



Victoria Government Gazette

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Water Act 1989

CARRYOVER DECLARATION FOR LODDON HIGHLANDS WATER SUPPLY PROTECTION AREA 2012

I, Peter Walsh MLA, Minister for Water, as Minister administering the **Water Act 1989** make the following Declaration:

Citation

1. This Declaration is called the Carryover Declaration for Loddon Highlands Water Supply Protection Area 2012.

Purpose

2. The purpose of this Declaration is to allow holders of take and use licences for groundwater in the Loddon Highlands Water Supply Protection Area to carryover an amount of groundwater unused in a water season to a subsequent water season and to specify the terms and conditions that are to apply to ensure amongst other things that any local impact of increased use can be managed.

Authorising provision

3. This Declaration is made under section 62A of the Act.

Commencement and duration

4. This Declaration comes into effect on the date on which notice of it is published in the Government Gazette and continues in force until revoked.

Definitions

5. In this Declaration:

‘**Act**’ means the **Water Act 1989**;

‘**carryover water**’ means the amount of groundwater authorised to be taken by a licence holder under this Declaration;

‘**Declaration**’ means this Carryover Declaration for Loddon Highlands Water Supply Protection Area 2012;

‘**groundwater licence**’ means a licence to take and use groundwater issued under section 51(1)(b) of the Act;

‘**licensed volume**’ means the amount of groundwater authorised to be taken under a groundwater licence in a water season;

‘**Loddon Highlands Water Supply Protection Area**’ means that part of the groundwater system that is the area identified as the Loddon Highlands Water Supply Protection Area in Plan No. LEGL./09-421 lodged in the Central Plan Office;

‘**water season**’ has the same meaning as in the Act.

Declaration

6. I declare that groundwater licence holders in the Loddon Highlands Water Supply Protection Area are authorised to take groundwater that has not been taken under a groundwater licence by the end of a water season in the subsequent water season (that is, it may be ‘carried over’ into the next water season) subject to the condition specified in this Declaration.

SPECIAL

Condition

7. The maximum amount of groundwater that may be carried over by a licence holder in a water season is 15 percent of the licence volume;

Dated 21 November 2012

PETER WALSH MLA
Minister for Water

Notes

(1) Definitions

Terms used have the same meaning as given to them in the Act, unless otherwise defined.

(2) Terms and conditions

As provided in section 62A(3)(a) of the Act, the groundwater licence holder is subject to both the terms and conditions of the licence and the condition of this Declaration.

(3) Transfers

As provided in clause 7(2) of this Declaration, a groundwater licence holder cannot transfer carryover water they are entitled to take to another person as the result of a transfer of a licence. There is no power in the Act that allows the transfer of carryover water from one licence holder to another.

(4) Amount of carryover water taken to be recorded on the water register

For the purpose of recording in the water register, carryover water authorised to be taken by a groundwater licence holder that is taken will be recorded against carryover water before any licensed volume.

(5) Inspection of the Plans

Plan No. LEGL./09-421 may be inspected during business hours at the Central Plan Office, Land Victoria, Department of Sustainability and Environment, 570 Bourke Street, Melbourne.

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