



Our Ref: A5566068

4 December 2025

The Hon Gayle Tierney MP
Minister for Water
Level 1, 2 Treasury Place
EAST MELBOURNE VIC 3002

via Gayle.Tierney@parliament.vic.gov.au

Dear Minister

Application to Amend Goulburn-Murray Water's Goulburn Bulk Entitlement

Goulburn-Murray Water (GMW) applies to you under section 44 of the *Water Act 1989* to amend the *Bulk Entitlement (Eildon – Goulburn Weir) Conversion Order 1995* ('Goulburn BE').

The GMW Board approved the proposed amendments at Meeting 387 on 3 December 2025.

This application seeks amendment of the Goulburn BE to include the operating rules for the lower Goulburn River that support the Goulburn to Murray trade rule.

The *Bulk Entitlement (Eildon – Goulburn Weir) Amendment Order 2026* describes this amendment and is enclosed. Officers of the Department of Energy, Environment and Climate Action and GMW have prepared this draft instrument, in consultation with officers from Goulburn Broken Catchment Management Authority and the Victorian Environmental Water Holder.

If you require further information about this application, please contact Dr Mark Bailey, Manager Water Resources, on 0428 377 866 or Mark.Bailey@gmwater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "A. Quick".

Charmaine Quick
MANAGING DIRECTOR

cc: Beth Ashworth, A/Executive Director Water Resource Strategy, DEECA
Mark Bailey, Manager Water Resources, GMW

encl: *Bulk Entitlement (Eildon – Goulburn Weir) Amendment Order 2026*

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WATER ACT 1989

BULK ENTITLEMENT (EILDON – GOULBURN WEIR) AMENDMENT ORDER 2026

I, the Hon Gayle Tierney MP, Minister for Water, as Minister administering the **Water Act 1989**, make the following Order -

Title

1. This Order is called the Bulk Entitlement (Eildon-Goulburn Weir) Amendment Order 2026.

Purpose

2. The purpose of this Order is to make amendments to the Bulk Entitlement (Eildon-Goulburn Weir) Conversion Order 1995 to include the lower Goulburn River operating rules. This is necessary in order to provide clarity for Goulburn-Murray Water in its role as Storage Manager regarding implementation of, and compliance with, the operating rules. The Order also makes other minor changes and corrections to the Bulk Entitlement Order.

Authorising Provision

3. This Order is made in accordance with section 44 of the **Water Act 1989**.

Commencement

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

Definitions

5. In this Order a reference to the Bulk Entitlement Order is a reference to Bulk Entitlement (Eildon-Goulburn Weir) Conversion Order 1995 (as amended).

Amendment of clause 4 (definitions)

6. In clause 4 of the Bulk Entitlement Order:
 - a) after the definition of “dead storage” **insert** the following definitions –
 - ‘ **“Department”** means the Department of Energy, Environment and Climate Action;
 - “Deputy Secretary”** means the person for the time being holding, acting in or performing duties of the Deputy Secretary, Water and Catchments Group within the Department;’;
 - b) in the definition of “Headworks System” after the words ‘of Lake Eildon’ **insert** ‘(including Eildon Pondage Weir)’;
 - c) after the definition of “ML” **insert** –
 - ‘ **“Murray-Darling Basin Authority”** means as defined under the Water Act 2007 (Cth);’;
 - d) in the definition of “other Authority”, after the words ‘the Authority’ **insert** ‘, ’;
 - e) for the definition of “regulated releases” **substitute** –
 - ‘ **“regulated release”** means any release from Lake Eildon and/or Goulburn Weir 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;’; and
- f) after the definition of “waterway” **insert** –
- ‘ “**waterway manager**” means the Goulburn Broken Catchment Management Authority;’.

Amendment of clause 4A

7. For sub-clause 4A.1 of the Bulk Entitlement Order **substitute** –
- ‘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 with this clause and Schedule 8 to this Order and giving consideration to any other relevant matter including Schedule 4 to this Order.’.

Amendment of clause 7

8. For paragraph 7.2(b) of the Bulk Entitlement Order **substitute** –
- ‘(b) a water allocation available under a bulk entitlement or an environmental entitlement described in Schedule 2 to this Order being assigned or applied to any person or another environmental entitlement under Divisions 1 and 1A of Part 4 of the Act.’.

Amendment of clause 12

9. For sub-clause 12.1 of the Bulk Entitlement Order **substitute** –
- ‘12.1 The Authority must 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.’.
10. For sub-clause 12.3 of the Bulk Entitlement Order, **substitute** –
- ‘12.3 The Authority must not direct the Storage Manager to release more water from the Eildon Pondage Weir and Goulburn Weir than is required to meet the Authority's commitment to supply the passing flows specified in Clause 11 and the primary entitlements specified in Clause 7 unless:’.
11. For paragraph 12.3(a) of the Bulk Entitlement Order, **substitute** –
- ‘(a) releases are necessary from the Eildon Pondage Weir and Goulburn Weir -
 - (i) to maintain the normal operating level; or
 - (ii) to conduct repairs or maintenance; or
 - (iii) to allow work to be undertaken; or’.
12. Paragraph 12.3(b) of the Bulk Entitlement Order is **revoked**.
13. In paragraph 12.3(d) of the Bulk Entitlement Order, for ‘.’ **substitute** ‘; or’.
14. After paragraph 12.3(d) of the Bulk Entitlement Order, **insert** –
- ‘(e) releases are necessary to meet the requirements of Schedule 5.’.
15. After sub-clause 12.4 of the Bulk Entitlement Order **insert** –
- ‘12.5 When making releases under sub-clauses 12.1, 12.3(c), and 12.3(d), the Storage Manager must release water from Goulburn Weir consistent with the Operating Rules for the lower Goulburn River specified in Schedule 10 unless:

- (a) a request has been received from the MDBA to manage a delivery risk to the River Murray; and
- (b) in response to the request, the Storage Manager has consulted with the waterway manager and the Authority; and
- (c) the Authority has received written approval from the Deputy Secretary for the release.

12.6 The Authority must, when the Minister makes a request in writing, review the Operating Rules for the lower Goulburn River specified in Schedule 10 and must:

- (a) conduct the review in consultation with the waterway manager and the Department; and
- (b) within 12 months of the request being received, advise the Minister of the outcomes of the review including:
 - (i) whether the Operating Rules are effective and require no change; or
 - (ii) whether the Operating Rules require change and why, specifying recommended amendments to Schedule 10; and
 - (iii) the views of the waterway manager in respect of the process and conclusions of the review conducted under sub-clause 12.6.’.

Amendment of Schedule 2

16. For Table 3 of Schedule 2 of the Bulk Entitlement Order, **substitute** –

‘Table 3

Authority	Bulk Entitlement Order/Environmental Entitlement	Entitlement Volume (ML/yr)	Trading Zone	Reliability	
Water Holder	Bulk Entitlement (Goulburn System - Snowy Environmental Reserve) Order 2004	30,252.0	1A	High	
		8,156.0	1A	Low	
	Environmental Entitlement (Goulburn System – Living Murray Water) 2007	39,625.0	1A	High	
		156,980.0	1A	Low	
	Goulburn River Environmental Entitlement 2010	1,434.0	1B	High	
		24,991.8	1A	High	
		5,791.8	1A	Low	
	Goulburn System – Mitigation Water Environmental Entitlement 2023	58.0	1A	High	
		28.9	1A	Low	
		1446.1	1B	High	
		719.6	1B	Low	
	Total high-reliability entitlements (equivalent to HRWS)		97,806.9		
	Total low-reliability entitlements (equivalent to LRWS)		171,676.3		

Insertion of **new** Schedule 10

17. After Schedule 9 of the Bulk Entitlement Order, **insert** –

18.

‘ Schedule 10

OPERATING RULES FOR THE LOWER GOULBURN RIVER

DEFINITIONS

In this Schedule:

“baseflow” means the flow rate in the Goulburn River measured at the McCoy Bridge Gauging Station when flows are regulated, and no regulated pulse flow events, recession flows, or water quality flows are occurring;

“regulated pulse flow event” means a regulated release of water under Clause 12 of this Order that is higher than the baseflow limits in this Schedule and is not classified as a recession flow or water quality flow;

“Murchison Gauging Station” means the stream gauging station number 405200;

“recession flow” means a regulated release of water under Clause 12 of this Order that is requested by the waterway manager to slow the rate of fall of the water level in the river to protect the riverbanks from erosion after an unregulated flow event in the lower Goulburn River;

“water quality flow” means a regulated release of water under Clause 12 of this Order requested by the waterway manager to help mitigate lower Goulburn River water quality issues consisting of water allocation from environmental water entitlements, water held in the Goulburn Inter-Valley Trade account or water from the Goulburn Water Quality Reserve;

“unregulated flows” means any flows in the waterway downstream of Goulburn Weir that are in excess of a regulated release from Goulburn Weir.

LOWER GOULBURN RIVER OPERATING RULES

In directing regulated releases of water under sub-Clause 12.5 of this Order the Authority must direct the Storage Manager to apply the following rules to water released from the Goulburn Weir.

Unless a specific gauging station is specified, the flow rates described in this Schedule apply to regulated flows measured at the McCoy Bridge Gauging Station, except when unregulated flows between the Murchison Gauging Station and McCoy Bridge Gauging Station make this impractical, in which case they apply to regulated flows measured at Murchison Gauging Station.

In recognition of operational practicalities, a 5% tolerance applies to all flow rates specified in the rules in this Schedule.

Regulated releases to mitigate water quality issues or to manage recession flows are exempt from all the limits specified in this Schedule.

1. Rules for maximum baseflows

- 1.1. Baseflows must be maintained at or below the following maximum average monthly flows:
 - (a) 1,300 ML/day from 1 July to 31 October (inclusive), unless a higher flow is recommended by the waterway manager, and
 - (b) 1,100 ML/day from 1 November to 30 June (inclusive).
- 1.2. Minimum variability of baseflows – the flow range from crest to trough of the waveform, measured at Murchison Gauging Station, must be at least 600 ML/day over a period of two weeks, unless:
 - (a) a lower level of variation is recommended by the waterway manager, or
 - (b) this would reduce the monthly average volumes able to be delivered to the Murray under Rule 1.1, or
 - (c) otherwise not operationally viable.
- 1.3. From 1 November to 30 June (inclusive), the maximum daily baseflow is 1,400 ML/day unless a higher flow is recommended by the waterway manager.

2. Rules for regulated pulse flow events from 1 November to 30 April

- 2.1. From 1 November to 30 April (inclusive) a regulated pulse flow event may only be released within the limits described in Rule 3 of this Schedule up to a maximum of 3,000 ML/day, or a higher ceiling recommended by the waterway manager.
- 2.2. From 1 November to 30 April (inclusive), the timing of a regulated pulse flow event must be within the following limits:
 - (a) the first regulated pulse flow event must not be released until the average baseflow is 1,100 ML/day or lower for at least 6 weeks (42 days); and
 - (b) the second regulated pulse flow event must not be released until the average baseflow is 1,100 ML/day or lower for at least 28 days after the completion of the previous regulated pulse flow event; and
 - (c) any additional regulated pulse flow events must not commence until the average baseflow is 1,100 ML/day or lower for at least 35 days after the completion of the previous regulated pulse flow event.
- 2.3. From 1 November to 30 April (inclusive), the Authority must direct the Storage Manager to release a regulated pulse flow event consistent with the following limits, as measured at the Murchison Gauging Station:
 - (a) the rate of water level rise must not exceed 0.8 m/day;

(b) the rate of water level fall must not exceed 0.25 m/day.

(c) the regulated pulse flow event must not occur for longer than 14 days.

2.4. The limits in Rule 2.3 may be exceeded only if recommended by the waterway manager.

3. Exceptions for shoulder season regulated pulse flow event flexibility for environmental benefit (late spring and autumn)

3.1. Rule 2.2(a) does not apply if:

(a) the waterway manager recommends that an earlier first regulated pulse flow event is preferable for local environmental benefit than the 6-week minimum baseflow period; and

(b) the Authority agrees that delivering an earlier first regulated pulse flow event will not impact the ability to meet demands in the 28 days following the completion of the regulated pulse flow event.

3.2. If the waterway manager recommends that a local environmental benefit could be achieved, then the minimum baseflow periods in Rule 2.2 do not apply for a regulated pulse flow event occurring in March or April.

4. Rule for regulated pulse flow events during winter and spring period (1 May - 31 October)

4.1. From 1 May to 31 October (inclusive), the Authority may direct the Storage Manager to release regulated pulse flow events informed by consultation with the waterway manager.’.

Hon Gayle Tierney MP
Minister for Water

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