



Victoria Government Gazette

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Water Act 1989

MINISTERIAL DETERMINATION FOR TAGGED WATER ALLOCATIONS 2019

I, Lisa Neville, MP, Minister for Water administering the **Water Act 1989**, make this determination under regulation 5 of the Water (Taking and Using Water Under Tagged Allocations) Interim Regulations 2019.

Commencement and expiry

1. This determination commences on 12 December 2019.
2. This determination expires on 30 November 2020.

Definitions

3. In this determination the following words have the following meanings:

Act means the **Water Act 1989**;

Regulations means the Water (Taking and Using Water Under Tagged Allocations) Interim Regulations 2019;

water allocation has the meaning given to it in section 3(1) of the Act;

water register has the meaning given to it in section 3(1) of the Act;

water share has the meaning given to it in section 3(1) of the Act;

zone 1A (Greater Goulburn) is that part of the water system described as zone 1A (Greater Goulburn) in Schedule 1 of the Trading Rules;

zone 1B (Boort) is that part of the water system described as zone 1B (Boort) in Schedule 1 of the Trading Rules;

zone 4A (Campaspe) is that part of the water system described as zone 4A (Campaspe) in Schedule 1 of the Trading Rules;

zone 4C (Lower Campaspe) is that part of the water system described as zone 4C (Lower Campaspe) in Schedule 1 of the Trading Rules;

zone 5A (Loddon) is that part of the water system described as zone 5A (Loddon) in Schedule 1 of the Trading Rules;

zone 6B (Lower Broken Creek) is that part of the water system described as zone 6B (Lower Broken Creek) in Schedule 1 of the Trading Rules.

4. Terms defined in the Regulations have the same meaning in this determination. These are: *alternate water system, alternate zone, source water system, source zone, tagged water allocation, Trading Rules* and *zone*.

Determination

5. I determine that a person cannot take water or use water under a tagged water allocation from the alternate water system for the tagged water allocation if Part 2 of the Trading Rules provides that, in relation to the source water system for the tagged water allocation and the alternate water system for the tagged water allocation, an approval specified in regulation 5(1) of the Regulations cannot be given.
6. I determine that a person cannot, under a tagged water allocation, use water on land situated in the alternate zone for the tagged water allocation if Part 2 of the Trading Rules provides that, in relation to the source zone for the tagged water allocation and the alternate zone for the tagged water allocation, approval under section 64K of the Act cannot be given to use water from the source zone on land in the alternate zone.

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Reasons for making this determination

7. I consider it is necessary to impose the restrictions in Clauses 5 and 6 on the taking or use of water under tagged water allocations because I am satisfied that one or more of the following reasons justify the restriction:
- there are physical constraints;
 - there is a need to address hydrological connections and water supply considerations;
 - there is a need to protect the needs of the environment;
 - because of certain levels of hydraulic connectivity; or
 - for certain combinations of these reasons.

Non-application of this Determination

8. This determination does not apply to a tagged water allocation in respect of which –
- the source water system comprises, or the source zone is, zone 1A (Greater Goulburn), zone 1B (Boort), zone 4A (Campaspe), zone 4C (Lower Campaspe) or zone 5A (Loddon); and
 - the alternate water system comprises, or the alternate zone is, zone 6B (Lower Broken Creek).
9. This determination does not apply to a tagged water allocation under a water share described in column 1 of Table 1 if –
- on and from 20 August 2019, there has not been a transfer of ownership, under sections 33S and 33X(1)(a) or (ab) of the Act, of the water share described in column 1; and
 - the water under the water allocation is used only on land described in the water-use licence described in the adjacent row of column 2 of Table 1.

TABLE 1

Column 1 Water share under which there is a tagged water allocation	Column 2 Water-use licence
WEE011258	WUL005300
WEE011259	WUL005300
WEE015603	WUL007320
WEE014387	WUL023895
WEE024865	WUL023895
WEE044331	WUL023895
WEE044332	WUL023895
WEE044333	WUL023895
WEE044334	WUL023895
WEE051020	WUL023895
WEE054012	WUL023895
WEE054053	WUL023895
WEE054548	WUL023895
WEE054550	WUL023895
WEE055729	WUL023895
WEE057620	WUL023895
WEE026831	WUL024749
WEE026832	WUL024749

Dated 10 December 2019

LISA NEVILLE MP
Minister for Water

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