

Subdivision of a Water Licence



1 July 2022

The Department for Environment and Water (DEW) administers the *Landscape South Australia Act 2019* along with the *Landscape South Australia (Water Register) Regulations 2020*. This legislation enables The Water Register, which is also administered by DEW.

Historically, parties who wished to divide a single water licence into multiple licences were required to submit numerous transfer and/or variation applications. From 1 July 2022, the legislation allows water licence holders to subdivide a water licence into multiple water licences using a single application.

Subdivision of a water licence

Regulation 32 of the *Landscape South Australia (Water Register) Regulations 2020* provides that the holder(s) of a water licence or the Environment, Resources and Development Court may apply for the subdivision of a water licence into two or more water licences, using this form: [G10 - Application to subdivide a water licence](#). Water licences granted as the result of a subdivision will:

- Have a combined water access entitlement no greater than the cancelled water licence;
- Be subject to the same conditions as the cancelled water licence (subject to any consequential alterations made by the Minister), and;
- Have a term equal to the term of the cancelled water licence.

Holders may nominate the way that entitlements are apportioned as part of the subdivision, as well as which holder will hold each apportioned licence.

If a security interest is registered against the water licence to be subdivided the consent of the security interest holder must be provided along with the application.

Please note that the subdivision of a water licence will result in the cancellation of the original water licence and the issue of multiple new water licences to be endorsed with identical taking and works conditions to the original licence (subject to any consequential alterations made by the Minister). Subsequent applications to vary these water licences may be required. There may also be additional metering requirements as a result of subdivision. Potential applicants are encouraged to contact the Department to discuss the outcomes they are seeking prior to submitting an application to subdivide a water licence.

Contacts

For any queries regarding the process outlined above please contact the DEW Enhanced Water Register Project team by email: DEW.WaterLicensingProjects@sa.gov.au.

Legislation

The legislation referred to above can be accessed at the following links:

Landscape South Australia Act 2019

<https://www.legislation.sa.gov.au/lz?path=/c/a/landscape%20south%20australia%20act%202019>

Landscape South Australia (Water Register) Regulations 2020

[https://www.legislation.sa.gov.au/lz?path=/c/r/landscape%20south%20australia%20\(water%20register\)%20regulations%202020](https://www.legislation.sa.gov.au/lz?path=/c/r/landscape%20south%20australia%20(water%20register)%20regulations%202020)