

Lower Limestone Coast WAP Stakeholder Advisory Group Minutes

Meeting No. 10, 21 September 2023, 10:30 am – 3:00 pm

The Henty, Mount Gambier

Objectives:

- Take a closer look at the Padthaway Water Allocation Plan adaptive management framework and discuss the pros and cons of an adaptive management framework for the Lower Limestone Coast from different sector perspectives.
- Review the Stakeholder Advisory Group recommendations document to be provided to the LC Landscape Board Governing Body to inform their evaluation.
- Have an overview of the LC Landscape Board Staff evaluation.
- Update on stakeholder sessions. (deferred)
- Overview of the social values survey. (deferred)
- Overview of how the LC Landscape Board works with First Nations. (deferred)

Attendees:

Attendees: Penny Schulz (Chair), Pete Bissell (Chair), James Prescott, Melissa Herpich, Belinda Williamson, Claire Harding, Claire Davies, Darren Shelden, Kerry DeGaris, Peter Balnaves, Terry Buckley, Alan Rossouw, Graeme Hamilton, Kylie Boston, Nick Hillier (online).

LC Landscape Board Staff: Sue Botting, Liz Perkins, Ryan Judd

Apologies: Wayne Hancock, Jim Prescott, Michelle Irvine

Welcome and agenda

The Chair welcomed everyone and thanked advisory group members and staff for their attendance.

Minutes

Further amendments were requested in regard to the discussion around nitrogen and livestock. Section was removed. Minutes from Meeting 9 were confirmed as true and correct. Moved by: Kylie Boston. Seconded by: Melissa Herpich. All were in favour.

Padthaway Water Allocation Plan – adaptive management framework

Sue Botting provided a presentation on the adaptive management framework in the Padthaway Water Allocation Plan.

Key Points:

- There are different tools available to adaptively manage the resource.
- Padthaway is very different to the Lower Limestone Coast - very small management areas and very different industry composition compared to the Lower Limestone Coast.
- Adaptive management will be more difficult to apply in the Lower Limestone Coast because of the size and complexity of industry composition.

- Padthaway adaptive management framework is unconfined focused, plan is being partially unbundled.
- Adaptive management framework provides transparency, water users know what will happen when.

Discussion:

- Was the Padthaway Prescribed Wells Area always that size or was it pulled out from another prescribed wells area? It has always been that size. There was consultation to determine if the upper plans should be amalgamated but this was rejected.
- Is this licencing setup like the River system? The unbundling environment comes from the National Water Initiative but was first implemented on the river. Groundwater is very different and less dynamic than a river system but the principles are the same in terms of the system.
- The theory being shown makes sense but why does the model trend lines jump up and down? It is showing actual predictions not a trend line - the model uses past data about rainfall trends and the climate model predictions and is showing a representation of future rainfall not a trend.
- Is the management action sufficient? It looks like there is still a lot of decline following the management action. There is some delay in when the management action is actually applied in Padthaway in comparison to when limit is hit as licensees wanted to be sure there was a declining trend before having to take action (e.g. pull out vines). They have to hit the 2009 resource condition limit 3 years in a row before the management action is applied. It is a five year management action plan by the time you get there. The trade-off is that they may need to stay in restrictions for longer to allow the resource to recover.
- Groundwater levels appear to respond a lot quicker than majority of the region. Yes Padthaway has a very responsive groundwater system to rainfall and quicker recovery times.
- There are no localised actions in the Padthaway example. In the Lower Limestone Coast we likely need some localised triggers for groundwater dependent ecosystem.
- This Padthaway example might not work anywhere that has forestry. Also difficult because forestry doesn't have an entitlement, they can't return their share of the resource, different process needed to access returned water.
- It might work quite well for the confined aquifer, more complicated for the unconfined aquifer.
- In regards to management areas there has been talk about making them similar to hydrogeological zones but maybe the smaller management areas could be better in terms of managing adaptively. Management areas were also something people understood at the time, they were boundaries that were well understood.
- How many wells are there in the area? The total of number wells versus observed? There are 38 observation wells in the Padthaway Flats and all are monitored under the adaptive management framework. It is good for people to understand how many bores there are versus how many are monitored. Community confidence will be important.
- Is groundwater level monitored annually at a specified time of the year? Yes, groundwater levels in Padthaway are measured biannually to get a level during the low and high of the groundwater. In Padthaway, the spring groundwater level (Sept-Nov) is recorded annually and used for adaptive management.
- This was thought through in the Padthaway adaptive management framework. It specifies a number of wells rather than specifying a percentage. If in the future the number of wells monitored decreased the number being used to support a management decision wouldn't decrease.

Recommendations for LC Landscape Board Governing Body

Liz Perkins led a discussion confirming context to go with the Group's recommendations to the LC Landscape Board Governing Body.

Discussion:

- Avoid jargon and acronyms in new plan
- Ease of administration for the Department should be considered in development of the new plan.
- Transparency is critical.
- Best available science used not the latest.
- Deemed rates review, needs sufficient time under amendment for this to be worked through
- Farm forestry needs to be highlighted as a risk of people taking advantage of the system and subdividing land. Risk of loopholes and it being a growth area due to carbon farming. Other incentives that could contribute to growth is govt/industry funding and incentives for planting under govt initiatives.
- Review allowances for farm forestry
- Review TAR
- Review inactivated water licences and activated but unused.
- Risk that adaptive management won't work in LLC as lots of licensees have large amounts of unused water and therefore may not actually reduce their use.
- Industry have improved water efficiency and should not lose unused water (asset) as they have invested money to become more efficient.
- Discussion around reductions (particularly to forestry) and the effectiveness in managing risks to GDEs e.g. can take reduction kms away from wetland and leave forest adjacent to wetland
- Discussion around loopholes in how forestry can take reductions compared to other industries e.g. can harvest in areas not under reduction and wait years and reductions may be removed in this time?
- LC Landscape Board to look at what options are available to resolve issues with drainage authorisations. Can progressed the joint committee with Drainage Board

SAG Decisions

The Stakeholder Advisory group recommends the LC Landscape Board:

- Reviews the implications/risks of holding allocations and
- Reviews the implications/risks of unused allocation as part of amendment.

The Stakeholder Advisory Group recommends that the LC Landscape Board reviews the monitoring, evaluation and reporting requirements of the water allocation plan including relevant monitoring program and resourcing.

LC Landscape Board evaluation summary

Sue Botting provided an overview of the LC Landscape Boards evaluation summary.

Key Points:

- The Plan had some important achievements worth noting: volumetric conversion, inclusion of forestry, reductions to over allocated areas and introducing protections for groundwater dependent ecosystems.
- There have been changes to legislation since the adoption of the Plan which require updating, including referencing the *Landscape SA Act 2019* and aligning with its requirements such as consumptive pools and authorising instruments.
- Areas of policy alignment or gaps include water security, First Nations and critical human needs.
- The Plan is a large and complex document, reflecting a complex area. Improved readability would help with understanding of it.
- There have been significant advances in the data, knowledge, information and tools that are now available to inform the Plan.
- The complexity of the Plan is a challenge to administer with some things managed manually outside of the departmental database.
- There is an inconsistency in reporting periods between forestry water licences (calendar year) and water (taking) licences (financial year). This impacts the interpretation of usage data.
- Although there are many different allocation components most are not reported or tracked separately. Specialised production requirement – frost is the only non-tradeable component that is reported separately.
- The licensing system is complex. It reflects and provides transparency to the approach of honouring existing uses during volumetric conversion. There are multiple types of delivery supplement and specialised production requirement as well as different purposes of use for water (taking) licences. There is a general lack of understanding of the different components and the rules around them, particularly in relation to transfers.
- The setting of a target management level for each management area was a reasonable approach at the time but the proportion of recharge allocated was high risk and did not appropriately allow for consequences on dependent ecosystems in drier years, impacts of climate change, extraction of bridging volumes, carry-over, seasonal transfers and delivery supplement.
- Groundwater levels in the unconfined aquifer are declining in many areas and there is a need to understand what is sustainable under climate change. Consideration also needs to be given to protecting the hydraulic gradient.
- The confined aquifer is generally managed in a precautionary manner. The Kingston management area is over-allocated but extraction has been self-managed within acceptable limits. It does remain susceptible to the activation of unused water.
- The Plan introduced specific principles to protect wetlands but with limited knowledge of other types of groundwater dependent ecosystems (GDEs) the Plan relied only on managing groundwater levels to meet their needs.
- The protections for wetlands only applied to new risks, there were no mechanisms to address existing impacts.
- A hydrogeological assessment provides protection to the resource at a local scale but is not transparent to licensees and process lacks ability to consult to get best possible outcome.
- Although the Plan included reductions to over-allocated areas these were not fully implemented and where they were they may not have been taken in a location beneficial to GDEs.
- The Plan relies on water moving to achieve some of its objectives but the water market in the Limestone Coast is very under-developed. Suggested reasons include: confusion on what and

how to transfer, water being retained in case of reductions, water unused due to prohibitive costs of activation and water retained as an asset gaining in value.

- Forestry licences need to be equitable with water (taking) licences to allow for trade between them.
- The deemed rates may need to be reconsidered if forestry practices have changed.
- Farm forestry principles may require review to better manage account for impacts of farm forestry on aquifers.
- Allowance of 25% carry-over is a large amount for an under-used resource. All potential extraction, including carry-over, and recharge interception needs to be considered in risk assessments.

Discussion:

- With the data and information available now this is the best time / we are in the best position for amending the Plan.
- Discussion around carry-over and whether it is as large of a risk as highlighted in the evaluation. Carryover isn't necessarily all used but needs to consider if all water that can be extracted is extracted. Carryover was not necessarily considered in the risk assessment.
- Still need to graph the something on the something for resource condition.
- If farm forestry was to be licensed how would deemed rates be calculated if farm forestry included different species?

Other Business

The review of the *Landscape South Australia Act 2019* has been announced and is now open for submissions. It was discussed whether this review could create change such as the responsibility of water allocation planning moved away from landscape boards. The group expressed a preference that water allocation planning remain with landscape boards and recommended that:

The LC Landscape Board remains the designated authority to undertake the review, creation and amendment of water allocation plans in the Limestone Coast landscape region under the *Landscape South Australia Act 2019*.

Close of meeting

Meeting closed at 3:00 pm.

The Chair thanked the stakeholders and staff for attending.

Lower Limestone Coast WAP Stakeholder Advisory Group Action Table

Action	LLC WAP Stakeholder Advisory Group Actions	Status	Meeting 10 Update
8.1	LC Landscape Board Staff to provide information on results from water values survey	Complete	Information provided for Meeting 10, though not discussed
1.1	Provide an overview of the Science Review process, outcomes and the work that has occurred since then at Meeting 2.	Ongoing	Summary of current status of work addressing recommendations presented. Further updates will be provided as needed.
1.2	LC Landscape Board Staff to provide relevant papers on the project portal for Stakeholder Advisory Group members to access	Ongoing	Papers provided. Ongoing operating procedure for the Group.
2.4	Provide summary report that takes recommendations from the Plan and places them against actions that have been undertaken.		
2.7	Request for 10 year timescale (of the plan) resource condition trends for sharing more broadly with interested stakeholders	Ongoing	

Action Table – Closed Items

Action	LLC WAP Stakeholder Advisory Group Actions	Status
2.2	Session in future meeting on Groundwater Dependent Ecosystems to assist with stakeholder clarity.	Complete
2.6	Arrange a presentation from industry representatives around how useful they have found the different licencing components and how they have used them in their businesses.	Complete
2.1	Provision of presentation, provision of reports from presentation	Complete
2.3	Paddock Tree report to be provided on the project portal.	Complete
2.5	Arrange a presentation from DEW Water Licencing on licencing components and their experiences and perspectives as the body that administers them.	Complete
1.3	Ground rules to be drafted and provided back to group	Complete
1.4	LC Landscape Board Staff prepare recommendation for the LC Landscape Board Governing Body on behalf of the Stakeholder Advisory Group. Recommendation to be considered by the LC Landscape Board Governing Body at its 28 October 2022 Meeting.	Complete
1.5	Convey stakeholder concerns around the Australian Rare Earths Limited development to the LC Landscape Board Governing Body.	Complete

Lower Limestone Coast WAP Stakeholder Advisory Group Decision Register

Issue	Meeting	Decision
Landscape Act review	Meeting 10	The LC Landscape Board remains the designated authority to undertake the review, creation and amendment of water allocation plans in the Limestone Coast landscape region under the <i>Landscape South Australia Act 2019</i> .
Monitoring, evaluation and reporting requirements	Meeting 10	The Stakeholder Advisory Group recommends that the LC Landscape Board reviews the monitoring, evaluation and reporting requirements of the water allocation plan including relevant monitoring program and resourcing.
Holding allocations and unused licence	Meeting 10	The LC Landscape Board: <ul style="list-style-type: none"> • Reviews the implications/risks of holding allocations and • Reviews the implications/risks of unused allocation as part of amendment.
Review process	Meeting 9	That the Lower Limestone Coast Water Allocation Plan moves to amendment.
Groundwater dependent ecosystems	Meeting 8	The Stakeholder Advisory Group recommends the LC Landscape Board review the GDE protection principles in amendment of the current Plan.
Groundwater dependent ecosystems	Meeting 8	The Stakeholder Advisory Group recommends the LC Landscape Board investigate adaptive management in amendment of the Plan that includes ecological thresholds relevant to GDEs.
Drainage authorisations	Meeting 8	The Stakeholder Advisory Group recommends that where drain water is demonstrated to be groundwater, an application to extract drainage water should be subject to the same principles and requirements as groundwater extraction is under the LLC water allocation plan (e.g. hydro test).
Water market	Meeting 7	The Stakeholder Advisory Groups recommends that the LC Landscape Board, through amendment of the Lower Limestone Coast Water Allocation Plan: <ol style="list-style-type: none"> 8. Include mechanisms that ensure movement of water onto a land parcel requires land owner permission.

Trades and transfers	Meeting 7	<p>The Stakeholder Advisory Groups recommends that the LC Landscape Board, through amendment of the Lower Limestone Coast Water Allocation Plan:</p> <ol style="list-style-type: none"> Develop a single set of objectives for managing the resource that applies to the entire Plan, rather than separate objectives for each section. Allow conversion and transfer of a forestry licence to a water (taking) licence.
Confined aquifer	Meeting 7	<p>The Stakeholder Advisory Groups recommends that the LC Landscape Board, through amendment of the Lower Limestone Coast Water Allocation Plan:</p> <ol style="list-style-type: none"> Retain Objective 8.1 a) specified in the current Plan which is to: "cautiously manage the confined aquifer so that it may continue to be available for the social, economic and environmental needs of current and future generations." Review current allocation in the confined aquifer and assess the risks in relation to that level of allocation. Consider mechanisms to adaptively manage the confined aquifer resource.
Target management levels	Meeting 7	<p>The Stakeholder Advisory Groups recommends that the LC Landscape Board, through amendment of the Lower Limestone Coast Water Allocation Plan:</p> <ol style="list-style-type: none"> Review the use of total available recharge as the basis for sustainable water management. Consider mechanisms to adaptively manage the resource.
Farm forestry	Meeting 5	<p>The Stakeholder Advisory Group recommends that the Limestone Coast Landscape Board undertakes a review of the farm forestry principles and its risks and benefits.</p>
Forestry principles	Meeting 5	<p>The Stakeholder Advisory Group recommends that the Limestone Coast Landscape Board undertakes a review of the assumptions that underpin the deemed rate. Review should consider available lines of evidence to inform the deemed rate.</p>
Licencing components principles	Meeting 4	<p>The Stakeholder Advisory Group recommends that the Limestone Coast Landscape Board undertakes a comprehensive review of the principles for licencing components to determine if amendment is required. Review should look at whether the principles could be simplified but must also consider risks to the environment or primary producers that changes could introduce. Review should also consider opportunities such as environmental allocations.</p>

Volumetric conversion and bridging volume principles	Meeting 2	Recommend that the LC Landscape Board remove the volumetric conversion and bridging volume principles from the water allocation plan under amendment.
Representativeness of Group	Meeting 1	Group agreement that a nomination should be sought from hardwood plantation forestry for representation on the Stakeholder Advisory Group.

CONFIRMED