



Victoria Government Gazette

No. S 619 Wednesday 10 November 2021
By Authority of Victorian Government Printer

Subordinate Legislation Act 1994

PROPOSED WATER (TAGGED WATER ALLOCATIONS) REGULATIONS 2021 NOTICE OF DECISION UNDER SECTION 12

I, Lisa Neville, as Minister for Water and Minister responsible for administering the **Water Act 1989**, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to recommend the making of the proposed Water (Tagged Water Allocations) Regulations 2021 to replace the Water (Tagged Water Allocations) Interim Regulations 2020, which expire on 30 November 2021. The proposed Regulations:

1. limit a right to take water or to use water on land under a tagged water allocation, meaning that water entitlements or allocations held in one system cannot be used in another system when allocation trade is not possible;
2. protect the lower Goulburn from large volumes of water flowing through tagged accounts when allocation trade is not allowed;
3. create a fairer system for water users in northern Victoria that will help level the playing field across all water trading by water market participants.

The objective of these regulations is to provide enduring protection for the environment, and for the reliability of water rights and entitlements by providing for the Minister to make determinations as to the taking or use of water under tagged water allocations in certain cases.

An exposure draft of the proposed regulations and a regulatory impact statement were released for public consultation on the Engage Victoria website between 22 March 2021 and 9 May 2021 and again between 8 September 2021 and 6 October 2021. Thirty-four survey submissions, 35 written submissions and one petition submitted by 302 signatories were received from the Victorian community. These came from a diverse range of individuals and groups, including irrigation water users, industry groups, environmental groups, Traditional Owner groups, recreational fishing groups, individuals and local, state and federal Government agencies. These submissions have been considered in accordance with section 11 of the **Subordinate Legislation Act 1994**.

After considering the submissions received, I intend that the final form of the Regulations include only minor amendments for drafting consistency and clarity and the following changes since the exposure draft published for consultation:

- commencement date: these regulations will come into operation on 30 November 2021.

After the proposed Regulations are made, they will be published in the Government Gazette and be made available on the government website at: <https://waterregister.vic.gov.au/water-trading/trading-rules>

A copy of this notice, the submissions received, and a Statement of Reasons which summarises the issues raised in submissions and the reason for the final form of the Regulations will also be published on the Engage Victoria website: <https://engage.vic.gov.au/goulburn-murray-trade-rule-review>

LISA NEVILLE MP
Minister for Water

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