

Consolidated Version

BULK ENTITLEMENT (EILDON – GOULBURN WEIR) CONVERSION ORDER 1995

Introduction:

This is a consolidated version of the Bulk Entitlement (Eildon – Goulburn Weir) Conversion Order 1995. It has been prepared from the original bulk entitlement (gazettal G35, 07/09/1995) and all subsequent amendments made under Division 1 of Part 4 of the **Water Act 1989** (the Act) up to 05 June 2014 (for details of amendments included see Appendix 1). Copies of the original bulk entitlement and each subsequent amendment can be found at: <http://waterregister.vic.gov.au/water-entitlements/bulk-entitlements>.

This document has been created as a working record for staff of the Department of Environment and Primary Industries, and may also be a convenient record for members of the public. Unless referenced specifically in Appendix 1, this document does not contain information about temporary qualifications of rights made under section 33AAA of the Act, or any transfer made under Division 1 of Part 4 of the Act.

Wherever five stars (as shown below) appears in the document, this indicates that the relevant clause/sub-clause or schedule has been deleted.

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Disclaimer:

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The Department of Environment and Primary Industries disclaims all liability for any loss which may be occasioned by any person relying on this record.

Water Act 1989
**BULK ENTITLEMENT (EILDON – GOULBURN WEIR) CONVERSION
ORDER 1995**

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WATER ACT 1989
BULK ENTITLEMENT (EILDON-GOULBURN WEIR) CONVERSION ORDER 1995

The Governor in Council under the provisions of the **Water Act 1989**, makes the following Order -

1. CITATION

This Order may be cited as the Bulk Entitlement (Eildon-Goulburn Weir) Conversion Order 1995.

2. EMPOWERING PROVISIONS

This Order is made under sections 43, 47 and 223(4) of the **Water Act 1989**.

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order -

"**Act**" means the **Water Act 1989**;

"**Agreement**" means the Murray-Darling Basin Agreement as contained in Schedule 1 to the *Water Act 2007* (Commonwealth);

"**AHD**" means the Australian Height Datum;

* * * *

"**Audit**" means an independent audit of gross modernisation savings achieved from NVIRP which is undertaken in accordance with the Protocol and the results of which are published each year until the completion of NVIRP;

"**Authority**" means the Goulburn-Murray Rural Water Corporation;

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"**cap model**" means the water resource allocation computer model used to estimate the Goulburn, Broken and Loddon River Basins diversions under the 1993/94 level of development;

"**CEWH**" means the Commonwealth Environmental Water Holder;

“dead storage” means water held in the bottom of a storage that is below the elevation of the invert of the lowest constructed outlet;

“distribution loss” means the operating loss incurred from operating the Goulburn Component of GMID, which is calculated as the volume of water diverted from the waterway minus the volume of water delivered to primary entitlement holders at locations within the relevant irrigation area, as specified in Schedule 1 and subject to variation under clause 7A;

"entitlement holder" means a person holding a bulk entitlement or environmental entitlement under the Act in the Goulburn Basin;

* * * *

"GMID" means the Goulburn Murray Irrigation District;

"Goulburn Basin" means the area of land previously designated by the Australian Water Resources Council (AWRC) as Basin Number 5 in the Murray Darling Division of the AWRC Australian Continental Drainage Divisions;

* * * *

"Goulburn Component of GMID" means that part of the GMID which can be supplied with water from the Goulburn River but not from the Murray River;

* * * *

“Goulburn Offset Account” means the account held by Goulburn-Murray Water that receives allocation of audited modernisation savings in accordance with paragraph 5 of Schedule 3 to facilitate the borrow of the irrigators’ one-third share of annual savings from NVIRP Stage 1 to offset any short-term resource impact due to the granting of water shares from NVIRP Stage 2;

"Goulburn System" means –

- (a) Lake Eildon, Goulburn Weir, Waranga Basin, and the associated water supply works and other assets, as shown from time to time in the Asset Register of the Authority as owner of the storage; and
- (b) Goulburn River between Lake Eildon and Goulburn Weir, including the pools formed immediately upstream of Eildon Dam and Goulburn Weir;

“gross modernisation savings” means the volume of distribution loss reduction achieved from modernisation works plus mitigation water;

* * * *

"Headworks System" means -

- (a) the water supply works of Lake Eildon, Goulburn Weir, the Stuart Murray and Cattnach Canals and Waranga Basin; and
- (b) the waterway below Lake Eildon;

"high-reliability entitlements" means the entitlements described as high-reliability set out in Table 1, and the entitlements set out in Tables 2, 3 and 4 of Schedule 1;

* * * * *

"Licence" means any licence granted under Part 4 of the Act;

"Loddon System" means the water supply systems supplied from –

- (a) Cairn Curran reservoir,
- (b) Tullaroop reservoir,
- (c) Laanecoorie reservoir,
- (d) the inflows to these storages, and
- (e) the flows harvested by the Loddon River and tributaries downstream of the storages;

* * * * *

"low-reliability entitlements" means the entitlements described as low reliability set out in Table 1 of Schedule 1;

"maximum delivery volume" means the maximum volume of water available for delivery in each irrigation area in the current year which is calculated as the sum of: the allocation to date in the current year; carryover from the previous year; and the net allocation trade that has occurred into the area during the current year;

"McCoy Bridge Gauging Station" means the stream gauging station, number 405232;

"Melbourne Bulk Entitlements" means the Bulk Entitlement (Goulburn System – City West Water) Order 2012, Bulk Entitlement (Goulburn System – South East Water) Order 2012 and Bulk Entitlement (Goulburn System – Yarra Valley Water) Order 2012;

"Melbourne Businesses" means Melbourne Water Corporation, City West Water Corporation, South East Water Corporation and Yarra Valley Water Corporation;

"mitigation water" means the proportion of gross modernisation savings specified for use under environmental watering plans developed in accordance with the conditions of the Victorian and Commonwealth environmental approvals granted for NVIRP and the annual volume of which is calculated using the method defined in the Water Change Management Framework;

"Mitigation Water Operating Arrangements" means the operating arrangements

prepared and signed by NVIRP, Goulburn-Murray Water and the Water Holder to specify the responsibilities of each signatory for managing mitigation water;

“modernisation savings” means the gross modernisation savings minus mitigation water;

“Modernisation Savings Account” means the account established to recognise and reserve gross modernisation savings until the result of the Audit are published, the starting volume of this account is the volume of gross modernisation savings reserved during the 2011-12 year under the Water Savings Supply and Transfer Agreement between Goulburn-Murray Water and the Melbourne Businesses executed 6 June 2010;

“modernisation works” means the program of works and measures to modernise irrigation infrastructure in the Goulburn component of GMID;

“NVIRP” means the Northern Victoria Irrigation Renewal Project, which is a major irrigation modernisation project aiming to generate long term annual average water savings of 439 gegalitres by upgrading irrigation infrastructure in the GMID. NVIRP, is divided into two stages referred to as NVIRP Stage 1 and NVIRP Stage 2;

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"other Authority" means a Water Authority other than the Authority or any other person holding a bulk entitlement granted under Division 1, or an environmental entitlement granted under Division 1A, of Part 4 of the Act;

“Passing Flow Account” means the account kept in accordance with clause 11 by the Storage Manager to record the water available in the Goulburn System for providing additional passing flows in reaches downstream of Lake Eildon or Goulburn Weir;

"passing flows" means the flows referred to in clause 11;

“Phase 3 water savings” means actual water saved from modernisation works in a given year calculated in accordance with the Protocol;

"primary entitlement" means an entitlement referred to in clause 7;

“Protocol” means the *Water Savings Protocol for the Quantification of Water Savings from Irrigation Modernisation Projects* issued by the Minister in July 2009, as amended from time to time;

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"regulated releases" means any release from Lake Eildon excluding releases made by the Storage Manager to -

- (a) comply with additional release arrangements specified in Schedule 5; or
- (b) pass floodwaters; or
- (c) specifically generate electricity; or
- (d) secure the safety of the structure in emergencies;

"reliability of supply" means the statistical probability of being able to supply a given volume of water in a year;

"Resource Manager" means any person appointed by the Minister under section 43A of the Act to be the Resource Manager for the Goulburn Basin;

* * * * *

"seasonal determination" means a determination made under section 64GB of the Act for the Goulburn System in accordance with the methodology detailed in clause 4A and Schedule 8 of this Order;

* * * * *

"Storage Manager" means any person appointed by the Minister under section 122ZK of the Act to control and manage the Headworks System, or to do all or any of the functions specified under Part 6C of the Act in the Goulburn System;

"Supply by Agreement" means an agreement made under section 124(7) of the Act;

* * * * *

* * * * *

"useful inflow" means that inflow flowing into a reservoir which can be retained and not immediately released;

"water allocation" in relation to a water share, has the meaning given to it in section 3 of the Act;

"Water Change Management Framework" means the framework prepared by NVIRP and approved by the Minister in accordance with condition 3 of the Minister for Planning's decision regarding the referral of NVIRP under the **Environmental Effects Act 1989**;

"Water Holder" has the same meaning as provided for under section 3(1) of the Act;

* * * * *

"water share" has the meaning given to it in section 3 of the Act;

"waterway" means the Goulburn River between Lake Eildon and the River Murray, including the pools formed by, and immediately upstream of, Eildon Dam and Goulburn Weir;

* * * * *

"year" means the 12 months next following 1 July.

4A SEASONAL DETERMINATIONS

4A.1 The authority appointed under section 64GA of the Act (the appointed authority) must make seasonal determinations in the declared Goulburn System in accordance this clause and Schedule 8 to this Order and giving consideration to any other relevant matter.

4A.2 The Authority must pay to the appointed authority a fair and reasonable proportion of the costs incurred in carrying out its functions under section 64GB of the Act.

4A.3 In making seasonal determinations for the Goulburn System, the appointed authority must set aside an early reserve each year to improve the early season water allocation in the subsequent year in accordance with the following rules and Schedule 8 to this Order:

- (a) when the seasonal determination reaches 30% of high-reliability entitlements, half of the resource improvement will be used to further increase the seasonal determination in the current (first) year, while the other half must be set in reserve for the subsequent (second) year;
- (b) when the volume in reserve reaches 270 GL, all resource improvement will be used to further increase the seasonal determination in the current year up to 100% of high-reliability entitlements;
- (c) when the seasonal determination reaches 100% of high-reliability entitlements, any additional resource improvement is set aside together with water reserved in accordance with paragraph (a) until the total volume of the reserve is sufficient to deliver a water allocation of 100% of high-reliability entitlements in the subsequent year.

5. CONVERSION TO A BULK ENTITLEMENT

All of the Authority's entitlement to water from the waterway is converted to a bulk entitlement on the conditions set out in this Order.

6. BULK ENTITLEMENT

6.1 The Authority may take the share of flow from the waterway to—

- (a) supply primary entitlements described in Schedule 1, 2, 2A and 3; and
- (b) supply persons authorised to take water from the waterway under section 33AI and section 48KA of the Act or pursuant to a transfer under Division 1 of Part 4 of the Act.

6.1A For the purposes of sub-clause 6.1, water taken under this bulk entitlement includes water used in another water system as a result of —

- (a) a water share issued in respect of the waterway being transferred or a water allocation to such water share being assigned; and
- (b) a water allocation available under an environmental entitlement described in Schedule 2 being assigned or applied to another environmental entitlement under Division 1A of Part 4 of the Act.

6.1B For the purposes of sub-clause 6.1, water taken under this bulk entitlement includes water losses that the Authority incurs in supplying primary entitlements, where the losses allowed are detailed in clause 7A.

* * * * *

6A. LIMITATION ON BULK ENTITLEMENT

6A.1 If the accumulated differences since the start of 1 July 1997 between the volumes of water diverted each year from the Goulburn, Broken and Loddon River Basins, and the corresponding volumes of water as estimated by the cap model approach the limit specified in Schedule E of the Agreement then:

- (a) the Authority and any other Authority specified in Schedule 2 to this Order, must recommend to the Minister for his or her approval appropriate action to be taken so as to avoid the limit specified in Schedule E of the Agreement being exceeded; and
- (b) the Authority and any other Authority specified in Schedule 2 to this Order must take such action as approved by the Minister.

6A.2 If, at the start of the following year,

- (a) no action is approved and taken under sub-clause 6A.1; and
- (b) the volume of accumulated over-runs less under-runs equals or exceeds 15% of long-term average annual diversions from the Goulburn, Broken and Loddon River basins,

then the Authority must propose action in consultation with entitlement holders.

6A.3 If the action proposed under sub-clause 6A.2 is not agreed on by all entitlement holders, then the Authority is entitled to take annually from the waterway to supply the primary entitlements, only the volume of water that the Authority and any other Authority specified in Schedule 2 to this Order could have otherwise diverted in that year, less a volume equal to 7% of long-term average annual diversions from the Goulburn System by the Authority subject to this adjusted volume being:

- (i) not more than the volume of the water required for a seasonal determination of 50% of the low reliability entitlement or such other percentage as may be specified by the Minister; and
- (ii) not less than the volume of the water required for a seasonal determination of 100% of the high reliability entitlement as specified in Schedule 1 to this Order.

7. OBLIGATIONS TO SUPPLY PRIMARY ENTITLEMENTS

7.1 Water taken from the waterway under this bulk entitlement must be used to supply the following primary entitlements, more fully described in Schedules 1, 2, 2A and 3:

- (a) water shares; and
- (b) licences; and
- (c) domestic and stock supplies within the East Loddon, West Loddon, Tungamah; and Normanville Waterworks Districts and
- (d) additional supplies; and
- (e) bulk entitlements granted under Division 1 of Part 4, environmental entitlements granted under Division 1A of Part 4 and agreements made under section 124(7) of the Act –

in accordance with the reliability of supply and restriction policies set out in Schedule 4.

7.2 For the purposes of clause 7.1, water taken under this bulk entitlement for the purpose of supplying a primary entitlement includes water supplied to another water system as a result of –

- (a) a water share issued in respect of the waterway being transferred or a water allocation to such a water share being assigned; and
- (b) a water allocation available under an environmental entitlement described in Schedule 2 being assigned or applied to another environmental entitlement under Division 1A of Part 4 of the Act.

7A. LOSS ALLOWANCES

7A.1 For the purpose of supplying primary entitlements in accordance with clause 7.1, the Authority must comply with the following loss allowances each year:

- (a) the distribution loss provision corresponding to the total diversion in the Goulburn Component of GMID, as specified in Table 5 of Schedule 1; and
- (b) where the volume specified in sub-clause 7A.1(a) is exceeded in any year, the annual and cumulative headrooms as specified in clause 7A.2 apply; and
- (c) an annual volume to cover losses incurred outside the Goulburn Component of GMID such as storage losses (evaporation, seepage and spills from storages) and river operating losses (evaporation, seepage and water to provide minimum flows). The Authority must determine an appropriate volume of losses outside of the Goulburn Component of GMID to reserve at the start of each year, based on seasonal conditions and likely system operation, however any unused portion of this reserve must be returned to the general allocation pool at the end of each year or earlier if appropriate.

7A.2 The annual distribution loss headroom that is permitted in each year is equal to 20% of the total fixed loss provision in the Goulburn Component of GMID, provided that the 10-year rolling average distribution loss remains at or below the annual loss allowance in the Goulburn Component of GMID, as specified in Table 5 of Schedule 1 and the cumulative headroom allowance is not exceeded. The annual and cumulative headrooms that apply in each irrigation area are specified in Table 6 of Schedule 1.

7A.3 The Authority may apply to the Minister to vary the allowances for distribution losses detailed in Schedule 1 based on any new information available from:

- (a) the installation of better metering; or
- (b) more experience operating the system in years when deliveries are less than the volume of high-reliability entitlements; or
- (c) more experience operating the system after major modernisation works are completed.

7A.4 Where the Authority takes measures to permanently reduce the losses it incurs by supplying primary entitlements under this bulk entitlement, the Authority can apply to the Minister to:

- (a) reduce the volume of loss allowances permitted under sub-clause 7A.1 by the volume of loss savings; and

- (b) notify the Minister of the volume of high and/or low-reliability entitlement which is equivalent to the loss savings made and hence could be issued as new entitlement without increasing total diversions from the Goulburn System.

7A.5 Where modernisation savings are achieved as a result of NVIRP, the Authority must follow the procedure detailed in paragraph 5 of Schedule 3 for estimating, accounting, reserving and allocating these modernisation savings.

8. * * * *

9. SHARE OF CAPACITY

9.1 The Authority, and no other person, is entitled to store water in –

- (a) Lake Eildon, up to 3 334 158 ML at full supply level of 288.90 metres AHD, subject to Schedule 5; and
- (b) Goulburn Weir, up to 25 500 ML at a full supply level of 124.24 metres AHD; and
- (c) Waranga Basin, up to 432 362 ML at a full supply level of 121.36 metres AHD; and
- (d) Greens Lake, up to 32 500 ML at a full supply level of 102.20 metres AHD.

9.2 The Authority may use any water temporarily stored above full supply level for those storages listed in sub-clause 9.1 subject to the Authority directing the Storage Manager to comply with the flood operating rules for the storages.

9.3 The Authority must propose to the Minister within 12 months of the date of this Order, appropriate flood operating rules for each of the storages set out in sub-clause 9.1.

9.4 The Minister may -

- (a) approve the operating rules proposed under sub-clause 9.3; or
- (b) require the Authority to amend the proposed operating rules; or
- (c) require the Authority -
 - (i) to review the operating rules approved by the Minister if, in the Minister's opinion, these are no longer appropriate; and
 - (ii) to propose amended operating rules to the Minister; or

- (d) not approve the proposed operating rules.

9A USE OF DEAD STORAGE

9A.1 For the purpose of making seasonal determinations in accordance with clause 4A and Schedule 8, the minimum operating levels and approximate dead storage volume for each storage is:

- (a) Lake Eildon, 84 244 ML at 237.09 metres AHD; and
- (b) Goulburn Weir, 22 270 ML at 123.94 metres AHD; and
- (c) Waranga Basin, 126 535 ML at 115.00 metres AHD; and
- (d) Greens Lake, 4 570 ML at 97.66 metres AHD.

9A.2 * * * * *

10. SHARE OF FLOW

In order to meet the commitments set out in clauses 7 and 11, the Authority may :

- (a) store all the inflow into Lake Eildon from the catchment -
 - (i) subject to the constraints imposed by sub-clause 9.2 and Schedule 5; and
 - (ii) except for the passing flows specified in clause 11;
- (b) except for the passing flows specified in clause 11 -
 - (i) store inflow to fill the Goulburn Weir pool to its full supply level; and
 - (ii) take all the inflow, up to a limit of 9 890 ML/d, via the Goulburn Weir offtake channels up to the maximum amounts of -
 - 3 600 ML/d for the Stuart Murray Canal; and
 - 3 690 ML/d for the Cattnach Canal; and
 - 2 600 ML/d for the East Goulburn Main Channel;
- (c) store all the inflow into Waranga Basin and Greens Lake from their catchments subject to the constraints imposed by sub-clause 9.2;
- (d) use water flowing in the Wanalta and Cornella Creeks;
- (e) use water flowing into the waterway excluding the volume of any return flows to

the waterway from an entitlement holder, as notified by the Resource Manager.

11. PASSING FLOW

11.1 Subject to sub-clause 11.2, the Authority must provide the following passing flows :

- (a) a minimum flow of 120 ML/d from the Eildon Pondage Weir, or such greater flow as is required by Schedule 6; and
- (b) a minimum average weekly flow of 250 ML/d from Goulburn Weir over any seven day period, at a daily rate of no less than 200 ML/d; and
- (c) any additional flow necessary to maintain a minimum average monthly flow at the McCoy Bridge gauging station of -
 - (i) 350 ML/d for the months of November to June inclusive, at a daily rate of no less than 300 ML/d; and
 - (ii) 400 ML/d for the months of July to October inclusive, at a daily rate of no less than 350 ML/d.

11.2 As a drought response measure, the Water Holder may request the Storage Manager to release a specified daily volume of water from Lake Eildon or Goulburn Weir which is less than the volumes specified in sub-clause 11.1.

11.3 The Storage Manager may agree to a request under sub-clause 11.2 subject to the following conditions:

- (a) the passing flow may not be reduced below the rate required to meet operational commitments during that period; and
- (b) the volume of any agreed reduction in releases must be recorded by the Storage Manager in the Passing Flow Account.

11.4 The volume of water recorded in the Passing Flow Account must be made available to the Water Holder on request for release from Lake Eildon or Goulburn Weir at any time, in consultation with the Storage Manager.

11.5 The Water Holder must use water available in the Passing Flow Account to deliver flows in the Goulburn system in preference to water available from its other Water Holdings.

11.6 At the end of each year, the volume in the Passing Flow Account must be carried over, minus 5% for losses.

11.7 Any water in the Passing Flow Account, including any water carried over under sub-clause 11.6, is subject to the spill in accordance with clause 5 of Schedule 5.

- 11.8 If the Storage Manager must temporarily reduce passing flows downstream of Lake Eildon or Goulburn Weir for dam safety, maintenance or emergency purposes, the Storage Manager must –
- (a) have regard to minimising the impacts of the reduction and appropriate timing in consultation with the Water Holder and, if relevant, any other entitlement holder prior to any reduction in passing flows; and,
 - (b) if passing flows are reduced, record the volume of any reduction in the Passing Flow Account.

12. RELEASES

- 12.1 The Authority must, subject to Schedule 4, direct the Storage Manager to release sufficient water from Eildon Pondage Weir and Goulburn Weir to supply the passing flows specified in clause 11 and the primary entitlements set out in clause 7.
- 12.2 The Authority must not direct the ¹Storage Manager to release water in a way which exceeds the maximum permissible rates of change of releases from Eildon Pondage Weir approved by the Minister.
- 12.3 The Authority must not direct the ¹Storage Manager to release more water from the Headworks System storages than is required to meet the Authority's commitment to supply the passing flows specified in clause 11 and the primary entitlements unless:
- (a) releases are necessary -
 - (i) to maintain the normal operating level of the Weir; or
 - (ii) to repair or maintain the Weir; or
 - (iii) to allow work to be undertaken within the Weir pool; or
 - (b) adjustments to releases are necessary to supply transfers of primary entitlements; or
 - (c) releases, not exceeding 30 000 ML per year, are necessary to augment water available for use from the River Murray; or
 - (d) the Resource Manager, on the advice of the Water Holder and the Authority, directs the Storage Manager to make additional releases, not exceeding 30 000 ML per year, to maintain water quality in the waterway and the lower Broken Creek in accordance with clause 3 of Schedule 3.

13. CALCULATING THE FLOW

For the purpose of sub-clause 6.1, the share of the flow in the waterway taken by the Authority in any year is calculated as the sum of the following:

- (a) the total annual diversions to the Stuart Murray Canal, Cattnach Canal and East Goulburn Main Channel; and
- (b) the total annual diversions by holders of primary entitlements supplied directly from the waterway; and
- (c) any release from Goulburn Weir of an amount of water recorded by the Authority, in excess of minimum flows, which is specifically made for the temporary or permanent transfer of primary entitlements to the River Murray; and
- (d) any release from Goulburn Weir of an amount of water recorded by the Authority, to augment water available for use from the River Murray.

14. GRANTING WATER CREDITS

14.1 On the application of the Authority, the Minister may grant the Authority credit for any water taken from the waterway and returned to the waterway or another river or stream, against the total amount of its entitlement, as set out in this clause.

14.2 The Minister may grant credit for releases made directly to the waterway from the Authority's distribution system if -

- (a) the quality of the return flow is similar to water taken by the Authority from the waterway; and
- (b) the return flow either -
 - (i) is considered by the Minister to be useful in meeting the Authority's commitments to supply water or passing flows; or
 - (ii) facilitates operation of the Headworks System.

14.3 The Minister may, by written notice to the Authority, specify any period or periods during which the Authority may not redeem credit against its ten year entitlement, in any year.

d) Any credit granted under this clause expires at the end of the tenth year after it is granted.

15. ENVIRONMENTAL OBLIGATIONS

15.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of -

- (a) the Authority's works to take water under this bulk entitlement, including -
 - (i) the effects on the bed and banks of the waterway in the vicinity of the Authority's works; and
 - (ii) operational practices to remove silt from works; and
 - (iii) operational practices to manage the water quality in works on the waterway; and
 - (iv) operational rules to control releases from works to the waterway; and
 - (v) operational rules to manage flood flows through works on the waterway.
 - (b) any increase in diversions by other Authorities under bulk entitlements supplied directly from the waterway.
- 15.2 The increase referred to in sub-clause 15.1(b) is measured as the difference between the actual maximum daily and annual diversion at the date of the Order and the maximum daily and annual diversion allowed under the Authorities' bulk entitlements.
- 15.3 The Minister may -
- (a) approve the program proposed under sub-clause 15.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority -
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister; or
 - (d) not approve the program.
- 15.4 The Authority, must at its cost -
- (a) implement the approved program; and
 - (b) keep a record of all work undertaken under paragraph (a).

16. METERING PROGRAM

- 16.1 The Authority must propose to the Minister within 12 months of the date of this Order a metering program to demonstrate compliance with this bulk entitlement with respect to -

- (a) all water taken by the Authority under this bulk entitlement; and
 - (b) all water referred to in paragraph (a) which is returned to the waterway by the Authority and for which it seeks credit under clause 14; and
 - (c) the flow into, and the volume stored in, each or any of the storages mentioned in clause 9; and
 - (d) the passing flows.
- 16.2 The metering program prepared under sub-clause 16.1 must include details of any agreement between the Authority and any other person for measuring and calculating instream flows or water taken.
- 16.3 The Minister may -
- (a) approve the program proposed under sub-clause 16.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority -
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister; or
 - (d) not approve the proposed program.
- 16.4 The Authority must, at its cost -
- (a) implement the approved metering program; and
 - (b) operate and maintain metering equipment and associated measurement structures in good condition and ensure that metering equipment is periodically re-calibrated, in accordance with any guidelines issued by the Minister; and
 - (c) keep a record of all work undertaken under paragraph (b).

17. REPORTING REQUIREMENTS

- 17.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:
- (a) the daily flow passing Eildon Pondage Weir and Goulburn Weir;

- (b) the daily flow passing McCoy Bridge gauging station;
- (c) the daily amount of water taken by the Authority from the waterway at each of the Goulburn Weir offtake channels;
- (d) the annual amount of water taken by the Authority from the waterway at each of the Goulburn Weir offtake channels;
- (da) the annual amount of distribution loss for each irrigation area in the Goulburn Component of GMID, where the distribution loss is calculated as the difference between the volume of diversions from the waterway and deliveries;
- (e) the annual amount of water diverted from the waterway by primary entitlement holders who are -
 - (i) authorised to take water directly from the waterway; or
 - (ii) other Authorities with a bulk entitlement granted under Division 1 of Part 4 or an environmental entitlement granted under Division 1A of Part 4 of the Act;
- (f) the daily flow into Lake Eildon and Goulburn Weir;
- (g) the amount of water in each or any of the storages mentioned in sub-clause 9.1;
- (h) any releases made to comply with the additional release arrangements set out in Schedule 5;
- (i) any credits granted under clause 14;
- (j) any temporary or permanent transfer of all or part of this bulk entitlement;
- (k) any transfer of an entitlement or assignment of water allocation under the Act;
- (l) any water released from Headworks System storages under sub-clauses 12.3(b), (c) or (d);
- (m) any alteration to the primary entitlements set out in Schedules 1, 2A and 3 made under sub-clauses 8.2 and 8.3;
- (n) the number, amount and places of origin and destination, of transfers of primary entitlements;
- (o) the annual amount supplied to primary entitlements, or any group of primary entitlements specified by the Minister;

- (p) any amendment to this bulk entitlement;
 - (q) any new bulk entitlement granted to the Authority with respect to the supply of primary entitlements under this Order;
 - (r) the implementation of programs approved under sub-clauses 15.3 and 16.3;
 - (s) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (t) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 17.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 17.1 -
- (a) in writing or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister's written request or such longer period as the Minister may determine.
- 17.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 17.1, except -
- (a) paragraphs 17.1(a), (b), (c) and (f) of sub-clause 17.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (s) of sub-clause 17.1.
- 17.4 The Resource Manager may require the Authority to report from time to time, on all or any of the matters set out in paragraphs (a) to (t) of sub-clause 17.1.
- 17.5 Any report under sub-clause 17.4 must be made -
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
 - (b) unless the Authority and that person agree otherwise -
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (c) of sub-clause 17.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (d) to (t) of sub-clause 17.1.
- 17.6 The Authority must report on any seasonal determination made in accordance with clause

4A and Schedule 8 and make available on its website, at least monthly, a summary of the key data and assumptions used in making these seasonal determinations, including a water balance summary (in a diagram or tabular format).

18. WATER RESOURCE MANAGEMENT COSTS

18.1 Subject to sub-clause 19.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to -

- (a) * * * * *
- (b) monitor whether entitlement holders in the Goulburn Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the waterway and the lower Broken Creek; and
- (d) investigate and mediate disputes between entitlement holders in the Goulburn Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Goulburn Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.

18.2 The proportion of the costs referred to in sub-clause 18.1 will be as determined under sub-clause 19.3.

19. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

19.1 The Authority is not obliged to make any payment to the Resource Manager under clause 18, unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

19.2 The Resource Manager must keep separate accounts of all costs and payments referred to in sub-clause 18.1.

19.3 The Resource Manager must, by 1 July in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 18.1.

19.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

20. DUTY TO MAKE PAYMENTS

Any amount payable by the Authority under clause 18 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

21. DATA

- 21.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.
- 21.2 The Authority must make available data collected for the purpose of the metering program and reporting under sub-clauses 16.1 and 17.1 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority, to cover the costs of making the data available.

22. DISPUTE RESOLUTION

- 22.1 If any difference or dispute arises between the Authority, the Minister and, with their consent, the Resource Manager, the Storage Manager or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.
- 22.2 The independent expert will be either -
- (a) a person agreed on by the parties to the difference or dispute; or
 - (b) if those parties cannot agree, a person nominated by the Minister.
- 22.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.
- 22.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- 22.5
- (a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.
 - (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the

Act in relation to the difference or dispute.

22.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

22.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert

Dated: 29 August 1995

Responsible Minister: C G Coleman
Minister for Natural Resources

Schedule 1

PRIMARY ENTITLEMENTS – WATER SHARES AND DISTRIBUTION LOSSES

Details of primary entitlement in this schedule are sourced from the Victorian Water Register on 24 October 2011 and do not take into account any trade of water shares that may have occurred after this date.

1. Water shares issued in respect of the Goulburn System (trading zones 1A, 1B and 3)

Table 1 High-reliability & low reliability water shares

Description	Nominal volume (ML)	
	High reliability	Low reliability
Shepparton IA (zone 1A)	139,642.4	72,060.6
Central Goulburn IA (zone 1A)	287,631.0	150,510.0
Rochester IA (zone 1A)	137,613.9	71,046.7
Loddon Valley IA (zone 1A & 1B)	148,069.8	87,816.9
Goulburn diverters (zone 1A)	23,611.4	5,458.6
Lower Goulburn diverters (zone 3)	16,359.7	4,161.5
Non Water User	216,301.6	41,371.3
TOTAL	969,229.8	432,425.6

2. Entitlements issued in respect of the Goulburn System (trading zones 1A, 1B and 3) for which there is authority to take from another water system

Table 2 Water Shares issued in respect of the Goulburn System

Description	Nominal volume (ML)	
	High reliability	Low reliability
to G-MW diverters in the Murray (zones 6, 6B and 7)	5,804.4	3,738.4
to LMW diverters (zone 7)	19,285.5	2,407.4
TOTAL	25,089.9	6,145.8

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, arising from legacy exchange rate trade	
From Zone 1A to Victorian Murray (zone 7)	90,617.0
From Zone 1A to South Australia	10,918.0
From Zone 3 to Victorian Murray (zone 7)	4,340

4. Distribution loss entitlements applicable for each irrigation area

The distribution loss provisions shown in Table 5 are made up of a fixed loss component (at 0% delivery) and a variable component which varies with deliveries in each irrigation area. The distribution losses in each irrigation area are allocated throughout the year based on the maximum delivery volume in each area as shown in Table 5. The total diversion and loss provision for the Goulburn Component of GMID (the bottom two rows of Table 5) are used to assess compliance at the end of the year once the actual annual volume of diversions and deliveries is known.

Table 5: Distribution loss provision compared to delivery volume within the Goulburn Component of GMID

Table 5: Distribution loss provision compared to delivery volume within the Goulburn Component of GMID												
Irrigation Area	Type	Loss Provision (GL), for allocation in line with maximum deliverable volume during the season										
Shepparton (zone 1A)	Delivery:	0.000	17.591	35.182	61.569	87.956	123.138	175.911	211.094	255.072	316.641	351.823
	Loss:	17.440	21.132	24.823	30.359	35.896	43.279	54.352	58.735	64.213	71.883	76.266
Central Goulburn (zone 1A)	Delivery:	0.000	37.300	74.600	130.550	186.500	261.100	373.001	447.601	540.851	671.401	746.001
	Loss:	41.010	48.881	56.753	68.560	80.367	96.109	119.723	133.347	150.377	174.219	187.843
Rochester & Loddon Valley (zone 1A & 1B)	Delivery:	0.000	39.717	79.434	139.009	198.584	278.018	397.169	476.603	575.895	714.904	794.338
	Loss:	45.002	51.036	57.071	66.123	75.175	87.244	105.347	115.701	128.643	146.761	157.114
Loss Provision (GL)		103.452	121.049	138.646	165.042	191.437	226.631	279.423	307.783	343.233	392.863	421.223
Total Diversion (delivery plus loss in GL)		103.452	215.657	327.862	496.170	664.478	888.888	1225.503	1443.080	1715.050	2095.809	2313.385

Note: loss provisions above may be allocated at different delivery volumes than shown in Table 5 by linear interpolation.

Table 6: Annual and Cumulative headroom allowances (GL)

Irrigation Area	Fixed Loss	Annual Headroom	Cumulative Headroom
Shepparton (zone 1A)	17.440	3.488	17.813
Central Goulburn (zone 1A)	41.010	8.202	46.369
Rochester & Loddon Valley (zone 1A & 1B)	45.002	9.000	46.144
Total Goulburn Component of GMID	103.452	20.690	110.326

Schedule 2

Primary Entitlements -Bulk Entitlements and Environmental Entitlements held by other authorities

Authority	Bulk Entitlement Order	Entitlement Volume (ML/yr)	Trading Zone
Goulburn Valley Region Water Corporation	Bulk Entitlement (Goulburn River & Eildon – Goulburn Valley Water) Order 2012	7,191	1A
	Bulk Entitlement (Goulburn Channel System – Goulburn Valley Water) Order 2012	7,679	1A
		18,620	3
	Sub-total	26,299	n/a
	Goulburn Valley Water Sub-total	33,490	n/a
Coliban Region Water Corporation	Bulk Entitlement (Goulburn System – Coliban Water) Order 2012	1,980	1A
		440	1B
	Coliban Water Sub-total	2,420	n/a
Grampians Wimmera Mallee Region Water Corporation	Bulk Entitlement (Quambatook-Grampians Wimmera-Mallee Water) Order 2006	100	1B
Total high-reliability urban entitlements		36,010	n/a
Melbourne Bulk Entitlements	Bulk Entitlement (Goulburn System – City West Water) Order 2012, Bulk Entitlement (Goulburn System – South East Water) Order 2012 & Bulk Entitlement (Goulburn System – Yarra Valley Water) Order 2012	0*	1A

Authority	Bulk Entitlement Order / Environmental Entitlement	Entitlement Volume (ML/yr)	Reliability
Water Holder	Bulk Entitlement (Goulburn System – Snowy Environmental Reserve) Order 2004	16,812	high
	Environmental Entitlement (Goulburn System – Living Murray Water) 2007	39,625	high
		156,980	low
	Goulburn River Environmental Entitlement 2010	1,432	high
	Environmental Entitlement (Goulburn System – NVIRP Stage 1) 2012	0*	n/a
Total high-reliability entitlements (equivalent to HRWS)		57,869	n/a
Total low-reliability entitlements (equivalent to LRWS)		156,980	n/a

* These entitlements will receive an annual allocation in accordance with paragraph 5 of Schedule 3 until the completion of NVIRP and all modernisation savings have been converted to long-term entitlements.

Schedule 2A

Primary Entitlements - Waterworks Districts

1. Normanville Waterworks District

Subject to Schedule 4, Normanville Waterworks District is entitled to a maximum volume of 637.6 ML per annum measured at the point of supply from Goulburn-Murray Water's Boort No.5. This volume includes the volume required to supply the Catumnal District, the Bulk Entitlement (Quambatook-Grampians Wimmera-Mallee Water) Order 2006 and 109.1 ML per year for delivery losses.

2. East Loddon Waterworks District

Subject to the same level restrictions that apply to high-reliability water shares in Schedule 4, the East Loddon Waterworks District is entitled to a maximum volume of 468.0 ML per year, measured at the point of supply from the Authority's Waranga Western Channel. The volume comprises 306 ML of water allowances, 97 ML for delivery losses and 65.0 ML for supply to Coliban Water.

3. West Loddon Waterworks District

Subject to Schedule 4, West Loddon Waterworks District is entitled to a maximum volume per year, being the average annual supply calculated over the three year period commencing 1 July 2002 for West Loddon Waterworks District.

4. Tungamah Waterworks District

Subject to the same level restrictions that apply to high-reliability water shares in Schedule 4, Tungamah Waterworks District is entitled to a maximum volume of 1001.0 ML per year, measured at the point of supply from the Authority's East Goulburn Main Channel. The volume comprises 865.1 ML of water allowances and 135.9 ML for delivery losses.

Schedule 3**Additional Supplies**

No.	Authority/ System Supplied	Supply Details
1	Goulburn-Murray Rural Water Corporation - Broken Creek System	Supplementary supplies from the East Goulburn Main Channel up to 40 000 ML each year (during the irrigation season from August to May inclusive).
2	Goulburn-Murray Rural Water Corporation - Loddon System	<p>Supplementary supply to Little Lake Boort to meet any shortfall in supplies from the Loddon System.</p> <ol style="list-style-type: none"> The volume available for the supplementary supply in each year is; <ol style="list-style-type: none"> 300 ML, when the seasonal determination for high-reliability entitlements the Goulburn System in for the previous year is 1% or greater, or 0 ML, when the seasonal determination for high-reliability entitlements the Goulburn System in for the previous year is less than 1%. The supplementary supply is not able to be taken in a subsequent water season under a declaration made by the Minister under section 47DA of the Act, however; <ol style="list-style-type: none"> the volume available for the supplementary supply may used over a two year cycle; and usage over any 2-year period must not exceed 600 ML. The supplementary supply is available at Loddon Weir. The supplementary supply is only available for delivery via the Waranga Western Channel during the months May to September inclusive. The supplementary supply is not able to be traded.
3	Goulburn-Murray Rural Water Corporation - Goulburn Water Quality Reserve	<p>The Resource Manager, on the advice of the Water Holder and the Authority, may direct the Storage Manager to make additional releases from the Headworks System storages, not exceeding 30 000 ML per year, to maintain water quality in the waterway and the lower Broken Creek, subject to the following rules:</p> <ol style="list-style-type: none"> the water quality reserve may only be released as a contingency measure to improve or maintain water quality for urban or environmental use in emergency conditions in the waterway or lower Broken Creek; emergency water quality conditions include, but are not limited to; blackwater events; algal blooms; low dissolved oxygen concentrations, possible fish kill in the waterway; and severe temperature variations; if less than 30 000 ML is required in any year to maintain water quality in accordance with this clause, the unused volume may not be carried over into the following year; if the Resource Manager and the Water Holder and the Authority cannot reach agreement on the release of water under this provision, then either party may apply to the Minister to direct the Storage Manager on the release of water to maintain water quality under this provision.
4	Goulburn-Murray Rural Water Corporation - Loddon Environmental Entitlement	Supplementary supplies from the Waranga Western Channel to the Loddon River at Loddon Weir up to 7,490 ML each year when there is no supplement available from the Loddon System to the Goulburn System and there are insufficient unregulated flows in the Loddon River to supply the environmental entitlement on the Loddon River sourced from Wimmera-Mallee Pipeline Project.

5	<p>Goulburn-Murray Rural Water Corporation</p> <p>- NVIRP Stage 1 and NVIRP Stage 2 gross modernisation savings</p>	<p>Procedure for estimating, accounting, reserving and allocating gross modernisation savings as a result of NVIRP</p> <p>Each year until the completion of NVIRP and all resulting gross modernisation savings have been converted to new entitlements, Goulburn-Murray Water must:</p> <ol style="list-style-type: none"> 1. On 30 June, carry over all of the unused volume in the Modernisation Savings Account into the next year. 2. Estimate the total volume of gross modernisation savings to be achieved from NVIRP Stage 1 and NVIRP Stage 2 during the year in accordance with the Protocol. 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. 4. If mitigation water is available in any year 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 in addition to any allocation under step 5b) above. 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: <ol style="list-style-type: none"> 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 Environmental Entitlement (Goulburn System – NVIRP Stage 1) 2012; and c) the remainder to the Goulburn Offset Account. 6. 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. 7. Deduct any surplus volume from the Goulburn Offset Account, where the volume of water in the Goulburn Offset Account is more than is required to prevent an impact to the reliability of primary entitlements in the current year and in subsequent years. 8. On 30 June, carryover any unused water in the Goulburn Offset Account, minus 5% for evaporative losses unless, as a result of step 6, the balance in the account is negative. 9. Report to the Executive Director, Water Resources of the Department of Sustainability and Environment, the accounting method and volumes of water reserved and allocated under paragraph 5 of this Schedule by 1 April each year, or within 14 days of a request by the Executive Director.
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Schedule 4

Reliability and Restriction of Water Shares and Other Supplies

1. High-Reliability Water Shares

- 1.1. Except as set out in this clause and subject to the Act, the Authority must endeavour to supply high-reliability water shares with 97% reliability, based on historical records. This means that the February seasonal determination for high-reliability water shares should not drop below 100% of entitlement volume, on average, in more than 3 years out of 100 years.
- 1.2. The Minister may, by reference to an appropriate computer model, modify the level of reliability set out in sub-clause 1.1, where the Minister is satisfied that either –
- a) hydrological conditions have changed since February 1995;
 - or
 - b) the estimated reliability of supply, based on the irrigation development and operating rules applying at the date of this Order have changed.

2. Low-Reliability Water Shares

- 2.1 The Authority must make any seasonal determinations for low-reliability water shares in accordance with principles –
- a) proposed to the Minister by the Authority after consultation with entitlement holders; and
 - b) approved by the Minister.
- 2.2 The Authority must not use a methodology for low-reliability entitlements which, based on historical records, would result in high-reliability entitlement holders not being supplied as provided for in clause 1.1.

3. Environmental Water

The reliability of any environmental entitlement included in Schedule 2 is that applicable to the types of supply described in clause 1 or 2 of this Schedule and as specified in Schedule 1 of the Bulk Entitlement (Goulburn System – Snowy Environment Reserve) Order 2004, Schedule 1 of Environmental Entitlement (Goulburn System – Living Murray Water) Order 2007 and Schedule 1 of Goulburn River Environmental Entitlement 2010.

4. Supply Restrictions

Where high-reliability entitlement holders cannot be supplied as provided for in clause 1.1 above, the Authority must assess and allocate the water after making provisions to supply –

- i) subject to (ii) below, other primary entitlements in accordance with the

restriction policies set out in the Orders listed in Schedule 2; and

- ii) the West Loddon and the Normanville Waterworks Districts commitments in accordance with the following restriction formula:

$$\begin{aligned} R &= 0.5 * A && \text{if } S \leq 0.5 \\ &= S * A && \text{if } 0.5 < S < 1.0 \\ &= A && \text{if } S \geq 1.0 \end{aligned}$$

Where-

- R = restricted entitlement (ML) for the West Loddon¹ and Normanville Waterworks District,
 A = full annual entitlement (ML) for the West Loddon¹ and Waterworks District, as specified in Schedule 2A,
 S = seasonal determination for high-reliability entitlements specified in Schedule 1 to this Order, expressed as a decimal fraction; and

- (iii) any agreement made under section 124(7) of the Act.

Schedule 5

Additional Release Arrangements and Spill Rules For Lake Eildon

1. Subject to receiving sufficient inflow, the Storage Manager must operate Lake Eildon from May to October inclusive each year such that it targets filling the storage to capacity by 1 October or 1 November each year assuming inflow conditions of 95% probability of exceedance.
2. The principles the Storage Manager must apply to achieve the objective specified in clause 1 above include, but are not limited to:
 - a. Inflow data should only be included from years with similar catchment wetness to the current season;
 - b. Minimum required releases from Lake Eildon must be taken into account;
 - c. Release arrangements for Lake Eildon must be regularly adjusted as required based on catchment conditions, Bureau of Meteorology forecasts and any other relevant information available to the Storage Manager; and
 - d. Targets will be set based on an average scenario and a wet scenario. Under the average scenario, the aim will be to have the storage full at 1 October in anticipation of irrigation demand from that point on, while under a 'wet' scenario the storage will fill later, by 1 November, acknowledging that when conditions are wet demand is likely to develop later in the season.
3. The Storage Manager must provide a copy of the documented operating procedures for meeting the objective specified in clause 1 above to the Minister upon request.
4. If the Storage Manager makes any releases from Lake Eildon in order to meet the objective specified in clause 1 above (additional releases), the volume of additional releases must be accounted for as a spill from Lake Eildon. The Storage Manager must notify the Resource Manager of the volume of spill from Lake Eildon with five working days of any spill.
5. Whenever Lake Eildon spills, including physical spill or additional releases made in accordance with clauses 1-4 of Schedule 5, the volume of the spill shall be deducted from the following accounts pro rata to the volumes held in these accounts, up to the total volume of water held in these accounts:
 - a. water held in the Passing Flow Account;
 - b. Spillable Water Accounts held in Lake Eildon;
 - c. carryover in the Goulburn Inter-valley Trade Account; and
 - d. the Extended Use Account of the Environmental Entitlement (Goulburn System – Living Murray Initiative) 2007.

Schedule 6

Additional Passing Flows Below Eildon Pondage Weir

1. The minimum passing flow will be increased to 250 ML/d in any month when the volume of inflow to Lake Eildon during the previous 24 months exceeds the trigger flow (Vf) indicated in Table 1.
2. Whenever paragraph 1 applies, and the Water Holder, confirms the requirement for the release in that year, an additional passing flow, equivalent to a volume of up to 80 000 ML, must be released below Eildon Pondage Weir during November, subject to -
 - (a) the maximum release from Eildon Pondage Weir not exceeding 16 000 ML/d for a period of one day with the rate of increase or decrease of releases in accordance with the rates approved by the Minister;
 - (b) the 24 month inflow ending in the month of October exceeding Vf indicated in Table 1;
 - (c) the 12 month inflow ending in the month of October exceeding 800 000 ML;
 - (d) the maximum release being reduced where tributary flows downstream of Eildon Pondage Weir contribute to provide flow to the waterway lagoon system for a period of one day;
 - (e) the sum of the Eildon spill and releases under the target filling arrangements during the previous September or October not exceeding 100 000 ML in total for both months;

TABLE 1: 24 MONTH TRIGGER INFLOWS (Vf) TO LAKE EILDON

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
(Vf) (GL)	2785	2786	2782	2785	2782	2796	2802	2801	2779	2780	2776	2788

Schedule 7

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Schedule 8

MAKING SEASONAL DETERMINATIONS

- A. Volume stored in Lake Eildon, Waranga Basin and Greens Lake plus the volume held in Goulburn Weir above the minimum operating level.
- B. Plus the volume of useful inflow to Lake Eildon and Goulburn Weir for period of 6 weeks following the allocation assessment date if less than 100% of high-reliability entitlements.
- C. Plus the volume of any supplement available from the Campaspe or Loddon systems. Refer to the Authority's Loddon and Campaspe Bulk Entitlements.
- D. Minus the dead storage of Lake Eildon, Waranga Basin and Greens Lake.
- E. Minus the evaporation and headworks losses from Lake Eildon, Waranga Basin and Greens Lake to the end of May.
- F. Minus the estimated river loss between Lake Eildon and Goulburn Weir.
- G. Minus the remaining passing flow requirement downstream of Goulburn Weir
- H. Minus any commitment to the entitlement agreement for power generation at Lake Eildon
- I. Minus the remaining trade commitment to the Murray system
- J. Minus the volume allocated to high-reliability urban bulk entitlements specified in Schedule 2, under their defined restriction policy (where applicable).
- K. Minus the volume required to meet the additional supplies as specified in Schedule 3.
- L. Minus the volume of any applicable Schedule 6 Additional Passing Flows below Eildon Pondage Weir.
- M. Minus the volume allocated to Waterworks districts and other domestic and stock entitlements specified in Schedule 2A, subject to the applicable restriction policies.
- N. Minus the remaining volume of allocations carried over from commitments.
- O. To give the resource available for allocation to high-reliability entitlements in the first year.**
- P. Minus the volume required to meet Schedules 1 and 2 high-reliability entitlements in the first year, including the remaining distribution losses required to deliver the maximum delivery volume to the end of the season and any gross modernisation savings reserved in accordance with Schedule 3. The Goulburn System early reserve must be set aside on a pro-rata basis for seasonal determinations beyond 30%, up to a maximum of 270 GL.
- Q. To give the volume in reserve at the end of the first year if at 100% HRWS.**
- R. Plus the extra resource provided by 99% probability of exceedance inflows to Lake Eildon and Goulburn Weir to the end of April in the second year.

- S. Minus the modelled losses and operating commitments during the second year
- T. Minus the commitment to high-reliability urban bulk entitlements in Schedule 2 in the second year
- U. Minus the commitment to all high-reliability entitlements including Schedule 1, 2 and 3 entitlements in the second year
- V. To give the resource available for allocation to low-reliability entitlements in the first year, subject to compliance with clause 6A.**
- W. Minus the volume required to meet all low-reliability entitlements in Schedules 1 and 2
- X. To give the volume in reserve at the end of the second year (prior to allocations to low-reliability entitlements in the second year).**

APPENDIX 1

Below is a list of all the amendments made to the **Bulk Entitlement (Broken System – Goulburn-Murray Water) Conversion Order 2004** under Division 1 of Part 4 of the Act to date. A summary of the purpose of each amendment and details about which sections were changed in each case is provided below.

Additional information on Bulk Entitlement Orders can be accessed from the Victorian Water Register website at <http://waterregister.vic.gov.au/water-entitlements/bulk-entitlements> or by contacting the Department of Environment and Primary Industries Customer Service Centre on 136 186.

Government Gazette details (or Hansard)	Amendment citation and summary of changes
<p>S150 29 June 2004</p>	<p>Bulk Entitlement (Eildon-Goulburn Weir) Conversion Amendment Order 2004</p> <p><i>Purpose:</i> To amend Schedule 2 of the Bulk Entitlement to include the Minister administering the <i>Conservation, Forests and Lands Act 1987</i> as a bulk entitlement holder. To give effect to the Bulk Entitlement (Goulburn System – Snowy Environmental Reserve) Order 2004.</p> <p><i>Amendments:</i> Substituted: Schedule 2</p>
<p>G42 14 October 2004</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amendment Order 2004</p> <p><i>Purpose:</i></p> <ul style="list-style-type: none"> a) Provide the Minister with a primary entitlement equivalent to the volume of water saved through the construction and operation of the pipeline supply of water for the Normanville Waterworks District. b) Formalise the supply of water to the Grampians Wimmera Mallee Water Authority c) Make other minor changes <p><i>Amendments:</i> Substituted: 7, 8.2(b), 8.3(a)(iii), 12.3(d), 13(c), 17.1(m), 18.1(c), Schedule 4 Inserted: 8.2(c), Schedule 4, Schedule 7</p>

<p>G25 22 June 2006</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Amendment Order 2006</p> <p><i>Purpose:</i></p> <ul style="list-style-type: none"> a) Amend Schedule 2 of the Bulk Entitlement to include the Bulk Entitlement (Quambatook – Grampians Wimmera-Mallee Water) Order 2006. b) Amend Schedule 3 of the Bulk Entitlement to change existing delivery arrangements for Grampians Wimmera-Mallee Water. c) Provide environmental water requirements in the Loddon, Goulburn and Murray Rivers from saving accruing from the implementation of the Wimmera-Mallee pipeline project. <p><i>Amendments:</i></p> <p>Substituted: Schedule 2, Schedule 3, Schedule 4</p> <p>Inserted: Schedule 4</p>
<p>G42 19 October 2006</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amendment Order 2006</p> <p><i>Purpose:</i></p> <p>To amend Schedule 7 of the bulk entitlement to specify the revised entitlement for the Normanville Waterworks District and to delete the specification of entitlements for Quambatook.</p> <p><i>Amendments:</i></p> <p>Substituted: Schedule 7</p>
<p>S144 29 June 2007</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Amendment Order 2007</p> <p><i>Purpose:</i></p> <p>To amend the bulk entitlement to make necessary amendments as a consequence of the Goulburn System becoming a declared water system.</p> <p><i>Amendments:</i></p> <p>Substituted: 4, 6.1, 7.1, 7.2, 17.1(e)(i), 17.1(e)(k), Schedule 1, Schedule 2, Schedule 4, Schedule 7</p> <p>Inserted: 4A, 6.1A</p> <p>Repealed: 8.2(a)(i), 8.2(a)(iii), 8.2(a)(iv), 8.2(a)(v), 8.3(a)(i)</p>
<p>G22 28 May 2009</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amendment Order 2009</p> <p><i>Purpose:</i></p> <p>To amend the bulk entitlement to:</p> <ul style="list-style-type: none"> a) allow water savings derived from modernisation works in the Goulburn-Murray Irrigation District to be reserved for future allocation to Melbourne, irrigation and the environment in accordance with Victorian Government commitments; and b) update storage volumes for Lake Eildon and Waranga Basin in accordance with the most recent surveys. <p><i>Amendments:</i></p> <p>Substituted: 4, 7.1, 9.1, 17.1, Schedule 3</p> <p>Inserted: 4</p>

	Revoked: 4
Legislative Council Daily Hansard Book 11 11- 13th August 2009	<p>Disallowance of parts of Bulk Entitlement (Eildon-Goulburn Weir) Conversion Further Amending Order 2009</p> <p><i>Purpose:</i> To disallow parts of the Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amending Order 2009</p> <p><i>Amendments:</i> Disallow: 3, 6, 7, 9, Schedule 3</p>
S300 1 September 2009	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amendment Order (No. 2) 2009</p> <p><i>Purpose:</i> To amend the bulk entitlement to allow water savings derived from modernisation works in the Goulburn-Murray Irrigation District to be reserved for future allocation to Melbourne, irrigation and the environment in accordance with Victorian Government commitments.</p> <p><i>Amendments:</i> Substituted: 7.1, 17.1, Schedule 3 Inserted: 4</p>
Legislative Council Daily Hansard Book 3 10th March 2010	<p>Disallowance in full of Bulk Entitlement (Eildon-Goulburn Weir) Conversion Further Amending Order (No. 2) 2009</p> <p><i>Purpose:</i> To disallow the Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amending Order (No. 2) 2009</p>
S36 27 January 2010	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amendment Order 2010</p> <p><i>Purpose:</i> To amend the bulk entitlement to reflect the mitigation water commitments of the Northern Victorian Irrigation Renewal Project and to recognise the new entitlements created for Melbourne and the environment's share of the water savings from this project.</p> <p><i>Amendments:</i> Substituted: 4, 7.1, 17.1, Schedule 3 Inserted: Schedule 2, Schedule 3</p>
Legislative Council Daily Hansard 23rd June 2010	<p>Disallowance in full of Bulk Entitlement (Eildon-Goulburn Weir) Conversion Further Amending Order 2010</p> <p><i>Purpose:</i> To disallow the Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amending Order 2010</p>

S446 29 October 2010	<p>Bulk Entitlement (Eildon – Goulburn Weir) Conversion Further Amendment Order October 2010</p> <p><i>Purpose:</i> To amend the bulk entitlement to reflect the water savings from the Wimmera-Mallee Pipeline Project.</p> <p><i>Amendments:</i> Substituted: 7.1(e), Schedule , Schedule 2, Schedule 3</p>
S206 29 June 2011	<p>Bulk Entitlement (Eildon – Goulburn Weir) VEWB Amendment 2011</p> <p><i>Purpose:</i> To amend the bulk entitlement for commencement of the Victorian Environmental Water Holder.</p> <p><i>Amendments:</i> Substituted: 4, Schedule 2</p>
G12 22 March 2012	<p>Bulk Entitlement (Eildon – Goulburn Weir) Amendment Order 2012</p> <p><i>Purpose:</i> To implement action 4.15 of the Northern Region Sustainable Water Strategy published in 2009. To Quantify distribution losses, clarify dead storage volumes and to specify the process for making seasonal determination in the Goulburn System to increase transparency and certainty for all entitlement holders. To ensure consistency with other similar bulk entitlements</p> <p><i>Amendments:</i> Substituted: 4, 4A, 6.1(a), 6.1A(b), 7.1, 7.1(b), 7.1(c), 7.1(e) 7.2(b), 9.1(a), 9.1(c), 10(e), 11.1, 12.2, 12.3, 12.3(d), 13(c), 13(d), 17.1(e)(ii), 17.1(h), 17.1(l), 17.1(m), Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6 Inserted: 6.1B, 6A, 7A, 9A, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 17.1(da), 17.6, Schedule 2A, Schedule 8 Revoked: 6.2, 8, 18.1(a), Schedule 7</p>
G22 31 May 2012 (effective 1 July 2012)	<p>Bulk Entitlement (Eildon – Goulburn Weir) Amendment (2) Order 2012</p> <p><i>Purpose:</i> To amend the bulk entitlement to incorporate the procedure for estimating, accounting, reserving and allocating the gross modernisation savings resulting from the Northern Victorian Irrigation Renewal Project (NVIRP).</p> <p><i>Amendments:</i> Substituted: 4, Schedule 1, Schedule 2, Schedule 2A, Schedule 4, Schedule 8 Inserted: 7A.5, Schedule 3</p>

<p>G23 6 June 2013</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Amendment Order 2013</p> <p><i>Purpose:</i> To amend the bulk entitlement to adjust Goulburn-Murray Water's loss allowance following the allocation of audited water savings from the Goulburn-Murray Water Connections Project and to incorporate the early reserve policy, and outcome of the Carryover Review 2012.</p> <p><i>Amendments:</i> Substituted: Schedule 1, Schedule 8 Inserted: 4, 7.1(b), 4A.3 Revoked: 9A.2</p>
<p>G23 5 June 2014</p>	<p>Bulk Entitlement (Eildon – Goulburn Weir) Amendment Order 2014</p> <p><i>Purpose:</i> To amend the bulk entitlement to adjust Goulburn-Murray Water's loss allowance following the allocation of audited water savings from the Goulburn-Murray Water Connections Project and the Shepparton Irrigation Area Modernisation Project.</p> <p><i>Amendments:</i> Substituted: Schedule 1</p>