



Victoria Government Gazette

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Water Act 1989

ENVIRONMENTAL ENTITLEMENT (GOULBURN SYSTEM – LIVING MURRAY) MINOR AMENDMENT 2021

I, Lisa Neville MP, Minister for Water, as Minister administering the **Water Act 1989**, by instrument amend the Environmental Entitlement (Goulburn System – Living Murray) 2007 (Environmental Entitlement) as follows:

Title

1. This Instrument is called the Environmental Entitlement (Goulburn System – Living Murray) Minor Amendment 2021.

Purpose

2. The purpose of this Instrument is to change resource manager references to storage manager to correctly attribute these obligations to reflect practical obligations.

Authorising provision

3. This Instrument is made in accordance with section 48K of the **Water Act 1989**.

Commencement

4. This Instrument comes into effect on the day it is published in the Victoria Government Gazette.

Amendment to Clause 12

5. In Clause 12.2 for the words ‘Resource Manager’ **substitute** ‘Storage Manager’.

Amendment to Clause 13

6. In Clause 13.2 for the words ‘Resource Manager’ **substitute** ‘Storage Manager’.

Dated 15 December 2021

HON. LISA NEVILLE MP
Minister for Water

Water Act 1989

BULK ENTITLEMENT (LODDON RIVER – ENVIRONMENTAL RESERVE)

MINOR AMENDMENT NOTICE 2021

I, Lisa Neville MP, Minister for Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Loddon River – Environmental Reserve) Order 2005 as follows:

Title

1. This Notice is called the Bulk Entitlement (Loddon River – Environmental Reserve) Minor Amendment Notice 2021.

Purpose

2. The purpose of this Notice is to change resource manager references to storage manager to correctly assign these obligations to reflect practical obligations, and to correct one minor wording error.

Authorising provision

3. This Notice is made in accordance with section 45 of the **Water Act 1989**.

Commencement

4. This Notice comes into effect on the day it is published in the Victoria Government Gazette.

Amendment to Clause 4 definitions

5. In the definition for ‘Valley Cap’–
 - (a) for the words ‘resource manager’ **substitute** ‘Storage Manager’;
 - (b) for the words ‘Schedule 2A’ **substitute** ‘Schedule 2’.

Dated 15 December 2021

HON. LISA NEVILLE MP
Minister for Water

Water Act 1989**BULK ENTITLEMENT (LATROBE – SOUTHERN RURAL)****MINOR AMENDMENT NOTICE 2021**

I, Lisa Neville MP, Minister for Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Latrobe – Southern Rural) Conversion Order 1996 as follows:

Title

1. This Notice is called the Bulk Entitlement (Latrobe – Southern Rural) Minor Amendment Notice 2021.

Purpose

2. The purpose of this Notice is to make a minor variation by inserting the obligations on the storage manager previously contained within the Latrobe Headworks System Storage Manager Instrument of Appointment to ensure these obligations are retained, and updating the Department of Environment, Land, Water and Planning's name.

Authorising provision

3. This Notice is made in accordance with section 45 of the **Water Act 1989**.

Commencement

4. This Notice comes into effect on the day it is published in the Victoria Government Gazette.

Amendments to Clause 4 definitions

5. In Clause 4 of the Bulk Entitlement Order, in the definition of 'Department', for the words 'Department of Environment and Primary Industries' **substitute** 'Department of Environment, Land, Water and Planning';

Insertion of new Clause 23

6. Immediately following Clause 22 of the Bulk Entitlement Order, **insert** new Clause 23 –
' 23. OTHER STORAGE MANAGER OBLIGATIONS

23.1 Storage management objectives

23.1.1 The Storage Manager must consider the following objectives when operating the Latrobe headworks system and carrying out other storage management functions:

- (a) (Structures) To direct operations to ensure that the structural and operational integrity of the Latrobe headworks system is maintained.
- (b) (Bulk and environmental entitlements) To deliver water to Latrobe Headworks Entitlement Holders in a timely, transparent and efficient manner.
- (c) (Accounts) To account for the water stored and water flows in the Latrobe headworks system and for the water taken by Latrobe Headworks Entitlement Holders.
- (d) (Water efficiency) To direct operations to reduce water losses in the Latrobe headworks system where possible.
- (e) (Water trade) To provide technical advice and information that would facilitate the trade of water between Latrobe Headworks Entitlement Holders in a timely, transparent and efficient manner, when requested.
- (f) (Water quality) To minimise the water quality impacts of operating the Latrobe headworks system where possible.
- (g) (Environment) To direct operations to optimise outcomes for the downstream environment where possible.
- (h) (Recreation) To direct operations to provide opportunities for recreation activities in the Latrobe headworks system where that is compatible with other objectives.
- (i) (Floods) To mitigate floods in the Latrobe headworks system where that is compatible with other objectives (consistent with functions of the Storage Manager under section 122ZL of the Act).

- (j) (Aboriginal cultural heritage) To facilitate the protection of Aboriginal cultural heritage, in accordance with relevant cultural heritage management plans and by other means where that is compatible with other objectives.

23.2 Storage Management Rules

23.2.1 The Storage Manager must, in consultation with Latrobe Headworks Entitlement Holders and the Department, propose to the Minister storage management rules which satisfy the objectives in sub-clause 23.1.1 for operation of the Latrobe headworks system.

23.2.2 The Minister may:

- (a) approve the storage management rules proposed under sub-clause 23.2.1; or
- (b) require the Storage Manager to amend the proposed storage management rules.

23.2.3 The Minister may require the Storage Manager to:

- (a) review the storage management rules approved by the Minister if, in the Minister's opinion, they are, at any time, no longer appropriate; and
- (b) propose amended storage management rules to the Minister.

23.2.4 The Storage Manager must:

- (a) supply all Latrobe Headworks Entitlement Holders, the Department and the resource manager with the most up-to-date version of the rules; and
- (b) operate the Latrobe headworks system in accordance with the rules.

23.2.5 The Storage Manager must review and update the rules approved by the Minister under paragraph 23.2.2(a) at least annually to ensure the rules are still relevant and clear to all parties.

23.2.6 The Storage Manager must propose and agree the updated rules prepared under sub-clause 23.2.5 with the Latrobe Headworks Entitlement Holders and Department.

23.2.7 In preparing or reviewing the rules under sub-clauses 23.2.1 and 23.2.5, the Storage Manager must:

- (a) adopt any rule proposed by a Latrobe Headworks Entitlement Holder, subject to sub-clauses 23.2.8 to 23.2.11; and
- (b) consult with other Latrobe Headworks Entitlement Holders and parties likely to be affected by the rules.

23.2.8 Within three months of the date a proposal is submitted under paragraph 23.2.7(a), or such other time as agreed by the parties, the Storage Manager must determine whether or not to adopt the rule.

23.2.9 Within the time period applying under sub-clause 23.2.8 for a determination on a proposal submitted under paragraph 23.2.7(a), the Storage Manager must provide all Latrobe Headworks Entitlement Holders with a written justification of the determination, including the principles behind the determination.

23.2.10 In the event the Storage Manager determines not to adopt a rule submitted under paragraph 23.2.7(a), the Storage Manager must report to all Latrobe Headworks Entitlement Holders on the reasons for the determination, including referencing any regulatory or contractual obligations that would not be met if the rule had been adopted.

23.2.11 The Storage Manager may develop guidelines which describes the format and content of documentation to accompany a proposal under paragraph 23.2.7(a).

23.3 Operating Plan

23.3.1 The Storage Manager must prepare an operating plan for the purpose of operating the Latrobe headworks system to meet the objectives in sub-clause 23.1.1.

23.3.2 The plan must:

- (a) be prepared annually in consultation with all Latrobe Headworks Entitlement Holders and other interested parties likely to be affected by the plan;

- (b) be consistent with any storage management rules prepared under this Instrument; and
 - (i) if one or more Latrobe Headworks Entitlement Holders and the Storage Manager consider there is a significant risk of a water shortage occurring in the near future:
 - (ii) include forecast operating scenarios which are based on a range of possible climatic conditions; and
- (c) include a multi-year outlook; and
- (d) be made available to Latrobe Headworks Entitlement Holders.

23.3.3 The Storage Manager must:

- (a) implement the plan;
- (b) update the plan from time to time in response to:
 - (i) changes to the assumptions on which the plan is based; and
 - (ii) changes to the storage management rules; and
- (c) report monthly and annually to Latrobe Headworks Entitlement Holders on the operation of the Latrobe headworks system against the plan, including any failure to operate in accordance with the plan;
- (d) meet with Latrobe Headworks Entitlement Holders at least annually to discuss and review the plan; and
- (e) assist the Latrobe Headworks Entitlement Holders with any reasonable request associated with the plan.

23.3.4 A Latrobe Headworks Entitlement Holders may, at their own expense, arrange an independent audit of the operating plan.

23.3.5 If a Latrobe Headworks Entitlement Holders arranges an audit under sub-clause 23.3.4, the Latrobe Headworks Entitlement Holders must provide completed copies of the completed audit to all other Latrobe Headworks Entitlement Holders and the Storage Manager.

23.4 Accounting, Metering and Reporting

23.4.1 The Storage Manager must maintain accounts of;

- (a) water flows and losses in the headworks system; and
- (b) Latrobe Headworks Entitlement Holders' shares of storage capacity and flow.

23.4.2 The Storage Manager must make the accounts applying to each Latrobe Headworks Entitlement Holder referred to in sub-clause 23.4.1 available to that Latrobe Headworks Entitlement Holder.

23.4.3 At the request of any Latrobe Headworks Entitlement Holder or the Minister, the Storage Manager shall;

- (a) assist Latrobe Headworks Entitlement Holders to update their metering programs to demonstrate compliance with their entitlements to water in the Latrobe headworks system; and
- (b) provide Latrobe Headworks Entitlement Holders with access to operational data for the Latrobe headworks system to enable them to meet their reporting obligations under their entitlements.

23.5 Keeping financial Accounts

23.5.1 The Storage Manager must:

- (a) establish and maintain an account to identify the costs of undertaking the Storage Manager functions;
- (b) provide Latrobe Headworks Entitlement Holders with an estimate of their share of the amounts payable for undertaking the Storage Manager functions each year for the ensuing five years; and
- (c) allow Latrobe Headworks Entitlement Holders to inspect the account on request.

23.6 Review of Sub-Clauses 23.1 to 23.5

23.6.1 A Latrobe Headworks Entitlement Holders may submit a proposal to the Minister to consider changes to the Storage Manager obligations in sub-clauses 23.1 to 23.5 of this Order.

23.6.2 In preparing a proposal under sub-clause 23.6.1, the Latrobe Headworks Entitlement Holders must:

- (a) appoint a person to conduct the review with the agreement of the other Latrobe Headworks Entitlement Holders and the Storage Manager;
- (b) pay the cost of the review unless the other Latrobe Headworks Entitlement Holders and the Storage Manager agree otherwise; and
- (c) consult with the other Latrobe Headworks Entitlement Holders and the Storage Manager.

23.6.3 The proposal in sub-clause 23.6.1 must include:

- (a) justification for the proposal; and
- (b) the views of the other Latrobe Headworks Entitlement Holders and the Storage Manager on the outcome of the review.

23.6.4 The Minister may:

- (a) Accept the proposal and amend clauses 23.1 to 23.5 of the Order in accordance with the Act; or
- (b) require the Latrobe Headworks Entitlement Holders to submit an amended proposal to the Minister; or
- (c) not accept the proposal. ’

Dated 21 December 2021

HON. LISA NEVILLE MP
Minister for Water

Water Act 1989**BULK ENTITLEMENT (WILLAURA, ELMHURST AND
BUANGOR SYSTEMS – GWMWATER)****MINOR AMENDMENT NOTICE 2021**

I, Lisa Neville MP, Minister for Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Willaura, Elmhurst and Buangor Systems – GWMWater) Order 2012 (Bulk Entitlement Order) as follows:

Title

1. This Notice is called the Bulk Entitlement (Willaura, Elmhurst and Buangor Systems – GWMWater) Minor Amendment Notice 2021.

Purpose

2. The purpose of this Notice is to make a minor variation by inserting the obligations on the storage manager previously contained within the storage manager appointment to ensure these obligations are retained. It also makes a minor wording change to correct an error by removing apostrophes.

Authorising provision

3. This Notice is made in accordance with section 45 of the **Water Act 1989**.

Commencement

4. This Notice comes into effect on the day it is published in the Victoria Government Gazette.

Amendment to Clause 4 definitions

5. In Clause 4 of the Bulk Entitlement Order, for the words ‘McLeod’s’ **substitute** ‘McLeods’.
6. In Clause 4 of the Bulk Entitlement Order, for the words ‘Mason’s’ **substitute** ‘Masons’.

Insert new Clause 10A – Environmental Obligations

7. Immediately following Clause 10 of the Bulk Entitlement Order, **insert** the following new Clause –

‘ 10A ENVIRONMENTAL OBLIGATIONS

10A.1 The Storage Manager must propose to the water Minister, a program to manage the environmental effects of Willaura headworks to allow water to be taken under the Bulk Entitlement (Willaura, Elmhurst and Buangor systems – GWMWater) Conversion Order 2012 which includes –

- (a) impacts on the bed and banks of the waterway in the vicinity of works;
- (b) operational practices to remove silt from works;
- (c) operational practices to manage the water quality in works on the waterway;
- (d) operational rules to control releases from works to the waterway; and
- (e) operational rules to manage flood flows through works on the waterway.

10A.2 The water Minister may –

- (a) approve the program proposed under sub-clause 10A.1; or
- (b) require the Storage Manager to amend the proposed program; and
- (c) require the Storage Manager –
 - (i) to review the program approved by the water Minister if, in the water Minister’s opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the water Minister; or
 - (iii) not approve the program.

10A.3 The Storage Manager must:

- (a) implement the approved environmental management program; and
- (b) keep a record of all works undertaken under paragraph (a). ’

Dated 21 December 2021

HON. LISA NEVILLE MP
Minister for Water

Water Act 1989**BULK ENTITLEMENT (WIMMERA AND GLENELG RIVERS – GWMWATER)****MINOR AMENDMENT NOTICE 2021**

I, Lisa Neville MP, Minister for Water, as Minister administering the **Water Act 1989**, by notice amend the Bulk Entitlement (Wimmera and Glenelg Rivers – GWMWater) Order 2010 (Bulk Entitlement Order) as follows:

Title

1. This Notice is called the Bulk Entitlement (Wimmera and Glenelg Rivers – GWMWater) Minor Amendment Notice 2021.

Purpose

2. The purpose of this Notice is to make a minor variation by inserting the obligations on the storage manager previously contained within the storage manager appointment to ensure these obligations are retained. It also makes a minor wording change to Schedule 5 to correct an error.

Authorising provision

3. This Notice is made in accordance with section 45 of the **Water Act 1989**.

Commencement

4. This Notice comes into effect on the day it is published in the Victoria Government Gazette.

Amendments to Clause 4 Definitions

5. In Clause 4 of the Bulk Entitlement Order, in the definition of ‘reserve’ for the words ‘the relevant instrument of appointment’ **substitute**, ‘Schedule 6’;

Amendments to Clause 13

6. In sub-clause 13.1 of the Bulk Entitlement Order, for the words ‘the relevant storage manager instrument of appointment’, **substitute** ‘Clause 24 of this Order’.

Insert new Part 7 – Other Storage Manager Obligations

7. Immediately following Clause 22.4 of the Bulk Entitlement Order, **insert** the following new part –

‘ PART 7 – OTHER STORAGE MANAGER OBLIGATIONS**23. WATER ALLOCATION**

The storage manager must –

- (a) determine the water allocation for the entitlement holders in Schedule 1 applying the method and rules in Schedule 2;
- (b) inform entitlement holders of the water allocation determined under paragraph (a); and
- (c) make available to entitlement holders the method and calculations and any other information used to determine the water allocation.

24. STORAGE MANAGEMENT OBJECTIVES

- 24.1 The storage manager must achieve the following objectives when carrying out its storage management functions:

- (a) (Structures) To direct operations to ensure that the structural and operational integrity of the Wimmera-Mallee system headworks is maintained.
- (b) (Bulk entitlements) To deliver water to entitlement holders in a timely, transparent and efficient manner.
- (c) (Accounts) To account for the water stored and water flows in the Wimmera-Mallee system headworks and for the water taken by entitlement holders.

- (d) (Water security) To maintain and, when the need arises, to enhance, the security of supply of water to entitlement holders with particular emphasis on contingency planning to avoid water shortages and measures to reduce water losses in the Wimmera-Mallee system headworks.
- (e) (Water trade) To facilitate the transfer of water entitlements and allocations between entitlement holders.
- (f) (Environmental watering) To facilitate the implementation of environmental watering activities.
- (g) (Other environmental outcomes) To facilitate the achievement of environmental outcomes, and mitigate significant adverse environmental events, such as fish kills, unseasonal watering, algal blooms, river bank erosion and acidification.
- (h) (Water quality) To manage water quality in the Wimmera-Mallee system headworks so that it is fit for purpose for urban, irrigation, industrial, stock and domestic, and environmental use.
- (i) (Recreation) To provide opportunities for recreation activities in the Wimmera-Mallee system headworks where that is compatible with other objectives.
- (j) (Floods) To manage floods in the Wimmera-Mallee system headworks to conserve water and manage impacts on communities, including the supply of water to recreational lakes where this is compatible with the environmental objectives.
- (k) (Aboriginal cultural heritage) To facilitate the protection of Aboriginal cultural heritage, in accordance with relevant cultural heritage management plans and by other means.

25. STORAGE MANAGEMENT RULES

- 25.1 The storage manager must, in consultation with entitlement holders and the Department, establish and maintain storage management rules approved by the water Minister which satisfy the objectives in sub-clause 24.1 for operation of the Wimmera-Mallee system headworks.
- 25.2 The water Minister may require the storage manager to:
 - (a) review the storage management rules approved by the water Minister if, in the water Minister's opinion, they are, at any time, no longer appropriate; and
 - (b) propose amended storage management rules to the water Minister.
- 25.3 The storage manager must:
 - (a) supply all entitlement holders, the Department and the resource manager with the most up-to-date version of the rules; and
 - (b) operate the Wimmera-Mallee system headworks in accordance with the rules.
- 25.4 The storage manager must review and update the rules approved by the water Minister under paragraph 25.1 at least annually to ensure the rules are still relevant and clear to all parties.
- 25.5 The storage manager must propose the updated rules prepared under sub-clause 25.4 to the water Minister.
- 25.6 The water Minister may:
 - (a) approve the updated storage management rules proposed under sub-clause 25.5; or
 - (b) require the storage manager to amend the proposed storage management rules.
- 25.7 In reviewing the rules under sub-clause 25.4, the storage manager must:
 - (a) adopt any rule proposed by a holder of a bulk entitlement in accordance with their entitlements, subject to sub-clauses 25.8 to 25.11; and

- (b) consult with other entitlement holders and parties likely to be affected by the rules.
- 25.8 Within three months of the date a proposal is submitted under paragraph 25.7(a), or such other time as agreed by the parties, the storage manager must determine whether or not to adopt the rule.
- 25.9 Within the time period applying under sub-clause 25.8 for a determination on a proposal submitted under paragraph 25.7(a), the storage manager must provide all entitlement holders with a written justification of the determination, including the principles behind the determination and where applicable:
- (a) the impact on the reliability of supply for each entitlement holder;
 - (b) the impact on environmental flows; and
 - (c) the cost-benefit trade-offs associated with the rule.
- 25.10 In the event the storage manager determines not to adopt a rule submitted under paragraph 25.7(a), the storage manager must report to all entitlement holders on the reasons for the determination, including referencing any regulatory or contractual obligations that would not be met if the rule had been adopted.
- 25.11 The storage manager may develop guidelines which describes the format and content of documentation to accompany a proposal under paragraph 25.7(a).

26. OPERATING PLAN

- 26.1 In accordance with the bulk entitlements and environmental entitlements granted under the Act for water taken from the Wimmera-Mallee system headworks, the storage manager must prepare an operating plan for the purpose of operating the storages to meet the objectives in sub-clause 24.1.
- 26.2 The plan must:
- (a) be consistent with any storage management rules prepared under Clause 25 of this Order;
 - (b) be prepared in consultation with all entitlement holders and other interested parties likely to be affected by the plan;
 - (c) have regard for the:
 - (i) Water Holder's planning and decision making for the release of water under the environmental entitlement.
 - (ii) GWMWater's Glenelg River compensation flow operating plan;
 - (iii) GWMWater's recreation lakes water supply plan; and
 - (iv) the recommendations of any audit received under Clause 27,
 - (d) be prepared annually;
 - (e) include forecast operating scenarios which:
 - (i) are based on a range of possible climatic conditions;
 - (ii) include contingency plans to avoid the need for temporary qualification of rights under severe water shortage; and
 - (iii) nominate the storages from which supply to each entitlement holder is anticipated,
 - (f) state what the water quality targets are for that year and the operating strategies to achieve them;
 - (g) include a multi-year outlook; and
 - (h) be made available to entitlement holders on request.

- 26.3 The storage manager must:
- (a) implement the plan;
 - (b) update the plan from time to time in response to:
 - (i) changes to the assumptions on which the plan is based; and
 - (ii) changes to the storage management rules; and
 - (c) report monthly and annually to entitlement holders on the operation of the Wimmera-Mallee system headworks against the plan, including any failure to operate in accordance with the plan;
 - (d) meet with entitlement holders at least annually to discuss and review the plan; and
 - (e) assist the entitlement holders with any reasonable request associated with the plan.

27. AUDIT OF OPERATING PLAN

- 27.1 An entitlement holder may, at their own expense, arrange an independent audit of the operating plan.
- 27.2 If an entitlement holder arranges an audit under sub-clause 27.1, the entitlement holder must provide completed copies of the completed audit to all other entitlement holders and the storage manager.

28. ENVIRONMENTAL OBLIGATIONS

- 28.1 The storage manager must, in consultation with all entitlement holders, provide to the water Minister a program to assess and manage the environmental effects of operating the weirs and harvesting storages, including:
- (a) the effects on the bed and banks of the waterways in the vicinity of the reservoirs and weirs;
 - (b) the effects on aquatic biota in the waterway;
 - (c) operational practices to remove silt from the reservoirs and weirs;
 - (d) operating practices to manage the water quality, including temperature, in the reservoirs and weirs and in the waterway;
 - (e) operating rules to control releases from the reservoirs and weirs to the waterways; and
 - (f) operating rules for managing flood flows through the reservoirs.
- 28.2 The water Minister may:
- (a) approve the program proposed under sub-clause 28.1; or
 - (b) require the storage manager to amend the proposed program; or
 - (c) require the storage manager to:
 - (i) review the program approved by the water Minister if, in the water Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) propose an amended program to the water Minister.

- 28.3 The storage manager must:
- (a) implement the approved environmental management program; and
 - (b) keep a record of all work undertaken under paragraph (a).

29. METERING, MEASURING AND REPORTING

- 29.1 The storage manager must:
- (a) establish and maintain accounts of:
 - (i) the water stored and water flows in the Wimmera-Mallee system headworks; and

- (ii) water allocated to entitlement holders and the water taken by them;
 - (b) allow entitlement holders to inspect the accounts on request.
- 29.2 The storage manager must, on request:
- (a) assist entitlement holders to update their metering programs to demonstrate compliance with their bulk entitlements to water in the Wimmera-Mallee system headworks; and
 - (b) provide entitlement holders with access to operational data for the Wimmera-Mallee system headworks to enable them to meet their reporting obligations under their entitlements.

30. KEEPING FINANCIAL ACCOUNTS

The storage manager must:

- (a) establish and maintain an account to identify the costs of undertaking the storage manager functions;
- (b) by 31 March in any year, provide entitlement holders with an estimate of their share of the amounts payable for undertaking the storage manager functions in the ensuing year; and
- (c) allow entitlement holders to inspect the account on request.

31. REVIEW OF THE STORAGE MANAGER OBLIGATIONS IN PART 7 OF THIS ORDER

- 31.1 An entitlement holder may submit a proposal to the water Minister to consider changes to the storage manager obligations in clauses 23 to 30 of this Order.
- 31.2 In preparing a proposal under sub-clause 31.1, the entitlement holder must:
- (a) appoint a person to conduct the review with the agreement of the other entitlement holders and the storage manager;
 - (b) pay the cost of the review unless the other entitlement holders and the storage manager agree otherwise; and
 - (c) consult with the other entitlement holders and the storage manager.
- 31.3 The proposal in sub-clause 31.1 must include:
- (a) justification for the proposal; and
 - (b) the views of the other entitlement holders and the storage manager on the outcome of the review.
- 31.4 The water Minister may:
- (a) accept the proposal and amend clauses 23 to 30 in the Order in accordance with the Act; or
 - (b) require the entitlement holder to submit an amended proposal to the water Minister; or
 - (c) not accept the proposal.'

Amendment of Schedule 5

8. In Schedule 5 of the Bulk Entitlement Order, for the words 'Mt Cole Creek' substitute 'Spring Creek'.

Insertion of new Schedule 6

9. Immediately following Schedule 5 of the Bulk Entitlement Order, **insert** the following new Schedule –

‘ SCHEDULE 6 – RESERVE RULE**1. PURPOSE**

The purpose of this Schedule is to define the reserve rule the storage manager must apply when determining the resources that could be diverted from the Wimmera-Mallee system in paragraph **Error! Reference source not found.** of Schedule 2 of this Order.

2. RESERVE RULE

2.1 The storage manager may develop a rule for calculating the volume of reserve or amend an existing reserve rule.

2.2 The objectives of the reserve rule developed or amended in paragraph 2.1 of this Schedule are to:

- (a) maintain the security of supply of water to entitlement holders; and
- (b) in the event of a very dry year occurring within the planning horizon of at least two years, provide enough system operating water to allow the storage manager to supply water to primary entitlement holders from the Wimmera-Mallee system.

2.3 Before the reserve rule developed or amended in paragraph 2.1 of this Schedule can be included in the storage management rules prepared or updated under Clause 25 of this Order, the storage manager must:

- (a) provide all entitlement holders with a written report on the justification for the rule, including:
 - (i) the impact on the reliability of supply for each entitlement holder; and
 - (ii) the impact on environmental flows;
- (b) obtain the agreement of all entitlement holders to the rule.

3. DEFAULT RESERVE RULE

Until a reserve rule has been developed under paragraph 2 of this Schedule, the storage manager must adopt the default rule described in the following steps:

- (a) The reserve volume to be used depends on the volume of available water as shown in Table 1 below.
- (b) At the start of the year, the reserve volume to be used is shown in the column ‘Starting reserve’ in Table 1 below.
- (c) After the start of the year, the allocation must not be increased until the reserve volume is equal to the value shown in the column ‘Target reserve’ in Table 1 below.
- (d) Once the target reserve volume has been reached, any increase in water resources is to be used to increase the volume of available water.
- (e) The volume of available is increased until it equals the next highest level in Table 1 associated with a new target reserve, and the steps should be re-applied starting with step (c).

Column in Table 1 of Schedule 2	Available Water (ML)	Reserve Volume (ML)	
		Starting Reserve	Target Reserve
A	126,050	94,500	94,500
B	98,050	45,000	94,500
C	75,971	15,000	45,000
D	53,459	0	15,000
E, F	0 to 53,459	0	0

Notes to table:

- (i) The method for calculating available water is set out in paragraph 3 of Schedule 3.
- (ii) If the volume of available water is greater than shown for column A, the reserve is equal to the volume shown in column A.
- (iii) If the volume of available water is between any two rows, the reserve is taken to be the volume associated with the lower of the two rows. For example, if the available water is 70,000 ML (between columns C and D), the starting reserve is 0 ML and the target reserve is 15,000 ML.
- (iv) The calculation in Note (iii) is to be rounded to the nearest whole number. ’

Dated 21 December 2021

HON. LISA NEVILLE MP
Minister for Water

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