



# Victoria Government Gazette

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## Water Act 1989

### BULK ENTITLEMENT (HAMILTON) CONVERSION AMENDMENT ORDER 2008

I, Tim Holding, as Minister administering the **Water Act 1989** (the Act), make the following Order –

**1. Title**

This Order is called the Bulk Entitlement (Hamilton) Conversion Amendment Order 2008.

**2. Preliminary**

The Bulk Entitlement (Hamilton) Conversion Order 1997 (the Bulk Entitlement Order) was made by the Minister on 18 August 1997 and published in the Government Gazette G34 on 28 August 1997.

Pursuant to the Wannon Region Water Authority Order 2005, made by the Minister on 3 June 2005, Wannon Water Region Water Authority took over the whole of the property, rights, liabilities, obligations, powers and functions under the **Water Act 1989** of Glenelg Region Water Authority, as well as South West Water Authority and Portland Coast Region Water Authority.

Wannon Region Water Authority is now known as Wannon Region Water Corporation (the Authority).

The Authority, as part of its long-term strategy, has planned to augment the Hamilton water supply system by constructing a pipeline connecting it to the Grampians Wimmera Mallee Water water supply system. In ‘Our Water Our Future – The Next Stage of the Government’s Water Plan’, the Victorian Government committed to contributing to the construction of the pipeline, known as the Hamilton–Grampians Pipeline. Construction is scheduled to commence in 2008/09, for completion in 2010.

**3. Purpose**

The purpose of this Order is to secure water supplies for Hamilton until the Hamilton–Grampians Pipeline is complete. The Order changes passing flow requirements of the bulk entitlement at the Authority’s diversion weirs in the Grampians streams to allow the Authority access to more water during winter months for the period up to November 2010. It also provides emergency passing flow rules to provide water supply provisions if storages drop to critically low levels during summer months.

**4. Authorising provisions**

This Order is made in accordance with section 44 of the **Water Act 1989**.

**5. Commencement**

This Order comes into operation on the day it is published in the Government Gazette.

**6. Amendment of clause 7**

For clause 7 of the Bulk Entitlement Order, substitute –

“7.1 Subject to sub-clause 7.2, the Authority must provide the following minimum passing flow in each of No. 3 Creek, No. 1 Creek, Gap Creek, Headworks Creek and Brown Creek calculated as follows –

- (a) when  $F \leq 0.4$  ML/d, the passing flow = F; and
- (b) when  $F > 0.4$  ML/d, the passing flow = 0.4 ML/d,

where –

“F” means the total of the flow in the waterway at a point immediately upstream of the respective diversion weir less any water being transferred pursuant to sub-clause 7.5, measured and calculated in ML/d.

**SPECIAL**

- 7.2 For the period up to 1 November 2010, or the completion of the Hamilton–Grampians Pipeline as evidenced by a certificate issued by the Minister, whichever comes earlier, the Authority is not required to provide a minimum passing flow in:
- (a) No. 3 Creek, No. 1 Creek, Gap Creek, Headworks Creek and Brown Creek for the months of May to October inclusive while restrictions more severe than stage 2 are in place;
  - (b) No. 1 Creek and Headworks Creek, when the total combined storage volume in the Hamilton water supply system at the first day of the month drops below the storage triggers in column A of Schedule 1, or while stage 4 restrictions are in place; and
  - (c) No. 3 Creek, No. 1 Creek, Gap Creek, Headworks Creek and Brown Creek when the total combined storage volume in the Hamilton water supply system at the first day of the month drops below the storage triggers in column B of Schedule 1, while stage 4 water restrictions are in place.
- 7.3 The Authority is not required to provide a minimum passing flow in Chimney Pot Creek or No. 2 Creek.
- 7.4 The Authority is not entitled to any flow past a system diversion point, as part of this bulk entitlement, which is being transferred by the holder of –
- (a) any other bulk entitlement or licence held by another person; or
  - (b) any licence –
- to a transferee pursuant to the Act.”

**7. Addition of Schedule 1**

After clause 18 of the Bulk Entitlement Order, insert –

**“Schedule 1 – Storage Triggers for Emergency Passing Flow Provisions**

Month/Year	Storage Trigger (ML)	
	A	B
March 2008	1016	966
April 2008	867	817
November 2008	906	856
December 2008	804	754
January 2009	675	625
February 2009	522	472
March 2009	456	406
April 2009	395	345
November 2009	906	856
December 2009	804	754
January 2010	675	625
February 2010	522	472
March 2010	456	406
April 2010	395	345

Dated: 7 May 2008

TIM HOLDING  
Minister for Water

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