



# Victoria Government Gazette

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## Water Act 1989

### BULK ENTITLEMENT (MARIBYRNONG–SOUTHERN RURAL WATER) CONVERSION FURTHER AMENDMENT ORDER 2004

I, John Thwaites, under the provisions of section 44 of the **Water Act 1989**, make the following Order –

**1. Title**

This Order is called the Bulk Entitlement (Maribyrnong–Southern Rural Water) Conversion Further Amendment Order 2004.

**2. Preliminary**

1. The Bulk Entitlement (Maribyrnong–Southern Rural Water) Conversion Order 2000 was made by the Minister on 27 July 2000 by Order published in the Government Gazette on 17 August 2000 to convert existing poorly defined rights to water in the Maribyrnong system to a defined bulk water entitlement for the Gippsland and Southern Rural Water Authority (“SRW”).
2. The Bulk Entitlement Order requires SRW to provide passing flows at three locations along Jackson Creek and Maribyrnong River, namely Gisborne, Sunbury, and Keilor streamflow gauging stations. In most years the passing flow requirements are largely met by run-of-river flows, but in dry years releases from Rosslynne Reservoir are required.
3. On 16 January 2004 the Minister approved a temporary amendment of entitlement by Order (the Previous Amendment Order) in accordance with section 44(1) of the **Water Act 1989**. The purpose of the Previous Amendment Order was to conserve water resources stored at Rosslynne Reservoir for basic urban water consumption during 2004. The Previous Amendment Order expired at midnight 30 November 2004.

**3. Purpose**

The purpose of this Order is to amend the Bulk Entitlement (Maribyrnong–Southern Rural Water) Conversion Order 2000 (“the Bulk Entitlement Order”) so as to preserve the status quo in terms of urban restriction levels and passing flow requirements downstream of Rosslynne Reservoir.

**4. Authorising provisions**

This Order is made by the Minister under section 44(1) of the **Water Act 1989** (“the Act”) following application made in accordance with section 44(2)(a) of the Act by the Authority holding the entitlement, SRW.

**5. Duration**

This Order comes into operation on 1 December 2004 and expires midnight 30 November 2005.

**6. Amendment of the Bulk Entitlement Order**

1. In clause 4 of the Bulk Entitlement Order, after the definition of “**Resource Manager**” insert –  
““**Salesian College pool**” means the pool located on the waterway immediately upstream of the weir wall located within Salesian College grounds Sunbury;”.

**SPECIAL**

2. In clause 4 of the Bulk Entitlement Order, after the definition of “**security of supply**” **insert** –  
 ““**Settlement Road pool**” means the pool located on the waterway located immediately upstream of the Settlement Road crossing;”.
3. For clause 12.1 (a) and (b) of the Bulk Entitlement Order **substitute** –  
 “12.1 Southern Rural Water must provide –
  - (a) continuous monitoring of water temperature, salinity, dissolved oxygen, and level at Settlement Road pool and Salesian College pool; and
  - (b) a flow at Gisborne gauging station as specified in Schedule 5 to maintain water quality in the Settlement Road pool and;”
4. After clause 12.7 of the Bulk Entitlement Order insert –  
 “12.8 Southern Rural Water must propose to the Minister within 60 days of the date of this Order, a fish survey as agreed to by the Department of Sustainability and Environment and each authority holding a bulk entitlement to a share of Rosslynne Reservoir.”
5. After Schedule 4 of the Bulk Entitlement Order **insert** –

**“Schedule 5**

**Flow at Gisborne gauging station to maintain water quality at Settlement Road pool**

1. Minimum standards for water quality at Settlement Road pool are –
  - (a) 25 degrees Celsius for temperature; and
  - (b) 3000 units of electrical conductivity for salinity; and
  - (c) 5 milligrams per litre for dissolved oxygen; and
  - (d) 0.4 metres from full supply level.
2. Water quality data must be assessed on a twice weekly basis when the flow at Sunbury gauging station falls below 1 megalitre/day.
3. A flow requirement at Gisborne gauging station is triggered when any of the minimum standards for water quality are exceeded.
4. Except as set out in item 5, the following flow must be provided at Gisborne gauging station in order to maintain water quality at minimum standards –
  - (a) 30 megalitres over a period of 20 days; and
  - (b) in the event flows set out in item 4(a) fail to maintain the minimum standards for water quality over a period of 60 days, 60 megalitres over a period of 14 days and within 14 days of the last flow, must be provided at Gisborne gauging station.
5. In the event flows set out in item 4 fail to maintain the minimum standards for water quality over a period of 74 days, the following flow must be provided within 14 days of the last flow provided at Gisborne gauging station –
  - (a) 30 megalitres/month if the flow at the Sunbury gauging station is greater than 1 megalitre/day; and
  - (b) 90 megalitres/month if the flow at the Sunbury gauging station is less than 1 megalitre/day.”.

Dated 2 December 2004

Responsible Minister  
 JOHN THWAITES  
 Minister for Water

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