



Victoria Government Gazette

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Water Act 1989

BULK ENTITLEMENT (ANGLESEA GROUNDWATER) ORDER 2009 MINOR AMENDMENT NOTICE 2011

I, Peter Walsh MLA, being the Minister administering the **Water Act 1989**, by this Notice, amend the Bulk Entitlement (Anglesea Groundwater) Order 2009:

1 TITLE

This Notice is called the Bulk Entitlement (Anglesea Groundwater) Order 2009 Minor Amendment Notice 2011 (this Notice).

2 AUTHORISING PROVISION

This Notice is given to the Barwon Region Water Corporation (Barwon Water) under section 45(1) of the **Water Act 1989**.

3 COMMENCEMENT AND DURATION

This Notice comes into effect on the date on which notice of the making of it is published in the Government Gazette and continues in force until the end of the suspension period.

4 PURPOSE

The purpose of this Notice is to amend the Bulk Entitlement (Anglesea Groundwater) Order 2009 dated 29 June 2009 and published in the Government Gazette No. S224 on Tuesday 30 June 2009 (the Order) held by Barwon Water to amend the date for the report on the results of the first review and to change the pumping arrangements for a temporary period (the suspension period referred to in clause 6(b)(ii) of this Notice) to allow better data to be obtained for the Review provided for under clause 12 of the Order.

5. OPERATION OF THE ORDER DURING THE SUSPENSION PERIOD

Save as expressly amended by this Notice the provisions of the Order continue to apply during the suspension period.

6. AMENDMENTS TO THE ORDER

- (a) In clause 12.5 of the Order for ‘31 December 2012’ **substitute** ‘31 August 2013’.
- (b) The following amendments apply to the Order for the suspension period:
 - (i) in the list of contents on page 1:
 - (A) in the reference to ‘Part 5 ACCOUNTABILITY AND GOVERNANCE’ after ‘15 Independent Audit’ **insert** –
‘15A Audit of Test Pumping During the Suspension Period’; and
 - (B) after ‘Schedule 2: Trigger Levels’ **insert** –
‘SCHEDULE 3: Location of Groundwater Bores
Table A Groundwater extraction bores
Table B Monitoring points
 - (ii) in clause 5.1 for the definition of ‘observation bore’ **substitute** –
‘**monitoring point**’ means a geographical location at which a groundwater or surface water monitoring level is measured as identified in Table B of Schedule 3 to this Order’;

SPECIAL

- (iii) in clause 5.1 before the definition of ‘the Minister’ **insert** –
‘**suspension period**’ means the period commencing on the date notice of the making of the Bulk Entitlement (Anglesea Groundwater) Order 2009 Minor Amendment Notice 2011 is published in the Government Gazette and ending two weeks after notice in writing has been provided by Barwon Water to the Minister that the recovery period has been completed, and consists of:
- (a) the **test pumping period** of six months during which Barwon Water may pump in accordance with this Order; and
 - (b) the **further pumping period** of three months if a clear observable drawdown as provided for in Schedule 4 for has not been reached during which time Barwon Water may continue pumping accordance with this Order; and
 - (c) the **recovery period** of three months commencing at the end of the further pumping period and any further period that may be required until the trigger levels set out in Schedule 2 of the Order are restored during which time no pumping under this Order is to be carried out by Barwon Water;
- unless Barwon Water has advised the Minister in writing during the test period or further pumping period that it has collected sufficient information for the Review provided for under clause 12 of this Order at which time Barwon Water must cease pumping and from which date the recovery period will then commence;’;
- (iv) in clause 5.1 in the definition of ‘trigger level’ after the words ‘a groundwater level,’ **insert** ‘a surface water level, or any difference in levels or rate of change of a level as referred to in Schedule 4;’;
- (v) in clause 5.1 in paragraph (a) of the definition of ‘trigger level’ for ‘Schedule 2’ **substitute** ‘Schedule 4’ and after ‘of this Order;’ **delete** ‘or’;
- (vi) in clause 5.1 in the definition of ‘trigger level’ **delete** paragraph (b)
- (vii) **delete** clauses 5.2, 5.3 and 5.4;
- (viii) in clause 6.1 after ‘Subject to the terms of this Order’ **insert** ‘and the requirements of the suspension period’;
- (ix) in clause 6.2 for ‘the Schedule’ **substitute** ‘Schedule 3’
- (x) in clause 9.1 after ‘when any’ **delete** ‘groundwater’;
- (xi) for clauses 9.2 and 9.3 **substitute** –
‘9.2 If a trigger level at a monitoring point is reached Barwon Water must immediately take action as provided for in Schedule 4 to this Order.’;
- (xii) in clause 10.1(a)(ii) after ‘observation bore,’ **insert** – ‘and’;
- (xiii) after clause 10.1(a)(ii) **insert** –
(iii) surface water levels at a monitoring point,’;
- (xiv) after clause 15 **insert** –
- ‘15A AUDIT OF TEST PUMPING DURING THE SUSPENSION PERIOD’**
- 15A.1 Barwon Water must audit the operational procedures needed to fulfill its further obligations during the suspension period three months after the commencement of the test pumping period and again at the end of the test pumping period.

15A.2 Barwon Water must provide a copy of the audit to the Resource Manager within 4 weeks of completing each audit.’.

- (xv) in clause 16.2(e) **delete** ‘groundwater’;
- (xvi) with the exception of Schedules 1 and 2, for ‘observation bore’ wherever mentioned in the Order **substitute** ‘monitoring point’ and
 - (a) in clause 9.1 after ‘any level in’ for ‘an’ **substitute** ‘a’;
 - (b) in clause 10.1(a)(ii) after ‘groundwater levels in’ for ‘an’ **substitute** ‘a’; and
 - (c) in clause 16.2(e) after ‘levels in’ for ‘an’ **substitute** ‘a’;
- (xvii) after Schedule 2 to the Order **insert** –

‘SCHEDULE 3

In this Schedule –

‘Easting’ means the Australian map grid reference coordinate in the standard Geodetic Datum of Australia 94;

‘Northing’ means the Australian map grid reference coordinate in the standard Geodetic Datum of Australia 94;

‘southern extraction bores’ means the bores identified in Table A (i);

‘northern extraction bores’ means the bores identified in Table A (ii);

‘southern monitoring points’ means the monitoring points identified in Table B (i);

‘northern monitoring points’ means the monitoring points identified in Table B (ii).

TABLE A Groundwater extraction bores

(i) Southern extraction bores

Identification Number	Easting	Northing
SPB1	252563	5745972
SPB2	251840	5744691
SPB3	253556	5746028
SPB4	254274	5746572
SPB5	250880	5745681

(ii) Northern extraction bores

Identification Number	Easting	Northing
NPB6	254480	5751261
NPB7	252560	5752162

TABLE B Monitoring points for monitoring groundwater and surface water levels

(i) Southern monitoring points

Identification number of monitoring point	Easting	Northing	Observation type
P6	246627	5746134	Groundwater
P17	245565	5746834	Groundwater
SGP2-B	245571	5746837	Surface Water

(ii) Northern monitoring points

Identification number of monitoring point	Easting	Northing	Observation type
P13	245696	5753550	Groundwater
P18	246687	5753614	Groundwater
AGP1-B	246681	5753626	Surface Water

SCHEDULE 4 – TRIGGER LEVELS

General

1. In this Schedule –

‘cease to take water’ means that Barwon Water must stop the operation of the relevant groundwater extraction bores within forty-eight hours of becoming aware that a trigger level has been reached; ‘clear observable drawdown’ means a fourteen day average decline in elevation in groundwater level of equal to or greater than (-)0.02 metres per day in bore P13 and/or (-)0.03 metres per day in bore P6 measured for five consecutive days;

‘AHD’ means the Australian Height Datum.

Trigger levels at each monitoring point

Southern monitoring points

2. In respect of monitoring point P6 the trigger level is a water level below 60.42 metres AHD for a period of five consecutive days.
3. In respect of monitoring points P17 and SGP2-B the trigger level is the average difference in level between these two monitoring points over fourteen days exceeding 1.3 metres for five consecutive days. This trigger level will only apply if a clear observable drawdown has occurred at monitoring point P6.
4. In respect of the surface water pool monitoring point SGP2-B the trigger level is a depth of 0.70 metres at the monitoring point as measured on any one day.

Northern monitoring points

5. In respect of monitoring point P13 the trigger level is a water level below 62.19 metres AHD for a period of five consecutive days.
6. In respect of monitoring points P18 and AGP1-B the trigger level is the average difference in level between these two monitoring points over fourteen days exceeding 0.8 metres for five consecutive days. This trigger level will only apply if a clear observable drawdown has occurred at monitoring point P13.
7. In respect of the surface water pool monitoring point AGP1-B the trigger level is a depth of 0.06 metres at the monitoring point as measured on any one day.

Determination on reaching a trigger level

8. Barwon Water must make all reasonable efforts to obtain data from all monitoring points at a frequency of no less than seven days. Once the data is obtained Barwon Water must determine within twenty-four hours if a trigger level has been reached, with the exception of the trigger levels in monitoring points P17 and P18 which must be determined within seventy-two hours.

Effect of reaching a trigger level

9. If a trigger level is reached in any of the southern monitoring points Barwon Water must cease to take water from all of the southern extraction bores until the trigger level is restored.
10. If a trigger level is reached in any of the northern monitoring points Barwon Water must cease to take water from all the northern extraction bores until the trigger level is restored.

Effect of a clear observable drawdown occurring during the test pumping period

11. Regardless of whether or not a trigger level has been reached, if a clear observable drawdown has occurred at monitoring point P6 Barwon Water must cease taking water from the southern extraction bores from the end of the test pumping period until the end of the suspension period.
12. Regardless of whether or not a trigger level has been reached, if a clear observable drawdown has occurred at monitoring point P13 Barwon Water must cease taking water from the northern extraction bores from the end of the test pumping period until the end of the suspension period.'

Dated 29 November 2011

PETER WALSH MLA
Minister for Water

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