery supplement) purpose of use on their licence.

All Class D and Class S allocations associated with transferred Class T1 water allocations, that are not transferred to a 'like for like' will be forfeited at the time of the transfer for the remainder of the water use year. Licensees may apply to have their forfeited allocations returned in the next water year.

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