

Victoria Government Gazette

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#### Water Act 1989

BULK ENTITLEMENT (EILDON–GOULBURN WEIR) FURTHER AMENDMENT ORDER 2021

I, Richard Wynne MP, Acting Minister for Water, and the acting Minister administering the Water Act 1989 make the following Order -

#### CITATION

1. This Order may be cited as the Bulk Entitlement (Eildon–Goulburn Weir) Further Amendment Order 2021.

#### **EMPOWERING PROVISION**

2. This Order is made under section 44 of the Water Act 1989.

#### COMMENCEMENT

3. This Order comes into operation on the date it is published in the Victoria Government Gazette.

#### DEFINITIONS

4. In this Order:

'Act' means the Water Act 1989;

**'Bulk Entitlement Order'** means the Bulk Entitlement (Eildon–Goulburn Weir) Conversion Order 1995;

'this Order' means this Bulk Entitlement (Eildon–Goulburn Weir) Further Amendment Order 2021.

#### AMENDMENTS TO THE BULK ENTITLEMENT ORDER

5. I amend the Bulk Entitlement Order as follows:

#### Amendments to Definitions in Clause 4

- 6. In the definitions in clause 4 of the Bulk Entitlement Order:
  - (a) after the definition of 'cap model' **insert**:

' "Census Date" means the date determined by the Deputy Secretary, Water and Catchments, Department of Environment, Land, Water and Planning in October 2021 for the purpose of determining an Eligible Delivery Share Holder;' and

- (b) after the definition of 'dead storage' insert:
   "delivery share" means the right to the service of having water delivered under section 222(1)(a) of the Act;' and
- (c) after the definition of 'distribution loss' **insert**:

<sup>c</sup> "Eligible Delivery Share Holder" means the owner or occupier of a serviced property in one of the gravity fed irrigation districts of the GMID who holds a delivery share on the Census Date and who is charged an infrastructure access fee;' and

(d) after the definition of 'entitlement holder' **insert**:

"GL" means gigalitres. 1 GL equals 1000 megalitres;" and

(e) after the definition of 'Goulburn Component of GMID' insert:

**'"Goulburn Irrigators' Share"** means the Trading Zone 1A (Greater Goulburn) and Trading Zone 1B (Boort) Goulburn portion of the volume of long-term water recovery from NVIRP Stage 1 that is to be converted to water shares for the benefit of Eligible Delivery Share Holders based on the overall distribution of delivery shares in the

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gravity fed irrigation district of the GMID and those for Trading Zone 1A (Greater Goulburn) and Trading Zone 1B (Boort);

**"Goulburn Irrigators' Share Account"** means the account administered by the Authority appointed under section 64GA of the Act in accordance with clause 6 of Schedule 3 that records the volume of water that would have been allocated if the water shares associated with the Goulburn Irrigators' Share were issued on 1 July 2021;

**"Goulburn Lower Broken Creek Irrigators' Share Account"** means the account administered by the Authority appointed under section 64GA of the Act in accordance with clause 7 of Schedule 3 that records the volume of water that would have been allocated if the water shares associated with the Lower Broken Creek Irrigators' Share were issued on 1 July 2021;' and

(f) after the definition of 'Goulburn Offset Account' insert:

<sup>c</sup> "Goulburn Offset Distribution Account" means the account administered by Goulburn–Murray Water that records the volume of water from the Goulburn Offset Account once Goulburn–Murray Water has determined in accordance with clause 5 of Schedule 3 that the water in the Goulburn Offset Account is surplus to needs' and

(g) after the definition of 'high reliability entitlements' insert:

"**"infrastructure access fee**" means the fee that is based on the amount of ML per day of delivery share held by a person to recover most of the cost for operating, maintaining and renewing the delivery network within each irrigation district;

**"irrigators' share"** means the 75 GL of long-term average annual yield water recovery achieved by NVIRP Stage 1, plus any additional water recovery determined by the Minister for Water, to be converted to water shares for the benefit of Eligible Delivery Share Holders;' and

(h) after the definition of 'Loddon System' insert:

"**Lower Broken Creek Additional Entitlements**" means the water shares issued in Trading Zone 6B (Lower Broken Creek) as a result of the distribution of the irrigators' share;

**"Lower Broken Creek Entitlements"** means all water shares and bulk entitlements held in trading Zone 6B (Lower Broken Creek) excluding the Lower Broken Creek Additional Entitlements;

**"Lower Broken Creek Irrigators' Share"** means the trading Zone 6B (Lower Broken Creek) portion of the volume of the long-term water recovery from NVIRP Stage 1 that is to be converted to water shares for the benefit of Eligible Delivery Share Holders based on the overall distribution of delivery shares in the gravity fed irrigation districts of the GMID and those for Trading Zone 6B (Lower Broken Creek);' and

- (i) after the definition of 'Mitigation Water Operating Arrangements' insert:
  - "ML" means megalitre. 1 ML equals a million litres; and
- (j) for the definition of 'NVIRP' **substitute**:

<sup>c</sup> "**NVIRP**" means the Northern Victoria Irrigation Renewal Project, also known as the Connections Project, which was a major irrigation modernisation project aiming to generate long-term annual average water savings of 429 GL by upgrading irrigation infrastructure in the GMID. NVIRP was divided into two stages referred to as NVIRP Stage 1 and NVIRP Stage 2; and

(k) after the definition of 'useful inflow' insert:

"Victorian Water Register" has the same meaning as 'water register' in the Act;'.

#### Amendment to Clause 7A

7. Clause 7A.5 of the Bulk Entitlement Order is **revoked.** 

#### **Insertion of New Clause 7B**

8. After clause 7A.4 of the Bulk Entitlement Order, insert new clause 7B:

#### **'7B** SAVINGS OF DISRIBUTION LOSSES ASSOCIATED WITH NVIRP

- 7B.1 Where modernisation savings are achieved as a result of NVIRP, the Authority must follow the procedure detailed in clause 5 of Schedule 3 for estimating, accounting, reserving and allocating these modernisation savings.
- 7B.2 Until the full volume of the Goulburn Irrigators' Share Account has been converted to water shares, the Authority appointed under section 64 GA of the Act must follow the procedure detailed in clause 6 of Schedule 3 for estimating, accounting, reserving and deducting water in the Goulburn Irrigators' Share Account.
- 7B.3 Until the full volume of the Goulburn Lower Broken Creek Irrigators' Share Account has been converted to water shares, the Authority appointed under section 64 GA of the Act must follow the procedure detailed in clause 7 of Schedule 3 for estimating, accounting, reserving and deducting water in the Lower Broken Creek Irrigators' Share Account.'.

#### Amendments to Schedule 1

- 9. In Schedule 1 to the Bulk Entitlement Order
  - (a) **substitute** Table 3:

'Table 3 Entitlements originally issued in respect of the Goulburn System which have been cancelled and issued in respect of another system

Bulk obligation to supply other water systems	s, arising from legacy exchange rate trade
From Zone 1A to Victorian Murray (zone 7)	84,110.0
From Zone 1A to South Australia	11,063.0
From Zone 3 to Victorian Murray (zone 7)	4,212.0
From Zone 3 to South Australia	103.0

These volumes can change as a result of trade. The information in this Table is current as of 1 January 2021 and does not take into account any trade of water shares that may have occurred after this date. Up to date records of the obligation to supply other systems from the Goulburn System are maintained by the Authority and are updated in this Schedule from time to time.'

(b) For Table 5 substitute –

of GMID	T me Durrician (CT). for ellocation in line with marinum delivership volume during the concer
Component of	
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volume within the Goulburn	
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n loss provision compared to delivery v	for allow
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s provisio	
bution los	
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Irrigation Area	Type	Loss Pr	ovision (G	L), for all	location in	ı line with	maximur	Loss Provision (GL), for allocation in line with maximum deliverable volume during the season	le volume d	uring the se	eason	
Shepparton	Delivery:	0.000	17.591	35.182	61.569	87.956	123.138	175.911	211.094	255.072	316.641	351.823
(zone 1A)	Loss:	19.358	22.112	24.865	28.995	33.124	38.631	46.890	52.397	59.280	68.916	74.422
Central	Delivery: 0.000	0.000	37.300	74.600	130.550	130.550 186.500 261.100 373.001	261.100	373.001	447.601	540.851	671.401	746.001
Goulburn (zone 1A)	Loss:	28.992	32.570	36.149	41.516	46.883	54.040	64.775	71.931	80.877	93.401	100.558
Rochester	Delivery: 0.000	0.000	39.717	79.434	139.009	198.584	278.018	397.169	476.603	575.895	714.904	794.338
and Loddon Valley (zone 1A and 1B)	Loss:	35.121	38.043	40.965	45.348	49.731	55.575	64.341	70.185	77.490	87.717	93.561
Loss Provision (GL)	ion (GL)	83.471	92.725	101.978	115.859	$101.978 \   115.859 \   129.739 \   148.246 \   176.006$	148.246	176.006	194.513	217.647	250.034	268.541
Total Diversion (delivery plus loss in GL)	sion 1s loss in	83.471	187.333	291.195	446.987	602.779	810.502	187.333         291.195         446.987         602.779         810.502         1,122.087         1,329.810         1,589.464         1,952.980         2,160.703	1,329.810	1,589.464	1,952.980	2,160.703
Note: loss provisions may be allocated at	ss provisions may be allocated at diffe		lifferent deliv	ery volumes	than shown i	n Table 5 by	linear interpo	different delivery volumes than shown in Table 5 by linear interpolation or extrapolation.	polation.'			

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(c) For Table 6 substitute -

'Table 6: Annual and Cumulative headroom allowances (GL)

Irrigation Area Shepparton (zone 1A) Central Goulburn (zone 1A) Rochester and Loddon Valley (zone 1A and 1B)	Fixed Loss 19.358 28.992 35.121	Annual Headroom 3.872 5.798 7.024	Cumulative Headroom 15.367 24.274 28.183
Total Goulburn Component of GMID	83.471	16.694	67.823

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#### Amendments to Schedule 3

- 10. In Schedule 3 to the Bulk Entitlement Order:
  - (a) for item Number 1 **substitute**:
- 4

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1	Goulburn–Murray Rural Water Corporation – Lower Broken Creek System – Lower Broken Creek Entitlements	Supplementary supplies from the Goulburn system via the Shepparton Irrigation Area up to 40,000 ML each year (during the irrigation season) to meet the Lower Broken Creek Entitlements.
		The supplementary supply volume varies with the Goulburn seasonal determination.
		The Bulk Entitlement (River Murray – Goulburn Murray Water) Conversion Order 1999 must supply up to 40,000 ML to meet any shortfall in supply when the Goulburn seasonal determination is lower than the River Murray seasonal determination.

'; and

(b) after item 1 **insert** new item 1a:

la	Goulburn–Murray Rural Water Corporation – Lower Broken Creek System – Lower Broken Creek Additional Entitlements	A supply from the Goulburn System via the Shepparton Irrigation Area of up to 1,021 ML each year, aligned to seasonal determinations in the Goulburn system, to meet the high-reliability water share component of the Lower Broken Creek Additional Entitlement.
		The Bulk Entitlement (River Murray – Goulburn Murray Water) Conversion Order 1999 must supply up to 1,021 ML to meet any shortfall in supply when the Goulburn seasonal determination is lower than the River Murray seasonal determination.

'; and

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#### (c) for item 5 **substitute**:

5	Goulburn– Murray		ocedure for estimating, accounting, reserving and allocating gross ernisation savings as a result of NVIRP.
	Rural Water Corporation – NVIRP	mode	year until the completion of NVIRP and all resulting gross rnisation savings have been converted to new entitlements, Goulburn– ay Water must:
	Stage 1 and NVIRP	5.1	On 30 June, carry over all of the unused volume in the Modernisation Savings Account into the next year.
	Stage 2 gross modernisation savings	5.2	Estimate the total volume of gross modernisation savings to be achieved from NVIRP Stage 1 and NVIRP Stage 2 during the year that have not been issued as entitlement to a beneficiary of the project in accordance with the Protocol.
		5.3	Adjust the volume in the Modernisation Savings Account during the year as necessary based on revised estimates of gross modernisation savings to be achieved in the current year.
		5.4	If mitigation water is available in accordance with the approved Mitigation Water Operating Arrangements, the mitigation water must be allocated from the Modernisation Savings Account to the Environmental Entitlement (Goulburn System – NVIRP Stage 1) 2012.
		5.5	Once the Audit is published, make any final adjustment to the volume in the Modernisation Savings Account required and then deduct from the volume in the Modernisation Savings Account the total volume of audited savings from the previous year and allocate it as follows:
			i one-third share of the total audited phase 3 water savings attributed to NVIRP Stage 1 to the Melbourne Bulk Entitlements collectively; and ii one-third share of the total audited phase 3 water savings attributed
		5.6	to NVIRP Stage 1 to the Goulburn Offset Account until June 2022. Deduct from the Goulburn Offset Account, as required during the year whenever a seasonal determination is made, the equivalent volume of water that was allocated in the current year to any water shares issued to the CEWH from NVIRP Stage 2 in the Goulburn system.
		5.7	Determine when the impacts associated with the issue of water shares in the Goulburn and Murray systems to the CEWH from NVIRP Stage 2 have been fully mitigated, then inform the Executive Director, Water Resource Strategy, Department of Environment, Land, Water and Planning, of the volume of surplus water remaining in the Goulburn Offset Account.
		5.8	Allocate the volume determined in sub-clause 5.7 of this Schedule to the Goulburn Offset Distribution Account.
		5.9	On 30 June, carry over any unused water in the Goulburn Offset Account, minus 5% for evaporative losses unless, as a result of sub- clause 5.6 of this Schedule, the balance in the account is negative.
		5.10	Report to the Executive Director, Water Resource Strategy, Department of Environment, Land, Water and Planning, the accounting method and volumes of water reserved and allocated under clause 5 of this Schedule by 1 April each year, or within 14 days of a request by the Executive Director.

'; and

(d) after item 5 **insert** new items 6 and 7:

6	Goulburn– Murray	6. Procedure for estimating, accounting, reserving and deducting water from the Goulburn Irrigators' Share Account
	Rural Water Corporation	6.1 Until the full volume of the Goulburn Irrigators' Share has been converted to water share, the Authority appointed under section 64 GA of the Act
	Goulburn	must:
	Irrigators' Share Account	A. On 1 July and for each subsequent seasonal determination in the year as required,
		i. determine the total volume of high-reliability and low- reliability water shares associated with the Goulburn Irrigators' Share that have not yet been issued; and
		<ul> <li>ii. reserve in the Goulburn Irrigators' Share Account water equal to the percentage determined under section 64GB(8) of the Act for the seasonal determination of the volume determined in sub-paragraph A(i) of sub-clause 6.1 of this Schedule for high-reliability and low-reliability water shares at that time.</li> </ul>
		B. Upon the issue of water shares to Eligible Delivery Share Holders, make an adjustment to the volume in the Goulburn Irrigators' Share Account by deducting from the account the volume equivalent to the percentage, determined under section 64GB(8) of the Act, of the maximum volume of high-reliability and or low-reliability water shares.
		C. Upon the issue of a water share associated with the Murray Irrigators' Share, allocate to that share the corresponding volume of water that was deducted from the Goulburn Irrigators' Share Account in paragraph B of sub-clause 6.1 of this Schedule in proportion to the volume of the share.
		6.2 Any water remaining in the Goulburn Irrigators' Share Account at the end of the year cannot be carried over.
		6.3 At the end of the 2022–23 year if there is water remaining in the Goulburn Irrigators' Share Account which represents water not issued to an Eligible Delivery Share Holder then Goulburn–Murray Water may apply to the Minister for Water to convert the remaining volume to water shares held by Goulburn–Murray Water.

7	Goulburn– Murray		edure for estimating, accounting, reserving and deducting water e Goulburn Lower Broken Creek Irrigators' Share Account
	Rural Water Corporation		l the full volume of the Lower Broken Creek Irrigators' Share has converted to water shares, the Authority appointed under section 64
	Goulburn	GA	of the Act must:
	Lower Broken Creek	А.	On 1 July and for each subsequent seasonal determination in the year as required,
	Irrigators' Share Account		i. determine the volume of high-reliability water shares associated with the Lower Broken Creek Irrigators' Share that that has not yet been issued; and
			ii. reserve in the Goulburn Lower Broken Creek Irrigators' Share Account a volume of water equal to the percentage determined under section 64GB(8) of the Act for the seasonal determinations determined in sub-paragraph A(i) of sub-clause 7.1 of this Schedule for high-reliability water shares at that time.
		B.	Upon the issue of water shares associated with the Lower Broken Creek Irrigators' Share make an adjustment to the volume in the Goulburn Lower Broken Creek Irrigators' Share Account by deducting from the account the volume equivalent to the percentage, determined under section 64GB(8) of the Act, of the maximum volume of high-reliability water shares.
		C.	Upon the issue of a water share associated with the Lower Broken Creek Irrigators' Share Account allocate to that share the corresponding volume of water that was deducted from the Goulburn Lower Broken Creek Irrigators' Share Account in paragraph B of sub-clause 7.1 of this Schedule.
		Cree	water remaining unissued water in the Goulburn Lower Broken k Irrigators' Share Account at the end of the water year cannot be ed over.
		Low not i Wate	he end of the 2022–23 year if there is water remaining in the Goulburn er Broken Creek Irrigators' Share Account which represents water ssued to an Eligible Delivery Share Holder then Goulburn–Murray er may apply to the Minister for Water to convert the remaining me to water shares held by Goulburn–Murray Water.

#### Amendment to Schedule 8

- 11. In Schedule 8 of the Bulk Entitlement Order, in B:
  - (a) after the words 'Lake Eildon and Goulburn Weir for' insert the word 'the'; and
  - (b) after the words 'allocation assessment date if' **insert** the words 'seasonal determinations are'.

Dated 27 June 2021

HON RICHARD WYNNE MP Acting Minister for Water

#### Water Act 1989

#### BULK ENTITLEMENT (RIVER MURRAY – GOULBURN–MURRAY WATER) AMENDMENT ORDER 2021

I, Richard Wynne MP, Acting Minister for Water, and as the acting Minister administering the Water Act 1989 make the following Order –

#### CITATION

1. This Order may be cited as the Bulk Entitlement (River Murray – Goulburn–Murray Water) Amendment Order 2021.

#### **EMPOWERING PROVISION**

2. This Order is made under section 44 of the Water Act 1989.

#### COMMENCEMENT

3. This Order comes into operation on the date it is published in the Victoria Government Gazette.

#### DEFINITIONS

- 4. In this Order:
  - 'Act' means the Water Act 1989;

**'Bulk Entitlement Order'** means the Bulk Entitlement (River Murray – Goulburn–Murray Water) Conversion Order 1999;

**'this Order'** means this Bulk Entitlement (River Murray – Goulburn–Murray Water) Amendment Order 2021.

#### AMENDMENTS TO THE BULK ENTITLEMENT ORDER

5. I amend the Bulk Entitlement Order as follows:

#### Amendments to Definitions in Clause 4

- 6. In the definitions in clause 4 of the Bulk Entitlement Order:
  - (a) after the definition of 'cap model' insert:

"**Census Date**" means the date determined by the Deputy Secretary, Water and Catchments, Department of Environment, Land, Water and Planning in October 2021 for the purpose of determining an Eligible Delivery Share Holder;

"delivery share" means the right to the service of having water delivered under section 222(1)(a) of the Act, at specified volumes during specified periods as determined under section 223 of the Act;' and

(b) after the definition of 'Doctor's Point' **insert**:

"**Eligible Delivery Share Holder**" means the owner or occupier of a serviced property in one of the irrigation districts of the GMID who holds a delivery share on the Census Date and who is charged an infrastructure access fee;' and

(c) after the definition of 'Goulburn–Murray Water' insert:

""GMID" means the Goulburn Murray Irrigation District;" and

(d) after the definition of 'high reliability entitlements' insert:

"infrastructure access fee" means the fee that is based on the amount of ML per day of delivery share held by a person to recover most of the cost for operating, maintaining and renewing the delivery network within each irrigation district;

**"irrigators' share"** means the 75 GL of long-term average annual yield water recovery achieved by NVIRP Stage 1, plus any additional water recovery determined by the Minister for Water, to be converted for the benefit of Eligible Delivery Share Holders;' and

(e) after the definition of 'licence' **insert**:

"Lower Broken Creek Additional Entitlements" means the water shares issued in Trading Zone 6B (Lower Broken Creek) as a result of the distribution of the irrigators' share;

**"Lower Broken Creek Entitlements"** means all water shares and bulk entitlements held in Trading Zone 6B (Lower Broken Creek) excluding the Lower Broken Creek Additional Entitlements;

**"Lower Broken Creek Irrigators' Share"** means the trading Zone 6B (Lower Broken Creek) portion of the volume of the long-term water recovery from NVIRP Stage 1 that is to be converted to water shares for the benefit of Eligible Delivery Share Holders based on the overall distribution of delivery shares in the gravity fed irrigation districts of the GMID and those for Trading Zone 6B (Lower Broken Creek);'

(f) after the definition of 'modernisation works' **insert**:

<sup>•</sup> "**Murray Irrigators' Share**" means the Trading Zone 6 (VIC Murray – Dart to Barmah) and Trading Zone 7 (VIC Murray – Barmah to SA) Murray portion of the volume of long-term water recovery from NVIRP Stage 1 that is to be converted to water shares for the benefit of Eligible Delivery Share Holders based on the overall distribution of delivery shares in the gravity fed irrigation district of the GMID and those for Trading Zone 6 (VIC Murray – Dart to Barmah) and Trading Zone 7 (VIC Murray – Barmah to SA);

**"Murray Irrigators' Share Account"** means the account administered by the Authority appointed under section 64 GA of the Act in accordance with clause 5 of Schedule 5 that records the volume of water that would have been allocated if the water shares associated with the Murray Irrigators' Share were issued on 1 July 2021;

**"Murray Lower Broken Creek Irrigators' Share Account"** means the account administered by the Authority appointed under section 64 GA of the Act in accordance with clause 6 of Schedule 5 that records the volume of water that would have been allocated if the water shares associated with the Lower Broken Creek Irrigators' Share were issued on 1 July 2021;' and

(g) after the definition of 'Murray Offset Account' insert:

"**"Murray Offset Distribution Account"** means the account administered by Goulburn–Murray Water that records the volume of water from the Murray Offset Account once Goulburn–Murray Water has determined in accordance with clause 4 of Schedule 5 that the water in the account is surplus to needs;' and

(h) for the definition of 'NVIRP' **substitute**:

"**"NVIRP"** means the Northern Victoria Irrigation Renewal Project, also known as the Connections Project, which was a major irrigation modernisation project aiming to generate long-term annual average water savings of 429 GL by upgrading irrigation infrastructure in the GMID. NVIRP was divided into two stages referred to as NVIRP Stage 1 and NVIRP Stage 2;"

(i) after the definition of 'Victoria's River Murray Water Accounts' insert:

"**Victorian Water Register**" has the same meaning given to 'water register' in section 3(1) of the Act;' and

(j) in the definition of 'Water Holder' for 'act' substitute 'Act'.

#### Amendment to clause 6 of the Bulk Entitlement Order

- 7. For clause 6.1 (d) of the Bulk Entitlement Order **substitute**:
  - '(d) up to 40 GL to cover any shortfall in supply from the Goulburn system to the Lower Broken Creek Entitlements and up to 1,021 ML to cover any shortfall in supply from the Goulburn system to the high-reliability Lower Broken Creek Additional Entitlements when Goulburn seasonal determinations are lower than River Murray seasonal determinations. '

- 8. After clause 6.1(d) of the Bulk Entitlement Order insert:
  - '(e) up to 610 ML to the low-reliability component of the Lower Broken Creek Additional Entitlements.'.

#### Amendment to clause 8 of the Bulk Entitlement Order

- 9. For clause 8.1(c)(ii) and clause 8.1(c)(iii) substitute:
  - <sup>(</sup>(ii) up to 40 GL to cover the shortfall in supply from the Goulburn system to the Lower Broken Creek Entitlements and up to 1,021 ML to cover any shortfall in supply from the Goulburn system to the high-reliability Lower Broken Creek Additional Entitlements when Goulburn seasonal determinations are lower than River Murray seasonal determinations;
  - (iii) any water carried over from the previous year by persons holding an entitlement specified in clause 15; and'.
- 10. After clause 8.1(c)(iii) **insert:** 
  - '(iv) up to 610 ML for the low-reliability component of the Lower Broken Creek Additional Entitlements;'.

#### Amendments to clause 12 of the Bulk Entitlement Order

- 11. (1) For clause 12(d) in the Bulk Entitlement Order substitute;
  - '(d) must subtract the following not covered in Schedule 1:
    - (i) any gross modernisation savings reserved in accordance with clause 4 of Schedule 5;
    - (ii) any water that is reserved in the Murray Irrigators' Share Account in accordance with clause 5 of Schedule 5; and
    - (iii) any water that is reserved in the Murray Lower Broken Creek Irrigators' Share Account in accordance with clause 6 of Schedule 5;' and
  - (2) For paragraph (h)(iii) **substitute**:
    - '(iii) supply to the Lower Broken Creek Entitlements and the Lower Broken Creek Additional Entitlements;'.

#### Amendments to clause 13 of the Bulk Entitlement Order

- 12. (1) Clause 13.1 is **revoked.** 
  - (2) In clause 13.2(a) for sub-paragraphs (i) and (ii) **substitute**:
    - '(i) for Murray Valley, 15% of the allowance in Schedule 1 corresponding to the final seasonal determination for that year;
    - (ii) for Torrumbarry, 15% of the allowance in Schedule 1 corresponding to the final seasonal determination for that year;'.
  - (3) In clause 13.2(c) for sub-paragraph (ii) substitute:
    - '(ii) for Torrumbarry, 100 GL;'.
  - (4) For clause 13.3 **substitute**:
    - '13.3 Goulburn–Murray Water in conjunction with other River Murray entitlement holders must review the provisions of this clause five years after the distribution of all entitlements from NVIRP. This review should include a review of the Victorian Mid-Murray Storage losses.'.
  - (5) After clause 13.3 **insert** 
    - '13.4 In any year where Goulburn–Murray Water has identified that losses in Schedule 1 and sub-clause 13.2 are insufficient to meet all the loss requirements then Goulburn–Murray Water may request a temporary variation to sub-clause 13.2 from the Minister after informing holders of River Murray bulk entitlement.'.

#### Amendment to clause 15 of the Bulk Entitlement Order

- 13. For clause 15.4 **substitute**:
  - '15.4 For the purposes of clause 15.1 water taken under this bulk entitlement for the purpose of supplying a primary entitlement includes water made available from water savings and which is supplied or used in accordance with clauses 18 and 18A.'.

#### Amendment to clause 18 of the Bulk Entitlement Order

- 14. In clause 18.1(b) for 'act' substitute 'Act';
- 15. For clause 18.1(c) substitute:
  - (c) Goulburn–Murray Water may issue water shares under section 33F of the Act if the Authority has been appointed a delegate of the Minister for that purpose and in each case the transfer or conversion must be in accordance with the provisions of this clause and clause 18A.'.
- 16. For clause 18.10 **substitute**:
  - '18.10 Where the savings are achieved as a result of NVIRP the provisions of clause 18A apply.'.

#### Insertion of new clause 18A in the Bulk Entitlement Order

17. After clause 18 insert:

#### '18A. SAVINGS OF DISTRIBUTION LOSSES ASSOCIATED WITH NVIRP

- 18A.1 Where modernisation savings are achieved as a result of NVIRP, Goulburn–Murray Water must follow the procedure detailed in clause 4 of Schedule 5 for estimating, accounting, reserving and allocating these modernisation savings.
- 18A.2 Until the full volume of the Murray Irrigators' Share has been converted to water shares, the Authority appointed under section 64 GA of the Act must follow the procedure detailed in clause 5 of Schedule 5 for estimating, accounting, reserving and deducting water in the Murray Irrigators' Share Account.
- 18A.3 Until the full volume of the Murray Lower Broken Creek Irrigators' Share has been converted to water shares, the Authority appointed under section 64 GA of the Act must follow the procedure detailed in clause 6 of Schedule 5 for estimating, accounting, reserving and deducting water in the Murray Lower Broken Creek Irrigators' Share Account.'.

			linhiliter			Off-take co	Off-take commitments for high-reliability seasonal determinations of	for high-relis	ability seasc	nal determi	nations of			Historic at
ő	User group	Entitlem		10%	20%	30%	40%	50%	%09	%02	80%	%06	100%	farm for allowed loss
		151.077	At farm	15.108	30.215	45.323	60.431	75.539	90.646	105.754	120.862	135.970	151.077	246.072
	Murray Valley		Losses	28.184	30.050	31.916	33.781	35.647	37.513	39.379	41.245	43.111	44.977	56.710
				43.291	60.265	77.239	94.212	111.186	128.160	145.133	162.107	179.081	196.054	302.782
		229.498	At farm	22.950	45.900	68.849	91.799	114.749	137.699	160.649	183.599	206.548	229.498	357.427
	Torrumbarry		Losses	41.498	43.332	45.167	47.001	48.835	50.670	52.504	54.338	56.172	58.007	68.232
Goulburn-				64.448	89.232	114.016	138.800	163.584	188.368	213.153	237.937	262.721	287.505	425.659
Murray		8.247	At farm	0.825	1.649	2.474	3.299	4.124	4.948	5.773	6.598	7.422	8.247	
Water	Nyah		Losses	0.500	0.500	0.500	0.500	0.500	0.500	0.500	0.500	0.500	0.500	
				1.325	2.149	2.974	3.799	4.624	5.448	6.273	7.098	7.922	8.747	
	Diverters, Dartmouth-Nyah	54.992		5.499	10.998	16.498	21.997	27.496	32.995	38.494	43.993	49.493	54.992	
	Not associated with land	452.411		45.241	90.482	135.723	180.964	226.206	271.447	316.688	361.929	407.170	452.411	
	م ما الم ما المار م	125.635	At farm	12.564	25.127	37.691	50.254	62.818	75.381	87.945	100.508	113.072	125.635	
	diotuion		Losses	12.234	12.234	12.234	12.234	12.234	12.234	12.234	12.234	12.234	12.234	
	districts			24.798	37.361	49.925	62.488	75.052	87.615	100.179	112.742	125.306	137.869	
		0.714	At farm	0.071	0.143	0.214	0.286	0.357	0.428	0.500	0.571	0.643	0.714	
I MURW -	Millewa & Yelta		Losses	4.800	4.800	4.800	4.800	4.800	4.800	4.800	4.800	4.800	4.800	
Irrigation				4.871	4.943	5.014	5.086	5.157	5.228	5.300	5.371	5.443	5.514	
0	Diverters, Nyah- S.A.	202.380		20.238	40.476	60.714	80.952	101.190	121.428	141.666	161.904	182.142	202.380	
	Not associated with land	0.852		0.085	0.170	0.256	0.341	0.426	0.511	0.596	0.682	0.767	0.852	
	Other	0.535		0.054	0.107	0.161	0.214	0.268	0.321	0.375	0.428	0.482	0.535	
Grampians Water	Grampians Wimmera Mallee Water	3.492		0.349	0.698	1.048	1.397	1.746	2.095	2.444	2.794	3.143	3.492	
LMURW - Urban	Jrban	30.971		3.097	6.194	9.291	12.388	15.485	18.583	21.680	24.777	27.874	30.971	
Coliban Water	ter	5:055		0.506	1.011	1.517	2.022	2.528	3.033	3.539	4.044	4.550	5.055	
		1.230	Channel	0.123	0.246	0.369	0.492	0.615	0.738	0.861	0.984	1.107	1.230	
Goulburn V	Goulburn Vallev Water	3.607		0.361	0.721	1.082	1.443	1.804	2.164	2.525	2.886	3.246	3.607	
		0.128		0.013	0.026	0.038	0.051	0.064	0.077	0.090	0.102	0.115	0.128	
North East Water	Water	13.236		1.324	2.647	3.971	5.294	6.618	7.941	9.265	10.588	11.912	13.236	
Water	Flora & Fauna	29.609		2.961	5.922	8.883	11.844	14.804	17.765	20.726	23.687	26.648	29.609	
Holder	Snowy EWR	29.794		2.979	5.959	8.938	11.918	14.897	17.876	20.856	23.835	26.815	29.794	
5	Living Murray	9.589	River	0.959	1.918	2.877	3.836	4.795	5.753	6.712	7.671	8.630	9.589	
Exchange	South Australia	17.519	•••	1.752	3.504	5.256	7.008	8.760	10.511	12.263	14.015	15.767	17.519	
rate trade	NSW	5.075	L Hume	0.508	1.015	1.523	2.030	2.538	3.045	3.553	4.060	4.568	5.075	
Total		1,375.646		224.780	366.045	507.310	648.575	789.840	931.104	1,072.369	1,213.634	1,354.899	1,496.164	

Amendments to Schedule 1 to the Bulk Entitlement Order

18. For Table 1 in Schedule 1 substitute:

"Table 1: High-reliability Entitlements (GL)

13

						Off-take c	commitment	's for low reli	Off-take commitments for low reliability seasonal determinations of	nal determin	ations of			Historic at
SU	User group	Low Re Entitlem	Low Reliability Entitlements (GL)	10%	20%	30%	40%	50%	60%	%02	80%	%06	100%	farm for allowed loss
	Murray Valley	91.446	At farm	9.145	18.289 2.260	27.434 3 3 8 8	36.578 4 518	45.723 5.647	54.867 6 777	64.012 7 006	73.157 0.035	82.301 10.165	91.446 11 204	111.599 13 783
			LUSSES	10.274	20.548	<b>30.822</b>	41.096	51.370	61.644	71.918	82.192	92.466	102.740	125.382
	Torrumbarry	124.091	At farm	12.409	24.818	37.227	49.637	62.046	74.455	86.864	99.273	111.682	124.091	157.206
			Losses	0.992 <b>13.401</b>	1.984 <b>26.802</b>	2.975 <b>40.203</b>	3.967 <b>53.604</b>	4.959 <b>67.005</b>	5.951 <b>80.406</b>	6.943 <b>93.807</b>	7.935 107.208	8.926 <b>120.609</b>	9.918 <b>134.010</b>	12.565 <b>169.771</b>
Goulburn -Murray	Murray diverters	12.029		1.203	2.406	3.609	4.812	6.014	7.217	8.420	9.623	10.826	12.029	
Water	Mitta diverters	4.505		0.451	0.901	1.352	1.802	2.253	2.703	3.154	3.604	4.055	4.505	
				1.653	3.307	4.960	6.614	8.267	9.920	11.574	13.227	14.881	16.534	
	Not associated with land	60.948		6.095	12.190	18.284	24.379	30.474	36.569	42.663	48.758	54.853	60.948	
	Irrigation districts	0.402		0.040	0.080	0.121	0.161	0.201	0.241	0.281	0.322	0.362	0.402	
Lower Murray	Diverters, Nyah-S.A.	6.675		0.668	1.335	2.003	2.670	3.338	4.005	4.673	5.340	6.008	6.675	
Water	Not associated with land	0.000		0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	
Water	Living Murray	98.835		9.884	19.767	29.651	39.534	49.418	59.301	69.185 0.125	79.068	88.952	98.835	
Total	FIORA & FAUNA	3.816 402.747		0.382	0.753 84.792	1.145	1.52/ 169.584	211.980	254.376	2.6/1 296.772	3.053 339.168	3.435 381.564	3.816	
Off-take c	Off-take commitments for 100% high reliability entitlements	00% high	from Table 1	224.780	366.045	507.310	648.575	789.840	931.104	1,072.369	1,213.634	1,354.899	1,496.164	
	Total off-take commitments	mitments		267.176	450.837	634.498	818.159	1,001.819	1,185.480	1,369.141	1,552.802	1,736.462	1,920.123	
Notes on Ta 1. Seaso 2. Murray volume (á	Notes on Tables 1 and 2: 1. Seasonal determinations may be made in intervals of 1% by interpolation between the values shown or extrapolation below 10% (or above 100% for the losses), not just in the 10% intervals shown. 2. Murray Valley and Torrumbarry have fixed losses of 26.318 GL and 39.664 GL (including 0.352 GL for Tresco) respectively, plus two variable loss components (corresponding to historic at farm volumes from 2007 when unbundling occurred): (a) for high-reliability rights, variable loss varies from zero at zero allocation, increasing linearly to 30.392 GL for Murray Valley at historic (2007) at farm deliveries of 246.072 GL and to 28.568 (b) for high-reliability rights, variable loss varies from zero at zero allocation, increasing linearly to 13.733 GL for Murray Valley at historic (2007) at farm deliveries of 246.072 GL and to (c) for hombarry at historic (2007) at farm deliveries of 34.745 GL (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (c) hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (e) hombarry at historic (2007) at farm deliveries of 41.600 GL and to (d) for hombarry at historic (2007) at farm deliveries of 41.600 GL and to (e) hombarry at historic (2007) at farm deliveries of 41.600 GL and to (e) hombarry at historic (2007) at farm deliveries of 41.600 GL and to (e) hombarry at historic (2007) at farm deliveries of 41.600 GL and to (f) hombarry at historic (2007) at farm deliveries of 41.600 GL and to (f) hombarry at historic (2007) at farm deliveries of 40.600 GL and to (f	may be mac nbarry have unbundling ity rights, va arry at histo	de in interval fixed losses occurred): rirable loss v; rirc (2007) at	ls of 1% by int of 26.318 GL aries from zer	terpolation be and 39.664 - o at zero allo ss of 357.427	ttween the val GL (including cation, increa `GL.	0.352 GL for sing linearly	r extrapolatio Tresco) resp to 30.392 GL	n below 10% ectively, plus for Murray V¢	(or above 10) two variable alley at histori	יאר for the los oss compone c (2007) at fa מייר (2007) at	ses), not just ints (correspo rm deliveries	in the 10% ir anding to hist of 246.072 G	tervals shown. ric at farm L and to 28.568
3. Allocat	<b>_</b>	Torrumbarry naximum al	r at historic (2 llocation in e: th-reliability €	that historic loss variances inviticant at zon over an carbon, invitorant and invitor of the provident of th	deliveries of sulated as the ded to Table	157.206 GL; { seasonal de 1 in Novembe	and these los stermination ·	sees may be a t carryover).	ullocated as re smmenced wh	equired to deli hen the Lake	ver water can Boga-Lake K	ried over in th angaroo-Lake	ese irrigation Charm com	areas based of
Victoria	Victorian Mid-Murray Storages was first deemed by the Resource Manager to have been operated in accordance with clause 8A (which occurred on 1 April 2010).	ages was fir	rst deemed t	by the Resour	ce Manager t	o have been	operated in a	iccordance wi	th clause 8A (	(which occurr	ed on 1 April	2010).		

For Table 2 in Schedule 1 substitute: Table 2: Low-reliability Entitlements (GL) 19.

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#### Amendments to Schedule 3 to the Bulk Entitlement Order

- 19. In clause 3 of Schedule 3 to the Bulk Entitlement Order in the second line for 'paragraph' substitute 'clause'; and
- 20. In the **First Year Assessment from current month to end of May** of Schedule 3 to the Bulk Entitlement Order after the second dot point in L **insert**:
  - supplement to the Lower Broken Creek Entitlements (clause 8.1(c)(ii));
  - Lower Broken Creek Additional Entitlements (clause 8.1(c)(iii)).'.

Amendment to Schedule 4 to the Bulk Entitlement Order

21. In Schedule 4 to the Bulk Entitlement Order in the table headed '**Return Points**' in the Comment column for the Torrumbarry returns **substitute**:

'Calculation of Torrumbarry returns involves complex water accounting rules agreed with the MDBA. These rules are recorded in the Diversions Formula Register for the Murray Darling Basin which is established under paragraph 4(1)(b) to Schedule E of the Agreement.'.

#### Substitution of Schedule 5 to the Bulk Entitlement Order

22. For Schedule 5 to the Bulk Entitlement Order **substitute**:

#### **'SCHEDULE 5: Goulburn-Murray Water River Murray Entitlements**

#### 1. Goulburn–Murray Water Primary Entitlements

 Table 1 – Goulburn–Murray Water Primary Entitlements (except Lower Broken Creek)

DESCRIPTION OF ENTITLEMENT	NOMINAL VOLUME (ML) <sup>1</sup>
MURRAY VALLEY IRRIGATION DISTRICT (excluding Lower Broken Creek)	
High Reliability Water Shares	151,033.8
Low Reliability Water Shares	91,445.7
Supply by Agreement	43.6
Fixed loss allowance	26,317.8
Variable loss allowance – high reliability component	30,391.9
Variable loss allowance – low reliability component	13,783.3
TOTAL	313,016.1
TORRUMBARRY IRRIGATION AREA (including Tresco and Woorinen)	
High Reliability Water Shares	227,563.4
Low Reliability Water Shares	124,091.4
Supply by Agreement	1,934.8
Fixed loss allowance (Tresco)	352.0
Fixed loss allowance	39,311.7
Variable loss allowance – high reliability component	28,568.0
Variable loss allowance – low reliability component	12,565.0
TOTAL	434,386.3
NYAH IRRIGATION DISTRICT	
High Reliability Water Shares	8,196.6
Low Reliability Water Shares	0.0
Supply by Agreement	50.5
Fixed loss allowance	500.0
TOTAL	8,747.1
PRIVATE DIVERTERS	
Mitta Mitta Diverters	
High Reliability Water Shares	8,291.5
Low Reliability Water Shares	4,505.2
Murray Diverters	
High Reliability Water Shares	46,700.3
Low Reliability Water Shares	12,028.8
TOTAL	71,525.8
WATER SHARES NOT ASSOCIATED WITH LAND	
High Reliability Water Shares	452,411.0
Low Reliability Water Shares	60,947.5
TOTAL	513,358.5
TOTAL G-MW Primary Entitlements (excluding Lower Broken Creek)	1,341,033.8

#### Table 2 – Lower Broken Creek Primary Entitlement

Description of Entitlement	NOMINAL VOLUME (ML) <sup>1</sup>
G-MW PRIMARY ENTITLEMENTS	
High Reliability Water Shares	23,937.6
Low Reliability Water Shares	11,377.9
Supply by Agreement	4.3
Variable loss allowance - high reliability component	10,033.3
Variable loss allowance - low reliability component	4,424.7
TOTAL	49,777.8
OTHER PRIMARY ENTITLEMENTS	
Goulburn Valley Water Bulk Entitlement - Numurkah	1,206.0
Goulburn Valley Water Bulk Entitlement - Nathalia	652.0
Environmental Entitlement - Living Murray	3,014.6
Environmental Entitlement - Flora & Fauna High	173.5
Environmental Entitlement - Flora & Fauna Low	77.3
TOTAL	5,123.4
TOTAL Lower Broken Creek Primary Entitlements	54,901.2

Notes to tables 1 and 2

1. These tables do not show changes in water share volumes as a result of trade since 6 March 2015

2. These tables do not show water shares that were issued or cancelled since 6 March 2015

## Supply of water to holders of entitlements for taking from another water system (a) Entitlements issued in respect of the Murray water system

Description of Entitlement	Nominal Volume (ML) Comment
Arising from tagged trade	
from zone 6 (above Barmah)	
to NSW zone 10 A	0.0
to NSW zone 10 B	0.0
from zone 7 (below Barmah)	
to NSW zone 10A	0.0
to NSW zone 10 B	0.0
to NSW zone 11	0.0
to SA zone 12	0.0
Total	0.0

(b) Entitlements issued in respect of the Murray water system, which have been cancelled and issued in respect of another water system

Description of Entitlement	Nominal Volume (ML)	Comment		
Arising from exchange rate trade				
Net trade out from zone 7 (below Barmah) via pilot scheme				
to NSW (zone 11)	0.0			
to South Australia (zone 12)	2,775.0			
Net trade out via 2006/07 scheme with SA	;			
to SA from Goulburn zones	0.0			
to SA from zone 7	0.0			
Total	2,775.0			

3. Supply of water to holders of entitlements issued in respect of another water system for taking from the Murray water system

Description of Entitlement	Nominal Volume (ML) Comment			
Water may be taken into the Torrumbarry system to supply:				
Goulburn HR (zone 1A shares)	100.0			
NSW HR shares	200.0			
Water may be taken by direct diversion from the Murray to supply:				
Goulburn HR (zone 1A shares)	400.0			

Note: Details of primary entitlements is based on data relating to primary entitlements, including water rights, as at 04 June 07.

## 4. Procedure for estimating, accounting, reserving and allocating gross modernisation savings as a result of NVIRP

Each year until the completion of NVIRP and all resulting gross modernisation savings have been converted to new entitlements, Goulburn–Murray Water must:

- 4.1 On 30 June, carryover all of the unused volume in the Modernisation Savings Account into the next year.
- 4.2 Estimate the total volume of gross modernisation savings to be achieved from NVIRP Stage 1 and NVIRP Stage 2 during the year that have not been issued as entitlement to a beneficiary of the project in accordance with the Protocol.
- 4.3 On 1 July and every fortnight or month afterwards as required, adjust the procedure specified in clause 12 of this Order so that the estimate from sub-clause 4.2 of this Schedule, as varied under sub-clause 4.4 of this Schedule is reserved in the Modernisation Savings Account before making any seasonal determination.
- 4.4 Adjust the volume in the Modernisation Savings Account during the year as necessary based on revised estimates of gross modernisation savings to be achieved in the current year.
- 4.5 If mitigation water is available in accordance with the approved Mitigation Water Operating Arrangements, the mitigation water must be allocated from the Modernisation Savings Account to the Environmental Entitlement (River Murray NVIRP Stage 1) 2012.

- 4.6 Once the Audit is published, make any final adjustment to the volume in the Modernisation Savings Account required and then deduct from the volume in the Modernisation Savings Account the total volume of audited savings from the previous year and allocate it as follows:
  - (a) a one-third share of the total audited phase 3 water savings attributed to NVIRP Stage 1 to the Melbourne bulk entitlements collectively;
  - (b) a one-third share of the total audited phase 3 water savings attributed to NVIRP Stage 1 to the Murray Offset Account until 30 June 2022.
- 4.7 Deduct from the Murray Offset Account, as required during the year whenever a seasonal determination is made, the equivalent volume of water that was allocated in the current year to any water shares issued to the CEWH from NVIRP Stage 2 that are supplied from the River Murray.
- 4.8 Determine when the impacts associated with the issue of water shares in the Goulburn and Murray systems to the CEWH from NVIRP Stage 2 have been fully mitigated then inform the Executive Director of Water Resource Strategy of the Department of Environment, Land, Water and Planning of the volume of surplus water remaining in the Murray Offset Account.
- 4.9 Allocate the volume determined in sub-clause 4.8 of this Schedule to the Murray Offset Distribution Account.
- 4.10 On 30 June, carryover any unused water in the Murray Offset Account, minus 5% for evaporative losses unless, as a result of sub-clause 4.7 of this Schedule, the balance in the account is negative.
- 4.11 Report to the Executive Director, Water Resource Strategy of the Department of Environment, Land, Water and Planning the accounting method and volumes of water reserved and allocated under clause 4 of this Schedule by 1 April each year, or within 14 days of a request by the Executive Director.

## 5. Procedure for estimating, accounting, reserving and deducting water from the Murray Irrigators' Share Account

- 5.1 Until the full volume of the Murray Irrigators' Share has been converted to water shares, the Authority appointed under section 64 GA of the Act must:
  - A. On 1 July and for each subsequent seasonal determination as required;
    - i. determine the total volume of high-reliability and low-reliability water shares associated with the Murray Irrigators' Share that have not yet been issued; and
    - ii. reserve in the Murray Irrigators' Share Account a volume of water equal to the percentage determined under section 64GB(8) of the Act for the seasonal determination of the volume determined in sub-paragraph A(i) of sub-clause 5.1 of this Schedule for high-reliability and low-reliability water shares at that time.
  - B. Upon the issue of a water share associated with the Murray Irrigators' Share, make an adjustment to the volume in the Murray Irrigators' Share Account by deducting from the account the volume equivalent to the percentage, determined under section 64GB(8) of the Act, of the maximum volume of the high-reliability and or low-reliability water shares.
  - C. Upon the issue of a water share associated with the Murray Irrigators' Share, allocate to that share the corresponding volume of water that was deducted from the Murray Irrigators' Share Account in paragraph B of sub-clause 5.1 of this Schedule.

- 5.2 Any water remaining in the Murray Irrigators' Share Account at the end of the year cannot be carried over.
- 5.3 At the end of the 2022–23 year if there is water remaining in the Murray Irrigators' Share Account which represents water not issued to an Eligible Delivery Share Holder then Goulburn–Murray Water may apply to the Minister for Water to convert the remaining volume to water shares held by Goulburn–Murray Water.
- 6. Procedure for estimating, accounting, reserving and deducting water from the Murray Lower Broken Creek Irrigators' Share Account
  - 6.1 Until the full volume of the component of the Lower Broken Creek Irrigators' Share has been converted to water shares, the Authority appointed under section 64 GA of the Act must:
    - A. On 1 July 2021 and for each subsequent seasonal determination as required,
      - i. determine the total volume of high-reliability water share associated with the Lower Broken Creek Irrigators' Share that has not been issued;
      - ii. determine, if the Murray seasonal determinations are higher than the Goulburn seasonal determinations, the shortfall to supplying the high-reliability Lower Broken Creek Irrigators' Share that have not yet been issued at that time; and
      - iii. reserve in the Murray Lower Broken Creek Irrigators' Share Account a volume of water equal to the percentage under section 64GB(8) of the Act for the seasonal determination, of the volume determined in sub-paragraph A.(ii) of sub-clause 6.1 of this Schedule for high-reliability water shares at that time;
      - iv. determine the total volume of low-reliability water shares associated with the Lower Broken Creek Irrigators' Share that have not yet been issued
      - v. reserve in the Murray Lower Broken Creek Irrigators' Share Account a volume of water equal to the percentage, determined under section 64GB(8) of the Act for the seasonal determination, of the volume determined in sub-paragraph A. (iv) of sub-clause 6.1 of this Schedule for low-reliability water shares at that time.
    - B. Upon the issue of a water share associated with the Lower Broken Creek Irrigators' Share, make an adjustment to the volume in the Murray Lower Broken Creek Irrigators' Share Account by deducting from the account the volume equivalent to the percentage, determined under section 64GB(8) of the Act, of the maximum volume for low-reliability water shares.
    - C. Upon the issue of water shares associated with the Lower Broken Creek Irrigators' Share, allocate to that share the corresponding volume of water that was deducted from the Murray Lower Broken Creek Irrigators' Share Account in paragraph B of sub-clause 6.1 of this Schedule.
  - 6.2 Any water remaining in the Murray Lower Broken Creek Irrigators' Share Account at the end of the year cannot be carried over.
  - 6.3 At the end of the 2022–23 year if there is water remaining in the Murray Lower Broken Creek Irrigators' Share Account which represents water not issued to an Eligible Delivery Share Holder then Goulburn–Murray Water may apply to the Minister for Water to convert the remaining volume to water shares to be held by Goulburn–Murray Water.'.

Dated 27 June 2021

HON. RICHARD WYNNE MP Acting Minister for Water This page was left blank intentionally

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