

Tuesday, 19 December 2023

420/005/011

The Hon. Harriet Shing MLC
Minister for Water
Level 17, 8 Nicholson Street
EAST MELBOURNE VIC 3002

Dear Minister,

Sunraysia Water Efficiency Project: Application to amend River Murray - Irrigation Bulk Entitlement

Lower Murray Water (LMW) applies to you under Section 44 of the *Water Act 1989* to amend the Bulk Entitlement (River Murray - Lower Murray Urban & Rural Water - Irrigation) Conversion Order 1999 (River Murray - Irrigation BE) for water savings works under the Sunraysia Water Efficiency Project (SWEP).

Under the funding agreement between Victoria and the Commonwealth for this project, 1,800 ML long-term average annual yield (LTAAY) of water recovery will be transferred to the Commonwealth Environmental Water Holder (CEWH). This application is to support the first instalment of 300 ML LTAAY of water recovery to the CEWH by 10 May 2024.

I have enclosed a draft Amendment Order to support the application. The proposed amendment seeks to reduce the loss allowance for LMW's irrigation districts from 11,181 ML to 10,881 ML. This will enable the creation of 300 ML of high-reliability water shares for the CEWH, from water recovery achieved by the SWEP.

The draft Amendment Order was prepared with the assistance of officers of the Department of Energy, Environment and Climate Action (DEECA). Subject to your approval of the application, LMW will work with DEECA to arrange for the water shares to be issued to the CEWH.

If you require further information or clarification, please do not hesitate to contact Kaleb Sexton on 1800 808 830.

Yours sincerely



PAUL NORTHEY
LMW MANAGING DIRECTOR



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WATER ACT 1989

BULK ENTITLEMENT (RIVER MURRAY – LOWER MURRAY URBAN AND RURAL WATER – IRRIGATION) AMENDMENT ORDER 2024

I, Harriet Shing, Minister for Water, under the provisions of the **Water Act 1989**, make the following Order –

Title

1. This Order is called the Bulk Entitlement (River Murray – Lower Murray Urban and Rural Water - Irrigation) Amendment Order 2024.

Purpose

2. The purpose of this Order is to make such amendments to the Bulk Entitlement (River Murray – Lower Murray Urban and Rural Water - Irrigation) Conversion Order 1999 (as amended) to adjust the loss allowances for Lower Murray Water's irrigation districts to reflect the transfer of the first instalment of water savings from Lower Murray Water's Sunraysia Water Efficiency Project to the Commonwealth Environmental Water Holder.

Authorising provision

3. This Order is made in accordance with section 44 of the **Water Act 1989**. The Minister makes this Order on the application of the Corporation.

Commencement

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

Definitions

5. In this Order a reference to the Bulk Entitlement Order is a reference to Bulk Entitlement (River Murray – Goulburn-Murray Water) Conversion Order 1999 (as amended).

Amendment of Schedule 1

6. For Schedule 1 of the Bulk Entitlement Order, **substitute** –

“SCHEDULE 1: TABLES ALLOCATING SHARES OF RIVER MURRAY WATER AVAILABLE (clauses 6 and 12 of this Order)

Table 1: High-reliability Entitlements (GL)

User group		High Reliability Entitlements (GL)		Off-take commitments for high-reliability seasonal determinations of										Historic at farm for allowed loss	
				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%		
Goulburn-Murray Water	Murray Valley	96.799	At farm Losses	9.680	19.360	29.040	38.720	48.399	58.079	67.759	77.439	87.119	96.799	246.072	
				25.939	26.657	27.375	28.093	28.811	29.529	30.247	30.965	31.684	32.402	43.321	
				35.619	46.017	56.415	66.813	77.210	87.608	98.006	108.404	118.803	129.201	289.393	
	Torrumbarry	158.596	At farm Losses	15.860	31.719	47.579	63.438	79.298	95.158	111.017	126.877	142.736	158.596	357.427	
				36.676	37.333	37.989	38.645	39.301	39.958	40.614	41.270	41.926	42.583	50.418	
				52.536	69.052	85.568	102.083	118.599	135.116	151.631	168.147	184.662	201.179	407.845	
	Nyah	5.216	At farm Losses	0.522	1.043	1.565	2.086	2.608	3.130	3.651	4.173	4.694	5.216		
				0.500	0.500	0.500	0.500	0.500	0.500	0.500	0.500	0.500	0.500		
					1.022	1.543	2.065	2.586	3.108	3.630	4.151	4.673	5.194	5.716	
	Diversers, Dartmouth-Nyah	48.901			4.890	9.780	14.670	19.560	24.451	29.341	34.231	39.121	44.011	48.901	
Not associated with land	684.501			68.450	136.900	205.350	273.800	342.250	410.701	479.151	547.601	616.051	684.501		
LMURW - Irrigation	Irrigation districts	91.965	At farm Losses	9.197	18.393	27.590	36.786	45.983	55.179	64.376	73.572	82.769	91.965		
				10.881	10.881	10.881	10.881	10.881	10.881	10.881	10.881	10.881	10.881		
				20.078	29.274	38.471	47.667	56.864	66.060	75.257	84.453	93.650	102.846		
	Millewa & Yelta	0.714	At farm Losses	0.071	0.143	0.214	0.286	0.357	0.428	0.500	0.571	0.643	0.714		
				4.800	4.800	4.800	4.800	4.800	4.800	4.800	4.800	4.800	4.800		
					4.871	4.943	5.014	5.086	5.157	5.228	5.300	5.371	5.443	5.514	
Diversers, Nyah-S.A.	187.517			18.752	37.503	56.255	75.007	93.758	112.510	131.262	150.013	168.765	187.517		
Not associated with land	4.127			0.413	0.825	1.238	1.651	2.064	2.476	2.889	3.302	3.714	4.127		
Other	0.532			0.053	0.106	0.160	0.213	0.266	0.319	0.373	0.426	0.479	0.532		
Grampians Wimmera Mallee Water		3.492		0.349	0.698	1.048	1.397	1.746	2.095	2.444	2.794	3.143	3.492		
LMURW - Urban		30.971		3.097	6.194	9.291	12.388	15.485	18.583	21.680	24.777	27.874	30.971		
Coliban Water		5.055	River	0.506	1.011	1.517	2.022	2.528	3.033	3.539	4.044	4.550	5.055		
		1.230	Channel	0.123	0.246	0.369	0.492	0.615	0.738	0.861	0.984	1.107	1.230		
Goulburn Valley Water		3.607	River	0.361	0.721	1.082	1.443	1.804	2.164	2.525	2.886	3.246	3.607		
		0.128	Channel	0.013	0.026	0.038	0.051	0.064	0.077	0.090	0.102	0.115	0.128		
North East Water		14.540	River	1.454	2.908	4.362	5.816	7.270	8.724	10.178	11.632	13.086	14.540		
Greater Western Water		12.653		1.265	2.531	3.796	5.061	6.327	7.592	8.857	10.122	11.388	12.653		
South East Water		12.653		1.265	2.531	3.796	5.061	6.327	7.592	8.857	10.122	11.388	12.653		
Yarra Valley Water		12.653		1.265	2.531	3.796	5.061	6.327	7.592	8.857	10.122	11.388	12.653		
Water Holder	Flora & Fauna	45.398	River	4.540	9.080	13.619	18.159	22.699	27.239	31.778	36.318	40.858	45.398		
	Snowy EWR	29.794	River	2.979	5.959	8.938	11.918	14.897	17.876	20.856	23.835	26.815	29.794		
	Living Murray	9.589	River	0.959	1.918	2.877	3.836	4.795	5.753	6.712	7.671	8.630	9.589		
	Mitigation Water	1.276	Channel	0.128	0.255	0.383	0.511	0.638	0.766	0.893	1.021	1.149	1.276		
Exchange rate trade	South Australia	17.519	SA border	1.752	3.504	5.256	7.008	8.760	10.511	12.263	14.015	15.767	17.519		
	NSW	5.075	L Hume	0.508	1.015	1.523	2.030	2.538	3.045	3.553	4.060	4.568	5.075		
Total		1,484.501		227.246	377.071	526.896	676.720	826.544	976.369	1,126.193	1,276.018	1,425.843	1,575.668		

Table 2: Low-reliability Entitlements (GL)

User group		Low-Reliability Entitlements (GL)		Off-take commitments for low-reliability seasonal determination of										Historic at farm for allowed loss
				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%	
Goulburn-Murray Water	Murray Valley	59.001	At farm	5.900	11.800	17.700	23.600	29.500	35.400	41.300	47.200	53.101	59.001	94.429
			Losses	0.447	0.894	1.341	1.788	2.236	2.683	3.130	3.577	4.024	4.471	6.946
			Total	6.347	12.694	19.041	25.388	31.736	38.083	44.430	50.777	57.125	63.472	101.375
	Torrumbarry	92.267	At farm	9.227	18.453	27.680	36.907	46.134	55.360	64.587	73.814	83.041	92.267	123.742
			Losses	0.375	0.750	1.125	1.499	1.874	2.249	2.624	2.999	3.374	3.749	4.984
			Total	9.602	19.203	28.805	38.406	48.008	57.609	67.211	76.813	86.415	96.016	128.726
	Murray diverters Mitta diverters	12.374 4.219		1.237	2.475	3.712	4.950	6.187	7.424	8.662	9.899	11.137	12.374	
				0.422	0.844	1.266	1.688	2.110	2.532	2.954	3.375	3.797	4.219	
				1.659	3.319	4.978	6.637	8.297	9.956	11.615	13.275	14.934	16.593	
Lower Murray Water	Not associated with land	147.921		14.792	29.584	44.376	59.168	73.960	88.752	103.544	118.337	133.129	147.921	
	Irrigation districts	0.963		0.096	0.193	0.289	0.385	0.481	0.578	0.674	0.770	0.866	0.963	
	Diverters, Nyah-S.A.	5.186		0.519	1.037	1.556	2.074	2.593	3.111	3.630	4.148	4.667	5.186	
	Not associated with land	0.297		0.030	0.059	0.089	0.119	0.149	0.178	0.208	0.238	0.268	0.297	
Greater Western Water		6.877		0.688	1.375	2.063	2.751	3.439	4.126	4.814	5.502	6.189	6.877	
South East Water		6.877		0.688	1.375	2.063	2.751	3.439	4.126	4.814	5.502	6.189	6.877	
Yarra Valley Water		6.877		0.688	1.375	2.063	2.751	3.439	4.126	4.814	5.502	6.189	6.877	
Water Holder	Living Murray	98.835		9.884	19.767	29.651	39.534	49.418	59.301	69.185	79.068	88.952	98.835	
	Flora & Fauna	5.783		0.578	1.157	1.735	2.313	2.891	3.470	4.048	4.626	5.205	5.783	
	Mitigation Water	0.486		0.049	0.097	0.146	0.194	0.243	0.291	0.340	0.388	0.437	0.486	
Total		447.962		45.618	91.236	136.854	182.471	228.091	273.709	319.327	364.945	410.563	456.720	
Off-take commitments for 100% high reliability entitlements			from Table 1	227.246	377.071	526.896	676.720	826.544	976.369	1,126.193	1,276.018	1,425.843	1,575.668	
Total off-take commitments				272.864	468.308	663.750	859.191	1054.634	1250.078	1445.520	1640.962	1836.406	2031.849	

Notes on Tables 1 and 2:

- Seasonal determinations may be made in intervals of 1% by interpolation between the values shown or extrapolation below 10% (or above 100% for the losses), not just in the 10% intervals shown.
- Murray Valley and Torrumbarry have fixed losses of 25.221 GL and 36.02 GL (including 0.352 GL for Tresco) respectively, plus two variable loss components (corresponding to historic at farm volumes from 2007 when unbundling occurred):
 - for high-reliability rights, variable loss varies from zero at zero allocation, increasing linearly to 18.101 GL for Murray Valley at historic (2007) at farm deliveries of 246.072 GL and to 14.28 GL for Torrumbarry at historic (2007) at farm deliveries of 357.427 GL.
 - for low-reliability rights, variable loss varies from zero at zero low allocation, increasing linearly to 6.946 GL for Murray Valley at historic (2007) at farm deliveries of 94.429 GL and to 4.933 GL for Torrumbarry at historic (2007) at farm deliveries of 123.465 GL; and these losses may be allocated as required to deliver water carried over in these irrigation areas based on the equivalent maximum allocation in each area (calculated as the seasonal determination + carryover).
- Allocations against the 22.1 GL of high-reliability entitlement added to Table 1 in November 2009 for Snowy EWR commenced when the Lake Boga-Lake Kangaroo-Lake Charm component of the Victorian Mid-Murray Storages was first deemed by the Resource Manager to have been operated in accordance with clause 8A (which occurred on 1 April 2010).
- Broken Creek entitlements are generally supplied from the Goulburn System, including town supplies for Numurkah and Nathalia and relevant environmental entitlements, hence are not

included in Tables 1 and 2, but receive Murray allocation regardless of whether they are supplied from the Murray or Goulburn System.

5. The allocation to the Murray Valley and Torrumbarry losses shown may be increased up to the maximum accumulated unused loss volume available for each in order to allow for delivery of allocation carried over in these districts from the previous year.
6. These tables do not show changes in water share volumes as a result of trade since 18 October 2023, or entitlements to unregulated flows in the River Murray or River Murray Increased Flows.

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Amendment of Schedule 5

- For Table 1 in Schedule 5 of the Bulk Entitlement Order, **substitute** –

“Table 1 - Lower Murray Urban and Rural Water – River Murray Primary Entitlements

DESCRIPTION OF ENTITLEMENT	NOMINAL VOLUME (ML) ¹
IRRIGATION DISTRICTS	
First Mildura Irrigation District	
High Reliability Water Shares	41,371.9
Low Reliability Water Shares	431.1
Merbein Irrigation District	
High Reliability Water Shares	12,490.7
Low Reliability Water Shares	189.1
Red Cliffs Irrigation District	
High Reliability Water Shares	20,861.0
Low Reliability Water Shares	109.1
Robinvale Irrigation District	
High Reliability Water Shares	17,241.6
Low Reliability Water Shares	233.3
Fixed loss allowance (irrigation districts)	10,881.0
TOTAL	103,808.8
WATERWORKS DISTRICTS	
Millewa Waterworks District	
Entitlement	700.0
Fixed loss allowance	4,800.0
Yelta Wargan Waterworks District²	
Entitlement	14.0
TOTAL	5,514.0
PRIVATE DIVERTERS FROM MURRAY RIVER	
High Reliability Water Shares	187,516.8
Low Reliability Water Shares	5,185.6
TOTAL	192,702.4
WATER SHARES NOT ASSOCIATED WITH LAND	
High Reliability Water Shares	4,127.2
Low Reliability Water Shares	297.4
TOTAL	4,424.6
OTHER³	532.4
TOTAL FOR BULK ENTITLEMENT	306,982.2

”

2. In the notes to Table 1, for note 1, **substitute** –

“1. This table does not show water shares that were issued or cancelled, or changes in water share volumes as a result of trade, since 18 October 2023.”

Dated:

The Hon Harriet Shing MP
Minister for Water

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