

Water Resource Plan assessment report

Proposed Victorian Murray Water
Resource Plan

March 2020

Published by the Murray–Darling Basin Authority
MDBA publication no: 16/20
ISBN (online): 978-1-925762-83-9



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Acknowledgement of the Traditional Owners of the Murray–Darling Basin

The Murray–Darling Basin Authority pays respect to the Traditional Owners and their Nations of the Murray–Darling Basin. We acknowledge their deep cultural, social, environmental, spiritual and economic connection to their lands and waters.

The guidance and support received from the Murray Lower Darling Rivers Indigenous Nations, the Northern Basin Aboriginal Nations and our many Traditional Owner friends and colleagues is very much valued and appreciated.

Aboriginal people should be aware that this publication may contain images, names or quotations of deceased persons.

This document forms the report of the Murray-Darling Basin Authority's (the Authority's) assessment of the proposed Victorian Murray water resource plan ('proposed WRP') against the requirements of Chapter 10 of the *Basin Plan 2012* (Cth) ('Basin Plan') version F2018C00451.

At the end of this document, assessment tables are included to document the Authority's assessment against the requirements of *Chapter 10 – Water resource plan requirements* of the Basin Plan. However, it is important to note that the Authority assessed the WRP against the Chapter 10 requirements as specified in the Basin Plan, and not against the requirements as set out in the 'Summary of assessment test' column. The purpose of the text in the 'Summary of assessment test' column is to assist the assessor and reader to identify which Basin Plan requirement is being assessed, and not to indicate the specific test that was applied.

This assessment also details how any revised baseline diversion limits (BDL) estimates have been considered by the Authority in its assessment of the proposed WRP. Whilst BDL re-estimates are not directly relevant to an accreditation requirements under Chapter 10, it is important that the proposed WRP deals with them as they impact on the sustainable diversion limits (SDL), the achievement of which is required to be demonstrated in the proposed WRP. Note that BDL re-estimates are considered by the Authority in parallel with its assessment of proposed WRPs.

The below table identifies the records management details of the WRP documents that were subject of MDBA's assessment and advice.

Date	Title	MDBA reference
26/11/2019	Victoria's North and Murray Water Resource Plan	D19/51993
26/11/2019	Victoria's North and Murray Surface Water BDL re-estimates	D19/51990
26/11/2019	Source Murray Model – Method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units	D19/52015

Table explaining the abbreviations used throughout this document

Term	Expansion/Explanation of the Term
ANZECC	Australia and New Zealand Environment and Conservation Council
Authority, the	Refers to the six-member Murray-Darling Basin Authority
Basin Plan	Refers to the relevant version of the Basin Plan 2012 (Cth) against which this WRP has been assessed, being F2018C00451.
BDL	Baseline Diversion Limit
BWS	Basin-wide Environmental Watering Strategy (MDBA 2014)
CEWH	Commonwealth Environmental Water Holder
Comprehensive Report	<p>The document titled ‘Victoria’s North and Murray Water Resource Plan Comprehensive Report’, containing supporting information and accreditable material for the purpose of the proposed WRP</p> <p>Note: where the term ‘Comprehensive Report’ is used in this assessment, this is taken to mean the main body of the report (<i>i.e.</i> Sections 1-15), and not the Appendices unless explicitly stated.</p>
DELWP	Department of Environment, Land, Water and Planning (Victoria)
EWP	Environmental Watering Plan
GAB	Great Artesian Basin
GL	Gigalitre (1,000 Megalitres)
Goulburn-Murray WRP	All submitted documents of the WRP package that constitute the WRP for the Goulburn-Murray (groundwater) WRP area
HEW	Held Environmental Water
Index Table / Accredited Text Table	The table titled ‘Victoria’s North and Murray Water Resource Plan Accredited Text Table’, containing the accreditable text for the purpose of the proposed WRP.
LTAA	Long-term average annual
LTWP	Long-term Watering Plan
MDBA	Refers to the agency known as the Murray-Darling Basin Authority
ML	Megalitre (1,000,000 Litres)
MLDRIN	Murray Lower Darling Rivers Indigenous Nations
Northern Victoria WRP	All submitted documents of the WRP package that constitute the WRP for the Northern Victoria (surface water) WRP area

Term	Expansion/Explanation of the Term
PEA	Priority Environmental Assets
PEF	Priority Ecosystem Functions
PEW	Planned Environmental Water
Proposed WRP	The WRP drafted and submitted for assessment by States, as per the date stipulated on cover page of assessment report
SDL	Sustainable Diversion Limit
SEPP (Waters)	State Environment Protection Policy (Waters)
The Authority	Murray-Darling Basin Authority
VEWH	Victorian Environmental Water Holder
Victorian Water Act	<i>Water Act 1989 (VIC)</i>
VWR	Victorian Water Register
Water Act 2007	<i>Water Act 2007 (Cth)</i>
Victorian Murray (surface water) WRP area	The geographical area defined by the Basin Plan
Victorian Murray WRP	All submitted documents of the WRP Package that constitute the WRP for the Victorian Murray (surface water) WRP area
Victoria's North and Murray WRP	All submitted documents of the WRP package that constitute the combined WRP for the Northern Victoria, Victorian Murray and Goulburn-Murray water resource plan areas
WQM	Water Quality Management
WQMP	Water Quality Management Plan
WRP	Water Resource Plan

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Overview

1. This Water Resource Plan assessment report summarises the reasons supporting the Murray Darling Basin Authority's recommendation to accredit the proposed Victorian Murray Water Resource Plan provided by Victoria on 26 November 2019 ('the proposed WRP').
2. Part 2 of Chapter 3 of the Basin Plan identifies the particular areas that are water resource plan areas. The Victorian Murray WRP is one of the three proposed WRPs that Victoria has developed as an integrated package of three WRPs, titled Victoria's North and Murray Water Resource Plan. The other two are the Northern Victoria WRP and the Goulburn Murray WRP. While Victoria has titled the package 'Victoria's North and Murray Water Resource Plan', the area 'Victoria's North and Murray' is not a water resource plan area identified in Part 2 of Chapter 3 of the Basin Plan.
3. This report includes:
 - a. a short outline of the structure of the proposed WRP;
 - b. a summary of key issues the proposed WRP presents;
 - c. an assessment of the consistency of the proposed WRP with each Chapter of the *Basin Plan 2012* ('the Basin Plan'); and
 - d. an assessment of the way in which the proposed WRP addresses each requirement in Chapter 10 of the Basin Plan.

Requirements of the *Water Act 2007* (Cth) ('the Act')

4. Section 54(1) of the Act provides that there is to be a WRP for each water resource plan area and section 55(1) of the Act requires that a WRP must provide for the management of the water resources of the WRP area. The proposed WRP is for Victorian Murray and provides for the management of the water resources of that area.
5. The Act requires that a WRP must be consistent with the relevant Basin Plan, including:
 - a. section 55(2)(a) of the Act requires that a WRP must be consistent with the requirements for WRPs - these are set out in Chapter 10 of the Basin Plan; and
 - b. section 55(2)(b) of the Act requires that a WRP must be consistent with 'any long-term annual diversion limit for the water resources of the WRP area (or for a particular part of those water resources)' - these limits are set by Chapter 6 of the Basin Plan.
6. In considering whether a WRP is consistent with the relevant Basin Plan, the Authority must have regard to the legislative framework within which a proposed WRP operates (section 55(3) of the Act).
7. The relevant version of the Act is C2018C00505, registered on 19 December 2018, Corrected Authorised Version registered 22 February 2019.

Relevant version of the Basin Plan

8. The term 'relevant Basin Plan' is defined as the version of the Basin Plan that the Minister applies in relation to a WRP under section 56(2) (section 55(2) of the Act).
9. The Act provides that the relevant version will be the version of the Basin Plan in effect 2 years before a proposed WRP is given to the Minister under section 63(3) (per Item 1 of the table in

section 56(2A) of the Act) or, the version of the Basin Plan which is nominated by a Basin State in writing at the time a proposed WRP is provided (per Item 4 of the table in section 56(2A) of the Act). A version nominated by a Basin State must sit within certain bounds, including that the Basin Plan which is nominated must not be one in effect more than 2 years earlier than when the WRP is given.

10. In this case Victoria nominated a version of the Basin Plan for the purposes of section 56(2A).
11. The relevant Basin Plan is version F2018C00451, registered on 11 July 2018 and in force as of the date of the Authority's recommendation.

Legislative framework within which the proposed WRP operates

12. Section 55(3) of the Act requires that in determining whether a proposed WRP is consistent with the Basin Plan, regard must be had to the legislative framework within which the WRP operates.
13. The *Water Act 1989* (Vic) provides the main legislative framework in Victoria within which the proposed WRP will operate. It establishes rights and obligations in relation to water resources, provides mechanisms for the allocation of water resources, establishes the Victorian Water Register and the Victorian Environmental Water Holder, governs the statutory powers and functions of all water authorities outside the metropolitan area, and provides for integrated management of the water resources and for environmental and consumer protection.
14. The *Catchment and Land Protection Act 1994* (Vic) establishes the framework for the integrated and coordinated management of catchments and outlines content and development criteria for Regional Catchment Strategies.
15. The *Environmental Protection Act 1970* (Vic) establishes the Environment Protection Authority and makes provision for the Authority's powers, duties and functions relating to improving the air, land and water environments by managing waters, controlling noise and controlling pollution. It also provides for State Environmental Protection Policies.
16. The *Traditional Owner Settlement Act 2010* (Vic) provides for the advancement of reconciliation, and the promotion of good relations between the state and Traditional Owners. This Act provides for natural resource agreements and other related Aboriginal protections.
17. The Authority has had regard to this legislative framework within which the proposed WRP operates in considering whether it is consistent with the Basin Plan, as is required by section 55(3) of the Act.

Structure of the proposed WRP

18. The proposed WRP package consists of a number of documents.
19. Victoria has prepared the Northern Victoria WRP, the Victorian Murray WRP and the Goulburn Murray WRP as a single integrated document, called Victoria's North and Murray Index Table, which identifies the content of the proposed WRPs. This is supported by Victoria's North and Murray Water Resource Plan Comprehensive Report that provides a more detailed explanation of water management arrangements in the water resource plan areas.

Consultation

20. The proposed WRP contains a description of the consultation undertaken in relation to the proposed WRP. This has included community consultation as contemplated by Part 6 of Chapter 10, consultation with affected States in satisfaction of the requirement in section 63(2) of the Act and consultation with relevant Indigenous organisations in relation to Part 14 of Chapter 10 of the Basin Plan.

Part 14 consultation with relevant Indigenous organisations

21. There are several traditional owner and nation groups including representative Aboriginal corporations in the WRP area. The expectation is that a Basin State has undertaken effective and appropriate consultation with all relevant Aboriginal Nation groups in a WRP area during the development of a WRP and has consulted with relevant Indigenous organisations. This assessment report does not generally distinguish between the terms Aboriginal and Indigenous. Consistent with s 4 of the Act references to Aboriginal or Indigenous people include both Aboriginal and / or Torres Strait Islanders who may have connection to the WRP area. The term Aboriginal is used frequently in this assessment as the Murray Lower Darling Rivers Indigenous Nations ('MLDRIN') have expressed a preference for that term.
22. The Authority sought advice from MLDRIN on whether the proposed WRP is consistent with the requirements regarding Indigenous values and uses in Part 14 of Chapter 10 of the Basin Plan. As a result of this process, MLDRIN have advised that they found the proposed WRP to be consistent with the requirements in Part 14 of Chapter 10 of the Basin Plan. However, in relation to s 10.53(1)(a) and (b) the Authority notes that MLDRIN marked these requirements as only being partially met. This was because the representatives felt that the content only partially demonstrated that regard had been had for these matters and that during consultation the interaction between the WRP and relevant legislation was not made clear.

Consultation with adjacent states

23. Section 63(2) of the Act requires that if a water resource plan area is adjacent to a water resource plan area in another Basin state, the proposed WRP must be prepared in consultation with that State. The water resource plan area is adjacent to water resource plan areas in New South Wales and South Australia. The Authority understands that the proposed WRP was prepared in consultation with New South Wales and South Australia. This is demonstrated in the material put forward to meet the requirements in s 10.05, s 10.07, s 10.32(4) and s 10.35 of the Basin Plan.

Key issues

Context of the WRP area

24. The Victorian Murray water resource plan area includes all the surface water resource in the water resource plan area and is adjacent to the Northern Victoria water resource plan area. The Goulburn-Murray water resource plan area covers the same geographical area as the Northern Victoria and Victorian Murray water resource plan areas but only includes the groundwater resources.

Baseline Diversion Limit estimate revision

25. The proposed WRP contains estimates of the baseline diversion limit (BDL) for the SDL resource units in the WRP area which are different from the estimates set out in column 2 of Schedule 3 of the Basin Plan.
26. The proposed WRP revises the overall BDL estimate for the Victorian Murray SDL resource unit (SS2) from 1707.1 to 1718 GL per year, an increase of 10.9 GL. In addition, the proposed WRP revises the overall BDL estimate for the Kiewa SDL resource unit (SS3) from 24.6 to 27.7GL per year, an increase of 3.1 GL. The revised estimates are due to improvements to methods and modelling used to estimate take.
27. The Authority considers that the updated BDL estimates are based on the best available information and reflect the level of development that is set out in the description in column 2 of Schedule 3 of the Basin Plan.

Part 3 – Incorporation and application of long-term annual diversion limits

28. A WRP must be consistent with ‘any long-term annual diversion limit for the water resources of the water resource plan area (or for a particular part of those water resources)’ (section 55(2)(b) of the Act). These limits are set by Chapter 6 of the Basin Plan.
29. The proposed WRP has been assessed as consistent with the long-term annual diversion limit for the water resource plan area on the assumption that the gap between the long-term average sustainable diversion limit (SDL) and baseline diversion limit (BDL) will be bridged by the Commonwealth.
30. The method to estimate take from a watercourse (excluding take under basic rights) – out of model component for the Victorian Murray SDL resource unit, is where the annual permitted take method for this is determined as the SDL (where the SDL is equal to the BDL). This is an interim method that will be used for two years while Victoria undertakes a review to determine a more accurate method for permitted take for this form of take. Victoria considers that is not cost-effective or fit-for-purpose to develop a new simulation model for the SDL volume of the out of model component for this form of take, given it is a small proportion of overall take. The Authority notes that Victoria will undertake a review and develop a more appropriate permitted take method that recognises adjustments under bans and restrictions.
31. The proposed WRP does not include re-use dams (used to capture rainfall runoff) as an applicable class of water access right for any form of take although these are listed in section 80A of the Water Act 1989 (Vic). The Authority understands there is little information known about re-use dams in Victoria and as such Victoria has not included this as a class of water access right for the purposes of s 10.08(1)(b). The Authority notes that further work is needed to be undertaken by Victoria to clarify the treatment of reuse dams in Victoria’s water modelling.

Part 4 – Priority environmental assets

32. The Basin Plan requires that priority environmental assets (PEAs) be identified in accordance with the method in s 8.49. As part of this method, section 8.49(1)(b) of the Basin Plan requires the identification of assets that can be watered by environmental water (defined in the *Water Act 2007* (Cth) as HEW and/or PEW), and these should be listed as priority environmental

assets. A WRP should then consider whether it is necessary to include rules so that the WRP does not compromise meeting environmental watering requirements of PEAs.

33. The identification of PEAs in the proposed WRP has been limited to the regulated systems of the water resource plan area where there is HEW. This is because under Victoria's internal arrangements, the only place HEW can occur is within regulated systems. While not inconsistent with the requirements of the Basin Plan, the Authority is concerned that important assets in unregulated systems of the Victorian Murray water resource plan area are not identified as Victoria has determined there is no environmental water in these areas.
34. As discussed below, following accreditation of the proposed WRP, Victoria will undertake a review of the Long-term watering plans. The Authority expects that this review will include updating the list of PEAs and PEFs (and their associated environmental watering requirements) in accordance with the requirements of s 8.49 of the Basin Plan, and as committed to in s 10.26(1) of the proposed WRP.

Part 6 – Management of environmental water

35. The proposed WRP states that there is no planned environmental water identified in the water resource plan area. Instead, the proposed WRP includes a description of how other 'types' of water in the system (e.g. 'above-cap' water, systems water, consumptive flows en route, HEW, etc.) contribute to the achievement of environmental outcomes amongst other social, cultural and economic outcomes. Victoria is required to report on the delivery of environmental outcomes as part of reporting on the implementation of the proposed WRP under Schedule 12, Matter 8 of the Basin Plan.
36. In addition, the proposed WRP includes a rule in response to s 10.17(3) of the Basin Plan to provide a level of protection to the above cap water in the system and its contribution to ensuring environmental watering requirements of PEAs and PEFs are met.
37. There is currently no Long-Term Watering Plan (LTWP) in Victoria that is consistent with the Basin Plan, and as such the proposed WRP does not rely on such a plan to set out an environmental water management approach that is consistent with the Basin Plan. While long-term environmental objectives are provided in Victorian LTWPs, detailed environmental watering requirements are contained in Environmental Water Management Plans prepared for each PEA. In the absence of a Basin Plan consistent LTWP the proposed WRP uses Environmental Water Management Plans for the purpose of establishing environmental watering requirements consistent with the Basin Plan.
38. The Victorian Murray LTWPs will be updated within 12 months of the proposed WRP being accredited. The update will specifically address Basin Plan objectives and targets for environmental watering of PEAs and PEFs. The updates will also clearly consider the needs of unregulated systems and specify how the method for selecting priority assets has been applied in developing the LTWP. Following updated LTWPs, Victoria has indicated that it will update the proposed WRP to point to the LTWPs in place of the Environmental Water Management Plans.

Part 6 – Relevant version of the Basin-wide environmental watering strategy

39. The proposed WRP provides for environmental watering in a way that is not inconsistent with the version of the Basin-wide environmental watering strategy (BWS) published in November 2014. This version of the BWS was in effect throughout the development of the proposed WRP and at the time of initial formal submission of the proposed WRP in April 2019.

The BWS was subsequently revised and updated to a second edition, published on 22 November 2019.

40. The proposed WRP has not been updated to maintain consistency with the revised 2019 edition of the BWS. The Authority is satisfied that this is reasonable, as the updates to the BWS were formalised while the resubmission process for the proposed WRP was underway, and that there are minimal changes between the 2014 and 2019 versions of the BWS.
41. The Authority expects that following accreditation of the proposed WRP, any future amendments proposed by Victoria will also include amendments to provide for environmental watering consistent with the most recent version of the BWS.

Part 10 – Measuring and Monitoring

42. The proposed WRP has not included the proportion of take which is measured in accordance with agreed metering standards (AS4747) as recommitted to in the Basin Compliance Compact. The proposed WRP states that it is not currently possible to estimate the proportion of water taken that is measured by different classes of meters.
43. The Authority expects that following accreditation of the proposed WRP, and the determination of any exemptions to the metering standard that Victoria chooses to put in place, the proposed WRP will be amended by Victoria to include the proportion of take that is metered to agreed standards.

Consistency with the Basin Plan

44. If a proposed WRP is consistent with the requirements in Chapter 10 of the Basin Plan, it should generally be consistent with the remaining chapters of the Basin Plan. This position recognises the close connections between the requirements in Chapter 10 and the other parts of the Basin Plan. Despite this, to determine whether the proposed WRP is consistent with all parts of the Basin Plan, the proposed WRP has been assessed against each chapter of the Basin Plan.

Chapter 1 – Introduction

45. This Chapter sets out preliminary matters relating to the Basin Plan, the structure of the Basin Plan, interpretation provisions, including various definitions and construction provisions, and requirements relating to the entering into of implementation obligations.
46. The proposed WRP is consistent with these general provisions.

Chapter 2 – Basin water resources and the context of their use

47. This Chapter sets out a description of the Basin water resources and the context in which those resources are used.
48. The proposed WRP is consistent with this description.

Chapter 3 – Water resource plan areas and water accounting periods

49. This Chapter identifies the particular areas that are to be WRP areas and the periods that are to be the water accounting periods for each of those WRP areas. For s10.02, the proposed WRP identifies the WRP areas and the water resources consistently with this Chapter. The water accounting periods for the proposed WRP align with the water accounting periods in the Basin Plan (i.e. 1 July to 30 June).
50. The proposed WRP is consistent with this Chapter.

Chapter 4 – Identification and management of risks to Basin water resources

51. This Chapter sets out risks to the condition, or continued availability, of Basin water resources and strategies to manage, or address, those risks. For s 10.41 of the Basin Plan, the risks identified in the proposed WRP have been identified having regard to the risks identified in s 4.02 of the Basin Plan. For s 10.43 of the Basin Plan, the proposed WRP has been prepared having regard to the strategies listed in s 4.03(3) of the Basin Plan. No guidelines have been prepared for s 4.04 of the Basin Plan.
52. The proposed WRP is consistent with this Chapter.

Chapter 5 – Management objectives and outcomes to be achieved by Basin Plan

53. This Chapter sets out the management objectives and outcomes to be achieved by the Basin Plan. The proposed WRP is consistent with these objectives and outcomes.
54. It is noted more generally that:
 - a. The proposed WRP identifies water dependent ecosystems and ecosystem functions of those systems consistently with Chapter 8 of the Basin Plan. The WRP includes arrangements in relation to these water dependent ecosystems and ecosystem functions that are consistent with the objectives in s 5.03(1) and which contribute to the outcome in s 5.03(2).
 - b. The water quality management plan ('WQM Plan') in the proposed WRP identifies measures and targets for water quality that are consistent with those set out in Chapter 9 of the Basin Plan. The measures and targets in the proposed WRP are therefore consistent with the objective in s 5.04(1) and contribute to the outcome in s 5.04(2).
 - c. The proposed WRP demonstrates that the long-term sustainable diversion limits on take, including as amended through the operation of SDL adjustment mechanism, will be given effect through the provisions in the proposed WRP addressing the operation of Part 3 of Chapter 10, which is consistent with Chapter 6 of the Basin Plan. Therefore, the operation of the proposed WRP is also consistent with the objective in s 5.05(1) and contributes towards the outcomes in s 5.05(2).
 - d. The proposed WRP includes provisions relating to water trading which are not inconsistent with the requirements for restrictions on trade set out in Chapter 12 of the Basin Plan. These provisions are consistent with the objectives in s 5.07(1) and contribute towards the outcome in s 5.07(2).

Chapter 6 – Water that can be taken

55. This Chapter sets out the long-term average sustainable diversion limits for each SDL resource unit, the method for determining compliance with those limits and how risks are allocated in relation to reduction of diversion limits.
56. The proposed WRP is consistent with the long-term average sustainable diversion limit that applies to the SDL resource unit of the water resource plan area (section 55(2)(b) of the Act). This is principally because the proposed WRP has met the requirements in Part 3 of Chapter 10 of the Basin Plan, which set out how a WRP must incorporate and apply this limit.
57. In this respect, and as is noted in the context of assessing whether the proposed WRP is consistent with Chapter 10:
 - a. the proposed WRP includes a method for s 10.10 that has been demonstrated to enable the determination of an annual permitted take which, if applied over the historical climate conditions, meets the long-term average sustainable diversion limits,
 - b. the proposed WRP sets out how the quantity of water actually taken for consumptive use, by each form of take, will be determined at the end of a water accounting period, consistent with s 10.15 of the Basin Plan. This generates the annual actual take that is used in the method for SDL compliance under Chapter 6, and
 - c. the proposed WRP includes rules for s 10.11 that ensure, as far as practicable, that actual take does not exceed permitted take.
58. Section 6.14 of the Basin Plan provides that nothing in the Basin Plan requires a change in the reliability of water allocations of a kind that would trigger Subdivision B of Division 4 of Part 2 of the Act. The Authority has undertaken an assessment of the proposed WRP and considers there to be no reliability impacts of the kind specified in s 6.14.
59. Therefore, the Authority considers that the proposed WRP is consistent with Chapter 6 of the Basin Plan.

Chapter 7 – Adjustment of SDLs

60. This Chapter details a process for adjusting the SDLs of certain surface water SDL resource units. The Authority considers that the proposed WRP is consistent with this Chapter.

Chapter 8 – Environmental watering plan

61. This Chapter sets out the environmental watering plan. In accordance with s 10.26 of the Basin Plan, the proposed WRP provides for environmental watering to occur in a way that is consistent with the environmental watering plan, the Basin-wide environmental watering strategy and contributes to the achievement of the objectives in Part 2 of this Chapter.
62. As discussed under the Key Issues section, the proposed WRP is not inconsistent with the 2014 version of the Basin-wide environmental watering strategy, but has not been updated for consistency with the second edition published in November 2019. Given the minimal changes made during the updates to the BWS, this is not considered to make the proposed WRP inconsistent with Chapter 8 of the Basin Plan.
63. There is no planned environmental water identified by the proposed WRP as occurring in the water resource plan area. The proposed WRP instead sets out how Victorian water management policy and legislation provides for environmental benefits from 'above-cap' water, whilst not committing this water to specifically achieving environmental outcomes. This

framework operates in conjunction with Held Environmental Water held by both the CEWH and VEWH in the water resource plan area.

64. For s 10.27 of the Basin Plan, the proposed WRP provides for the coordination of environmental watering between connected water resources.
65. For s 10.28 of the Basin Plan, as there is no planned environment water identified under s 10.09(1) of the proposed WRP, the proposed WRP does not result in a net reduction in the protection of planned environmental water from the protection provided for under State water management law immediately before the commencement of the Basin Plan on 22 November 2012.
66. The proposed WRP is consistent with this Chapter.

Chapter 9 – Water quality and salinity management plan

67. This Chapter sets out the water quality and salinity management plan. This Chapter sets out the key causes of water quality degradation in the Murray-Darling Basin, water quality objectives for Basin water resources and water quality targets.
68. The proposed WRP includes a water quality management plan ('WQM Plan') that is consistent with the requirements in Part 7 of Chapter 10 of the Basin Plan. The WQM Plan identifies:
 - a. for s 10.30 of the Basin Plan, causes of water quality degradation in the WRP area having regard to the key causes of water quality degradation identified in Part 2 of Chapter 9;
 - b. for s 10.32 of the Basin Plan, water quality target values that are consistent with the targets in Part 4 of Chapter 9, and alternative targets that are consistent with the ANZECC Guidelines; and
 - c. for s 10.33 of the Basin Plan, measures that contribute towards the achievement of the objectives in Part 3 of Chapter 9.
69. The proposed WRP is consistent with Chapter 9 of the Basin Plan.

Chapter 10 – Water resource plan requirements

70. For the reasons which are elaborated on in the assessment tables set out below, the proposed WRP is consistent with Chapter 10 of the Basin Plan.
71. Note that s 10.04(4) of the Basin Plan requires that a WRP includes a list that specifies and addresses each requirement as set out in Chapter 10 of the Basin Plan. The proposed WRP does this through the document entitled Victoria's North and Murray Index Table.

Chapter 11 – Critical human water needs

72. This Chapter is only relevant to water resource plans which cover part of the River Murray System, as defined in s86A(3) of the Act.
73. The proposed WRP provides arrangements for critical human water needs, consistently with Chapter 11 of the Basin Plan. In addition, the proposed WRP outlines and incorporates the water allocation framework which prioritises the allocation of water for critical human water needs in extreme dry conditions.

Chapter 12 – Water trading rules

- 74. This Chapter sets out specific rules relating to water trading, and the proposed WRP is consistent with requirements of this Chapter.
- 75. When assessing trade arrangements in the proposed WRP the Authority also considered the rules in ss 12.06-12.15 of the Basin Plan which ensure the right to trade free of certain restrictions. The Authority did not identify any matters of inconsistency with these rules. As such, the proposed WRP is consistent with this Chapter.

Chapter 13 – Program for monitoring and evaluating the effectiveness of the Basin Plan

- 76. This Chapter sets out the program for monitoring and evaluating the effectiveness of the Basin Plan.
- 77. The proposed WRP specifies the monitoring of the water resources of the WRP area that will be done to enable Victoria to fulfil its reporting obligations under s 13.14 of the Basin Plan.
- 78. The proposed WRP is consistent with this Chapter.

Part 2 - Identification of water resource plan area and other matters

Section 10.02 – Identification of water resource plan area and water resources

- (2) A water resource plan must identify:
- (a) the water resource plan area; and
 - (b) the water resources; to which it applies.
- (3) The water resource plan area must be one of the water resource plan areas described in Part 2 of Chapter 3 and must be identified using the same description of that area as is set out in that Part, with any variations permitted by section 3.04.
- (4) The water resources must be those described in Part 2 of Chapter 3 as the water resources of the water resource plan area and must be identified using the same description of those water resources as is set out in that Part.

10.02	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies:	True	Column 3 of the Index Table for this section	Column 3 of the Index Table for this section states that Victoria's North and Murray proposed WRP applies to the Victorian Murray water resource plan area and all surface water in that area as described by s 3.05(m) of the Basin Plan.	MET
	(a) the applicable geographic area of the WRP		Column 5 of the Index Table for this section		
	(b) all water resources in the plan area to which the WRP applies	True		The supporting text in Column 5 of the Index Table for this section states that the version of the Basin Plan referred to throughout the proposed WRP is F2018C00451, registered on the Federal Register of Legislative Instruments on 11 July 2018. The MDBA has assessed the proposed WRP for consistency with the version of the Basin Plan referenced above.	
2	A variation to boundaries under s3.04 applies to the WRP area	False	Column 3 of the Index Table for ss 10.02(1)(a) and (b)	Column 3 of the Index Table for ss 10.02(1)(a) and (b) identifies that the water resource plan area is as described	Not applicable

10.02	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The WRP applies the variation under 3.04	Test turned off		under s 3.05(m) of the Basin Plan. As such no variations to boundaries apply and this requirement is not applicable to this proposed WRP.	
	The WRP states the WRP area as the applicable area using the same terms as in Part 2 of Chapter 3	Test turned off			
3	The water resources to which this WRP applies are the same as the water resources described in Part 2 Chapter 3	True	Column 3 of the Index Table for ss 10.02(1)(a) and (b)	Column 3 of the Index Table for ss 10.02(1)(a) and (b) states that the water resources to which the proposed WRP applies are the same as the water resources described in s 3.05(m), Part 2 of Chapter 3 of the Basin Plan.	MET

Section 10.03 – Identification of SDL resource units and water resources

- (1) A water resource plan must identify:
 - (a) each SDL resource unit in the water resource plan area; and
 - (b) the water resources within each SDL resource unit.
- (2) The SDL resource units must be those described in sections 6.02 and 6.03 and Schedules 2 and 4 as the SDL resource units within the water resource plan area, as applicable.
- (3) The water resources within each SDL resource unit must be those described in sections 6.02 and 6.03, and Schedules 2 and 4.

10.03 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies:	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection identifies all water resources in the SDL resource units in the Victorian Murray water resource plan area in accordance with s 6.02 and Schedule 2 of the Basin Plan. Column 3 also describes the SDL resource units as those described in s 6.02 and Schedule 2 of the Basin Plan.</p> <p>Column 3 of the Index Table for this subsection states that a map of these water resources is contained at Figure 1-1 of Victoria's North and Murray Comprehensive Report.</p> <p>Figure 1-1 of the Comprehensive Report is a map of Victoria's water resource plan areas, and does not specifically identify the SDL resource units in each water resource plan area. However, as Column 3 of the Index Table for each provision identifies the water resource plan area and (if relevant) the SDL resource units to which it applies, the Authority is satisfied that this meets this provision.</p>	MET
	(a) each applicable SDL resource unit in the WRP area	True			
	(b) the water resources within each SDL resource unit	True			
2	The WRP applies to the SDL resource units are those	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection points to the response provided at s 10.03(1). The response provided at	MET

10.03 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	described in ss6.02 and/or 6.03, and Schedules 2 and/or 4		Column 3 of the Index Table for s 10.03(1)	<p>s 10.03(1) describes the SDL resource units and identifies all the surface water resources within the SDL resource units in the Victorian Murray water resource plan area, as described in s 6.02 and Schedule 2 of the Basin Plan.</p> <p>The SDL resource units for the Victorian Murray water resource plan area are:</p> <ul style="list-style-type: none"> - Victorian Murray (SS2) - Kiewa (SS3) <p>The Authority is satisfied that this provision has been met.</p>	
3	The WRP applies SDL resource units to water resources are those described in ss6.02 and/or 6.03, and Schedules 2 and/or 4	True			

Section 10.04 – Form of water resource plan

Water resource plan constituted by 2 or more instruments

- (1) If a water resource plan is constituted by 2 or more instruments or texts, subsections (2) and (3) apply to it.

Note: Subsection 63(1) of the Act states that a water resource plan may be constituted by 2 or more instruments.

- (2) The water resource plan must identify the instruments or texts that constitute the water resource plan.

Note: The same instrument or text may be used for more than one water resource plan.

- (3) If an instrument or text applies only to some of the water resources of the water resource plan area, the water resource plan must:

- (a) identify the water resources or the parts of the water resources to which the instrument or text applies; and
- (b) include an indicative map of the water resources identified in paragraph (a).

Water resource plan to include list of requirements

- (4) A water resource plan must include a list that specifies:

- (a) each requirement set out in this Chapter (individually or by reference to a group of requirements); and
- (b) the part of the plan that addresses each requirement (or group of requirements); and
- (c) the parts of the plan that will cease to have effect or are to be reviewed, and the times at which those parts will cease to have effect or are to be reviewed.

Note: For paragraphs (a) and (b), the list may, for example, group multiple requirements in Chapter 10 together and specify that those requirements are addressed in a single document that deals with those requirements.

Material not forming part of the water resource plan

- (5) If a water resource plan is constituted by an instrument or text which contains additional material that is not part of the water resource plan, the water resource plan must identify that material.

Note: See paragraph (d) of the definition of water resource plan in section 4 of the Act.

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP index refers to 2 or more instruments or texts	True	Column 3 of the Index Table for s 10.04(2)	Column 3 of the Index Table for s 10.04(2) states that the proposed WRP is constituted by columns 1, 2, 3 and 4 of Victoria's North and Murray Index Table, Tables A and B attached to the Index Table and those parts of Victoria's North and Murray Comprehensive Report and its appendices as identified in Column 3.	MET

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				As such the proposed WRP Index Table refers to 2 or more instruments or texts and s 10.04(2) and s 10.04(3) of the Basin Plan apply.	
	If 'yes' establish that the WRP addresses the requirements in subsection (2) and (3)	True	Column 3 of the Index Table for this ss 10.04(2) and 10.04(3)	The proposed WRP provides a response for s 10.04(2) and s 10.04(3) in Column 3 of the Index Table for the respective sections.	
2	The WRP identifies the instruments or texts that makes up the WRP package	True	Column 3 of the Index Table for this subsection	The text in Column 3 of the Index table for this subsection states that the proposed WRP is constituted by Columns 1, 2, 3 and 4 of the Index Table, Tables A and B attached to the Index Table, and those parts of the Comprehensive Report and its appendices identified in Column 3 of the Index Table.	MET
3	The WRP includes an instrument or text that operates for or covers only some of the water resources in the WRP area	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that this matter is responded to in the Index Table at each relevant water resource plan requirement.	MET
	(a) The WRP identifies the water resources or the parts of water resources to which the instrument or text applies	True	Column 5 of the Index Table for this subsection	<p>Column 5 of the Index Table for this subsection indicates that the Victoria’s North and the Murray WRP package includes the water resource plan for three water resource plan areas in the Basin Plan. These are:</p> <ul style="list-style-type: none">• Victorian Murray WRP area (surface water)• Northern Victoria WRP area (surface water)• Goulburn Murray WRP area (groundwater) <p>Column 5 of the Index Table for this subsection states that Column 3 of the Index Table identifies where accredited text is only applicable to a particular water resource rather than all water resources in the Victoria’s North and the Murray water resource plan area.</p>	

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Column 5 of the Index Table for this subsection states that if Column 3 of the Index table does not identify particular resources to which the response applies, the response applies to both surface water and groundwater.</p> <p>The Index Table has been developed to respond to requirements for groundwater and surface water across the three water resource plan areas (noted above) unless identified in the accredited text to only apply to a particular water resource plan area.</p> <p>Column 5 of the Index Table for subsection 10.01 uses the following terms:</p> <ul style="list-style-type: none"> - <i>Victoria's North and Murray water resource plan area</i> – meaning the water resource plan areas defined in the Index Table in response to s 10.02(1), which includes the Northern Victoria, Victorian Murray and Goulburn-Murray WRP areas. - <i>Victoria's North (surface water) WRP area</i> – meaning the Northern Victoria and Victorian Murray WRP areas. - <i>Northern Victoria water resource plan area</i> - <i>Victorian Murray water resource plan area</i> - <i>Goulburn-Murray water resource plan area</i> 	
	(b) The WRP includes an indicative map of the water resources identified in letter (a)	Present	<p>Column 3 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for s 10.03(1)</p>	<p>Column 3 of the Index Table for this subsection does not provide reference to an indicative map in response to this provision.</p> <p>Column 3 at s 10.03(1) states that for the purpose of section 10.04(3), this response applies to all the water resources in the</p>	

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
4			Figures 1-1 and 2-2 of the Comprehensive Report	<p>Victorian Murray water resource plan area and that a map of these water resources is contained at Figure 1-1 of the Comprehensive Report. Figure 1-1 of the Comprehensive Report outlines the five water resource plan areas for groundwater and surface water in Victoria.</p> <p>Figure 1-1 of the Comprehensive Report is a map of Victoria's water resource plan areas, and does not specifically identify the SDL resource units in each water resource plan area. Figure 2-2 of the Comprehensive Report provides a map of the water resource plan areas, clearly identifying the SDL resource units within each water resource plan area. This map is not referenced in the proposed WRP.</p> <p>However, as the requirement of this provision is to include a map of the water resources of the water resource plan area as listed at s 10.04(a), the Authority is satisfied that this provision is met.</p>	
	The WRP has an index that lists all the sections in Chapter 10	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that Columns 1 and 2 of the Index Table list requirements under Chapter 10 of the Basin Plan.</p> <p>With each provision of the Basin Plan under Chapter 10 being present in Columns 1 and 2, this satisfies the requirement for s 10.04(4)(a).</p>	MET
	The list references the part of the WRP that addresses each Chapter 10 requirement	True	Column 3 of the Index Table for each subsection	Column 3 of the Index Table for each subsection provides text or a reference to the section of text in the Comprehensive Report to address the requirements under Chapter 10 of the Basin Plan.	

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The list specifies date of cessation or review for each part of the WRP that is subject to a time limit for operation	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p>	<p>While the assessment justification references a number of Victorian state management plans, these are not included as part of the proposed WRP. These documents are referenced in the assessment justification to demonstrate how the proposed WRP had regard to the matters referenced by those subsections, and do not form part of the proposed WRP.</p> <p>Column 3 of the Index Table for this subsection states that the proposed WRP, as constituted by Columns 1, 2, 3 and 5 of the Index Table, will cease to have effect in accordance with s64 of the <i>Water Act 2007</i> (Cth).</p> <p>The Index Table further states that the proposed WRP will be reviewed if state instruments are changed at any time during its accreditation period to ensure the proposed WRP is consistent with the Basin Plan. Column 5 of the Index Table for this subsection notes that as no state instruments have been included for accreditation, there are no parts of the proposed WRP that will expire during the accreditation period.</p> <p>This satisfies the requirements at s 10.04(4).</p>	
5	The WRP identifies which parts of instruments and other material are 'additional material' and excluded from accreditation	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that the proposed WRP does not include any instrument or text that is not identified in Column 3 of the Index Table. The proposed WRP does not include any content of the Comprehensive Report that is not identified in Column 3 of the Index Table.</p> <p>The Authority is satisfied that there is no other instrument or material that is 'additional material' and to be excluded from accreditation.</p>	MET

10.04 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Therefore this requirement is satisfied.	

Section 10.05 – Regard to other water resources

A water resource plan must:

- (a) be prepared having regard to the management and use of any water resources which have a significant hydrological connection to the water resources of the water resource plan area; and
- (b) describe the way in which paragraph (a) was complied with.

10.05 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(a)	There are significant hydrological connections between water resources of the WRP area to water resources outside the WRP area	True	<p>Column 3 of the Index Table for s 10.05(b)</p> <p>Column 5 of the Index Table for s 10.05(b)</p>	<p>Column 3 of the Index Table for s 10.05(b) identifies significant hydrological connections between water resources of the water resource plan area to water resources outside the water resource plan area and groundwater to surface water connections as being present. See below for details.</p> <p><u>Groundwater to surface water connections:</u> Column 3 of Index Table for s 10.05(b) identifies these as:</p> <ul style="list-style-type: none"> a) The Goulburn-Murray: Shepparton Irrigation Region SDL resource unit is significantly connected to surface water in the Campaspe, Goulburn and Broken SDL resource units, b) The Goulburn-Murray: Sedimentary Plain SDL resource unit is significantly connected to surface water (in the Kiewa, Ovens, Goulburn, Broken, Campaspe and Loddon SDL resource units) except where it underlies the Shepparton Irrigation Region SDL resource unit. <p><u>Surface water to surface water connections (between water resource plan areas):</u> Column 3 of the Index Table for s 10.05(b) identifies the significant connections between the Victorian Murray water</p>	MET

10.05 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>resource plan area and the Northern Victoria water resource plan area as:</p> <p>a) the Ovens River, Broken River (via Broken Creek), Goulburn River, Campaspe River and Loddon River have a significant hydrological connection with the River Murray. These rivers are in the Northern Victoria WRP area but connect through to the River Murray via the Victorian Murray WRP area. The connections in the River Murray relate to the NSW Murray and Lower Darling WRP area, and the South Australian River Murray WRP area.</p> <p>b) The Goulburn River has a significant connection to the River Murray via the East Goulburn Main Channel which comes off the Goulburn River and diverts water into the Lower Broken Creek and the Murray Irrigation Area connecting the Northern Victorian WRP area to the Victorian Murray WRP area.</p> <p>Column 3 of the Index Table for s 10.05(b) further identifies that the Kiewa River flows into the River Murray and is considered to be a significant hydrological connection.</p> <p>Connections between the Victorian Murray water resource plan area and Wimmera-Mallee (surface water) water resource plan area are identified in Column 3 of the Index Table for s 10.05(b). These connections are identified as not being significant and Column 5 of the Index Table for s 10.05(b) identifies why this is the case.</p>	
	The WRP was prepared having regard to the management and	True	Column 3 of the Index Table for	Column 3 of the Index Table for s 10.27(1) recognises that the Victorian Murray WRP area is connected to the SA River Murray (SW6) and the NSW Murray and Lower Darling (SW8) via the	

10.05 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	use of the hydrologically connected water resources		ss 10.27(1) and 10.27(2)	River Murray. Column 3 of the Index Table for s 10.27(2) states that the VEWH must coordinate environmental watering to ensure that the environmental watering objectives of connected plan areas can also be achieved.	
(b)	The WRP describes how s10.05(a) was complied with	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p>	<p>Column 3 of the Index Table for this subsection states that the proposed WRP was prepared having regard to the management and use of water resources that have a significant hydrological connection to the water resources in the water resource plan area. Column 5 of the Index Table for this subsection describes how connections are considered and assigned, with significant connections listed in Column 3 of the Index Table.</p> <p>Other areas of the proposed WRP where the management of connected resources have been considered are described in Column 5 of the Index Table for this subsection.</p> <p>Column 3 of the Index Table for this subsection states that water with significant hydrological connections from the Northern Victoria water resource plan area and the Victorian Murray water resource plan area into the River Murray connected resources are primarily managed through the Murray-Darling Basin agreement.</p> <p>The Authority is satisfied that for the provisions listed at s 10.05 the requirements have been met.</p>	

Section 10.06 – Matters relating to requirements of Chapter

- (1) For each matter that this Chapter requires to be dealt with in a water resource plan, the plan must specify the person responsible for the matter.
- (2) Without limiting subsection (1), if a water resource plan requires a measure or action to be undertaken, the plan must specify the person responsible for undertaking that measure or action.

10.06 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies each matter arising from Chapter 10	True	Column 1 and 2 of the Index Table for each section	Columns 1 and 2 of the Index Table for each section identifies each matter arising from Chapter 10.	MET
	Each matter nominates a responsible person or persons	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that the person responsible for each matter to be dealt with in the water resource plan is the Deputy Secretary Water and Catchments, of the Department.	
2	The WRP nominates a party as 'responsible person' for each Chapter 10 section listed in Position Statement 1M	True	Column 3 of the Index Table for this subsection Column 4 of the Index Table for relevant section	Column 3 of the Index Table for this subsection states that a person(s) responsible for any action or measure would be identified in Column 4 of the Index Table for each section. If no one is identified in Column 4 of the Index Table, this indicates that no action or measure is to be undertaken. The Authority is satisfied that the requirements at s 10.06 have been met.	MET

Section 10.07 – Consultation to be demonstrated

- (1) A water resource plan prepared by a Basin State must contain a description of the consultation in relation to the plan (including in relation to any part of the plan), if any, that was undertaken before the State gave the plan to the Authority under subsection 63(1) of the Act.

Note: A water resource plan prepared by the Authority and adopted under section 69 of the Act is a legislative instrument. The Legislative Instruments Act 2003 requires that the explanatory statements for such plans describe the consultation undertaken in relation to the plans.

- (2) If a water resource plan is amended in accordance with section 65 of the Act, the plan must contain a description of the consultation in relation to the amendment, if any, that was undertaken before the relevant Basin State gave the proposed amendment to the Authority under subsection 65(2) of the Act.

10.07 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Any consultation carried out in relation to all or part of the WRP is described	True	Column 3 of the Index Table for this subsection Appendix D of the Comprehensive Report - Consultation Report	Column 3 of the Index Table for this subsection states that consultation in relation to the Victorian Murray Water Resource Plan that was undertaken is provided in Appendix D of the Consultation Report. Appendix D of the Comprehensive Report outlines the consultation undertaken in relation to the development of the proposed WRP. This satisfies the requirement at s 10.07(1).	MET
2	The WRP is being presented for the purpose of accreditation of an amendment under s65 of the <i>Water Act 2007</i>	False	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection notes that proposed WRP has not been amended in accordance with s 65 of the Act, and therefore the requirement at s 10.07(2) does not apply.	Not applicable
	The WRP describes the consultation undertaken in relation to the proposed amendment	N/A	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that this WRP does not contain any amendments. As no proposed amendments have taken place, this provision does not apply.	

Part 3 Incorporation and application of long-term annual diversion limit

Section 10.08 – Water access rights must be identified

(1) A water resource plan must identify:

- (a) each form of take from each SDL resource unit in the water resource plan area;
- (b) any classes of water access rights that apply to the forms of take identified under paragraph (a);
- (c) the characteristic of each class of right including, where appropriate, the number of rights and any conditions on the exercise of the rights.

(2) A water resource plan must require a holder of water access right to comply with the conditions of that right.

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(a)	All the forms of take mentioned in Schedule 3 (4 for groundwater resource units) for the SDL resource unit are listed.	True	Column 3 of the Index Table for this subsection Table A attached to the Index Table	Column 3 of the Index Table for this subsection refers to Table A attached to the Index Table which identifies all forms of take for the Victorian Murray SDL resource unit (SS2) and the Kiewa SDL resource unit (SS3) in the Victorian Murray water resource plan area. The Authority is satisfied that all forms of take mentioned in Schedule 3 of the Basin Plan are listed in the proposed WRP.	MET
	Additional forms of take apply to the SDL resource unit	False	Table A attached to the Index Table	The Authority has conducted an assessment of the <i>Water Act 1989</i> (Vic), and has not identified any other forms of take that apply in the water resource plan area.	
	Additional forms of take in the SDL resource unit are identified	False		No additional forms of take are listed in Table A attached to the Index Table for the SDL resource units of the water resource plan area.	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Changes to the BDL estimate arising from any additional forms of take are stated	False	Table A attached to the Index Table	There are no additional forms of take stated in Table A attached to the Index Table and so there are no changes to the BDL estimate arising from any additional forms of take.	
1(b)	Applicable class(es) of water access rights are identified ('attributed') for each form of take (presence/absence <i>for each form of take</i>)	Present	Column 5 of the Index Table for this subsection Table A attached to the Index Table	<p>Table A attached to the Index Table identifies all relevant classes of water access right for each form of take.</p> <p>Column 5 of the Index Table for this subsection states that the only water access rights identified in Table A are those under the <i>Water Act 1989</i> (Vic), as other State legislation cannot give a person an authorisation to take water.</p> <p>Re-use dams capturing rainfall runoff are listed in section 80A of the <i>Water Act 1989</i> (Vic), but are not included in the proposed WRP as an applicable class of water access right for any form of take.</p> <p>The Authority understands there is little information known about re-use dams in Victoria. As such, the Authority accepts Victoria's assertion that re-use dams should not be listed as a class of water access right for the purposes of s 10.08(1)(b), noting that further work is needed to be undertaken by Victoria to clarify the treatment of reuse dams in Victoria's water modelling.</p>	
1(c)	The characteristics of each class of water access right are identified ('attributed') for each form of take (presence/absence <i>for each form of take</i>)	Present	Table A attached to the Index Table	Table A attached to the Index Table identifies the general conditions for each class of water access right.	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	It is it appropriate for the WRP to include: (i) the number of rights for each class;	True	Table A attached to the Index Table	Table A attached to the Index Table identifies the number of rights for each class of access right, for each form of take.	
	(ii) the conditions on exercising rights that apply to each class	False	Table A attached to the Index Table	<p>With regard to the proposed WRP including the conditions on exercising rights that apply to each class, the MDBA understands that this is not appropriate in the context of Victoria's water entitlement framework because the <i>Water Act 1989</i> (Vic) does not prescribe conditions for water access rights (with the exception of certain access and use conditions associated with take under basic rights and Traditional Owner rights).</p> <p>Instead, the types of conditions that may be imposed are set out in the sections of the <i>Water Act 1989</i> (Vic) referenced in Column 4 of Table A attached to the Index Table, and there is discretion for the Minister or their delegate to prescribe conditions appropriate to the location of take and use of water for each water access right. As such, the conditions on exercising rights are prescribed for each individual water access right instrument and recorded on the Victorian Water Register or licence, and are not consistent for all water access rights of a particular class. Therefore, it would be inconsistent with the Victorian legislative framework within which the proposed WRP will operate to prescribe standard conditions for water access rights through the WRP.</p>	
	The characteristics of each class of water access rights includes the number of rights and/or conditions on exercising	Absent	Table A attached to the Index Table	Column 7 of Table A attached to the Index Table lists the number of rights for each class of access right, for each form of take.	

10.08 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	those rights (presence/absence <i>for each form of take</i>)			While Table A of the Index Table does not include the specific conditions on exercising classes of water access rights (see assessment above), the types of conditions that may relate to a class of water access right are described in Column 5 in Table A attached to the Index Table.	
	The rationale for why it is not appropriate has merit	True	As above	The above assessment for s 10.08(1)(c) sets out the rationale for why it is not appropriate to include the conditions on exercising rights. The Authority is satisfied this rationale has merit.	
2	The WRP provision obliges water access right holders to comply with the conditions of a right	True	Column 3 of the Index Table for this subsection Table A attached to the Index Table	Column 3 of the Index Table for this subsection states that the holder of a water access right must comply with the conditions specified in the water access right instrument. A note in Column 3 of the Index Table for this subsection also indicates that the conditions that may be imposed on a water access right are identified in Table A attached to the Index Table. This information references the relevant section of the <i>Water Act 1989</i> (Vic) which sets out the conditions that may be imposed for each class of water access right, and notes that the specific conditions can be found on the instruments registered on the Victorian Water Register or individual licence. This provides further evidence of obligations on water access rights holders to comply with the conditions of rights. The Authority is satisfied that this provision in the proposed WRP will require water access rights holders to comply with the conditions of their rights, because the provision will become an	MET

10.08 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>enforceable obligation under s59 of the <i>Water Act 2007</i> (Cth) if the WRP is accredited.</p> <p>The Authority also notes:</p> <ul style="list-style-type: none"> - Part 6.7 of the Comprehensive Report describes how Victoria manages compliance and enforcement under the <i>Water Act 1989</i> (Vic) to ensure this obligation will be met), - that Victorian water corporations will continue to carry out their compliance enforcement functions and manage compliance with the terms and conditions of a water access right, with the MDBA to step in only as a last resort as is anticipated under the <i>Murray-Darling Basin Plan 2012 Implementation Agreement</i> (dated 7 August 2013). <p>In addition, the Authority notes that under the Murray-Darling Basin Compliance Compact agreed at the June 2018 Murray-Darling Basin Ministerial Council meeting, Victoria has committed to:</p> <ul style="list-style-type: none"> - Developing protocols that will explain arrangements for Basin Plan compliance and enforcement actions before and after accreditation of WRPs, by December 2018 (Action 2.3) - Continue to review the <i>Water Act 1989</i> (Vic) to find opportunities to improve regulatory frameworks and make best efforts to seek legislative amendment where appropriate (Action VIC 2.4) - Continue to seek ways to improve annual reporting on compliance activities to ensure improved transparently (Action VIC 2.8). 	

Section 10.09 – Identification of planned environmental water and register of held environmental water

- (1) A water resource plan must identify the planned environmental water in the water resource plan area and associated rules and arrangements relating to that water.
- (2) A water resource plan must provide for the establishment and maintenance of a register, to be published on a website specified by the plan, of held environmental water for the water resource plan area which records:
- (a) the characteristics of held environmental water in the water resource plan area (for example, quantity, reliability, security class, licence type, limitations); and
 - (b) who holds that water.
- (3) Subsection (2) is satisfied if the plan identifies a register of held environmental water which records the matters required by subsection (2) and is published on a website.

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	PEW is identified in the WRP area	False	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that no planned environmental water (PEW) is identified in the water resource plan area.	MET
	There is no PEW in the WRP area, and the supporting evidence validates the claim	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection Sections 12.2.2.2 and 12.2.3 of the Comprehensive Report	Column 3 of the Index Table for this subsection states that no PEW has been identified in the Victorian Murray water resource plan area. The explanation is provided in Column 5 of the Index Table for this subsection notes that: <ul style="list-style-type: none"> Policy and strategy documents in Victoria articulate how arrangements work to contribute to environmental watering objectives and outcomes, but do not commit water for these purposes (Column 5 of the Index Table refers to section 12.2.3 of the Comprehensive Report for a discussion on this water and its contribution to the environment) Victorian water law does not specifically identify above cap or unallocated water as water solely or partially for the environment. The Authority understands, as per 	

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>sections 12.2.2.2 and 12.2.3 of the Comprehensive Report, that this water is managed to meet multiple purposes and is used to manage the impact of take on the environment and other users in the system, although it is recognised as contributing to environmental benefits under Victoria's environmental water reserve policy.</p> <p>Based on the following justification, the Authority considers Victoria's view that there isn't any PEW in the Victorian-Murray water resource plan area and as such, associated rules and arrangements do not need to be listed in the proposed WRP as defensible:</p> <ul style="list-style-type: none"> • The <i>Water Act 1989</i> (Vic) does not commit or preserve water for the environment. While the Environmental Water Reserve (EWR) is identified as water available for environmental outcomes or an environmental purpose, the EWR provisions in the <i>Water Act 1989</i> (Vic) do not operate to commit or preserve this water. • The instruments that operate to commit or preserve water are the water access entitlements issued under the <i>Water Act 1989</i> (Vic) (e.g. bulk entitlements, take and use licences). • The Authority has also assessed Parts 4 and 5 of the <i>Catchment and Land Protection Act 1994</i>, and is satisfied that nothing in this Act, or regulations and other instruments made under this Act, commits or preserves water for an environmental outcome or purpose. • The Authority has not identified any other instrument that falls within the definition of Victorian State water management law given in s4 of the <i>Water Act 2007</i> (Cth) 	

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				that commits or preserves water for an environmental outcome or purpose.	
	The identified PEW is PEW as defined in the <i>Water Act 2007</i> (exhaustive - <i>all</i> PEW is identified)	Test turned off	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	Not applicable as no PEW is identified, per Columns 3 and 5 of the Index Table for this subsection.	
	PEW rules and arrangements to protect PEW operate in the WRP area	Test turned off	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	Not applicable as no PEW is identified, per Columns 3 and 5 of the Index Table for this subsection.	
2	A register of HEW for the WRP area is (and/or will be) established <i>OR</i>	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection identifies the Victorian Water Register as the register of HEW to meet this requirement.	MET
3	An existing register is identified	True	Column 3 of the Index Table for s10.09(2)	Column 3 of the Index Table for s 10.09(2) satisfies this requirement, and identifies the Victorian Water Register as the register of all water entitlements, including HEW, and as such this requirement is met.	MET

10.09 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
If it is verified that a register of HEW is / will be established OR that an identified register of HEW exists: consider the further matters required by subsection (2)					
2	A website for publication is specified	Present	Column 3 of the Index Table for s 10.09(2)	Column 3 of the Index Table for s 10.09(2) identifies the publicly available Victorian Water Register – http://waterregister.vic.gov.au/water-entitlements/bulk-entitlements	MET
	Characteristics and holders of water are (or will be) included in the register	True	Column 3 of the Index Table for s 10.09(2) Column 5 of the Index Table for this subsection	Column 3 of the Index Table for s 10.09(2) states that the Victorian Water Register contains the details of the characteristics of HEW in the water resource plan area and identifies holders of entitlements to the water. This information includes the entitlement holder, quantity of water held, water source, reliability, and limitations where applicable. Column 5 of the Index Table for this subsection states that the Victorian Water Register also contains links to specific details about all HEW held by the CEWH through links to the CEWH records accessed through a link on the Victorian Water Register at: https://www.environment.gov.au/water/cewo/about/water-holdings . Similarly, in relation to HEW held by the VEWH, the Victorian Water Register also contains links to the VEWH web address: http://www.vewh.vic.gov.au/watering-program/how-much-water-is-available	

Section 10.10 – Annual determinations of water permitted to be taken

- (1) For each SDL resource unit in a water resource plan area, and for each form of take, the water resource plan must set out the method for determining the maximum quantity of water that the plan permits to be taken for consumptive use during a water accounting period.
- (2) The method for subsection (1) may include modelling, and must be designed to be applied after the end of the relevant water accounting period, having regard to the water resources available during the period.
- (3) The method must:
 - (a) account for the matters in subsection 10.12(1); and
 - (b) be consistent with the other provisions of the water resource plan.
- (4) The plan must also set out a demonstration that the method relates to the SDL of each resource unit in such a way that, if applied over a repeat of the historical climate conditions, it would result in meeting the SDL for the resource unit, including as amended under section 23B of the Act.

Note 1: Under the Basin Plan, the SDL is the same as the long-term annual diversion limit because the temporary diversion provision for each SDL resource unit is zero. Section 6.04 and Schedules 2 and 4 set out the SDLs for each SDL resource unit.

Note 2: Amendments under section 23B of the Act are made following proposals for adjustment under Chapter 7.
- (5) If, as a result of an amendment under section 23B of the Act, the SDL for a surface water SDL resource unit is expressed as a formula that changes with time, the SDL for subsection (4) is taken to be:
 - (a) for a water accounting period beginning on or after 1 July 2019 – the SDL as it stood on 30 June 2019; and
 - (b) for a water accounting period beginning on or after 1 July 2022 – the SDL as it stood on 30 June 2022; and
 - (c) for a water accounting period beginning on or after 1 July 2024 – the SDL as it stood on 30 June 2024.

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	A method is set out that determines maximum quantity of water permitted to be taken for consumptive use for each form of take during a water accounting period for each SDL resource unit in the WRP area	True	<p>Column 3 of the Index Table for this subsection</p> <p>Table 6 in Appendix C of the Comprehensive Report</p>	<p>Column 3 of the Index Table for this subsection states that this part applies to all the water resources in the Victorian Murray water resource plan area. There are two SDL resource units in this water resource plan area.</p> <p>Column 3 of the Index Table for this subsection refers to Table 6 in Appendix C of the Comprehensive Report which sets out a method for determining annual permitted take during a water accounting period for each form of take in the Victorian Murray water resource plan</p>	MET

10.10 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>MDBA Technical Report 2018/16 – Source Murray Model</p> <p>Part 3.1.3.2 of Appendix C of the Comprehensive Report</p>	<p>area. The relevant permitted take methods, and the SDL resource units they apply to, for this water resource plan area are:</p> <ul style="list-style-type: none"> - the method set out in column 3 at item 1 of Table 6 in Appendix C applies to take from a watercourse (excluding basic rights) – modelled component for the Victorian Murray SDL resource unit (SS2) and the Kiewa SDL resource unit (SS3) - the method set out in column 3 for items 3-7 for the forms of take identified in column 2 of Table 6 in Appendix C apply to the Victorian Murray SDL resource unit (SS2) - the method set out in column 3 for items 4-7 for the forms of take identified in column 2 of Table 6 in Appendix C apply to the Kiewa SDL resource unit (SS3) <p>These methods are assessed below.</p> <p><u>Take from a watercourse (excluding take under basic rights) – modelled component</u></p> <p>The Source Murray Model will be used to determine the annual permitted take for this form of take, using the approach set out in column 3 in Table 6 of Appendix C of the Comprehensive Report. The text describes how the model will be applied at the end of each year, and lists how the annual permitted take will be determined, including adjustments for any water recovery not included in the model using a scaling approach.</p> <p>The Source Murray Model, including the WRP scenario for the Victorian Murray and Kiewa SDL resource units is described in MDBA Technical Report 2018/16.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>This method for this form of take incorporates all relevant matters and is considered to meet the requirements.</p> <p><u>Take from a watercourse (excluding take under basic rights) – out of model component</u></p> <p>This method applies to the Victorian Murray SDL resource unit.</p> <p>Table 6 of Appendix C of the Comprehensive Report states that annual permitted take method for this form of take is determined as the SDL (where the SDL is equal to the BDL).</p> <p>Column 5 in Table 6 of Appendix C of the Comprehensive Report indicates that this is an interim method, and will be used for two years while Victoria undertakes a review to determine a more accurate method for permitted take for this form of take. Part 3.1.3.2 of Appendix C of the Comprehensive Report discusses why developing a new simulation model for the small SDL volume of the out of model component for this form of take is not cost-effective or fit-for-purpose. Victoria will undertake a review and develop a more appropriate permitted take method that recognises adjustments under bans and restrictions.</p> <p>Part 3.1.3.2 of Appendix C of the Comprehensive Report states that “by setting permitted take and actual take equal to the SDL, Victoria will not be able to accumulate credits under SDL reporting for water not taken under the SDLs year to year until the method is updated. This is appropriate given the alternative method of using total entitlement volume is not reflective of adjustments that are made during the year to respond to water availability and therefore may result in the accumulation of credits in years of low availability when</p>	

10.10 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>the water could not actually be taken.” The permitted take method represents the long-term average BDL and will not change each year.</p> <p>The Authority agrees that the interim method is appropriate until the two year review is completed by Victoria, and considers that it meets the requirements of this subsection.</p> <p>The following methods apply to both the SDL resource units in the Victorian Murray water resource plan area.</p> <p><u>Take from a regulated river under basic rights, and take from a watercourse under basic rights</u></p> <p>The method for these forms of take is the BDL method.</p> <p>The method set out in Table 6 Appendix C of the Comprehensive Report is an estimate based on the sum of:</p> <ul style="list-style-type: none"> - a modelled estimate of the volume of water taken from freehold land and Crown frontage based on estimated domestic demand of 0.3 ML/house/year and stock drinking water of 0.03 ML/year/per ha of land grazed; and - An estimate of the volume of expected water demand under section 8A of the <i>Water Act 1989</i> (Vic) where the Traditional Owners have a natural resource agreement under the <i>Traditional Owners Settlement Act 2010</i>. <p>Section 8 of <i>Water Act 1989</i> (Vic) authorises basic rights holders to take water if they have access to a waterway in specified ways. Victoria has estimated the number of properties which are able to access water in these ways in the water resource plan area, based on</p>	

10.10 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>GIS modelling. The data and information used in the model will be reviewed every 5 years.</p> <p>Section 8A of the <i>Water Act 1989</i> (Vic) provides Traditional Owner groups with a natural resource agreement (under the <i>Traditional Owner Settlement Act 2010</i> a right to take and use water for cultural purposes. The text in Table 6 of Appendix C of the Comprehensive Report states that no water has been taken under a s8A authorisation in the Northern Victoria water resource plan area to date, and as such an estimate has been made for the Northern Victoria water resource plan area and the Victorian Murray water resource plan area of the expected water demand under section 8A of the <i>Water Act 1989</i> (Vic) where the Traditional Owners have a natural resource agreement under the Traditional Owner Settlement Act 2010. The permitted take method represents the long-term average BDL and will not change each year.</p> <p>The Authority considers that this method meets the requirements of this subsection.</p> <p><u>Take by runoff dams (excluding basic rights)</u></p> <p>The permitted take will be determined from the total volume of licences and registrations based on the volume of existing entitlements in the Victorian Water Register as at July 2016. The permitted take method represents the long-term average BDL and will not change each year.</p> <p>The Authority considers this method meets the requirements of this subsection.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p><u>Take by runoff dams under basic rights</u></p> <p>The method is an estimate based on modelling using the number and volume of dams shown in aerial imagery as at 2005, adjusted by subtracting the volume of entitlements to take from licenced runoff dams recorded in the Victorian Water Register as at July 2016. This is an appropriate approach as it represents the best available information and as such the permitted take method for this form of take meets requirements. The permitted take method represents the long-term average BDL and will not change each year.</p> <p><u>Net take by commercial plantations</u></p> <p>The permitted take for this form of take is estimated (modelled) as the difference between the long-term average rate of evapotranspiration from (the long-term average rate of evapotranspiration for) commercial plantations that were present as at 30 June 2009 and from the vegetation type that was thought to be present before the commercial plantations were established.</p> <p>Table 6 of Appendix C to the Comprehensive Report states that changes in the extent of plantations will be determined annually using information provided by plantation owners and managers. The permitted take method represents the long-term average BDL and will not change each year.</p>	
	The BDL estimate has changed due to better methods	True	Tables 3 and 4 of Appendix C of the Comprehensive Report	<p>Table 3 of Appendix C of the Comprehensive Report states the changes to the BDL for the following forms of take:</p> <ul style="list-style-type: none"> - Take from a watercourse (excluding basic rights) - Take from a watercourse under basic rights - Take by runoff dams (excluding basic rights) 	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>MDBA's internal reference D19/24208</p>	<ul style="list-style-type: none"> - Take by runoff dams under basic rights - Net take by commercial plantations <p>Table 4 of Appendix C of the Comprehensive Report explains the differences between the BDLs listed in Schedule 3 of the Basin Plan, and the BDLs listed in the proposed WRP. The Authority has confirmed these re-estimates are based on improved methods and information (see MDBA's internal reference D19/24208).</p> <p>Note that no estimate of the following were made in the Basin Plan for take from a watercourse under basic rights for the Victorian Murray and Kiewa SDL resource units.</p>	
	The changes to the BDL estimate due to better methods are identified, <i>and</i>	True	Table 3 of Appendix C of the Comprehensive Report	Table 3 of Appendix C of the Comprehensive Report identifies the revised estimates of the BDLs.	
	The changes are agreed to by MDBA, <i>and either</i>	True	<p>Victoria's North and Murray Surface Water BDL Re-estimates</p> <p>MDBA internal reference D19/24208</p>	<p>Victoria provided the Victoria's North and Murray Surface Water BDL Re-estimates report to support the BDL re-estimates for the following forms of take:</p> <ul style="list-style-type: none"> • take by runoff dams (excluding basic rights) • take by runoff dams under basic rights • net take by commercial plantations • take from a watercourse under basic rights • take from a watercourse (excluding basic rights) – modelled component 	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The SDL volume is based on the better estimate of the BDL, <i>and</i>	True	Table 3 of Appendix C of the Comprehensive Report Part 2.2.1 of Appendix C of the Comprehensive Report Victoria's North and Murray Surface Water BDL re-estimates report	<ul style="list-style-type: none"> take from a watercourse (excluding basic rights) – out of model component. <p>The changes have been agreed to by the MDBA and the Authority considers that the BDL re-estimates is scientifically robust and reflects the best available information; is an improvement to the Basin Plan methods to estimate take under the BDL; and is consistent with the Basin Plan BDL description (see MDBA's internal reference D19/24208).</p> <p>Table 3 of Appendix C of the Comprehensive Report shows that the SDL volume estimates are based on the better estimates of the BDL.</p> <p>The SDL volume for the Victorian Murray water resource plan area set out in Appendix C of the Comprehensive Report is based on the revised BDL estimate of 1,745.7 GL, as described in Part 2.2.1 and Table 3 of Appendix C of the Comprehensive Report, and Victoria's North and Murray Surface Water BDL re-estimates report.</p>	
	The SDL volume is based on the applicable local reduction amount, <i>and</i>	True	Tables 2 and 3 of Appendix C of the Comprehensive Report	For 'take from a watercourse (excluding basic rights)' form of take, the SDL volume is based on the local and shared reduction amount for the Victorian Murray SDL resource unit (SS2), as set out in Tables 2 and 3 of Appendix C of the Comprehensive Report.	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The SDL volume is based on the SDL resource unit shared reduction amount, <i>or</i>	True	Tables 2 and 3 of Appendix C of the Comprehensive Report	<p>There is no local reduction amount for the Kiewa SDL resource unit (SS3).</p> <p>As set out in Table 3 of Appendix C of the Comprehensive Report, there is no location reduction in take required for other forms of take in order to meet the SDL.</p> <p>For ‘take from a watercourse (excluding basic rights)’ form of take, the SDL volume is based on the local and shared reduction amount for the Victorian Murray SDL resource unit (SS2), as set out in Tables 2 and 3 of Appendix C of the Comprehensive Report.</p> <p>For ‘take from a watercourse (excluding basic rights)’ form of take, the SDL volume is based on the local reduction amount for the Kiewa SDL resource unit (SS3), as set out in Tables 2 and 3 of Appendix C of the Comprehensive Report.</p> <p>As set out in Table 3 of Appendix C of the Comprehensive Report, there is no shared reduction in take required for other forms of take in order to meet the SDL.</p>	
	The SDL volume is based on the SDL adjustment amount written as a formula that changes over time to 2024	True	<p>Column 3 of the Index Table for s 10.10(5)</p> <p>Table 6 of Appendix C of the Comprehensive Report</p>	<p>Column 3 of the Index Table for s 10.10(5) indicates that, for the Victorian Murray water resource plan area, the methods that adjust for supply and efficiency measures are identified in Item 1 (take from a watercourse (excluding basic rights) – modelled component) of Table 6 of Appendix C of the Comprehensive Report, and that this demonstrates that the SDL is a formula that changes with time.</p> <p>As such, the Authority is satisfied that the SDL volume for this form of take is based on a formula that changes over time to 2024.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The method represents and operates as 'best available information'	True	Table 6 of Appendix C of the Comprehensive Report	<p>The Authority is satisfied that the permitted take methods for the Victorian Murray SDL resource unit (SS2) and the Kiewa SDL resource unit (SS3), as presented in Table 6 of Appendix C of the Comprehensive Report, represents and operates as 'best available information'.</p> <p>The Authority notes that the permitted take method for the out of model component of take from a watercourse (excluding basic rights) is an interim method, and will be used for two years while Victoria undertakes a review of a more accurate method for determining permitted take for this form of take. The Authority agrees that this is an appropriate approach, and that this satisfies this requirement.</p>	
2	The method (which may be modelling) calculates max quantity of water available for consumptive take at the end of the water accounting period	True	<p>Column 3 of the Index Table for this subsection</p> <p>Table 6 of Appendix C of the Comprehensive Report</p>	Column 3 of the Index Table for this subsection states that the methods are identified in Table 6 of Appendix C of the Comprehensive Report, and are applied at the end of the water accounting period.	MET
	The method (or modelling) has regard to availability of water resources during the accounting period	True	<p>Column 3 of the Index Table for this subsection</p> <p>Table 6 of Appendix C of the Comprehensive Report</p>	<p>Column 3 of the Index Table for this subsection states that the methods, as identified in Table 6 of Appendix C of the Comprehensive Report, are applied at the end of each accounting period having regard to the water resources during that period..</p> <p><u>Take from a watercourse (excluding basic rights) – modelled component:</u></p>	

10.10 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Table 6 of Appendix C of the Comprehensive Report states that inputs to the model such as inflow, rainfall, evaporation and demand will be extended to the end of the water accounting year. The inclusion of this information in the model ensures the availability of water resources during the accounting period is considered in the method.</p> <p><u>Take from a watercourse (excluding basic rights) – out of model component</u></p> <p>The interim method for this form of take is determined as the SDL, where the SDL is equal to the BDL. Table 6 of Appendix C of the Comprehensive Report notes that BDL was estimated using long-term average data for the period between 1997-98 to 2009-10. Consequently, the Authority is satisfied that the methods to determine the annual permitted take for this form of take have regard to water resources available during the water accounting period as they are based on estimates of the long-term annual averages.</p> <p><u>Take under basic rights from a watercourse/runoff dams:</u></p> <p>Column 5 of Table 6 of Appendix C of the Comprehensive Report describes how take under basic rights is not expected to vary greatly from year to year, as this water can only be used for stock and domestic or cultural purposes, which represent relatively consistent patterns of use compared to commercial uses of water. Consequently, the methods to determine the annual permitted take for these forms of take have regard to water resources available by being based on estimates of the long-term annual averages taken each year.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p><u>Take by runoff dams excluding basic rights:</u> The Authority understands that the water entitlements for take from runoff off dams (excluding basic rights) authorise a maximum volume of take, subject to various conditions for take to manage the impacts of take throughout the year. These conditions are specified in each individual water access right. As such, permitted take is the maximum amount of water that can be taken each year (as determined by the total volume of authorised take from runoff dams), and the conditions for take on the entitlements manage take to account for the water available in the system at the time water is taken by each water access right holder.</p> <p><u>Net take by commercial plantations:</u> Column 5 of Table 6 of Appendix C of the Comprehensive Report describes how net take by commercial plantations is relatively consistent year to year, and the method takes water availability into account using the long-term annual average take.</p>	
3	All matters listed under s10.12 are identified as either relevant or not relevant, and relevant matters are accounted for in the method (exhaustive)	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this section states that this is responded to in the response to s 10.12(1).</p> <p>All matters were identified as either relevant or not relevant. See the assessments below of all matters listed under s 10.12.</p>	MET
	s10.12(1) letter (a) is relevant and accounted for	True	Column 3 of the Index Table for s 10.12(1)	Column 3 of the Index Table for s 10.12(1) states that all forms of take from the SDL resource units and all classes of water access rights are	

10.10 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Table A of the Index Table</p> <p>Table 8 of Appendix C of the Comprehensive Report</p> <p>Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units (MDBA Technical Report 2018/16)</p> <p>Victoria’s North and Murray Surface Water BDL re-estimates</p>	<p>accounted for by the methods specified for the purposes of s 10.10(1).</p> <p>Table 8 of Appendix C of the Comprehensive Report identifies the classes of water access right accounted for by the methods are bulk entitlement, environmental entitlement, water share and take and use licence (take from a regulated river and a watercourse); take and use licence (runoff dams excluding basic rights); and section 8 and section 8A rights to take water (basic rights).</p> <p>For all other forms of take, see the following assessment of the information provided in Table 6 of Appendix C of the Comprehensive Report.</p> <p><u>Take from a watercourse (excluding basic rights) – modelled component</u></p> <p>Item (a) of Table 8 of Appendix C of the Comprehensive Report states the relevant water access rights are documented in the Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units report (MDBA Technical Report 2018/16). The relevant entitlement types are listed in Table 7 of this report.</p> <p><u>Take from a watercourse (excluding basic rights) – out of model component</u></p> <p>This method applies to the Victorian Murray SDL resource unit.</p> <p>The interim method is determined as the SDL. The method accounts for take and use licences in the unregulated watercourses, and specific bulk entitlements as listed in Victoria’s North and Murray</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Surface Water BDL re-estimates in the Victorian Murray water resource plan area. The Authority is satisfied that this accounts for the relevant class for water access right for this form of take.</p> <p><u>Take by runoff dams (under basic rights):</u> The method is an estimate based on modelling using the number of volume of dams shown in aerial imagery as at 2005, adjusted to account for entitlements to take from licenced runoff dams recorded in the Victorian Water Register as at July 2016. The Authority is satisfied that this accounts for the relevant classes of water access right for this form of take.</p> <p><u>Take by runoff dams (excluding basic rights):</u> The method accounts for licences and registrations. Column 5 of Table 6 of Appendix C of the Comprehensive Report provides an explanation of why bulk entitlements are not relevant to this form of take in the Victoria Murray water resource plan area and therefore do not need to be accounted for in the method for annual permitted take.</p> <p><u>Take from regulated rivers and water courses (under basic rights):</u> The method accounts for authorisations to take water for basic rights under s8 and s8A of the <i>Water Act 1989</i> (Vic). The Authority is satisfied that this method accounts for all relevant classes of water access right.</p> <p><u>Net take by commercial plantations:</u> No entitlements are required to take water for commercial plantations under Victoria's water entitlement framework. As such,</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				the Authority is satisfied that the method for annual permitted take does not need to account for water access rights for this form of take.	
	s10.12(1) letter (b) is relevant and accounted for	True	<p>Column 3 of the Index Table for s 10.12(1)</p> <p>Item (b) in Table 8 of Appendix C of the Comprehensive Report</p>	<p>Column 3 of the Index Table for s 10.12(1)(b) refers to Item (b) in Table 8 of Appendix C of the Comprehensive Report to address this requirement.</p> <p>Item (b) in Table 8 discusses how carryover is accounted for in the model for take from a regulated river (excluding basic rights). The text indicates that carryover is accounted for under bulk and environmental entitlements when Goulburn-Murray Water makes seasonal determinations.</p> <p>The Authority is satisfied that this matter is adequately accounted for in the methods.</p>	
	s10.12(1) letter (c) is relevant and accounted for	True	<p>Column 3 of the Index Table for s 10.12(1)(c)</p> <p>Item (c) in Table 8 of Appendix C of the Comprehensive Report</p> <p>Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource</p>	<p>Column 3 of the Index Table for s 10.12(1)(c) refers to Item (c) in Table 8 of Appendix C of the Comprehensive Report to address this requirement.</p> <p>Item (c) of Table 8 of Appendix C of the Comprehensive Report states that return flows apply to the regulated rivers in water resource plan area and are enabled under bulk and environmental entitlements held by VEWH and water corporations. Return flows are accounted for in the methods for permitted take for the modelled component of take from a watercourse (excluding basic rights) as specified in the Source Murray Model report. The Authority is satisfied that this matter is adequately accounted for in the method.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			units (MDBA Technical Report 2018/16)		
	s10.12(1) letter (d) is relevant and accounted for	True	<p>Column 3 of the Index Table for s 10.12(1)(d)</p> <p>Column 5 of the Index Table for s 10.12(1)(d)</p> <p>Item (d) in Table 8 in Appendix C of the Comprehensive Report</p> <p>Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units (MDBA Technical Report 2018/16)</p>	<p>Column 3 of the Index Table for s 10.12(1) refers to Item (d) in Table 8 of Appendix C of the Comprehensive Report to address this requirement. Column 5 of the Index Table for s 10.12(1)(d) notes that trade of entitlements is permitted in the water resource plan area, and that all trade is recorded on the Victorian Water Register.</p> <p>Item (d) in Table 8 of Appendix C of the Comprehensive Report states that trade of entitlements and allocations are recorded on the Victorian Water Register and taken into account in the method to determine annual permitted take from a watercourse (excluding basic rights), including separate accounting of HEW. Item (d) in Table 8 states that trade from consumptive use to HEW or from HEW to consumptive use is not part of the permitted take method as the net balance of any disposals or acquisitions of HEW will be used to adjust cumulative balance of take at the end of the water accounting period as per s 6.12 of the Basin Plan.</p> <p>For the modelled component of take from a watercourse (excluding basic rights) Item (d) in Table 8 describes how the Source Murray Model accounts for permanent exchange rate trade and temporary trade.</p> <p>The Authority is satisfied that this matter is adequately accounted for in the methods.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	s10.12(1) letter (e) is relevant and accounted for	True	<p>Column 3 and 5 of the Index Table for s 10.12(1)(e)</p> <p>Item (e) in Table 8 in Appendix C of the Comprehensive Report</p> <p>Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units (MDBA Technical Report 2018/16)</p>	<p>Column 3 of the Index Table for s 10.12(1)(e) refers to Item (e) in Table 8 of Appendix C of the Comprehensive Report to address this requirement.</p> <p>Item (d) in Table 8 of Appendix C of the Comprehensive Report identifies, in general terms, how the water resources in the Victorian Murray water resource plan area are connected. For take from a regulated river (excluding basic rights), the text at Item (d) states that surface water transfers (via infrastructure from the Goulburn River to the Murray, Campaspe and Loddon rivers) are included in the method for regulated rivers (excluding basic rights).</p> <p>Item (d) refers to the model report (the Source Murray Model report) for how the matter is accounted for.</p> <p>For other forms of take, the proposed WRP indicates that this matter is not addressed in the methods as the permitted take is equal to the SDL, which is equal to the BDL, and the matter was taken into account when determining the BDL.</p> <p>The Authority is satisfied that this matter is adequately accounted for in the methods.</p>	
	s10.12(1) letter (f) is relevant and accounted for	True	<p>Column 3 of the Index Table for s 10.12(1)(f)</p> <p>Item (f) in Table 8 of Appendix C of the Comprehensive Report</p>	<p>Column 3 of the Index Table for s 10.12(1) refers to Item (f) in Table 8 of Appendix C of the Comprehensive Report to address this requirement.</p> <p>Item (f) of Table 8 in Appendix C of the Comprehensive Report states that the method to determine permitted take for the modelled</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>component of take from a watercourse (excluding basic rights) includes simulation of environmental demand patterns that differ from previous consumptive demand patterns. Any impacts of changing patterns of consumptive demand, for example as a result of converting water savings to HEW are considered in the models and methods.</p> <p>Item (f) of Table 8 states that this will be done by adjusting permitted take for trade of allocation in a single year or in updates to the method and proposed WRP as a result of any permanent changes.</p> <p>As such, the Authority is satisfied that this matter is relevant and accounted for.</p>	
	s10.12(1) letter (g) is relevant and accounted for	True	<p>Column 3 of the Index Table for s 10.12(1)(g)</p> <p>Item (g) of Table 8 in Appendix C of the Comprehensive Report</p> <p>Column 3 of the Index Table for s 10.11(1)</p>	<p>Column 3 of the Index Table for s 10.12(1) Table refers to Item (g) of Table 8 in Appendix C of the Comprehensive Report to address this requirement.</p> <p>Item (g) of Table 8 in Appendix C of the Comprehensive Report notes that changes over time in the extent to which water allocations are utilised in the SDL resource units will be address through the response to s 10.11(1) which will ensure SDL compliance. Item (g) of Table 8 states that changes to the permitted take methods will be given effect consistent with the responses implemented by Victoria.</p> <p>Column 3 of the Index Table for s 10.11(1) provides a rule which will ensure compliance against the SDL. Refer to s 10.11(1) of this Assessment Report below.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Item (g) of Table 8 demonstrates how changes over time in the extent to which water allocations are utilised in the SDL resource units are accounted for, for each form of take. The Authority is satisfied that s 10.12(1)(g) is relevant and accounted for, for each form of take.	
	s10.12(1) letter (h) is relevant and accounted for	False	Column 3 of the Index Table for s 10.12(1)(h)	Column 3 of the Index Table for s 10.12(1)(h) states that this matter is not relevant as there is no water sourced from the Great Artesian Basin. The Authority is satisfied that this is the case, and therefore that the method need not account for the matters in s 10.12(1)(h).	
	s10.12(1) letter (i) is relevant and accounted for	False	Column 3 of the Index Table for s 10.12(1)	<p>Column 3 of the Index Table for s 10.12(1)(i) states that this matter is not relevant to the methods for permitted take in water resource plan area as currently there are no managed aquifer recharge schemes operating or proposed in the water resource plan area.</p> <p>The Authority is satisfied that this is the case, and therefore that the method need not account for the matters in s 10.12(1)(i).</p>	
	Other matters are accounted for in the model	False	<p>Column 3 of the Index Table for s 10.12(2)</p> <p>Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units (MDBA Technical Report 2018/16)</p>	<p>Column 3 of the Index Table for s 10.12(2) states that this matter assists in the interpretation of s 10.10 and does not contain a requirement.</p> <p>No other matters are identified as being accounted for in the model, as described in the Source Murray Model report.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The method is consistent with other provisions of the water resource plan	True	Column 3 of the Index Table for this section	<p>Column 3 of the Index Table for this subsection asserts that the methods are consistent with the other provisions of Victoria's North and Murray Water Resource Plan.</p> <p>A comparison of the methods for determining annual permitted take against other relevant sections of the proposed WRP confirms no evidence of inconsistencies for the following parts:</p> <ul style="list-style-type: none"> - Forms of take identified in Table A of the Index Table in response to s 10.08(1) - Column 3 of the Index Table for s 10.11 and s 10.13 - Parts 4, 5, 8, 9 and 10 of the proposed WRP 	
4	<p>The method has been applied over the historical climate conditions in the demonstration</p> <p>The results show that the method will result in the SDL for the unit, (including as amended under s23B of the <i>Water Act 2007</i>) is met</p>	<p>True</p> <p>True</p>	<p>Column 3 of the Index Table for this subsection</p> <p>Part 3.4 (including 3.4.2) of Appendix C of the Comprehensive Report</p> <p>Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource</p>	<p>Column 3 of the Index Table for this subsection refers to Part 3.4 and Table 9 of Appendix C of the Comprehensive Report to meet this requirement.</p> <p><u>Take from a watercourse (excluding basic rights) – modelled component</u></p> <p>For this form of take, Part 3.4 of Appendix C of the Comprehensive Report states that the permitted take is scaled to ensure that under historical climate conditions (1985-2009) the long-term average diversions are equal to the SDL. The Source Murray Model report provides further demonstration of how post-processing undertaken through the model will ensure that the SDL will be maintained. As such, the Authority is satisfied that for this form of take, the matters in this subsection are addressed.</p>	MET

10.10 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>units (MDBA Technical Report 2018/16)</p> <p>Table 6 of Appendix C of the Comprehensive Report</p> <p>Table 9 of Appendix C of the Comprehensive Report</p> <p>Victoria's North and Murray Surface Water BDL re-estimates</p>	<p><u>Take from a watercourse (excluding basic rights) – out of model component</u></p> <p>This form of take applies to the Victorian Murray SDL resource unit.</p> <p>For this form of take, the demonstration is described in Part 3.4.2 of Appendix C of the Comprehensive Report and set out in Table 9 of Appendix C. Part 3.4.2 of Appendix C states that annual permitted take and annual actual take are equal to the SDL (listed as 5.5 GL/yr in Table 9 of Appendix C), and that any water recovered from this form of take is captured in the adjustments for take from a regulated river (excluding basic rights).</p> <p>The Authority notes that Table 6 of Appendix C of the Comprehensive Report states that this method will be used for two years while Victoria undertakes a review of a more accurate method.</p> <p>The Authority is satisfied that for this form of take, the matters in this subsection are addressed.</p> <p><u>Runoff dams, watercourse take under basic rights and commercial plantations</u></p> <p>As the permitted take methods for annual net take by commercial plantations, watercourse take under basic rights and take from runoff dams (excluding basic rights) utilises the BDL/SDL methods (Table 6 of Appendix C of the Comprehensive Report), the methods are based on the same historical climate conditions. As such, the Authority is satisfied that for these forms of take, this subsection is met.</p>	

10.10 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
5	An adjustment under <i>Water Act 2007</i> s23B has resulted in the SDL being expressed as a formula that changes with time	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that the methods that adjust for supply and efficiency measures are identified in Item 1 (take from a watercourse (excluding basic rights) – modelled component) in Table 6 of Appendix C of the Comprehensive Report, and that this demonstrates that the SDL is a formula that changes with time.</p> <p>The proposed WRP includes the Victorian Murray SDL resource unit (SS2) and the Kiewa SDL resource unit (SS3) which both constitute an ‘affected unit’ for the purposes of SDLAM.</p> <p>The permitted take method listed in Item 1 of Table 6 of Appendix C notes the Source Murray Model will include an annualised adjustment for:</p> <ul style="list-style-type: none"> - any incomplete water recovery - the volume of water achieved through supply contribution - the volume of water achieved through efficiency measures <p>Part 5.1.3 of the Source Murray Model report demonstrates how the formula for determining permitted take for the modelled component of take from a watercourse (excluding basic rights) applies the water accounting dates in letters (a-c).</p> <p>As such, the Authority is satisfied that this subsection is met.</p>	MET
	The WRP area comprises surface water SDL resource units that constitute an ‘affected unit’ under the SDLAM	True	Table 6 of Appendix C of the Comprehensive Report		
	The formula that comprises the method applies the water accounting dates and SDLs in letters (a-c)	True	Source Murray Model – method for determining permitted take in the Victorian Murray, Kiewa and Ovens SDL resource units (MDBA Technical Report 2018/16)		

Section 10.11 – Rules for take, including water allocation rules

- (1) A water resource plan must set out rules (including, if applicable, rules for water allocations) that ensure, as far as practicable, that the quantity of water actually taken from each SDL resource unit for consumptive use in a water accounting period that beginning on or after 1 July 2019 does not (after making any adjustments for the disposal or acquisition of held environmental water) exceed the unit's annual permitted take for the period.

Note 1: Water resource plans are not required to give effect to the long-term average sustainable diversion limits until 1 July 2019. Compliance with the long-term annual diversion limit will then be measured using the annual permitted take (see Part 4 of Chapter 6). The annual permitted take is defined in subsection 6.10(1) and 6.12B(1).

Note 2: Water allocations can be made during or before a water accounting period. The annual permitted take is usually worked out after the end of a water accounting period.

A water resource plan may provide for less water to be taken

- (2) To avoid doubt, the rules may be designed to ensure that the quantity of water that is actually taken for consumptive use from an SDL resource unit in a water accounting period is less than the annual permitted take.

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Rules are included in the WRP	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for s 10.08(2)</p>	<p>Column 3 of the Index Table for this subsection imposes an obligation on both the Victorian Minister to not amend or issue new entitlements to take water, and on an appointed water corporation to not make rules regarding allocations or restrictions to entitlement holders in the water resource plan area, if to do so would cause permitted take or the SDL to be exceeded.</p> <p>This provision will operate as a rule that requires the Victorian Minister to exercise the decisions specified in the proposed WRP consistently with the obligation in the proposed WRP, because the provision will become an enforceable obligation under s 59 of the <i>Water Act 2007</i> (Cth) once the proposed WRP is accredited and commences.</p>	MET

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Column 3 of the Index Table for this subsection also refers to the response provided in Column 3 of the Index Table for s 10.08(2), which requires water access rights holders to comply with the conditions of their rights, and states that this will support the obligation imposed in the proposed WRP to address s 10.11(1). The provision under s 10.08(2) will therefore operate as a rule that requires water access rights holders to comply with the conditions on their rights.	
	The rules ensure that the quantity of water actually taken does not exceed annual permitted take	True	Column 3 of the Index Table for this subsection	<p>The rules described in the row above, as prescribed in Column 3 of the Index Table for this subsection, will ensure that, as far as practicable, actual take does not exceed permitted take by:</p> <ul style="list-style-type: none"> Ensuring the Minister (Victorian) does not amend or issue new licences, and water corporations do not make an allocation to an entitlement if it would cause actual take to exceed permitted take, and Requiring water access rights holders to comply with the conditions on their rights, which may include volumetric or other limitations on taking water 	
	Rules for water allocation are included in the WRP	True	Column 3 of the Index Table for this subsection	The obligation imposed in Column 3 of the Index Table for this subsection will ensure that water cannot be allocated in a way that results in permitted take to be exceeded.	
	Rules for water allocation ensure that take does not exceed annual permitted take	True	Column 3 of the Index Table for this subsection	By requiring water access rights holders to comply with the conditions of their rights, including limitations on the quantity of water that can be taken through allocations, the obligations imposed in Column 3 of the Index Table for this section will ensure that, as far as practicable, actual take does not exceed permitted take.	

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Ensuring the Victorian Minister does not amend or issue new licences, and that water corporations do not make an allocation to an entitlement if it would cause actual take to exceed permitted take, will also ensure as far as practicable, actual take does not exceed permitted take.</p> <p>See also the assessment for s 10.12(1)(g) which includes discussion on the growth in use strategy.</p>	
	The rationale for not applying rules for water allocation has merit	Test turned off	N/A	This requirement is not applicable because the proposed WRP applies rules for the purposes of this section, as set out in Column 3 of the Index Table for this subsection.	
	The rationale for 'as far as practicable' has merit.	True	Column 3 of the Index Table for this subsection	The Authority is satisfied that, by imposing obligations to not make decisions in relation to entitlements which would cause actual take to exceed permitted take, the rules included in the proposed WRP will prevent take from exceeding permitted take as far as practicable.	
2	The rules for take will result in actual take being less than permitted take	True	<p>Column 5 of the Index Table for s 10.11(1)</p> <p>Column 3 of the Index Table for s 10.11(1)</p>	<p>The explanatory material in Column 5 of the Index Table for s 10.11(1) indicates that Victoria's annual permitted take is set equal to the SDL for each SDL resource unit, for each form of take.</p> <p>Column 3 of the Index Table for s 10.11(1) operates as an obligation on the Minister to not issue any entitlement to take water or make rules regarding allocations or restrictions to entitlement holders that would allow the actual take to exceed the permitted take or SDL.</p> <p>If an exceedance of the SDL from the cumulative balance of annual actual take of 15% or more is identified, Column 3 of the Index Table for s 10.11(1) places an obligation on the Department (Victorian) to investigate the cause, and on the Minister to determine whether</p>	

10.11 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>authorisation to take water or restrictions should be applied to take and use licences to bring actual take back within the SDL for the relevant SDL resource unit.</p> <p>See also the assessment for s 10.12(1)(g) which includes discussion on the growth in use strategy.</p>	
	Actual take will realistically be less than permitted take	True	<p>Column 5 of the Index Table for s 10.11(1)</p> <p>Column 3 of the Index Table for s 10.11(1)</p>	<p>The explanatory material in Column 5 of the Index Table for s 10.11(1) indicates that Victoria's water management framework sets the permitted take to the level of the SDL. The rule provided in Column 3 of the Index Table for s 10.11(1) states that the Victorian Minister cannot amend or issue entitlements or allocations (that is, make a decision) which would cause actual take to exceed the SDL for all SDL resource units.</p> <p>The Authority is satisfied that the rule provided for s 10.11(1) will ensure actual take will realistically be less than permitted take for each SDL resource unit in the Victorian Murray water resource plan area.</p>	

Section 10.12 – Matters relating to accounting for water

(1) For paragraph 10.10(3)(a), the following matters must be accounted for:

- (a) all forms of take from the SDL resource unit and all classes of water access right;
- (b) water allocations that are determined in one water accounting period and used in another, including water allocations that are carried over from one water accounting period to the next;
- (c) for a surface water SDL resource unit—return flows, in a way that is consistent with arrangements under the Agreement immediately before the commencement of the Basin Plan;
- (d) subject to subsection (3)—trade of water access rights;
- (e) water resources which have a significant hydrological connection to the water resources of the SDL resource unit;
- (f) circumstances in which there is a change in the way water is taken or held under a water access right;
- (g) changes over time in the extent to which water allocations in the unit are utilised;
Note: Paragraph (g) includes what is commonly known as a growth-in-use strategy.
- (h) water sourced from the Great Artesian Basin and released into a Basin water resource, by excluding that water;
- (i) water resources which are used for the purpose of managed aquifer recharge.

(2) Subject to this section, the method may account for other matters.

(3) For paragraph (1)(d), the water resource plan must account for the disposal and acquisition of held environmental water separately and in a way that does not affect the method under section 10.10.

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1 (a) – (i)	The WRP states which of the matters in letter (a) to (i) are and are not applicable	True	Column 3 of the Index Table for s 10.12(1)(a)-(i)	The responses for s 10.12(1)(a)-(i) in Column 3 of the Index Table state which are and are not applicable. An assessment of the responses for s 10.12(1)(a)-(i) is provided under s 10.10(3)(a) of this assessment report.	MET
	The WRP explains why the matters in letter (a) to (i) that are	True	Column 3 of the Index Table	The responses for s 10.12(1)(a)-(i) in Column 3 of the Index Table sets out what matters identified as ‘not applicable’ are considered to be such.	

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	stated as 'not be applicable' do not apply				
	Each of the relevant matters in letters (a) to (i) is accounted for in s10.10(3)(a)	True	Column 3 of the Index Table for s 10.12(1)(b) Assessment for s 10.10(3)(a)	The Authority is satisfied that each of the relevant matters in letters (a) to (i) is accounted for in s 10.10(3)(a). See assessment of s 10.10(3)(a) (on Column 3 of the Index Table for s 10.12(1)(b)).	
2	The method in 10.10 accounts for matters other than those under 10.12(1)	False	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this section states that this matter assists in the interpretation of s 10.10 and does not contain a requirement. The Authority's assessment of the methods has not determined that they account for any other matters.	MET
	The other matter(s) accounted for under the section is (are) permissible and the accounting treatment appropriate	Test turned off	N/A	As the method does not account for any other matters, this test is turned off.	
3	The method in s10.10 accounts for disposal and acquisition of HEW separately	True	Table 8 in Appendix C of the Comprehensive Report	Table 8 in Appendix C of the Comprehensive Report states that any change to entitlement volumes or allocations as a result of trade is recorded in the Victorian Water Register, and taken into account in the method used to determine permitted take for take from a regulated river/watercourse (excluding basic rights), including separate accounting of held environmental water.	MET
	The disposal and acquisition of HEW does not affect the method under s.10.10	True	Column 5 of the Index Table for this subsection	Column 5 of the Index Table for this subsection indicates that disposal and acquisition of HEW is accounted for separately and will not affect the method listed under s 10.10. The net balance	

10.12 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>of any disposals or acquisitions of HEW will be used to adjust the cumulative balance at the end of the water accounting period in accordance with s 6.12 of the Basin Plan.</p> <p>As such, the Authority is satisfied that this requirement is met.</p>	

Section 10.13 – Limits on certain forms of take

- (1) Subject to this section, a water resource plan must require that the long-term annual average quantity of water that can be taken from a surface water SDL resource unit for consumptive use by:
- (a) take under basic rights; or
 - (b) take by runoff dams; or
 - (c) net take by commercial plantations;
- does not exceed the level specified in column 2 of Schedule 3 for that form of take.
- (2) The quantity specified in subsection (1) for a form of take may be increased above the level specified in column 2 of Schedule 3 for that form of take if:
- (a) the long-term annual average quantity of water that can be taken by another form of take from the same SDL resource unit is changed at the same time so that there is no overall change in the total long-term annual average quantity of water that can be taken; and
 - (b) take by the forms of take affected by the changes are capable of:
 - (i) being accurately measured (for example, through the use of a meter); or
 - (ii) in the case of a form of take that is not capable of being accurately measured at the time the water resource plan is submitted for accreditation or adoption—being reasonably estimated using the best available method immediately before the water resource plan is submitted; and
 - (c) the changes are not expected to result in the take from the SDL resource unit ceasing to be an environmentally sustainable level of take.

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The LTAA quantity of take is stated as a volume for each form of take described in column 2 of Schedule 3 as follows:	True	Column 3 of the Index Table for this subsection Table 3 of Appendix C of the Comprehensive Report	Column 3 of the Index Table for this section states the long-term annual average quantity of water that can be taken using the 'Combined Victorian Murray SDL Resource Unit' (Victorian Murray (SS2), Kiewa (SS3) and Ovens (SS4)) and the 'Northern Victoria SDL Resource Unit' (Goulburn (SS6), Broken (SS5), Campaspe (SS7) and Loddon (SS8)).	MET
	take under basic rights	True	Items (c) and (d)(ii) in Table 3 of Appendix C	Although no specific volume is nominated in the Index Table, Column 3 of the Index Table for this subsection states that the	

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			of the Comprehensive Report	<p>long-term annual average quantity of water that can be taken under the forms of take listed in s 10.13(1) is the level specified in items 17-19 of Column 2 of Schedule 3 of the Basin Plan for the Combined Victorian Murray SDL resource unit, and items 20-23 of Column 2 of Schedule 3 for the Combined Northern Victoria SDL Resource Unit.</p> <p>Column 3 of the Index Table for this subsection states that these levels are represented by the estimated volume of BDLs identified in Table 3 of Appendix C of the Comprehensive Report for the relevant form of take:</p> <ul style="list-style-type: none"> take under basic rights (items (c) and (d)(ii) in Table 3 of Appendix C of the Comprehensive Report) take by runoff dams (item (d)(i) in Table 3 of Appendix C of the Comprehensive Report) net take by commercial plantations (item (e) in Table 3 of Appendix C of the Comprehensive Report). 	
	take by runoff dams	True	Item (d)(i) in Table 3 of Appendix C of the Comprehensive Report		
	net take by commercial plantations	True	Item (e) in Table 3 of Appendix C of the Comprehensive Report		
	The limits (volume) for each form of take in subsection 1 letter (a) to (c) does not exceed the corresponding levels stated in column 2 of Schedule 3 for that form of take	True	<p>Tables 3 and 4 of Appendix C of the Comprehensive Report</p> <p>MDBA internal reference D19/24208</p>	<p>Table 3 of Appendix C of the Comprehensive Report notes the revised BDL estimates for these forms of take to those estimates provided in Schedule 3 of the Basin Plan. Victoria have providing supporting information to explain the difference between these BDL estimates for these forms on take in Table 4 of Appendix C of the Comprehensive Report provides Refer also to s 10.10(1) of this Assessment Report for further information.</p> <p>The Authority has assessed these revised estimates and is satisfied that they represent the same level of development</p>	

10.13 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			that is described in the BDLs for these forms of take (see MDBA internal reference D19/24208).	
	The provision states that the LTAA quantity (volume) does not (and will not) exceed the levels	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for 10.08(2)</p> <p>Column 3 of the Index Table for s 10.10(1)</p> <p>Column 3 of the Index Table for s 10.11(1)</p> <p>Column 5 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for this subsection states that the LTAA quantity of water that can be taken for consumptive use is level specified in items 17-19 of Column 2 of Schedule 3 to the Basin Plan (items 17-18 relevant to the Victorian Murray water resource plan area), and is represented by an estimated volume of the BDL as set out in Table 3 of Appendix C of the Comprehensive Report.</p> <p>Column 3 of Index Table for this subsection states that annual actual take is limited by the volume of annual permitted take for take under basic rights, take by runoff dams or net take by commercial plantations, and that the provision is met by the operation of s 10.08(2), s 10.10(1) and s 10.11(1) of the proposed WRP.</p> <p>Column 5 of the Index Table for this subsection states that by meeting permitted take, actual take levels will not exceed the levels prescribed in Schedule 3 of the Basin Plan. Column 5 notes that while basic rights are not subject to conditions, take under basic rights is limited by the scope of that right under sections 8 and 8A of the <i>Water Act 1989</i> (Vic).</p> <p>The Authority is satisfied that the obligations imposed through the proposed WRP for s 10.13(1), s 10.08(2) and s 10.11(1) require that take under the relevant forms of take will be limited to levels specified in Schedule 3 to the Basin Plan.</p>	

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The provision states that one or more limits (volumes) exceeds the levels, and that s10.13(2) is applied	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this section states that the Department (Victorian) will monitor actual take for the specified forms of take, and where the actual take increases above permitted take, the application of s 10.13(2) will be considered and the WRP amended if necessary.	
2	Section 10.13(1) identifies that the LTAA quantity (volume) (i.e. for basic rights, runoff dams and/or commercial plantations) has increased, and/or will increase over the life of the WRP	False	Column 3 of the Index Table for this subsection Column 3 of the Index Table for s 10.13(1)	Column 3 of the Index Table for this subsection refers to the response in Column 3 of the Index Table for s 10.13(1) as to how s 10.13(2) would be triggered. Column 3 of the Index Table for s 10.13(1) states that the Department (Victorian) will monitor actual take for the specified forms of take, and where the actual take increases above permitted take, the application of s 10.13(2) will be considered and the WRP amended if necessary.	Not applicable
2(a)	The increase in take above the levels set out under s10.13(1) is offset in full by reduction in level for another form(s) of take in the same SDL resource unit	Test turned off		Therefore it is not considered that there has been any increase in such form of take, and if in the future an increase occurs, appropriate action through a WRP amendment will be taken if necessary.	
2(b)	Accurate measurement (metering) is applied to affected forms of take	Test turned off		As there is no increase in LTAA take, and no increase is considered likely, s 10.13(2)(a)-(c) are considered to be not applicable.	
	The method of estimate is reasonable; and applies best available information	Test turned off			
2(c)	The increase to levels of take under subsection 1 are not expected to result in take above	Test turned off			

10.13 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	the limit for environmentally sustainable level of take				
	A process to address future increases to the quantity of take under basic rights, by runoff dams, and/or net take by commercial plantations is provided over the term of the WRP	Test turned off			
	The process to increase quantity is based on a risk assessment, and comprises a trigger for advice to the MDBA that the process will be triggered and that it is necessary	Test turned off			

Section 10.14 – Effects, and potential effects, on water resources of the water resource plan area

- (1) A water resource plan must identify the effect, or potential effect, if any, of the following on the use and management of the water resources of the water resource plan area:
- (a) the taking of groundwater that is not a Basin water resource resulting in water being removed from a groundwater SDL resource unit in the water resource plan area because of a pre-existing hydrological connection or a hydrological connection created by the process of taking that groundwater;
 - (b) the taking of groundwater that is not a Basin water resource resulting in water that would otherwise flow directly or indirectly into an SDL resource unit in the water resource plan area no longer flowing into that unit.
- (2) If a water resource plan identifies an effect, or potential effect, of the kind referred to in subsection (1), the water resource plan must set out:
- (a) a process for monitoring that effect or potential effect; and
 - (b) actions that will be taken to respond to that effect or potential effect.
- (3) Without limiting paragraph (2)(b), the water resource plan may require a person to hold a water access right in the water resource plan area in relation to the effect, or potential effect, identified.

10.14 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	There are effects or potential effects of take from non-Basin groundwater resources upon the SDL resource unit water resources	False	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that no effect or potential effect of the kind referred to in s 10.14(1) was identified.	Not applicable
1(a)	Effects or potential effects of take from a non-Basin groundwater resource with hydrological connection (pre-existing or arising post-take) are identified	False		As such, the Authority is satisfied that there is no effect or potential effect that could occur on the use and management of the water resources in the water resource plan area, resulting from take from groundwater that is not a Basin water resource.	
1(b)	Effects or potential effects of take from a non-Basin groundwater resource resulting (directly or	False			

	indirectly) in water no longer flowing are identified				
	The rationale for 'no effect' as described in s10.14(1) has merit	True			
2	Section 10.14(1) identifies effects or potential effects	False	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this section states that no effect of potential effect of the kind referred to in s 10.14(1) was identified.	Not applicable
2(a)	Monitoring of effects is set out	Test turned off	N/A	As such, the Authority is satisfied that there is no effect or potential effect that could occur on the use and management of the water resources in the water resource plan area, resulting from take from groundwater that is not a Basin water resource.	
2(b)	Action to be taken is set out	Test turned off	N/A		
3	The WRP provides that a person must hold a water access right in the WRP area in relation to the effect (in s10.14(1))	Test turned off	N/A	No effect or potential effect that could occur on the use and management of the water resources in the water resource plan area, resulting from take from groundwater that is not a Basin water resource has been identified in the proposed WRP, and therefore this subsection is not applicable.	Not applicable

Section 10.15 – Determination of actual take must be specified

- (1) A water resource plan must set out how the quantity of water actually taken for consumptive use by each form of take from each SDL resource unit will be determined after the end of a water accounting period using the best information available at the time.

Note: The annual actual take for the SDL resource unit is the sum of the quantity of water actually taken by each form of take for consumptive use: see subsection 6.10(2) and 6.12B(2). Paragraph 71(1)(c) of the Act requires the annual actual take to be set out in a report to the Authority within 4 months after the end of the water accounting period.

- (2) For a particular form of take, and subject to the requirement that a determination use the best information available at the time, a determination may be made by:
- (a) measuring the quantity of water actually taken; or
 - (b) estimating the quantity of water actually taken; or
 - (c) a combination of the above.
- (3) Where a determination for a form of take is made by estimating the quantity of water actually taken, the water resource plan must provide for the estimate to be done consistently with the method under subsection 10.10(1) that relates to that form of take.
- (4) The quantity of water actually taken must:
- (a) include water that was held environmental water which was disposed of and then used in the SDL resource unit for consumptive use; and
 - (b) exclude water sourced from the Great Artesian Basin and released into and taken from a Basin water resource.

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	A method for determining annual actual take is set out for each form of take from each SDL resource unit	Present	Column 3 of the Index Table for this subsection Table 6 in Appendix C of the Comprehensive Report	Column 3 of the Index Table for this subsection identifies that a method for determining annual actual take is set out in Table 6 of Appendix C of the Comprehensive Report for each form of take listed in Schedule 3 of the Basin Plan. The relevant actual take methods for the Victorian Murray water resource plan area are: <ul style="list-style-type: none"> - the method set out in column 4 at item 1 of Table 6 in Appendix C applies to take from a watercourse (excluding 	MET

10.15 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>basic rights) – modelled component for the Victorian Murray SDL resource unit (SS2) and the Kiewa SDL resource unit (SS3)</p> <ul style="list-style-type: none"> - the method set out in column 4 for items 3-7 for the forms of take identified in column 2 of Table 6 in Appendix C apply to the Victorian Murray SDL resource unit (SS2) - the method set out in column 4 for items 4-7 for the forms of take identified in column 2 of Table 6 in Appendix C apply to the Kiewa SDL resource unit (SS3). 	
	The method applies best available information	True	<p>Table 6 in Appendix C of the Comprehensive Report</p> <p>Part 3.1.3.2 of Appendix C of the Comprehensive Report</p> <p><u>Take from a watercourse (excluding basic rights) – modelled component</u></p> <p>Table 6 of Appendix C of the Comprehensive Report states that the actual take method is based on the volumes of take recorded on the Victorian Water Register as at 30 June each year. The Authority is satisfied that this represents the best available information for this form of take.</p> <p><u>Take from a watercourse (excluding basic rights) – out of model component</u></p> <p>This method applies to the Victorian Murray (SS2) SDL resource unit.</p> <p>This method is the same as the annual permitted take method, where annual permitted take and actual take are equal to the SDL.</p> <p>Column 5 in Table 6 of Appendix C of the Comprehensive Report indicates that this is an interim method, and will be used for two years while Victoria undertakes a review to determine a more accurate method of take for this form of take.</p>	

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Part 3.1.3.2 of Appendix C of the Comprehensive Report states that “by setting permitted take and actual take equal to the SDL, Victoria will not be able to accumulate credits under SDL reporting for water not taken under the SDLs year to year until the method is updated. This is appropriate given the alternative method of using total entitlement volume is not reflective of adjustments that are made during the year to respond to water availability and therefore may result in the accumulation of credits in years of low availability when the water could not actually be taken.”</p> <p>The Authority agrees that the interim method is appropriate until the two year review is completed by Victoria, and considers that this represents the best available information for this form of take.</p> <p><u>Take from a regulated river/take from a watercourse under basic rights</u></p> <p>The method of take under basic rights from regulated rivers and watercourses is the sum of estimates for stock and domestic rights and Traditional Owner rights:</p> <ul style="list-style-type: none"> stock and domestic estimates are based on GIS modelling of the number of properties eligible to take under section 8 of the <i>Water Act 1989</i> (Vic), and an estimate of reasonable use of water for stock and domestic purposes. The supporting evidence in column 4 of Table 6 in Appendix C notes that Victoria will review the information every five years. Given that the authorisation to take water under basic rights is not regulated through the issuing of an entitlement, the Authority is satisfied that this method is fit-for-purpose and uses the best available information for determining annual actual take. 	

10.15 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<ul style="list-style-type: none"> The estimation of Traditional Owner rights is based on an estimate of reasonable use of water for cultural purposes. The supporting evidence in column 4 of Table 6 in Appendix C notes that no water has been take under section 8A of the <i>Water Act 1989</i> (Vic) in the Northern Victorian water resource plan area to date (and notes this is why the estimate has been made for the Northern Victorian water resource plan area and the Victorian Murray water resource plan area). The Authority is satisfied that this represents the best available information. <p><u>Take by runoff dams (excluding basic rights)</u> This method is the same as the annual permitted take method, and is the sum of the maximum volume authorised to be taken, as recorded on take and use licences and registration licence based on the volume of existing entitlements in the Victorian Water Register as at July 2016. The Authority is satisfied that this represents the best available information for this form of take.</p> <p><u>Take by runoff dams under basic rights</u> This method is the same as the annual permitted take method, and is based on the number and volume of dams shown in aerial imagery as at 2005, minus the entitlements to take from dams that are licenced (i.e. not used for stock and domestic purposes), given in the Victorian Water Register. The supporting evidence in column 4 of Table 6 in Appendix C indicates that the aerial imagery will be reviewed at least every ten years. The Authority is satisfied that this represents the best available information for this form of take.</p> <p><u>Net take by commercial plantations</u></p>	

10.15 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>This method is the same as the annual permitted take method, and uses the SoilFlux model to generate estimates of evapotranspiration. This is considered the best available information for estimating this component of take. The supporting evidence in column 4 of Table 6 in Appendix C states that areas of land under plantations will be provided annually by the managers and owners of plantations, and the Authority is satisfied that this is the best available information.</p>	
2	For each form of take, the method for determining annual actual take is nominated as either 'measuring', 'estimating' or a combination	True	<p>Column 3 of the Index Table for this subsection</p> <p>Table 6 in Appendix C of the Comprehensive Report</p> <p>Column 3 of the Index Table refers to Table 6 in Appendix C of the Comprehensive Report to identify where the actual take method for each form of take is nominated as measuring, estimating or a combination.</p> <p>Table 6 in Appendix C indicates that take is measured as diversions for take from a watercourse (excluding basic rights) – modelled component, and take from a watercourse (excluding basic rights) – out of model component.</p> <p>The method for take from runoff dams (excluding basic rights) is determined from the maximum volume authorised to be taken. The Authority considers this to be an estimate of take, as water licence holders may not be taking up to the full entitlement each year. Take from the remaining forms of take is nominated as estimated. There are no methods that combine measurement and estimation.</p>	MET
3	All forms of take that use estimation (including in combination) to determine	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for this subsection states that where the determination of actual take is estimated, the method is the same as the permitted take method listed under s 10.10(1).</p>	MET

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	the quantity of annual actual take are identified (exhaustive)		Table 6 in Appendix C of the Comprehensive Report	Table 6 in Appendix C of the Comprehensive Report clearly identifies take under basic rights from a regulated river/watercourse, take by runoff dams (basic rights), and net take by commercial plantations as being estimated. As noted in the assessment of s 10.15(2), the Authority considers that the method for determining actual take from runoff dams (excluding basic rights) is estimated.	
	Where estimation is used (includes 'combined'), the estimation is consistent with the method in s10.10(1) for that form of take	True	Column 3 of the Index Table for this subsection Table 6 in Appendix C of the Comprehensive Report	Column 3 of the Index Table for this subsection notes that the actual take methods for the forms of take listed as estimated also apply as permitted take methods. This applies to the following forms of take (see Table 6 in Appendix C of the Comprehensive Report): <ul style="list-style-type: none"> • Take under basic rights (from regulated rivers, from a watercourse, and from runoff dams) • Take from runoff dams (excluding basic rights) • Net take by commercial plantations. 	
4	The WRP describes whether the circumstances in letters (a) and/or (b) are relevant in the WRP area	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection indicates that the circumstances in letter (a) are relevant and in letter (b) are not relevant to the Victorian Murray water resource plan area. See assessment below for details.	MET
	The WRP provides a method that is capable of accounting for the quantity of actual annual take in a way that:	True	As below	See assessment below for details.	

10.15 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	includes HEW that was disposed of and used for consumptive use	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection notes that methods for determining actual take include water that was held environmental water which was disposed of and then used in the relevant SDL resource unit for consumptive use. As such, the Authority that this satisfies this requirement.	
	excludes water sourced from the GAB and released into and taken from a Basin water resource	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection Column 3 of the Index Table for s 10.12(1)(h)	Column 3 of the Index Table for this subsection states that no water is sourced from the Great Artesian Basin and used in the water resource plan area, and Column 5 of the Index Table for this subsection refers to the response to s 10.12(1)(h) to support this statement. Based on this information, the Authority is satisfied that the methods account for actual take in a way that excludes water sourced from the Great Artesian Basin.	

Part 4 The sustainable use and management of water resources

Section 10.16 – Sustainable use and management

This part sets out the requirements in relation to the sustainable use and management of water resources of the water resource plan area within the long-term annual diversion limit for an SDL resource unit.

Section 10.16 is a simplified outline of Part 4 only and therefore there is no requirement to assess

Section 10.17 – Priority environmental assets and priority ecosystem functions

- (1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that the operation of the plan does not compromise the meeting of environmental watering requirements of priority environmental assets and priority ecosystem functions.

Note: The environmental watering requirements of priority environmental assets and priority ecosystem functions will be set out in long-term watering plans and may also be set out in the Basin-wide environmental watering strategy. Long-term watering plans are required to use the methods in Part 5 of Chapter 8 to identify those requirements.

- (2) Without limiting subsection (1), regard must be had to whether it is necessary for the rules to prescribe:
- (a) the times, places and rates at which water is permitted to be taken from a surface water SDL resource unit; and
 - (b) how water resources in the water resource plan area must be managed and used.
- (3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the WRP does not compromise the desired flow regimes (as expressed by the environmental watering requirements) that are needed to protect PEAs/PEFs	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Victorian Murray Long-term Watering Plan</p> <p>Column 5 of the Index Table for s 10.18</p>	<p>Table 4 in Appendix E of the Comprehensive Report identifies the list of Priority Ecosystem Assets (PEAs) for the purposes of the proposed WRP. Victoria notes that the list of PEAs in the proposed WRP differs from the list provided in the Victorian Murray Long-term Watering Plan (LTWP) and lists the reasons for this in Column 5 of the Index Table for s 10.22(a). The Authority expects that the list of PEAs and PEFs should be updated in accordance with the requirements of Division 3 of Part 4 in Chapter 8 of the Basin Plan when the LTWPs are reviewed by Victoria.</p> <p>The Victorian Murray LTWP also identifies two Priority Environmental Functions (PEFs), and these are included in Table 12-3 of the Comprehensive Report.</p>	MET

10.17 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Column 3 of the Index Table for s 10.26(1)</p> <p>Column 3 of the Index Table for s 10.17(3)</p> <p>Chapter 12 of the Comprehensive Report (including sections 12.4.3, 12.7.8 and 12.8)</p> <p>Section 5.8 of the Comprehensive Report</p> <p>Tables 5-3 and 5-6 in Appendix B of the Comprehensive Report</p> <p>Table 4.2.1 in Appendix B of the Comprehensive Report</p> <p>Column 5 of the Index Table for s 10.22(a) and s 10.22(b)</p>	<p>Column 5 of the Index Table for this section explains that the environmental watering requirements for PEAs and PEFs:</p> <ul style="list-style-type: none"> • Can be found in the Environmental Water Management Plan for each PEA in the water resource plan area and a web link is provided to these documents in Column 5 of the Index Table for s 10.18 • Can be found in the Victorian Murray LTWP for each PEF in the water resource plan area • Are met through HEW controlled and managed by the VEWH, and that Victoria's water corporations manage water resources and access to water to ensure that all users in the system are supported including the VEWH • Can be supported by the use of above cap water, which would allow less HEW to be used than if the above cap water was not present. <p>Column 3 of the Index Table for this subsection states that no accredited text is needed for a requirement to "have regard to" and instead it refers to the supporting material in Column 5 of the Index Table for this subsection explaining how regard has been had to whether it is necessary for a WRP to include rules which ensure that the operation of the plan does not compromise the meeting of environmental watering requirements of PEAs and PEFs.</p> <p>The proposed WRP includes a rule in Column 3 of the Index Table for s 10.17(3), which is intended to ensure that the operation of the proposed WRP does not compromise the meeting of environmental watering requirements (EWRs) for the identified</p>	

10.17 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		Water For Victoria	<p>PEAs and PEFs. Column 5 of the Index Table for this subsection and Chapter 12 of the Comprehensive Report (specifically sections 12.7.8 and 12.8) sets out the regard given to the need for additional rules, including by reference to the outcomes of the Risk Assessment at Appendix B of the Comprehensive Report. Further information on how regard was had is provided in the assessment below.</p> <p><u>Contribution of above cap water to meeting environmental watering requirements:</u></p> <p>Section 12.4.3 of the Comprehensive Report provides descriptions on:</p> <ul style="list-style-type: none"> • Above-cap water – which is essentially unregulated natural flows and how environmental water managers consider such flows in order to make the most efficient use of their HEW portfolios in order to achieve the necessary outcomes • System water – including minimum passing flows as required by bulk entitlements which provides for a range of social, environmental and economic benefits – not solely for environmental purposes. • Consumptive water deliveries en-route and where possible how river operators deliver such flows to also meet environmental outcomes – including enabling HEW deliveries to piggy-back on consumptive flows. <p>The Authority notes that Column 3 of the Index Table for s 10.26(1) states that the above cap water in both regulated and unregulated systems provides a baseline which informs environmental watering objectives and environmental watering</p>	

10.17 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>requirements which are determined by Victoria's Catchment Management Authorities. The availability of this water also informs the VEWH's and CEWH's decisions as to how HEW is used to meet environmental watering requirements and objectives in the water resource plan area.</p> <p>Specifically, for above cap water, Column 5 of the Index Table for this subsection notes that this water can contribute to meeting environmental objectives of PEAs and PEFs by requiring the use of less HEW than would otherwise be needed if the above cap water was not present. The Column 5 text indicates that this enables the VEWH to allocate any 'saved' water to other uses to maximise environmental outcomes.</p> <p>Column 3 of the Index Table for s 10.22(a) states that there is nothing in proposed WRP that would compromise environmental watering requirements of PEAs and PEFs, and that environmental watering requirements will be met through the operation of s 10.26(1). The text in Column 3 of the Index Table for s 10.26(1) provides an adequate description of how environmental watering requirements are delivered in Victorian systems to achieve environmental outcomes using a combination of different types of water, particularly in the absence of PEW. A rule has been included in s 10.17(3) to give effect to the arrangements in s 10.26(1), specifically with regards to the management of above cap water.</p> <p><u>Consideration of risks and the need for rules</u></p>	

10.17 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Column 5 of the Index Table for this subsection lists where a summary of risks to PEAs, and environmental watering in terms of water availability and water condition, can be found in the Comprehensive Report. The Column 5 text also states that a summary of risks to above cap water (called uncontrolled water in the Risk Assessment) can be found in Tables 5-3 (Northern Victoria water resource plan area) and 5-6 (Victorian Murray water resource plan area) of the Comprehensive Report. Table 5-3 of the Comprehensive Report notes that there is a very high risk to environmental uses of above cap (referred to as 'uncontrolled water' in the Risk Assessment) water associated with climate change, high risks associated with extreme drought and medium risks associated with bushfires, land use change (availability), farm dams, timing and location of demands, and major asset failure.</p> <p>Column 5 of the Index Table for this subsection refers to the response provided for s 10.22(b) as demonstrating how the risks were considered in responding to Part 4 of Chapter 10 of the Basin Plan. Column 3 of the Index Table for s 10.22(b) states that no rules have been identified to address climate change risks, and that no other medium or higher risks were identified relevant to Part 4 of Chapter 10 of the Basin Plan. Column 3 of the Index Table for s 10.22(b) notes strategies to address climate change risks have been identified in Table 4.2.1 of Appendix B of the Comprehensive Report.</p> <p>The Authority notes that above cap water is the first category of water in Victoria to be impacted by reduced inflows from climate change risks. As such, the Authority agrees that the strategies</p>	

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>are not enough to appropriately manage the risks identified for above cap water and protect its contribution to meeting the environmental watering requirements for PEAs and PEFs. The proposed WRP has demonstrated the need for a rule to manage and protect the contribution of above cap water to meeting these environmental watering requirements and has included this rule in response to s 10.17(3) of the proposed WRP.</p> <p><u>Rules relating to environmental entitlements</u></p> <p>Column 5 of the Index Table and Section 12.7.6 in Chapter 12 of the Comprehensive Report describes how regard was had to the rules associated with environmental entitlements held by the VEWH in the context of s 10.17(1). Column 5 of the Index Table for this subsection indicates that because the only rules relating to rights to take water included in the proposed WRP are those that require entitlement holders to comply with conditions of their entitlements, there is nothing in the proposed WRP that compromises the meeting of environmental watering requirements.</p> <p>However, the proposed WRP also includes a rule at s 10.17(3) that is intended to ensure that the operation of the proposed WRP does not compromise the meeting of environmental watering requirements for the identified PEAs and PEFs. This rule relates to all the types of water that are associated with ensuring environmental watering requirements are met, and not just rights to take water. As such, the Authority has concluded that by including this additional rule relating to more than just the management of environmental entitlements, the proposed WRP was prepared having regard to whether it is necessary for it to</p>	

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				include rules which ensure that the operation of the plan does not compromise the meeting of environmental watering requirements of PEAs and PEFs.	
2	Regard was had to the need for rules to prescribe:				MET
	(a) times, places and rates for permitted take from a surface water SDL resource unit	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Section 5.8.2 of the Comprehensive Report</p> <p>Table A of the Index Table</p>	<p>Column 3 of the Index Table for this subsection refers to Column 5 of the Index Table for this subsection to explain how regard was had to the need for rules to prescribe the matters listed in s 10.17(2)(a) and s 10.17(2)(b).</p> <p>Column 5 of the Index Table for this subsection notes rules that water access right holders in Victoria must comply with may relate to the time, place and rates at which water is permitted to be taken and how the water is managed in the water resource plan area. The text also provides an outline of how bulk entitlements are managed and the role of storage managers in delivering water for all users, including the CEWH and VEWH. Conditions on licence types, including those that are subject to standard conditions relating to the time, place and rate of take under the <i>Water Act 1989</i> (Vic) are listed in Table A of the Index Table.</p> <p>Section 5.8.2 of the Comprehensive Report highlights that with respect to the Inter-Valley Transfer risks, changes to the timing, volume and location of demands have increased the risks relating to the loss or decline of in stream physical habitat, including PEAs, was very high. The proposed WRP considers that</p>	

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>the need for rules for this risk is not necessary as there are appropriate risks management strategies in place to address the risk.</p> <p>As such, the Authority is satisfied that regard was had to the matter described in s 10.17(2)(a).</p>	
	(b) how water resources in the WRP area must be managed and used	True	Column 5 of the Index Table for this subsection	<p>Column 5 of the Index Table for this subsection notes rules that water access right holders in Victoria must comply with may relate to the time, place and rates at which water is permitted to be taken and how the water is managed in the water resource plan area. The text also provides an outline of how bulk entitlements are managed and the role of storage managers. Both of these govern how water resources in the water resource plan area must be managed and used.</p> <p>As such, the Authority is satisfied that regard was had to the matter described in s 10.17(2)(b).</p>	
3	Rules are included	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for s 10.22(a)</p> <p>Column 5 of the Index Table for s 10.17(3)</p>	<p>A rule is included in Column 3 of the Index Table for this subsection, which states how the storage manager will manage the system in line with Victoria's water management framework as it relates to the above cap water in s 10.26(1) of the proposed WRP, to ensure that the environmental watering requirements of PEAs and PEFs are met.</p> <p>Column 3 of the Index Table for s 10.22(a) provides a brief, high level overview of the categories of matters considered in Victoria's analysis of whether rules are necessary for the</p>	MET

10.17 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		Column 3 of the Index Table for s 10.26(1)	<p>proposed WRP, concluding that rules are included in response to the matters in ss 10.17 to 10.21 of the Basin Plan.</p> <p>Column 5 of the Index Table for s 10.17(3) states that as the proposed WRP only includes rules on rights to take water that ensure that entitlement holders comply with the conditions of their entitlements, and that nothing in the proposed WRP compromises meeting the environmental watering requirements. On this basis, Victoria has determined that no other rules are necessary, and therefore there are no other rules included in the proposed WRP.</p> <p>The Authority is satisfied that the rule included for the purposes of s 10.17(3) of the Basin Plan, provides a measure of protection for above cap water (in the absence of PEW) and ensures that the operation of the proposed WRP does not compromise meeting the environmental watering requirements of PEAs and PEFs.</p> <p>As such, the Authority is satisfied that this subsection is met.</p> <p>The Authority notes that PEAs and PEFs have been identified where they can be watered with environmental water, which in the Victorian Murray water resource plan area is only in regulated systems. Therefore this rule will only apply in those areas. Following the accreditation of the proposed WRP, Victoria will undertake a review of the Victorian Murray Long-term Water Plan which will consider both regulated and unregulated systems. The Authority expects that this review will include updating the list of PEAs and PEFs (and their associated</p>	

10.17 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				environmental watering requirements) in accordance with requirements in s 8.49 of the Basin Plan and as committed to in Column 3 of the Index Table for s 10.26(1).	
	A rationale is provided for the application of section 10.17(2)	True	Column 5 of the Index Table for this subsection	Column 5 of the Index Table indicates how the matters in s 10.17(2) have been considered to inform the need for rules. See assessment above for details.	
	A rationale is provided for why rules are not necessary	True	Column 5 of the Index Table for this subsection	Column 5 of the Index Table for this subsection provides a rationale for why additional rules for rights to take water are not necessary, noting that: <ul style="list-style-type: none"> - the proposed WRP only includes rules on rights to take water that ensure that entitlement holders comply with the conditions of their entitlements, and - the proposed WRP includes a rule for all types of environmental water that ensures environmental watering requirements are met, and - nothing in the proposed WRP compromises meeting the environmental watering requirements. 	
	A rationale is provided for why rules are not included	Test turned off	Column 3 of the Index Table for this subsection	As a rule has been included in response to s 10.17(3) in Column 3 of the Index Table for this subsection, the test is not applicable.	

Section 10.18 – Priority environmental assets dependent on groundwater

(1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that, for priority environmental assets and priority ecosystem functions that depend on groundwater, the operation of the plan does not compromise the meeting of environmental watering requirements.

Note: The environmental watering requirements of priority environmental assets and priority ecosystem functions will be set out in long-term watering plans and may also be set out in the Basin-wide environmental watering strategy. Long-term watering plans are required to use the methods in Part 5 of Chapter 8 to identify those requirements.

(2) Without limiting subsection (1), regard must be had to whether it is necessary for the water resource plan to include rules that specify:

- (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
- (b) resource condition limits, being limits beyond which the taking of groundwater will, for a priority environmental asset that depends on groundwater, compromise an environmental watering requirement; and
- (c) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded.

(3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the WRP does not compromise the surface water flow regimes, and/or groundwater PEW or groundwater HEW (as expressed by the environmental watering requirements) that are needed to protect groundwater dependent PEAs/PEFs	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for s 10.19</p>	<p>Column 5 of the Index Table for this subsection notes that while some PEAs have a groundwater dependence through baseflow, the primary mechanism for meeting environmental water requirements is the (surface water) HEW.</p> <p>Column 5 of the Index Table for this subsection confirms that, for s 10.18 Victoria had regard for the need for rules in the same manner that they were considered under s 10.17. As such, the assessment for s 10.17(1) also applies here.</p> <p>The technical report by Groundwater Logic (2018), undertaken by Victoria to support the assessment for s 10.18, identified one</p>	MET

10.18 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Column 3 of the Index Table for s 10.26(1)</p> <p>Groundwater Logic Report (2018)</p> <p>Column 3 of the Index Table for s 10.22(a)</p> <p>Lower Ovens Groundwater Management Area Local Management Plan</p> <p>Assessment for s 10.17(1)</p>	<p>wetland groundwater dependent PEA (Lower Ovens – at the confluence of the Ovens and Murray) as a moderate risk. This is contrary to a statement in the Column 5 of the Index Table for s 10.19 that no wetlands were above a low risk. In considering this, the Authority understands that Victoria no longer deems this asset to be a PEA as it has not been watered and has been removed from the list provided in the proposed WRP. The Authority expects that the correct status of this asset will be updated in accordance with Chapter 8 of the Basin Plan in the review of the Northern Victoria Long-term Watering Plan to be updated in the 12 months following accreditation of the proposed WRP.</p> <p>The Authority notes that Column 3 of the Index Table for s 10.22(a) demonstrates that the impact of groundwater use on PEAs and PEFs in the context of the Victorian water resources management framework was considered in order to inform the need for rules to be included in the proposed WRP. Under this framework, rules for protecting GDEs are contained in local management plans for the systems where there is groundwater usage management is required. Specific rules exist in Victoria's Local Management Plans and Water Supply Protection Area management plans, and the Groundwater Logic (2018) report concluded that there were no further management actions necessary beyond those already in place under Victoria's existing management framework.</p> <p>Based on this information, despite the inconsistency in the explanatory material regarding the wetland groundwater-dependent PEA in the proposed WRP, and for the reasons set out</p>	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				in the assessment for s 10.17(1), the Authority considers this subsection is met.	
2	Regard was had to the need for rules to specify:				MET
	(a) times, places and rates for permitted take from a groundwater SDL resource unit	True	<p>Column 5 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for s 10.17(2)</p>	<p>Column 5 of the Index Table for this subsection indicates that Column 5 of the Index Table for s 10.17 provides a discussion on the types of rules identified for s 10.18(2). As such, the assessment for s 10.17(2) also applies to ss 10.18(2)(a), (b) and (c). Column 5 of the Index Table for s 10.17(2) notes rules that water access right holders in Victoria must comply with may relate to the time, place and rates at which water is permitted to be taken and how the water is managed in the water resource plan area. The text also provides an outline of how bulk entitlements are managed and the role of storage managers in delivering water for all users, including the CEWH and VEWH. Conditions on licence types, including those that are subject to standard conditions relating to the time, place and rate of take under the <i>Water Act 1989</i> (Vic) are listed in Table A of the Index Table.</p> <p>Section 5.8.2 of the Comprehensive Report highlights that with respect to the Inter-Valley Transfer risks, changes to the timing, volume and location of demands have increased the risks relating to the loss or decline of in instream physical habitat, including PEAs, was very high. The proposed WRP considers that the need for rules for this risk is not necessary as there are appropriate risks management strategies in place to address the risk and lists the risk management strategies in place.</p>	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				As such, the Authority is satisfied that regard was had to the matter described in s 10.18(2)(a).	
	b) limits for groundwater take beyond which the condition of the groundwater resource would compromise the desired flow regimes, groundwater HEW and PEW (environmental watering requirements) needed to protect priority groundwater dependent PEAs	True	Column 5 of the Index Table for this subsection Table 12-4 of the Comprehensive Report	<p>Column 5 of the Index Table for this subsection notes that although groundwater inflows, or in some cases a reduction in inflows may provide additional environmental benefit, they are not the primary mechanism for meeting environmental watering requirements of PEAs.</p> <p>Where limits on groundwater take are required so that they do not compromise desired flow regimes for priority groundwater dependent PEAs, these are contained in rules in Victoria's state management plans. A general overview of existing rules or measures that do this is provided in Table 12-4 of the Comprehensive Report.</p> <p>As such, the Authority is satisfied that the proposed WRP had regard to the matter in s 10.18(2)(b).</p>	
	(c) restrictions on water permitted to be taken (including times, places and rates of take) that prevents take from exceeding the resource condition limits	True	Column 5 of the Index Table for s 10.17(2)	Column 5 of the Index Table for s 10.17(2) notes rules that water access right holders in Victoria must comply with may relate to the time, place and rates at which water is permitted to be taken and how the water is managed in the water resource plan area. The text also provides an outline of how bulk entitlements are managed and the role of storage managers in delivering water for all users, including the CEWH and VEWH.	
3	Rules are included	True	Column 3 of Index Table for this subsection	Column 3 of the Index Table for this subsection provides a rule which allows the Victorian Minister to prepare guidelines for a consultative committee to consider whether prescriptions for	MET

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Column 5 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for s 10.26(1)</p>	<p>groundwater management should be included when developing a draft statutory management plan.</p> <p>These prescriptions for groundwater management must have regard to groundwater dependent PEAs and PEFs, and any risks to meeting environmental watering requirements for groundwater dependent PEAs and PEFs as a result of groundwater take in the area. The rule applies only to areas where a WSPA is declared.</p> <p>Column 5 of the Index Table for this subsection refers to s 10.17 for a discussion on the types of rules that apply to s 10.18(2).</p> <p>A rule is also included in Column 3 of the Index Table for this subsection, which states how the storage manager will manage the system in line with Victoria's water management framework as it relates to the above cap water in s 10.26(1) of the proposed WRP, to ensure that the environmental watering requirements of PEAs and PEFs are met.</p> <p>The Authority considers that this rule provides a measure of protection for above cap water (in the absence of any substantial amount of PEW) and ensures that the operation of the proposed WRP does not compromise meeting the environmental watering requirements of PEAs and PEFs.</p> <p>As such, the Authority is satisfied that this subsection is met.</p> <p>The Authority notes that PEAs and PEFs have been identified where they can be watered with environmental water, which in the Victorian Murray water resource plan area is only in regulated</p>	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>surface water systems. Further, no PEAs or PEFs that are entirely dependent on groundwater have been identified in the proposed WRP, as there is no environmental water identified in the proposed Goulburn-Murray WRP.</p> <p>Following the accreditation of the proposed WRP, Victoria will undertake a review of the Victorian Murray Long Term Watering Plan which will consider both regulated and unregulated systems. The Authority expects that this review will include updating the list of PEAs and PEFs (and their associated environmental watering requirements) in accordance with requirements in s 8.49 of the Basin Plan and as committed to in Column 3 of the Index Table for s 10.26(1).</p>	
	A rationale is provided for the application of section 10.18(2)	True	Column 5 of the Index Table for this subsection	Column 5 of the Index Table for this subsection indicates how the matters in s 10.18(2) have been considered to inform the need for rules. See assessment above for details.	
	A rationale is provided for why rules are not necessary	True	Column 5 of the Index Table for this subsection	The proposed WRP indicates in Column 5 of the Index Table for this subsection why additional rules for rights to take water are not necessary, noting that as the proposed WRP only includes rules on rights to take water that ensure that entitlement holders comply with the conditions of their entitlements, includes a rule for all types of environmental water that ensures environmental watering requirements are met, and that nothing in the proposed WRP compromises meeting the environmental watering requirements.	

10.18 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	A rationale is provided for why rules are not included	Test turned off	Column 3 of the Index Table for this subsection	As rules have been included in response to s 10.18(3) in Column 3 of the Index Table, the test is not applicable.	

Section 10.19 – Groundwater and surface water connections

- (1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that, for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the meeting of environmental watering requirements (for example, base flows).
- (2) Without limiting subsection (1), regard must be had to whether it is necessary for the water resource plan to include rules that specify:
 - (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
 - (b) resource condition limits, being limits beyond which the taking of groundwater will compromise the discharge of water into any surface water resource; and
 - (c) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded.
- (3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the WRP does not compromise flows and recharge (environmental watering requirements) between groundwater and surface water including for groundwater HEW and PEW	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for s 10.05(b)</p> <p>Column 3 of the Index Table for s 10.26(1)</p>	<p>Column 3 of the Index Table for s 10.05(b) identifies significant groundwater-surface water connections in the water resource plan area, and Section 12.8.4 of the Comprehensive Report discusses how environmental watering requirements are met when significant connections are identified.</p> <p>Column 5 of the Index Table for this subsection refers to the technical report that supports the proposed WRP (Groundwater Logic (2018) report), which concluded that most of the PEAs across the water resource plan area are classified as low risk from interventions to the groundwater system through excessive pumping in existing resource management arrangements.</p> <p>The Authority notes that based on information in the Groundwater Logic (2018) report undertaken to support the</p>	MET

10.19 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Section 12.8.4 of the Comprehensive Report</p> <p>Groundwater Logic (2018) report</p>	<p>analysis of whether rules were required in the proposed WRP, Column 5 of the Index Table for this subsection identifies four medium to high risk river reaches, two in the Lower Ovens River and two in the Broken Creek. For these river reaches, Column 5 of the Index Table for this subsection provides sufficient information to explain how these risks are being addressed through local management plans (usage restriction triggers), LTWPs (baseflow related target for environmental watering in the Lower Ovens River) and licence applications.</p> <p>Column 5 of the Index Table for this subsection notes that the matters identified in paragraphs (7)(c)(iv), (v), (vi) and (7)(e) in Column 3 of the Index Table for s 10.26(1) apply to groundwater and require licencing of groundwater in Victoria to consider the impacts on surface water systems or groundwater dependent ecosystems.</p> <p>Section 12.8.4 of the Comprehensive Report explains how surface water-groundwater connectivity is considered through statutory management plans, local management plans and managing licences, allocations and trade.</p> <p>Where future risks may arise to environmental watering requirements of PEAs and PEFs in highly connected systems, Victoria has determined that a rule is necessary and has included this in Column 3 of the Index Table for s 10.19(3). The rule is included to ensure these risks are appropriately managed through issuing licences, trade and prescriptions to be included in a water supply protection area management plan.</p>	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the regard was had to the need for rules to ensure that the operation of the proposed WRP does not compromise flows and recharge (environmental watering requirements) between groundwater and surface water.	
2	Regard was had to the need for rules to specify:				MET
	(a) times, places and rates for permitted take from a groundwater SDL resource unit	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Tables 12-4 of the Comprehensive Report</p>	<p>The text provided in Column 3 of the Index Table for this subsection states that Column 5 of the Index Table for this subsection provides an explanation of how regard was had to this requirement.</p> <p>Table 12-4 of the Comprehensive Report lists existing measures and arrangements relevant to s 10.19. The existing measures and arrangements include how Victoria regulates the matters listed in s 10.19(2). Table 12-4 indicates that these matters are regulated through existing management arrangements including through Victoria's licensing framework (conditions on take and use licences), permissive consumptive limits and trade zone limits, restrictions on groundwater use based on groundwater trigger levels, and existing rules for conjunctive management in the Upper Ovens Water Supply Protection Area (WSPA) management plan.</p> <p>The Authority considers the rules and arrangements set out for s 10.19 in Column 5 of the Index Table for this subsection and the Table 12-4 of the Comprehensive Report demonstrates how regard was had for rules to specify the matters in 10.19(2)(a).</p>	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(b) limits for groundwater take beyond which the condition of the groundwater resource would compromise the discharge of water into any surface water resource	True	<p>Column 5 of the Index Table for this subsection</p> <p>Table 12-4 of the Comprehensive Report</p>	<p>The assessment for s 10.19(2)(a) also applies here.</p> <p>Column 5 of the Index Table for this subsection notes states that although groundwater inflows and in some cases a reduction in inflows may provide additional environmental benefit, they are not the primary mechanism for meeting environmental watering requirements of PEAs (and presumably PEFs).</p> <p>Where limits on groundwater take are required so that they do not compromise desired flow regimes for priority groundwater dependent PEAs, these are contained in rules in Victoria's state management plans. A general overview of existing rules or measures that do this is provided in Table 12-4 of the Comprehensive Report.</p> <p>WSPA's are declared by the Victorian Minister in areas where the risks associated with groundwater extraction requires more intensive monitoring and management arrangements. In the Northern Victoria and Goulburn-Murray water resource plan areas there are four WSPA management plans – the Upper Ovens, Katunga, Loddon Highlands and Lower Campaspe Valley. These WSPA management plans contain prescriptions which limit take by setting triggers based on groundwater use. Section 12.8.4 of the Comprehensive Report notes that for the Upper Ovens River WSPA for example, the prescriptions in the management plan limit the use of groundwater during periods of low surface water flow.</p> <p>As such, the Authority is satisfied that the proposed WRP had regard to the matter in s 10.19(2)(b).</p>	

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(c) restrictions on permitted take (including times, places and rates of take) that prevents take from exceeding the resource condition limits	True	<p>Column 5 of the Index Table for s 10.17(2)</p> <p>Column 3 of the Index Table for s 10.26(1)</p> <p>Column 3 of the Index Table for s 10.08(2)</p>	<p>The assessment for s 10.19(2)(a) also applies here.</p> <p>Column 3 of the Index Table for s 10.26(1) states how setting resource condition limits under a permissive consumptive volume, under s 22A of the <i>Water Act 1989</i> (Vic), limits the volume of water that can be issued for entitlements. Standard conditions applied to entitlements related to the time, place and rate of take to prevent take from exceeding resource condition limits. These rules support the reliability of all entitlement holders in the system. Column 3 of the Index Table for s 10.08(2) demonstrates how water access right holders must comply with these conditions, and Column 3 of the Index Table for s 10.11(1) sets out rules to prevent actual take from exceeding permitted take.</p> <p>Column 3 of the Index Table for s 10.26(1) notes that restrictions on take through WSPA management plans or conditions on bulk entitlements protect the minimum passing flows (baseflow) in regulated systems. Baseflows in unregulated systems are protected through conditions applied to the take and use licence or bulk entitlement. These restrictions and conditions must be complied with as required by Column 3 of the Index Table for s 10.08(2).</p> <p>As such, the Authority is satisfied that the proposed WRP has had regard to the matters in s 10.19(2)(c).</p>	
3	Rules are included	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table sets out high level rules making guidelines for the consideration of prescriptions in statutory management plans for significant hydrologically connected surface water and ground water resources, where groundwater	MET

10.19 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				extraction may have an adverse impact on high value ecosystems. As such, the Authority considers that this subsection is met.	
	A rationale is provided for the application of section 10.19(2)	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table sets out high level rules for making guidelines for the consideration of prescriptions in statutory management plans for significant hydrologically connected surface water and ground water resources, where groundwater extraction may have an adverse impact on high value ecosystems.	
	A rationale is provided for why rules are not necessary	Test turned off	Column 5 of the Index Table for this subsection	Column 5 of the Index Table for this subsection indicates how the matters in s 10.19(2) have been considered to inform the need for rules. See assessment above for details.	
	A rationale is provided for why rules are not included	Test turned off	Column 3 of the Index Table for this subsection	A rule is included in Column 3 of the Index Table for this subsection, therefore a rationale for why rules are not necessary is not required.	

Section 10.20 – Productive base of groundwater

- (1) A water resource plan must be prepared having regard to whether it is necessary for it to include rules which ensure that the operation of the plan does not compromise:
- (a) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or
 - (b) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.
- (2) Without limiting subsection (1), regard must be had to whether it is necessary for the water resource plan to include rules that specify:
- (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
 - (b) any zones in the water resource plan area where continued groundwater extraction will result in a long-term decline in groundwater levels; and
 - (c) measures to prevent any long-term decline in groundwater levels in that zone, except where the groundwater is a non-renewable groundwater resource; and
 - (d) for a non-renewable groundwater resource—the planned rate of decline in groundwater levels and the anticipated groundwater levels after 50 years from the commencement of the water resource plan; and
 - (e) resource condition limits, being limits beyond which the taking of groundwater from the SDL resource unit will compromise the objectives in paragraphs (1)(a) and (b); and
 - (f) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded.
- (3) If the outcome of the requirement in subsection (1) is that such rules are necessary, the water resource plan must include those rules.

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP demonstrates that regard was had to the need for rules to ensure that the operation of the plan does not compromise:				MET
	(a) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the	True	Column 3 of the Index Table for this subsection	Column 5 notes that this subsection does not apply to surface water, however the explanatory material in Column 5 discusses how regard was had in the context of surface water and	

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	long-term annual diversion limit for an SDL resource unit, <i>or</i>		Column 5 of the Index Table for this subsection	groundwater hydraulic relationships. The Authority considers that s 10.20 of the Basin Plan is relevant to the surface water plans where there is significant surface water-groundwater hydraulic connectivity.	
	(b) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems	True	Column 3 of the Index Table for s 10.20(3) Column 5 of the Index Table for s 10.41(2)(b)	<p>The Authority notes that the Risk Assessment did not identify any medium or higher risks associated with changes to structural form relevant to the Victorian Murray water resource plan area (as listed in Column 5 of the Index Table for s 10.41(2)(b)).</p> <p>Column 5 of the Index Table for this subsection identifies that there are circumstances where there may be localised risks to structural integrity of an aquifer or hydraulic relationships between surface water and groundwater because of circumstances outside of the operation of the proposed WRP. Column 5 of the Index Table for this subsection indicates that risks of this nature are required to be considered before issuing licences to take. This includes having regard to any adverse effects the licence may have on existing users, waterways, aquifers, and the maintenance of the environmental water reserve when issuing licences under section 51 of the <i>Water Act 1989</i> (Vic).</p> <p>The Authority is satisfied that the proposed WRP has had regard to the need to include rules to ensure that the proposed WRP does not compromise matters listed in s 10.20(1).</p>	
2	Regard was had to the need for rules to specify:				

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(a) times, places and rates for permitted take from a groundwater SDL resource unit			<p>Column 5 of the Index Table for this subsection refers to ss 10.17, 10.18 and 10.19 of the Index Table as providing information on rules on existing licences, including restrictions on the times, places and rates of permitted take, that is also relevant to s 10.20(2)(a).</p> <p>These considerations are more relevant to the groundwater resources covered by the proposed Goulburn-Murray WRP. However the Authority notes that the consideration listed in s 10.20(b)-(f) are required to be considered before issuing licences to take, and that these matters are considered in the context of risks to maintaining hydraulic relationships between surface water and groundwater resources where necessary.</p> <p>The Authority is satisfied that:</p> <ul style="list-style-type: none"> - the existing arrangements in place for issuing licences to take and the low risk of structural damage to hydraulic relationships as identified in the assessment for s 10.20(1), and - Column 5 of the Index Table for s 10.19 identified that the proposed WRP would not compromise meeting environmental watering requirements in those systems with a significant hydrological connection between groundwater and surface water, <p>demonstrates that regard was had to the need for rules to specify matters outlined in s 10.20(2)(a)-(f) for the Victorian Murray WRP.</p>	MET
	(b) zones where extraction will result in long-term decline in groundwater levels	True	Column 3 of the Index Table for this subsection		
	(c) measures to prevent long-term decline in groundwater levels in the zone, but with the exception provided in letter (d)	True	Column 5 of the Index Table for this subsection		
	(d) non-renewable groundwater resources that has a planned rate of decline in groundwater levels after 50 years (of the commencement of the WRP)	True	Column 5 of the Index Table for ss 10.17, 10.18 and 10.19		
	(e) limits for groundwater take beyond which the condition of the groundwater resource (resource condition limits) would compromise the objectives in subsection (1)	True			
	(f) restrictions on permitted take in order to prevent exceedance of resource condition limit	True			

10.20 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
3	Rules are included	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table sets out high level rules for making guidelines for the consideration of prescriptions in statutory management plans for groundwater management having regard to risks to structural integrity of the aquifer because of the level of take in area, and risks to maintaining hydraulic relationships between and within groundwater systems and between groundwater and surface water systems.	MET
	A rationale is provided for the application of section 10.20(2)	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for ss 10.17, 10.18 and 10.19 Column 3 of the Index Table for 10.22(a)	A rationale is provided for the application of s 10.20(2). Column 5 of the Index Table for this subsection refers to s 10.17, s 10.18 and s 10.19 for a consideration of the types of rules on licences that also apply to s 10.20(2). See assessment above for details.	
	A rationale is provided for why rules are not necessary	Test turned off	Column 3 of the Index Table for this subsection	A rule is included in Column 3 of the Index Table for this subsection, therefore a rationale for why rules are not necessary is not required.	
	A rationale is provided for why rules are not included	Test turned off	Column 3 of the Index Table for this subsection	A rule is included in Column 3 of the Index Table for this subsection, therefore a rationale for why rules are not included is not required.	

Section 10.21 – Additional requirements for Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB and Goulburn-Murray: Sedimentary Plain SDL resource units

- (1) A water resource plan for the NSW Murray-Darling Basin Porous Rock water resource plan area must, in relation to the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units, include rules that are designed to ensure that the objectives set out in the following provisions are met:
 - (a) section 10.18;
 - (b) section 10.19;
 - (c) section 10.20.
- (2) A water resource plan for the Goulburn-Murray water resource plan area must, in relation to the Goulburn-Murray: Sedimentary Plain SDL resource unit, include rules that are designed to ensure that the objective set out in section 10.20 is met.

Note: The objectives set out in the provisions referred to are the following:

- (a) in section 10.18—that for priority environmental assets and priority ecosystem functions that depend on groundwater, the operation of the plan does not compromise the meeting of environmental watering requirements;
- (b) in section 10.19—that for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the meeting of environmental watering requirements;
- (c) in section 10.20—that the operation of the plan does not compromise:
 - (i) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or
 - (ii) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The applicable area for the WRP is the NSW Murray-Darling Porous Rock	False	Column 3 of the Index Table for this subsection	The applicable area is not the NSW Murray-Darling Porous Rock, and therefore this subsection does not apply to the Victorian Murray water resource plan area.	Not applicable

10.21 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	If 'yes' apply the following for the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units:			
	The WRP includes rules to ensure that the objectives are met as follows:			
	(a) in section 10.18—that for priority environmental assets and priority ecosystem functions that depend on groundwater, the operation of the plan does not compromise ability to meet environmental watering requirements	Test turned off	N/A	This provision is not applicable to the Victorian Murray water resource plan area.
	(b) in section 10.19—that for groundwater that has a significant hydrological connection to surface water, the operation of the plan does not compromise the ability to meet environmental watering requirements	Test turned off	N/A	This provision is not applicable to the Victorian Murray water resource plan area.
	(c) in section 10.20—that the operation of the plan does not compromise:			
	(i) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or	Test turned off	N/A	This provision is not applicable to the Victorian Murray water resource plan area.

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(ii) the overall hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems.	Test turned off	N/A	This provision is not applicable to the Victorian Murray water resource plan area.	
2	The applicable area for the WRP is the Goulburn-Murray	False	Column 3 of the Index Table for this section	Column 3 of the Index Table for this section notes that this applicable area is not the Goulburn-Murray, therefore this provision does not apply.	Not applicable
If 'yes' apply the following for the Goulburn-Murray: Sedimentary Plain SDL resource unit:					
The WRP includes rules to ensure that the objectives in section 10.20—that the operation of the plan does not compromise:					
	(i) the overall structural integrity of the aquifer (whether within or outside the water resource plan area) arising from take within the long-term annual diversion limit for an SDL resource unit; or	Test turned off	N/A	This provision is not applicable to the Victorian Murray water resource plan area.	
	(ii) the overall hydraulic relationships and properties between groundwater and	Test turned off	N/A	This provision is not applicable to the Victorian Murray water resource plan area.	

10.21 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	surface water systems, between groundwater systems, and within groundwater systems.				

Section 10.22 – Description of how requirements have been met

A water resource plan must:

- (a) describe what was done to comply with the requirements in this Part; and
- (b) if a risk of a kind referred to in subsection 10.41(1) has been identified in relation to the water resources of the water resource plan area—explain why rules addressing the risk have or have not been included in the plan.

10.22 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(a)	The WRP describes what was done to comply with the requirements in sections 10.17 to 10.21	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection provides a high-level overview of the categories of matters considered in Victoria’s analysis of whether rules are necessary for the proposed WRP. The Column 3 text indicates the proposed WRP considered the following areas in order to comply with the requirements in ss 10.17 to 10.21:</p> <ul style="list-style-type: none"> - the operation of the plan on the ability for Victoria to meet environmental watering requirements - an assessment of whether Victoria’s environmental water in regulated systems was sufficient to meet environmental watering requirements - connectivity between regulated systems - the impact of groundwater use on PEAs and PEFs - an assessment of Victoria’s existing water resource management arrangements and entitlement regime - an assessment of whether rules in existing WSPA management plans were sufficient to manage risk. <p>The assessment concludes that while the proposed WRP will not compromise the environmental watering requirements of PEAs and PEFs, rules have been included in response the matters listed in ss 10.17 to 10.21 of the Basin Plan.</p>	MET

10.22 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>As such, the Authority is satisfied that this subsection is met.</p> <p>The Authority notes however that Column 5 of the Index Table for this subsection indicates that the list of PEAs in the proposed WRP has changed from the list in the LTWPs (see assessment of s 10.17(1) for details). The Authority expects that following accreditation of the proposed WRP, the LTWPs will be reviewed, and as part of this review the list of PEAs and PEFs will be updated in accordance with the methods set out in s 8.49 and s 8.50 of the Basin Plan.</p>	
(b)	The WRP explains why rules have (or have not) been included in the WRP to address risks identified in s 10.41(1)	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection includes a general explanation about why rules have or have not been included to address relevant risks identified in response to s 10.41(1). Generally, Column 3 of the Index Table notes that rules have been included in response to the matters listed in ss 10.17 to 10.21, but not for remaining medium or higher risks as Victoria concludes that the risks are generally managed to 'low' level with the existing rules and management arrangements in place in Victoria.</p> <p>Appropriate strategies to manage medium or higher risks have also been included in response to s 10.43(1) of the proposed WRP, and Victoria has determined that no further rules are needed in addition to the existing strategies. For those medium and higher risks associated with changes in the timing and location of demand (including inter-valley trade risks), Column 3 of the Index Table for this subsection indicates that rules have been included in response to s 10.18 and s 10.19 of the proposed WRP in addition to the strategies listed in response to s 10.43(1).</p>

10.22 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>While the risks have been grouped and the statements given are high level, the Authority is satisfied that there is enough evidence to explain why rules have or have not been included to address risks identified in s 10.41(1).</p> <p>As such, the Authority is satisfied this subsection is met.</p>	

Part 5 Interception activities

Section 10.23 – Listing types of interception activity

- (1) A water resource plan must, having regard to the risk identification and assessment conducted for section 10.41, specify whether there are any types of interception activity in the water resource plan area which have the potential to have a significant impact on:
- (a) the water resources of the water resource plan area; or
 - (b) water resources which are hydrologically connected to the water resources of the water resource plan area;
- whether on an activity-by-activity basis, or cumulatively.
- (2) If there are any such types of interception activity, the water resource plan must list those types.
- (3) For the purpose of determining whether a type of interception activity is of the kind referred to in subsection (1), regard must be had to the following factors:
- (a) the location of particular activities of that type in the water resource plan area;
 - (b) the impact of the type of activity on the availability of:
 - (i) the water resources of the water resource plan area; and
 - (ii) any water resources which are hydrologically connected to the water resources of the water resource plan area;
 - (c) the projected growth of the type of activity over the period for which the water resource plan will have effect.

Note: The following are types of interception activity which may have the potential to have a significant impact on the water resources of a water resource plan area:

- (a) interception by runoff dams;
- (b) interception by commercial plantations;
- (c) interception by mining activities, including coal seam gas mining;
- (d) interception by floodplain harvesting.

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Interception activities with the potential to have significant impacts within the WRP area and	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that:	MET

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	on any hydrologically connected water resources of the WRP area, have been identified		<p>Column 5 of the Index Table for this subsection</p> <p>Sections 11.4.1.5 and 11.4.3.1 of the Comprehensive Report</p>	<p><i>No interception activity has been identified to have a significant impact, nor to have the potential to have a significant impact, on water resources that are in or are hydrologically connected to the Victoria's North and Murray water resource plan area.</i></p> <p>Column 5 of the Index Table for this subsection states that the Risk Assessment at Appendix B of the Comprehensive Report identified medium and high risks arising from interception by runoff dams and interception by commercial plantations, however these risks were based on information that has been superseded since the completion of the Risk Assessment.</p> <p>That new information is set out in Sections 11.4.1.5 and 11.4.3.1 of the Comprehensive Report and the Authority is satisfied with the proposed WRP's reasoning as to how the new information changes the risk ratings for runoff dams and commercial plantations to 'low'. Further details on this is provided in the advice below.</p> <p>Consequently, the Authority is satisfied that there are no interception activities with the potential to have significant impacts to be identified in the subsection.</p>	
	Regard was had to the risks identified and assessed under Part 9/s10.41	True	<p>Column 3 and 5 of the Index Table for this subsection</p> <p>Sections 11.4.1, 11.4.1.5 and 11.4.3.1 of the Comprehensive Report</p>	<p>The Risk Assessment at Appendix B of the Comprehensive Report identifies and assesses risks relating to the impact of interception activities on the water resources of Victoria's North and Murray Water Resource Plan area. For the Victorian Murray water resource plan area, the identified risks (including the interception risks) and the outcomes of the assessment are set out in Table 2.3.1 of Appendix B of the Comprehensive Report.</p>	

10.23 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Table 11.2 of the Comprehensive Report</p> <p>Table 2.3.1 of Appendix B of the Comprehensive Report.</p>	<p>The interception risks are summarised in Table 11.3 of the Comprehensive Report.</p> <p>The types of interception activities that were considered by the proposed WRP are presented in Column 5 of the Index Table for this subsection, along with explanations of why they are not considered significant risks.</p> <p><u>Floodplain harvesting</u></p> <p>The <i>Water Act 1989</i> (Vic) prohibits take and use of water for floodplain harvesting without a water entitlement and no floodplain harvesting occurs in the WRP area. Consequently take by floodplain harvesting does not need to be identified as an interception activity having a potential significant impact under s 10.23(1) of the Basin Plan.</p> <p><u>Runoff dams</u></p> <p>The Risk Assessment identified a number of risks relating to runoff dams as having a risk level of medium or higher (see Table 11.3 of the Comprehensive Report). The column 5 material for this subsection states that this assessment has been superseded by better information. This better information is set out in Section 11.4.1.5 of the Comprehensive Report and is summarised below. It was not available at the time the Risk Assessment was undertaken.</p> <p>Farm dam growth rate: The original Risk Assessment used a farm dam growth rate based on MDBA estimates from 2008.</p>	

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>However, HARC and ERM (2016)¹ showed a lower growth rate of 0.55% for stock and domestic dams between the period of 2010 to 2015 in their study from 2000 to 2016. This updated growth rate was used as the growth rate to reassess projected growth. The HARC and ERM (2016) report suggests that the stability of farm dam growth rates in the period 2010 to 2015 reflects the return to normal rainfall patterns following the Millennium Drought breaking in 2009.</p> <p>Magnitude of take: The proposed WRP (see Section 11.4.1) applies a new method, detailed in Morden (2017)² to determine the BDL for take by runoff dams. This method is robust and uses best available information. It gives a lower volume of runoff dam take than that used in the Risk Assessment. The Risk Assessment assumed 100% of dam capacity was take, while Morden (2017) identified take as 20 – 60% of dam capacity. One of the key factors leading to the medium risk rating in some cases was the potential magnitude of impact.</p> <p>Noting the change in two factors used to determine the risk of take by runoff dams using best available information, it is justifiable that the risk ratings reduce to low.</p> <p>The Authority is satisfied that the change in risk rating means that take by runoff dams does not need to be identified as an</p>	

¹ HARC and ERM (2016). Investigation of trends in farm dam development over time. Report prepared for the Department of Environment, Land, Water and Planning.

² Morden, R. (2017). A new method of accounting for runoff dams. 22nd International Congress on Modelling and Simulation (pp. 1676 - 1682). Hobart: Victorian Department of Environment Land Water and Planning.

10.23 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>interception activity having a potential significant impact under s 10.23(1) of the Basin Plan.</p> <p><u>Commercial plantations</u></p> <p>Table 11.3 of the Comprehensive Report shows the interception related outcomes of the Risk Assessment which include medium and high risks to water availability from commercial plantations. The assessment of risk arising from commercial plantations was based on a scenario which assumed five percent growth in plantation area during the ten years following the commencement of the proposed WRP (see Section 11.4.3.1 of the Comprehensive Report). However new information provided in Section 11.4.3.1 of the Comprehensive Report shows that the area of plantations has remained stable from 2009 to 2016, and is expected to remain stable for the next decade. The change in expected growth rate from five percent to nil justifies changing the risk ratings to low.</p> <p>The Authority is satisfied that the change in risk rating means that take by commercial plantations does not need to be identified as an interception activity having a potential significant impact under s 10.23(1).</p> <p><u>Mining activities</u></p> <p>The <i>Water Act 1989</i> (Vic) prohibits take and use of water for mining without a water entitlement. There are no mining activities in any of the three WRP areas covered by the proposed Victoria's North and Murray WRP package that intercept significant volumes of water. The Risk Assessment indicates a significant risk from mining to water quality but not to water quantity (see Table 11.2 of the Comprehensive</p>	

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Report). As Part 5 of Chapter 10 of the Basin Plan relates to the impacts of interception activities on water availability, with water quality issues considered Part 7, the Authority is satisfied that take by mining activities do not need to be identified as an interception activity having a potential significant impact under s 10.23(1).	
2	A list of interception activities which have the potential to have a significant impact as set out in (1) is provided	Absent	Column 3 of the Index Table for s 10.23(1) and for this subsection	<p>Column 3 of the Index Table for this subsection states that the requirement is not relevant to Victoria's North and Murray water resource plan area as no types of interception activity are identified in response to section 10.23(1) of the Basin Plan.</p> <p>The material provided in response to s 10.23(1) shows that there are no types of interception activity which have the potential to have a significant impact, consequently the Authority is satisfied that no list is required, and consequently this subsection is met.</p>	MET
3	Each of the activities listed for s10.23(1) demonstrates regard as follows:	True	Refer to individual assessments below.	Refer to the individual assessments of s 10.23(3)(a) to (c) below. See also advice provided for the responses to s 10.41(2)(c) and (d).	MET
	(a) The location of each type of interception activity was considered	True	Column 5 of the Index Table for this subsection Section 11.4 of the Comprehensive Report	Column 5 refers to the way that the Risk Assessment assessed interception activities. Part 1.2 of the Risk Assessment states that risks were assessed in terms of their scale of impact on the water resources and the uses within the water resource plan areas. This scale of impact included assessment of the magnitude, spatial extent and duration of impact within each water resource plan area.	

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Part 1.2 of Appendix B of the Comprehensive Report (the Risk Assessment)	<p>Reference to the Risk Assessment satisfies the requirement in relation to interception by mining activities.</p> <p>However when determining whether interception by runoff dams and commercial plantations have the potential to have a significant impact, the proposed WRP has relied on different information. The information relied upon when having regard to the location (and spatial extent) of these interception activities is the new information set out in Section 11.4 of the Comprehensive Report. This is the information that superseded the Risk Assessment for these activities which was set out in Appendix B of the Comprehensive Report.</p> <p>Column 5 of the Index Table for this subsection does not refer to information that shows that the location, of runoff dams or commercial plantations, was considered in making a determination for the purposes of s 10.23(1). However other material provided in the Comprehensive Report (see Section 11.4) shows that the new information relied upon when making a determination for the purposes of s 10.23(1) does demonstrate regard to location. Consequently the Authority considers this requirement to have been met for interception by runoff dams and commercial plantations.</p>	
	(b) The impact of each interception type of activity on water availability was considered	True	<p>Column 5 of the Index Table for this subsection</p> <p>Section 11.4 of the Comprehensive Report</p>	<p>The methodology used for the Risk Assessment relies on identifying potential causes of risks to water resources. The Risk Assessment then specifically considers the impact that each risk cause has on water availability and water condition (quality). This consideration is undertaken by assessing specific scenarios.</p>	

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Appendix B of the Comprehensive Report (Risk Assessment)	<p>Reference to the Risk Assessment satisfies the requirement in relation to interception by mining activities.</p> <p>However when determining whether interception by runoff dams and commercial plantations have the potential to have a significant impact, the proposed WRP has relied on different information. The information relied upon when having regard to the impact of these interception activities on the availability of water resources is set out in Section 11.4 of the Comprehensive Report.</p> <p>Column 5 of the Index Table for this subsection does not refer to information that shows that the location, of runoff dams or commercial plantations, was considered in making a determination for the purposes of s 10.23(1). However other material provided by the Comprehensive Report (see Section 11.4) shows that the new information relied upon when making a determination for the purposes of s 10.23(1) does demonstrate regard to the impact on water availability. Consequently the Authority considers this requirement to have been met for interception by runoff dams and commercial plantations.</p>	
	(c) The projected growth for each type of interception activity over the operational period of the WRP was considered	True	<p>Column 5 of the Index Table for this subsection</p> <p>Section 11.4 of the Comprehensive Report</p> <p>Appendix B of the</p>	<p>The Risk Assessment method defines levels of risk causes by examining specific scenarios. These scenarios include an estimate of projected growth. Reference to the Risk Assessment is appropriate in relation to interception by mining activities.</p> <p>However when determining whether interception by runoff dams and commercial plantations have the potential to have a significant impact, the proposed WRP has relied on different</p>	

10.23 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Comprehensive Report (Risk Assessment)	<p>information. The information relied upon when having regard to the projected growth of these interception activities is set out in Section 11.4 of the Comprehensive Report.</p> <p>The Column 5 text for this subsection does not refer to information that shows that the location, of runoff dams or commercial plantations, was considered in making a determination for the purposes of s 10.23(1). However other material provided by in the Comprehensive Report (see Section 11.4) shows that the new information relied upon when making a determination for the purposes of s 10.23(1) does demonstrate regard to projected growth. Consequently the Authority considers this requirement to have been met for interception by runoff dams and commercial plantations.</p>	

Section 10.24 – Monitoring impact of interception activities

If a water resource plan includes a list of the kind referred to in subsection 10.23(2), the plan must set out, in respect of each type of interception activity listed, a process for monitoring the impact of that type of activity on:

- (a) the water resources of the water resource plan area; and
- (b) water resources which are hydrologically connected to the water resources of the water resource plan area.

10.24	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Processes for monitoring impacts of each type of interception activity listed for s10.23(2) are set out	Absent	Column 3 of the Index Table for this subsection Column 3 of the Index Table for ss 10.23(1) and 10.23(2)	Column 3 of the Index Table for this subsection states that this requirement is not relevant as no types of interception activities are listed under s 10.23(2). The response to s 10.23(1) concludes that there are no significant interception activities in the water resource plan area, and the Authority's assessment agrees with that conclusion. Consequently this provision is not applicable for this WRP area.	Not applicable
	The monitoring captures the impacts of the interception activities on water resources in the WRP area	Test turned off	Column 3 of the Index Table for subsection 10.23(2).	Test turned off because the response to s 10.23(2) in Column 3 of the Index Table does not include a list of interception activities which have the potential to have a significant impact.	
	The monitoring captures the impacts of the interception activities on water resources hydrologically connected to the WRP area	Test turned off	Column 3 of the Index Table for subsection 10.23(2).	Test turned off because the response to s 10.23(2) in Column 3 of the Index Table does not include a list of interception activities which have the potential to have a significant impact.	

10.24	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The processes for monitoring are capable of triggering action under s10.25	Test turned off	Column 3 of the Index Table for subsection 10.23(2).	Test turned off because the response to s 10.23(2) in Column 3 of the Index Table does not include a list of interception activities which have the potential to have a significant impact.	

Section 10.25 – Actions to be taken

(1) A water resource plan must identify actions that will be taken in the event that monitoring under section 10.24 shows that:

- (a) an impact of a type of interception activity compromises the meeting of an environmental watering requirement; or
- (b) an impact of several types of activity together compromises the meeting of an environmental watering requirement; or
- (c) there is an increase in the quantity of water being intercepted by a type of activity;

after the commencement of the water resource plan.

(2) Subsection (1) does not apply if the relevant outcome in paragraph (1)(a), (b) or (c) is accounted for by the method under subsection 10.10(1).

Note 1: This section provides a mechanism to address unanticipated effects of, or changes in, interception activity.

Note 2: Section 10.13 sets out the circumstances in which a water resource plan may allow for an increase in anticipated take by an interception activity.

10.25 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Actions that will be taken in response to impacts described in letters (a) - (c) are identified	Absent	Column 3 of the Index Table for this subsection. Column 3 of the Index Table for subsection 10.23(1) and section 10.24.	Column 3 of the Index Table for this subsection states that this requirement is not relevant as no interception activities were identified in response to s 10.23(1) of the Basin Plan and therefore no monitoring was identified in response to section 10.24 of the Basin Plan. The Authority's assessments of the responses to s 10.23(1) and s 10.24 of the Basin Plan agree with these assessment outcome changed to conclusions. Consequently, this provision is not applicable for this WRP area.	Not applicable
	Actions that will be taken when monitoring shows that the impact of a type of interception activity compromises the meeting of an environmental watering requirement have been identified	Test turned off	Column 3 of the Index Table for subsection 10.23(1).	Test turned off because the response to s 10.23(1) concludes that there are no significant interception activities in the water resource plan area.	

10.25 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Actions that will be taken when monitoring shows that the impact of several types of interception activity compromises the meeting of an environmental watering requirement have been identified	Test turned off	Column 3 of the Index Table for subsection 10.23(1).	Test turned off because the response to s 10.23(1) concludes that there are no significant interception activities in the water resource plan area.	
	Actions that will be taken when monitoring shows there is an increase in the quantity of water being intercepted by an activity have been identified	Test turned off	Column 3 of the Index Table for subsection 10.23(1).	Test turned off because the response to s 10.23(1) concludes that there are no significant interception activities in the water resource plan area.	
	A trigger for a responsible party to take action if monitoring shows impacts (as described in letters (a) - (c), is identified	Test turned off	Column 3 of the Index Table for subsection 10.23(1).	Test turned off because the response to s 10.23(1) concludes that there are no significant interception activities in the water resource plan area.	
	The trigger has effect for the operational period of the WRP	Test turned off	Column 3 of the Index Table for subsection 10.23(1).	Test turned off because the response to s 10.23(1) concludes that there are no significant interception activities in the water resource plan area.	
2	The method under s10.10(1) will account for interception activities that have the types of impacts specified in s10.25(1)(a)-(c)	Test turned off	Column 3 of the Index Table for this subsection.	Column 3 of the Index Table for this subsection states that this requirement informs the response to s 10.25(1). The response to s 10.25(1) states that the requirement is not relevant as no monitoring was identified in s 10.24. As the response to s 10.23(1), concludes that there are no significant interception activities in the	MET

10.25 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Subsection 1 provides for action	Test turned off	Column 3 of the Index Table for this subsection.	water resource plan areas, the Authority is satisfied that this subsection is met.	

Part 6 Planning for environmental watering

Section 10.26 – Planning for environmental watering

(1) A water resource plan must provide for environmental watering to occur in a way that:

(a) is consistent with:

- (i) the environmental watering plan; and
- (ii) the Basin-wide environmental watering strategy; and

(b) contributes to the achievement of the objectives in Part 2 of Chapter 8.

(2) For the purposes of subsection (1), the water resource plan must be prepared having regard to:

(a) the most recent version of the long-term watering plan prepared in accordance with the requirements of Division 3 of Part 4 of Chapter 8; and

(b) the views of local communities, including bodies established by a Basin State that express community views in relation to environmental watering.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP provides for environmental watering that:				MET
	is consistent with the EWP and BWS	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection Chapter 12 of the Comprehensive Report, including Sections 12.4.1, 12.6, 12.6.2, 12.6.2.3, 12.6.3, 12.6.5, 12.6.5.1,	Note: The Authority has assessed the proposed WRP for consistency against the version of the Basin-wide environmental watering strategy published in November 2014. While the proposed WRP was resubmitted after the revised second edition of the BWS was published on November 22 2019, it was initially submitted prior to this, and the resubmission process was initiated for reasons unrelated to consistency with the BWS. For this reason, and given that there have been minimal changes to the BWS between the 2014 and 2019 versions, the Authority has assessed the proposed WRP for consistency with the 2014 version of the BWS.	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
		12.6.5.2, 12.7.1, 12.7.5, and Figure 12-6	<p>Column 3 of the Index Table for this subsection creates an obligation for the Victorian Environmental Water Holder (VEWH) to ensure that it undertakes environmental watering consistent with the Basin Plan Environmental Watering Plan (EWP) and the Basin-wide Environmental Watering Strategy (BWS). This serves to ensure that the held environmental water (HEW) component of the environmental watering regime is expected to be managed consistent with the EWP and BWS. Note that the CEWH must use its HEW consistently with the Basin Plan under its obligations in Part 6 of the <i>Water Act 2007</i> (Cth).</p> <p>Figure 12-6 in the Comprehensive Report and the commentary in Section 12.6 in the Comprehensive Report (both explanatory material) explain how the Victorian environmental watering framework integrates elements of Chapter 8 of the Basin Plan (e.g. annual watering priorities), and how environmental watering is coordinated between the VEWH, CMAs, storage managers, and the CEWH.</p> <p>However, the explanatory material in Column 5 of the Index Table for this subsection notes that the ultimate responsibility for determining how HEW is used to meet environmental objectives and outcomes rests with the VEWH. As such, the Authority is satisfied that the obligation imposed on the VEWH through the proposed WRP regarding the operation of HEW in response to s 10.26(1) will satisfy the requirement.</p> <p>In this regard, the Authority has conducted an assessment of the information provided in the proposed WRP and in Chapter 12 of</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>the Comprehensive Report to determine how environmental watering is conducted under Victoria's environmental water planning and management framework, by the VEWH, CMAs and other relevant agencies, in a way that will enable environmental watering to be carried out in a manner consistent with the Basin Plan requirements in s 10.26(1)(a). This assessment is set out below.</p> <p><u>Section 10.26(1)(a)(i) – The environmental watering plan</u> The EWP is identified as Chapter 8 of the Basin Plan (s 8.01(2)). This includes:</p> <ul style="list-style-type: none"> • Part 2: Overall environmental objectives for water-dependent ecosystems • Part 3: Targets by which to measure progress towards objectives • Part 4: Environmental management framework • Part 5: Methods for identifying environmental assets and ecosystem functions and their environmental watering requirements • Part 6: Principles and methods to determine priorities for applying environmental water <p>Part 2: Objectives Consistency of the proposed WRP with this Part is assessed under s 10.26(1)(b), as set out in the next Summary of assessment test.</p> <p>Part 3: Targets The WRP must provide for environmental watering to occur that is consistent with the targets set out in Schedule 7 of the Basin Plan.</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Section 12.6.3 of the Comprehensive Report states that the objectives and targets of the Basin Plan have been integrated into Victoria's environmental water planning at the long-term and annual stages, and this integration is committed to in the Victorian Water Management Strategy which commits all environmental water managers in the water resource plan area to comply with Victorian and Basin Plan environmental water planning.</p> <p>Section 12.6.2 of the Comprehensive Report explains how the Victorian Waterway Management Strategy describes the government's state-wide objectives and policies for managing and improving waterways, which includes explicit links to the Basin Plan, and sets out the policies, principles and processes to be followed by CMAs when preparing regional waterway strategies.</p> <p>Part 4: Environmental management framework</p> <p>The Basin Plan environmental management framework consists of the BWS, LTWP, annual environmental watering priorities and Basin annual environmental watering priorities. Consistency with the BWS is assessed under s 10.26(1)(a)(ii), and consistency with the LTWP is assessed under s 10.26(2)(a).</p> <p>The Basin annual environmental watering priorities are prepared by the MDBA (in accordance with Division 5 of Chapter 8) and are informed by annual environmental watering priorities prepared by Basin states. A WRP will therefore provide for watering to occur consistently with the Basin annual environmental watering</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>priorities if it enables watering that is consistent with the annual environmental watering priorities.</p> <p>The environmental management framework includes principles to be applied in environmental watering and reporting obligations (Division 6) and planning for recovery of additional environmental water (Division 7). The proposed WRP requires the VEWH to conduct environmental water planning and delivery consistently with these general principles. Division 7 does not include any obligations in relation to environmental watering by Basin states, and therefore there is no requirement in Division 7 that the WRP needs to be consistent with.</p> <p>Section 12.6.5 of the Comprehensive Report states that Victoria's obligation to identify annual priorities for use of environmental water are met by Victoria's state-wide seasonal watering plan. Section 12.6.5.2 of the Comprehensive Report explains how the seasonal watering plan is prepared by the VEWH, informed by the CMA's seasonal watering proposals, and is consistent with the MDBA's annual environmental watering priorities and the CEWH's portfolio management priorities.</p> <p>Although the VEWH is responsible only for the HEW component of the environmental watering regime, Section 12.6.5.2 and Section 12.7.1 of the Comprehensive Report explain how the seasonal watering plan relates to all components of the Victorian environmental watering regime. The seasonal watering plans discusses how VEWH consults with waterway and storage managers when considering if environmental watering objectives</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>can be met by other sources of water including above cap and system water, or through alterations to the timing and route for delivery of consumptive water. The seasonal watering plan also sets out operational priorities and environmental watering actions to inform the real-time operational decisions that are made as the season progresses. The VEWH then issues seasonal watering statements to CMAs to authorise the use of environmental water in accordance with these priorities and actions, and CMAs must liaise with storage and land managers to deliver the proposed watering regimes over the year (described in Section 12.7.5 of the Comprehensive Report).</p> <p>The VEWH is obliged under the Victorian environmental water management framework to deliver watering consistently with seasonal watering plans, and each seasonal watering plan identifies the annual environmental watering priorities for Victoria, informed by the CMA's seasonal watering proposals, and consistent with the MDBA's annual environmental priorities and the CEWH's portfolio management priorities for the purposes of informing Division 4 of Chapter 8 of the Basin Plan. As such, the Authority is satisfied that the proposed WRP provides for environmental watering to occur consistently with the annual environmental watering priorities.</p> <p>Part 5: Methods for identifying environmental assets and ecosystem functions and their environmental watering requirements</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>These methods relate to the assessment of the development of LTWPs and have been assessed in relation to s 10.26(2)(a), as set out in the relevant Summary of assessment test below.</p> <p>Part 6: Principles and methods to determine priorities for applying environmental water</p> <p>Section 12.6.5 of the Comprehensive Report states that obligations for annual watering priorities are met by Victoria's seasonal watering plan, which is consistent with the Basin Plan's EWP, the Basin state's LTWPs and the BWS. Section 12.6.2.3 of the Comprehensive Report describes how environmental water management plans are prepared by CMAs, and subsequently inform the preparation of seasonal watering proposals by CMAs in accordance with guidelines issued by the VEWH. The Comprehensive Report further outlines in Section 12.6.5.1 that these proposals inform the VEWH's annual state-wide seasonal watering plan. Section 12.6.3 of the Comprehensive Report explains the integration of state environmental water planning and Basin Plan requirements and identifies the link between the VEWH's seasonal watering plan and the Basin annual watering priorities. In this regard, the Authority is satisfied that Victoria's planning framework aligns with the principles and methods set out in Part 6 of Chapter 8 of the Basin Plan.</p> <p><u>Section 10.26(1)(a)(ii) – The Basin-wide environmental watering strategy</u></p> <p>Section 12.7.1 of the Comprehensive Report notes that the MDBA's annual environmental watering priorities inform the CMA's seasonal watering proposals, which form the basis of the</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>state-wide seasonal watering plan prepared by the VEWB. These Basin annual environmental watering priorities are to give effect to the BWS (in accordance with s 8.27 of the Basin Plan). As such, the proposed WRP will provide for watering to occur consistently with the BWS, as the proposed WRP provides for watering to occur consistently with the Basin annual environmental watering priorities. This has been assessed in relation to s 10.26(1)(a)(i) (see above).</p> <p>In reaching this conclusion, the Authority notes that the requirement relates to environmental watering, which is defined in s 4 of the <i>Water Act 2007</i> (Cth) as the delivery or use of HEW or PEW to achieve environmental outcomes. As no PEW has been identified in the water resource plan area (see assessment for s 10.09(1)), the obligation to provide for watering consistently with s 10.26 relates only to the regulated systems where HEW exists for this WRP.</p> <p>In this regard, the Authority notes that important assets and functions exist in the unregulated systems of the Victorian Murray water resource plan area, and have not been listed as PEAs and PEFs as they cannot receive HEW or PEW (as identified under s 10.09 of the proposed WRP).</p> <p>While the proposed WRP does not identify any water defined as PEW in the unregulated systems, this does not mean that water is not available for the environment in these systems. Above cap water contributes significantly to meeting environmental watering requirements of PEAs and PEFs in Victoria, and Column 3 of the</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Index Table for this subsection recognises this contribution and describes how Victoria considers this water is protected through Victoria's water management framework. These protections include setting precautionary caps, minimum passing flows and other environmental measures, such as complementary river health works, and are the main tools for protecting river health in unregulated systems in Victoria.</p> <p>Further information on how environmental outcomes are achieved in the unregulated systems is provided in Section 12.4.1 of the Comprehensive Report.</p> <p>The Authority notes that the LTWP must be updated once a WRP is accredited (see s 8.22 of the Basin Plan). Column 3 of the Index Table for this subsection places an obligation on the Department (Victorian) to amend the LTWP in accordance with Chapter 8 of the Basin Plan, and includes either establishing or updating environmental watering requirements for PEAs and PEFs in regulated and unregulated systems. The Authority expects that this update will include an appropriate consideration of expected environmental outcomes in the BWS which apply in the Victorian Murray water resource plan area.</p>	
	contributes to the overall environmental objectives for water-dependent ecosystems in Part 2 of Chapter 8	True	<p>Column 3 of the Index Table for this subsection</p> <p>Chapter 12 of the Comprehensive Report including Section 12.4.1,</p>	Column 3 of the Index Table for this subsection states that the VEWB must, in the performance of its functions and the exercise of its powers, ensure that environmental watering occur in a way that contributes to the achievement of the objectives in Part 2 of Chapter 8 of the Basin Plan. The Authority is satisfied that this obligation meets the requirement at s 10.26(1)(b).	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>12.4.3, 12.6, 12.7, and Figure 12-1 and 12-6</p> <p>Column 3 of the Index Table for this subsection describes the contribution of other water in the system to the achievement of objectives under Chapter 8 of the Basin Plan. The text explains that under the Victorian environmental framework, environmental benefits are achieved through HEW, PEW and other water in the system such as “above cap” water. Figure 12-1 of the Comprehensive Report shows the entitlement framework that contributes to environmental watering.</p> <p>The Authority has conducted an assessment of the information provided in Section 12.6 and Section 12.7 of the Comprehensive Report (explanatory material) to determine how environmental watering is conducted under Victoria’s environmental water planning and management framework in a way that contributes to the achievement of the objectives in Part 2 of Chapter 8. This assessment is set out below.</p> <p>Section 8.04 of the Basin Plan This section sets the overall environmental objectives for the Basin Plan, including:</p> <ul style="list-style-type: none"> • to protect and restore water-dependent ecosystems of the Basin Plan, • to protect and restore the ecosystem functions of water-dependent ecosystems, and • to ensure that water dependent ecosystems are resilient to climate change. 	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>The objectives for the VEWH are set out in s 33DC of the <i>Water Act 1989</i> (Vic), and includes improving the environmental values and health of water ecosystems, including their biodiversity, ecological functioning and water quality and other uses that depend on environmental condition. The VEWH is also required to manage environmental water for the purposes of maintaining the environmental water reserve (EWR) to preserve the environmental values and health of water ecosystems, including their biodiversity, ecological functioning and quality of water and other uses that depend on environmental condition. Column 3 of the Index Table for this subsection also indicates that the EWR also allows for other water not specifically allocated for the environment, such as above cap or systems water to contribute to environmental outcomes.</p> <p>Column 3 of the Index Table for this subsection notes that environmental benefits in Victoria are achieved through HEW, PEW and other water in the system (above cap water). The VEWH liaises with the CMAs and storage managers, and where practical will seek opportunities to adjust the timing and route for delivery of consumptive water to achieve environmental outcomes efficiently. Section 12.4.3 of the Comprehensive Report describes how the other water in the system that is not identified as HEW or PEW contributes to meeting environmental objectives in Victoria.</p> <p>The Authority is satisfied that the objectives for the VEWH outlined in the <i>Water Act 1989</i> (Vic), contribute to achieving the objectives in s 8.04 of the Basin Plan, and also notes that the obligation imposed on the VEWH in Column 3 of the Index Table for this subsection requires that the VEWH adhere to the environmental objectives in the Basin Plan more broadly.</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Sections 8.05 to 8.07 of the Basin Plan</p> <p>These sections set out particular objectives relating to the protection and restoration of the water-dependent ecosystems and ecosystem functions in the Basin.</p> <p>Column 3 of the Index Table for this subsection describes the overall Victorian environmental planning and management framework and how environmental watering objectives are achieved through the use of HEW, PEW and supported by passing or minimum flows and releases from storages, and any above cap water left in the system. Figure 12-6 of the Comprehensive Report shows the integration of state environmental water planning and Basin Plan requirements and identifies the link between the VEWH's seasonal watering plan, and the Basin annual environmental watering priorities. It also refers to the Victorian Waterway Strategy which describes the government's state-wide objectives and policies for managing waterways. There it is stated that the VEWH is the key decision-maker for prioritising the use of environmental water entitlements which integrates the Basin Plan environmental watering objectives to achieve delivery through the VEWH's operational framework.</p> <p>The Authority notes that a number of wetlands and rivers in the water resource plan area are either not connected to regulated water systems or are unregulated systems that cannot receive HEW, and are not included as PEAs or PEFs in the LTWP or considered priorities for the purposes of the Basin Plan. Sections 12.4.1 and 12.4.3 of the Comprehensive Report explain how meeting environmental objectives in these wetlands and</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>rivers is managed differently to those managed through environmental watering provided by the VEWH.</p> <p>In this regard, the Authority is satisfied that the proposed WRP provides for environmental watering to occur in a manner contributes to the achievement of the objectives set out in Part 2 of Chapter 8 in the Basin Plan.</p>	
2	Regard was had in the preparation in the WRP to the matters in letters (a) and (b)	Present	As below	MET
	(a) the most recent version of the LTWP	True	<p>Column 5 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for s 10.26(1)</p> <p>Column 5 of the Index Table for this subsection outlines how regard was had to the most recent version of the LTWP.</p> <p>However, the Authority notes that the MDBA has identified that the current LTWP for the Victorian Murray water resource plan is not consistent with the Basin Plan. During submission of the Victorian Murray LTWP in 2015, the MDBA notified Victoria that there were several instances in which its LTWP did not meet the requirements set out in Chapter 8, Division 3 of the Basin Plan.</p> <p>The Authority notes that a requirement to review the LTWP will be triggered in accordance with s 8.22(1) of the Basin Plan if the proposed WRP is accredited. In this regard, the Authority notes that Column 3 of the Index Table for s 10.26(1) states that:</p> <ul style="list-style-type: none"> the Victorian Environmental Water Holder, must, in the performance of its functions and the exercise of its powers, 	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
	(b) the views of local communities in relation to environmental watering	True	<p>ensure that environmental watering occur in a way that is consistent with the environmental watering plan. The environmental watering plan includes the LTWP.</p> <ul style="list-style-type: none"> in performance of its functions and the exercise of its powers, the VEWH must consider the relevant LTWP. <p>Column 3 of the Index Table for s 10.26(1) also includes an obligation on the (Victorian) Department to amend the LTWP for the relevant surface water plan area to update the environmental watering requirements for PEAs and PEFs in accordance with Chapter 8 of the Basin Plan, including considering both regulated and unregulated systems.</p> <p>As such, the Authority is satisfied that this subsection is met.</p> <p>Column 5 of the Index Table for this subsection states that the views of local communities identified through consultation on the LTWPs, Victoria's Water for Victoria state policy, and the WRP were considered during the development of the proposed WRP.</p> <p>Appendix D of the Comprehensive Report set outs how Victoria engaged with communities, Traditional Owners, and other stakeholders in the preparation of the proposed WRP. This included consultation with bodies established by a Basin state that express community views in relation to environmental watering such as the Technical Advisory Group set up to inform the development of the WRP, and CMAs who prepare regional catchment and management strategies with input from local communities.</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Environmental watering was also considered as part of consultation to conduct the Risk Assessment, during targeted stakeholder briefings, and when considering individual submissions from the public exhibition of the proposed WRP. The main points from these submissions in relation to environmental watering are summarised in Part 5.2 of Appendix D of the Comprehensive Report. Part 3.3 of Appendix D of the Comprehensive Report sets out what changes were made to the proposed WRP as a result of the views received on environmental watering through the consultation process.</p> <p>The Authority is satisfied that this demonstrates that the proposed WRP was prepared having regard to the view of local communities in relation to environmental watering.</p>	

Section 10.27 – Enabling environmental water between connected water resources

(1) This section applies if:

- (a) there are 2 water resource plan areas that contain surface water; and
- (b) there is a surface water connection between the 2 areas.

(2) The water resource plan for each of the areas must provide for the co-ordination of environmental watering between the 2 areas.

10.27 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	In the WRP area, there is a surface water connection to surface water resources in other WRP areas	True	Column 3 of the Index Table for this subsection Column 3 of the Index Table for s 10.05(b)	In the Victorian Murray water resource plan area there are surface water connections to the: <ul style="list-style-type: none"> - Northern Victoria water resource plan area (SW3) - South Australian River Murray water resource plan area (SW6) - NSW Murray and Lower Darling water resource plan area (SW8) as stated in Column 3 of the Index Table for s 10.27(1) and for s 10.05(b). Therefore this provision applies.	MET
2	Arrangements for coordinating environmental watering are included in the WRP	Present	Column 3 of the Index Table for this subsection Column 3 of the Index Table for s 10.05(b) Figure 4-1 in the Comprehensive Report	Figure 4-1 of the Comprehensive Report, and Column 3 of the Index Table for s 10.05(b) identify the significant connections between water resource plan areas including those connections to South Australia and NSW. The proposed WRP contains arrangements for coordinating environmental watering by creating an obligation in Column 3 of the Index Table for this subsection on the VEWH to ensure that environmental watering in the Victorian Murray water resource	MET

10.27 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Section 12.7.4 of the Comprehensive Report</p> <p>Item 8(a) of Column 3 of the Index Table for s 10.26(1)</p>	<p>plan area and the Northern Victoria water resource plan area are coordinated to ensure that the environmental watering objectives in connected plan areas, including NSW and South Australia, can also be achieved.</p> <p>This includes undertaking environmental watering in accordance with the obligation in Item 8(a) of Column 3 of the Index Table for s 10.26(1) which states that the VEWH must undertake environmental watering in a way that is consistent with the Basin-wide environmental watering strategy and contributes to the achievement of the objectives in Part 2 of Chapter 8 of the Basin Plan. As part of meeting these requirements the VEWH considers and prioritises actions in Victoria's Seasonal Watering Plans (developed by VEWH) through coordination with the CEWH, the MDBA and the Southern Connected Basin Environmental Water Committee (SCBEWC).</p> <p>Arrangements for coordinated of environmental watering in respect to the River Murray under the Murray-Darling Basin Agreement are outlined in Section 12.7.4 of the Comprehensive Report.</p>	
	The provision makes the case for why arrangements to coordinate environmental watering is not included in the WRP	Test turned off	Column 3 of the Index Table for this subsection	Arrangements for coordinated environmental watering are included in the proposed WRP in Column 3 of the Index Table for this subsection, therefore this provision is not applicable.	Not applicable

Section 10.28 – No net reduction in the protection of planned environmental water

A water resource plan must ensure that there is no net reduction in the protection of planned environmental water from the protection provided for under State water management law immediately before the commencement of the Basin Plan.

Summary of assessment test		Where this was observed in the WRP package	Justification	
There have been changes to rules that protect PEW compared to those in place under State water management law on 23/11/2012	False	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that this requirement is not relevant to the proposed Victorian Murray WRP, as no PEW was identified in the water resource plan area.</p> <p>The Authority has conducted an assessment of Victorian state water management law, and considers Victoria's view, that there is no water identified as PEW in Victorian water management law in the Victorian Murray water resource plan area, immediately before the commencement of the Basin Plan, that satisfies the definition of PEW in accordance with s 6 of the Water Act 2007 is defensible. As such, the Authority is satisfied that this requirement is not applicable in relation to the proposed WRP.</p>	Not applicable
The changes to PEW rules have not caused a net reduction in the protection of PEW compared to the protection under State water management law on 23/11/2012	Test turned off	Not applicable	As no PEW has been identified in the water resource plan area, this section is not applicable.	

Part 7 Water quality objectives

Section 10.29 – Water resource plan to include WQM Plan

A water resource plan must include a water quality management plan (WQM Plan). The WQM Plan must:

- (a) for water resource plan areas made up of only surface water SDL resource units—be made in accordance with Division 2;
- (b) for water resource plan areas made up of only groundwater SDL resource units—be made in accordance with Division 3;
- (c) for water resource plan areas made up of both surface water SDL resource units and groundwater SDL resource units—be made in accordance with:
 - (i) Division 2 in relation to surface water SDL resource units (as if a reference in Division 2 to the water resource plan area were a reference to the surface water SDL resource units of the water resource plan area); and
 - (ii) Division 3 in relation to groundwater SDL resource units (as if a reference in Division 3 to the water resource plan area were a reference to the groundwater SDL resource units of the water resource plan area).

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
A WQMP is included in the WRP	True	Column 3 of the Index Table for this section Appendix A of Comprehensive Report	Column 3 of the Index Table for this section identifies the Water Quality Management Plan (WQMP) for the Northern Victoria, Victorian Murray and Goulburn-Murray water resource plan areas as being constituted by: <ul style="list-style-type: none">the parts of Appendix A of the Comprehensive Report referred to in the text provided in response to ss 10.30 to 10.35B of the Basin Plan in Column 3 of the Index Table, andthe text in Column 3 of the Index Table in response to ss 10.35C and 10.35D of the Basin Plan.	MET

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WQMP applies the relevant type(s) of SDL resource unit(s) as set out in letters (a), (b) or (c).	True	The WQMP at Appendix A of the Comprehensive Report	As set out in s 3.05 of the Basin Plan, the Victorian Murray water resource plan area consists of surface water SDL resource units. The WQMP at Appendix A of the Comprehensive Report applies the Victorian Murray WRP SDL resource units correctly to Division 2, as per the requirement of s 10.29(a).	
The WRP applies the relevant Part 7 division	True	Column 3 of the Index Table for ss 10.35A - 10.35D The WQMP at Appendix A of the Comprehensive Report	As set out in s 3.05 of the Basin Plan, the Victorian Murray water resource plan area consists of surface water SDL resource units. The WQMP in Appendix A of the Comprehensive Report correctly applies all sections of Part 7, Division 1 and Division 2 and no sections of Division 3.	

Section 10.30 – WQM Plan to identify key causes of water quality degradation

The WQM Plan must identify the causes, or likely causes, of water quality degradation in the water resource plan area having regard to the key causes of water quality degradation identified in Part 2 of Chapter 9 and set out in Schedule 10.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WQMP identifies all causes and likely causes of WQ degradation in the WRP area	True	Table 3 of the WQMP at Appendix A of the Comprehensive Report	Table 3 of the WQMP at Appendix A of the Comprehensive Report sets out the causes or likely causes of water quality degradation and the types of water quality degradation in the Victorian Murray water resource plan area. Part 4.3 of the WQMP at Appendix A of the Comprehensive Report sets out how the causes or likely causes were identified and demonstrates how they were informed by the key causes of water quality degradation identified in Part 2 of Chapter 9 of the Basin Plan and set out in Schedule 10 of the Basin Plan.	MET
The causes and likely causes includes all the applicable key causes identified in Part 2/Chapter 9/Schedule 10	True	Part 4.3 of the WQMP at Appendix A of the Comprehensive Report		

Section 10.31 – Measures addressing risks arising from water quality degradation

If a risk of a kind mentioned in paragraph 10.41(2)(d) has been identified in relation to the water resources of the water resource plan area, the WQM Plan must explain why measures addressing the risk have or have not been included in the water resource plan.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
For each risk listed under s10.41(2)(d):				MET
an explanation for why a measure is:				
(a) not included in the WQMP or	Test turned off	Not applicable	As set out below, the WQMP contains an explanation for why measures are included in the water resource plan. Consequently this test is turned off.	
(b) included in the WQMP	True	Column 3 of the Index Table for this section Part 4.4, including Part 4.4.3, and Part 4.5 of the WQMP at Appendix A of the Comprehensive Report Table 5 in the WQMP at Appendix A of the Comprehensive Report	Column 3 of the Index Table for this section refer to Part 4.4 of the WQMP at Appendix A of the Comprehensive Report for meeting the requirements of this section. Table 5 in the WQMP at Appendix A of the Comprehensive Report lists the medium to high risks to the condition of water resources in the Victorian Murray water resource plan area, as identified in response to s 10.41(2)(d). Pursuant to s 10.43(1)(a) of the Basin Plan, strategies to address these risks are described in Table 4.2.1 in Appendix B of the Comprehensive Report. Part 4.4.3 of the WQMP at Appendix A of the Comprehensive Report explains that the following measures are identified to	

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
		Table 4.2.1 in Appendix B of the Comprehensive Report	<p>address the risks arising from elevated levels of salinity and other types of water quality degradation:</p> <ul style="list-style-type: none"> BSM2030³ which protects the waters of the Murray River and its tributaries the implementation of State Environment Protection Policy (SEPP) (Waters)⁴ <p>Part 4.4.3 also explains that the following measures have been included to address the risks identified in Table 5:</p> <ul style="list-style-type: none"> strategies to address risks identified in Appendix B (see Table 4.2.1 of Appendix B of the Comprehensive Report) the measures contributing to the achievement of water quality objectives as outlined in Part 4.5 of Appendix A of the Comprehensive Report <p>The Authority is satisfied that the WQMP at Appendix A of the Comprehensive Report contains an explanation for why measures have been included in the water resource plan for each risk identified in s 10.41(2)(d).</p>	
For risks that are identified as having measures, the measure are included	True	Column 3 of the Index Table for this section	Column 3 of the Index Table for this section refer to Part 4.4 of the WQMP at Appendix A of the Comprehensive Report.	

³ Available at: <https://www.mdba.gov.au/publications/mdba-reports/basin-salinity-management-2030>

⁴ Available at <https://www.epa.vic.gov.au/about-us/legislation/water-legislation/water-related-policies>

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
		<p>Parts 4.4.3 and 4.5 in Appendix A of the Comprehensive Report</p> <p>Table 4 in the WQMP at Appendix A of the Comprehensive Report</p> <p>Table 4.2.1 of Appendix B of the Comprehensive Report</p>	<p>Table 4 in the WQMP at Appendix A of the Comprehensive Report lists the medium to high risks to the condition of water resources in the Victorian Murray water resource plan area. Part 4.4.3 lists the measures included in the water resource plan as:</p> <ul style="list-style-type: none"> • BSM2030 which protects the waters of the Murray River and its tributaries • the implementation of State Environment Protection Policy (SEPP) (Waters) • strategies to address risks identified in Appendix B (see Table 4.2.1 of Appendix B of the Comprehensive Report) • the measures contributing to the achievement of water quality objectives as outlined in Part 4.5 of Appendix A of the Comprehensive Report. 	

Section 10.32 – WQM Plan to identify water quality target values

(1) The WQM Plan must identify the water quality target values for the water resource plan area.

(2) The water quality target values are the following:

- (a) for fresh water-dependent ecosystems—the applicable target values referred to in section 9.16;
- (b) for irrigation water—the target values for water quality characteristics set out in section 9.17;
- (c) for water used for recreational purposes—the values set out in section 9.18.

Note: The ADWG sets out standards for the quality of raw water for treatment for human consumption.

(3) However, if the objectively determined actual value of a water quality characteristic at a site is better than the target value identified in subsection (2), then the target value is that better value.

Note: See the objective in section 9.08.

(4) The WQM Plan may specify an alternative water quality target value if:

- (a) it is consistent with the water quality objectives in Part 3 of Chapter 9; and
- (b) it is determined in accordance with the procedures set out in the ANZECC Guidelines; and
- (c) either:
 - (i) the alternative target value provides a better level of protection than the value that would apply under subsection (2) or (3), as applicable; or
 - (ii) the WQM Plan sets out reasons why the alternative target value will be as effective in achieving the objectives in Part 3 of Chapter 9; or
 - (iii) the WQM Plan sets out reasons why the target value in subsection (2) or (3), as applicable, is inappropriate for the water resource plan area; and
- (d) for a water resource that is also covered by a water resource plan area of another Basin State—it is developed in consultation with that State.

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies water quality targets for the plan area	True	Column 3 of the Index Table for this subsection Column 3 of the Index Table for ss 10.32(2)(a) to (c)	Column 3 of the Index Table for this subsection states that the response to s 10.32(2) of the Basin Plan identifies the water quality targets for the water resource plan area. Column 3 of the Index Table for ss 10.32(2)(a) to (c) refer to Parts 4.6.1, 4.6.2 and 4.6.3 of the WQMP at Appendix A of the Comprehensive Report respectively. These parts set out water quality target values for:	MET

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Parts 4.6.1, 4.6.2 and 4.6.3 of the WQMP at Appendix A of the Comprehensive Report	<ul style="list-style-type: none"> fresh water-dependent ecosystems, irrigation water, and water used for recreational purposes. 	
	The WRP identifies which subsection approach is applied: s10.32(2), (3) or (4)	True	<p>Column 3 of the Index Table for ss 10.32(2)(a)-(c)</p> <p>Part 4.6, including Parts 4.6.1, 4.6.2 and 4.6.3, of the WQMP at Appendix A of the Comprehensive Report</p>	Column 3 of the Index Table for each of subsections 10.32(2)(a)-(c) refers respectively to targets identified in Parts 4.6.1, 4.6.2 and 4.6.3 of the WQMP at Appendix A of the Comprehensive Report. Part 4.6 of the WQMP at Appendix A of the Comprehensive Report states that these targets are alternative water quality targets to those set out in the Basin Plan. Consequently the proposed WRP identifies that the approach of s 10.32(4) of the Basin Plan is applied.	
2	<i>Either, the identified water quality targets are targets that apply:</i>				Not applicable
2(a)	(a) values for freshwater-dependent ecosystems as those values are described in s9.16/Schedule 11	Test turned off	Column 3 of the Index Table for subsection 10.32(2)(a)	Column 3 of the Index Table for subsection 10.32(2)(a) refers to alternative targets to those described in s 9.16/Schedule 11 of the Basin Plan, and these are set out in Part 4.6.1 of the WQMP at Appendix A of the Comprehensive Report. The assessment of these alternative targets is provided at the assessment of s 10.32(4) of the Basin Plan. As such, this test is turned off.	
2(b)	(b) values for irrigation water as those values are described in s9.17	Test turned off	Column 3 of the Index Table for s 10.32(2)(b)	Column 3 of the Index Table for s 10.32(2)(b) refers to alternative targets to those described in s 9.17 of the Basin Plan, and these are set out in Part 4.6.2 of the WQMP at Appendix A of the Comprehensive Report. The assessment of these alternative targets is provided at the assessment of s 10.32(4) of the Basin Plan. As such, this test is turned off.	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2(c)	(c) values for recreational purposes as those values are described in s9.18	Test turned off	Column 3 of the Index Table for s 10.32(2)(c)	Column 3 of the Index Table for s 10.32(2)(c) refers to alternative targets to those described in s 9.18 of the Basin Plan, and these are set out in Part 4.6.3 of the WQMP at Appendix A of the Comprehensive Report. The assessment of these alternative targets is provided at the assessment of s 10.32(4) of the Basin Plan. As such, this test is turned off.	
3	Objectively determined actual values of WQ characteristics at a site are better than the target value identified	Test turned off	N/A	This test is not applicable as the water quality target values set out in Column 3 of the Index Table for subsections 10.32(2)(a) to (c) use the approach set out in s 10.32(4) of the Basin Plan. As such, this test is turned off.	Not applicable
	The water quality targets are values that are better than the values under subsection 2	Test turned off	N/A	This test is not applicable as the water quality target values set out in Column 3 of the Index Table for subsections 10.32(2)(a) to (c) use the approach set out in s 10.32(4) of the Basin plan. As such, this test is turned off.	
4	Or, the alternative water quality target values apply:				MET
4(a)	Values that are consistent with the water quality objectives in Part 3 of Chapter 9 and	True	Column 3 of the Index Table for subsections 10.32(2)(a)-(c) Parts 4.6, 4.6.1, 4.6.2 and 4.6.3 of the WQMP at Appendix A of the Comprehensive Report	Column 3 of the Index Table for each of subsections 10.32(2)(a) to (c) refers respectively to targets identified in Parts 4.6.1, 4.6.2 and 4.6.3 of the WQMP at Appendix A of the Comprehensive Report. Part 4.6 of the WQMP at Appendix A of the Comprehensive Report states that these targets are alternative water quality targets. <u>Water-dependent ecosystems</u>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Tables 7 and 8 in the WQMP at Appendix A of the Comprehensive Report</p> <p>Tables S.3 and S.4 of Schedule 1 in the WQMP at Appendix A of Comprehensive Report</p>	<p>Column 3 of the Index Table for subsection 10.32(2)(a) states that the identified alternative water quality target values are those set out in Part 4.6.1 of the WQMP at Appendix A of the Comprehensive Report. Part 4.6.1.1(a) of the WQMP at Appendix A of the Comprehensive Report discusses the consistency of the alternative water quality target with the objective set out in s 9.04 of the Basin Plan.</p> <p><i>Ramsar wetlands</i></p> <p>Part 4.6.1 of the WQMP at Appendix A of the Comprehensive Report states that the alternative water quality target values for Ramsar wetlands are the SEPP (Waters) environment quality objectives and indicators for wetlands and lakes. These alternative water quality values which apply to the three Ramsar wetlands located within the Northern Victoria and Victorian Murray water resource plan areas and are set out in Tables S.3 and S.4 of Schedule 1 in the WQMP at Appendix A of the Comprehensive Report.</p> <p>The SEPP (Waters) system of environmental water quality objectives and indicators uses three tiers of target values depending on the degree of disturbance. The tiers are:</p> <ul style="list-style-type: none"> • largely unmodified • slightly to moderately modified • highly modified. <p>Under SEPP (Waters) the three Ramsar wetlands are categorised as 'largely unmodified' which is the most stringent set of targets. The 'largely unmodified' targets allow for the water quality to be protected to a level that will maintain the ecological character of the Ramsar sites.</p>	

10.32 subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Consequently, the Authority is satisfied that the alternative water quality target values for the three declared Ramsar wetlands are consistent with the relevant water quality objective in Part 3 of Chapter 9 of the Basin Plan.</p> <p><i>Water-dependent ecosystems other than Ramsar wetlands</i> Tables 7 and 8 of the WQMP at Appendix A of the Comprehensive Report identifies the alternative water quality target values for water-dependent ecosystems other than Ramsar wetlands.</p> <p>Victoria's SEPP (Waters) approach uses the same methodology as the Basin Plan to set target values, but uses a larger and more recent data set. The Authority considers that the SEPP (Waters) targets provided as alternative water quality targets for freshwater-dependent ecosystems in the proposed WRP will provide a more targeted level of protection than the Basin Plan water quality targets.</p> <p>As such, the Authority is satisfied that the proposed alternative water quality target values for water-dependent ecosystems other than declared Ramsar wetlands are consistent with the relevant water quality objective in Part 3 of Chapter 9 of the Basin Plan.</p> <p><u>Irrigation water</u> Column 3 of the Index Table for subsection 10.32(2)(b) states that the identified water quality target values are those set out in Part 4.6.2 of the WQMP at Appendix A of the Comprehensive Report.</p> <p>Part 4.6.2.1(a) of the WQMP at Appendix A of the Comprehensive Report discusses the consistency of the alternative target with the Basin Plan objectives for irrigation water. The text provided sets out some</p>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>information on how Victoria's water quality management framework operates and at to some extent, compares the proposed alternative water quality target with the objective for irrigation water. The Authority notes that while this description is general and high level, particularly in describing the salinity component of the alternative water quality target, the description provides enough detail to demonstrate that it is consistent with the relevant water quality objective in Part 3 of Chapter 9 of the Basin Plan.</p> <p><u>Water for recreational purposes</u></p> <p>Column 3 of the Index Table for subsection 10.32(2)(c) states that the identified water quality target values are those set out in Part 4.6.3 of the WQMP at Appendix A of the Comprehensive Report. The alternative target value is the SEPP (Waters) water quality objectives for recreational water which uses <i>E. coli</i> as the indicator instead of cyanobacteria as used in the Basin Plan target.</p> <p>Part 4.6.3.1(a) of the WQMP at Appendix A of the Comprehensive Report states that SEPP (Waters) includes indicators and objectives for primary and secondary contact recreation that are mostly based on the NHMRC guidelines. It also discusses the consistency of the alternative target with the Basin Plan objectives for irrigation water.</p> <p>As such, the Authority is satisfied that the proposed alternative water quality target value is consistent with the relevant water quality objective in Part 3 of Chapter 9 of the Basin Plan.</p>	
4(b)	The values are determined in accordance with the	True	Column 5 of the Index Table for this subsection	<p><u>Fresh water-dependent ecosystems</u></p> <p>Column 5 of the Index Table for this subsection refers to Part 4.6.1.1 of the WQMP at Appendix A of the Comprehensive Report, which contains a discussion of the requirements of s 10.32(4)(a), s 10.32(4)(b) and</p>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	procedure in the ANZECC Guidelines <i>and</i>		<p>Column 3 of the Index Table for subsections 10.32(2)(a)-(c)</p> <p>Parts 4.6.1.1, 4.6.2.1 and 4.6.3.1 of the WQMP at Appendix A of Comprehensive Report</p>	<p>s 10.32(4)(c)(ii) of the Basin Plan in relation to fresh water-dependent ecosystems.</p> <p>Part 4.6.1.1(b) of the WQMP at Appendix A of the Comprehensive Report describes how the alternative water quality target values for fresh water-dependent ecosystems were developed in accordance with the procedures set out in the ANZECC Guidelines.</p> <p>As such, the Authority is satisfied that this provision is met for fresh water-dependent ecosystems.</p> <p><u>Irrigation water</u></p> <p>Column 5 of the Index Table for this subsection refers to Part 4.6.2.1 of the WQMP at Appendix A of the Comprehensive Report which contains a discussion of the requirements of s 10.32(4)(a), s 10.32(4)(b) and s 10.32(4)(c)(ii) of the Basin Plan in relation to targets for irrigation water.</p> <p>Part 4.6.2.1(b) of Appendix A of the Comprehensive Report argues against the approach of using a single numerical figure to apply to multiple irrigation districts. However, the Authority notes that while the approach of having a figure apply to a broad area is used in the Basin Plan water quality targets for irrigation water (s 9.17), the provisions for setting alternative water quality targets do not prohibit the use of multiple numerical values.</p> <p>Part 4.6.2.1(b) of the WQMP at Appendix A of the Comprehensive Report states that SEPP (Waters) was developed using best practice and in accordance with the procedures set out in the ANZECC guidelines,</p>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>and indicates that the alternative water quality target is also considered to be developed in the same way.</p> <p>As such, the Authority considers that the alternative water quality target value for irrigation water was determined in accordance with the ANZECC Guidelines through the development of the SEPP (Waters) water quality objectives.</p> <p><u>Water for recreational purposes</u></p> <p>Column 5 of the Index Table for this subsection refers to Part 4.6.3.1 of the WQMP at Appendix A of the Comprehensive Report, which contains a discussion of the requirements of s 10.32(4)(a), s 10.32(4)(b) and s 10.32(4)(c)(ii) of the Basin Plan in relation to targets for recreational water.</p> <p>Part 4.6.3.1(b) of the WQMP at Appendix A of the Comprehensive Report states that SEPP (Waters) includes indicators and objectives for primary and secondary contact recreation that are mostly based on the NHMRC guidelines. The NHMRC guidelines suggest the use of <i>E. coli</i> as a value for freshwater if this has been done historically, however as the NHMRC guidelines do not provide objective values for <i>E.coli</i>, values from the New Zealand Government <i>Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas</i> were used for SEPP (Waters). To support this alternative approach, Part 4.6.3 of the WQMP at Appendix A of the Comprehensive Report states that these objectives values were the part of a rigorous peer review by three separate reviewers.</p> <p>Consequently the Authority is satisfied that the alternative water quality target values for water used for recreational purposes were</p>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				determined as much as possible in accordance with procedures set out in Chapter 5 (Guidelines for recreational water quality and aesthetics) of the ANZECC Guidelines, and where determined through the New Zealand guidelines that this is a scientifically robust and peer reviewed approach.	
4(c)	Either item (i), (ii) or (iii) is applied:	True	Column 3 of the Index Table for subsections 10.32(2)(a)-(c)	Column 3 of the Index Table for subsections 10.32(2)(a)-(c) makes a statement for each of the three water quality targets that the identified alternative water quality target will be as effective in achieving the objectives in Part 3 of Chapter 9 in accordance with s 10.23(4)(C)(ii) of the Basin Plan.	
4(c)(i)	<i>either, the alternative target provides a better level of protection than the value that would apply under subsection (2) or (3), as applicable</i>	Test turned off	N/A	The proposed WRP applies s 10.32(4)(c)(ii), and as such this test is turned off. Evidence is provided at the assessment of s 10.32(4)(c)(ii) of the Index Table.	
4(c)(ii)	<i>or, the WQMP sets out reasons why the alternative target value will be as effective in achieving the objectives in Part 3 of Chapter 9</i>	True	Column 5 of the Index Table for this subsection Parts 4.6.1.1, 4.6.2 and 4.6.3 and Tables 7 and 8 of the WQMP at Appendix A of the Comprehensive Report	<u><i>Fresh water-dependent ecosystems</i></u> Column 5 of the Index Table for this subsection refers to Part 4.6.1.1 of Appendix A of the Comprehensive Report which contains a discussion of the requirements of s 10.32(4)(a), s 10.32(4)(b) and s 10.32(4)(c)(ii) of the Basin Plan in relation to fresh water-dependent ecosystems. Part 4.6.1.1(c) of the WQMP at Appendix A of the Comprehensive Report discusses how the alternative water quality target values for	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Tables S3 and S4 of Schedule 1 of the WQMP at Appendix A of the Comprehensive Report	<p>fresh water-dependent ecosystems will be as effective as Basin Plan targets in achieving the objective for water-dependent ecosystems (s 9.04 of the Basin Plan). The text explains that the target values:</p> <ul style="list-style-type: none"> • have been developed using extensive local data in their development • take into consideration the level of protection relevant to their condition and use • are in line with Victoria's water quality management framework and policies. <p>The actual values for the alternative water quality target values for fresh water-dependent ecosystems are set out in Tables 7 and 8, and Tables S3 and S4 of Schedule 1 of the WQMP at Appendix A of the Comprehensive Report. These values use a different statistical model to the values set out in Schedule 11 of the Basin Plan. The values in the proposed WRP use a 75th percentile value, whereas the Basin Plan uses the median value. However, the Authority considers that these values do not differ greatly, and that alternative water quality target values for fresh water-dependent ecosystems will be as effective in achieving the objectives in Part 3 of Chapter 9 of the Basin Plan.</p> <p><u>Irrigation water</u></p> <p>Column 5 of the Index Table for this subsection refers to Part 4.6.2.1 of Appendix A of the Comprehensive Report which contains a discussion of the requirements of s 10.32(4)(a), s 10.32(4)(b) and s 10.32(4)(c)(ii) of the Basin Plan in relation to irrigation water.</p> <p>Part 4.6.2.1(c) of the WQMP at Appendix A of the Comprehensive Report discusses, at a high level, how the main elements of Victoria's water quality management framework operate to address salinity</p>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>issues in irrigation. The text discusses how the alternative water quality target encourages the need for irrigation practice to consider the quality and likely future quality of irrigation water and why Victoria considers that the alternative target will be as effective as the Basin Plan target.</p> <p>However, the Authority notes that the role of the proposed alternative water quality target for irrigation within that framework is not discussed, and there is only a simplified discussion of the linkages made between the expected outcomes from adopting the alternative target and the objective for irrigation water.</p> <p>Despite this, the Authority is satisfied that there is enough information in Part 4.6.2.1 of the WQMP at Appendix A of the Comprehensive Report to justify why the proposed alternative water quality target value for irrigation water will be as effective in achieving the objectives in Part 3 of Chapter 9 of the Basin Plan.</p> <p><u>Water for recreational purposes</u></p> <p>Column 5 of the Index Table for this subsection refers to Part 4.6.3.1 of the WQMP at Appendix A of the Comprehensive Report which contains a discussion of the requirements of s 10.32(4)(a), s 10.32(4)(b) and s 10.32(4)(c)(ii) of the Basin Plan in relation to fresh water-dependent ecosystems.</p> <p>Part 4.6.3.1(c) of the WQMP at Appendix A of the Comprehensive Report discusses how the alternative water quality target values for water used for recreational purposes will be as effective as Basin Plan targets in achieving the objective for water-dependent ecosystems (s 9.07 of the Basin Plan). This Part states that the SEPP (Waters)</p>	

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>approach to recreational water quality was independently reviewed and was found to be sound in substance, rational and scientifically defensible.</p> <p>The actual values for the alternative water quality target values for water used for recreational purposes are set out in Tables S.7 and S.8 in Schedule 1 of the WQMP at Appendix A of the Comprehensive Report. The values are based on New Zealand Government <i>Microbiological water quality guidelines for marine and freshwater recreational areas</i>⁵, and are set in terms of E. coli and enterococci, while the Basin Plan target is set in terms of cyanobacteria. See assessment for s 10.32(4)(b) for why the Authority considers that this a reasonable approach.</p> <p>Despite this, the Authority considers that the proposed alternative water quality target value for water used for recreational purposes will be as effective in achieving the relevant objective in Part 3 of Chapter 9 of the Basin Plan.</p>	
4(c)(iii)	or, the WQMP sets out reasons why the target value in subsection (2) or (3), as applicable, is inappropriate for the water resource plan area	Test turned off	N/A	The proposed WRP applies s 10.32(4)(c)(ii), and as such this test is turned off. Evidence provided at assessment of s 10.32(4)(c)(ii).	

⁵ Available at: <https://www.mfe.govt.nz/publications/fresh-water/microbiological-water-quality-guidelines-marine-and-freshwater-0>

10.32 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
4(d)	The water resource is connected to water resources in another Basin state's WRP area	True	Column 5 of the Index Table for this subsection Part 4.6.5 of the WQMP at Appendix A of the Comprehensive Report	Column 5 of the Index Table for this subsection refers to Part 4.6.5 the WQMP at Appendix A of the Comprehensive Report. Part 4.6.5 identifies a small area of the River Murray above Hume dam in the Victorian Murray water resource plan area as constituting a water resource that is also covered by a water resource plan area of another Basin State.	
	The applicable alternative was developed in consultation with the other Basin state(s)	True	Column 5 of the Index Table for this subsection Part 4.6.5 of the WQMP at Appendix A of the Comprehensive Report	Part 4.6.5 of the WQMP at Appendix A of the Comprehensive Report states that Victoria helped to establish the annual water quality management plan interstate forums, and used them to inform other states about the development of Victoria's SEPP (Waters) policy. Victoria also used the forums to communicate with other states that it intended to provide alternative targets in line with its state policy. Further, Victoria updated water quality planning officers in NSW and SA on the proposed alternative targets following the gazettal of SEPP (Waters) in October 2018. As such, the Authority is satisfied that the applicable alternative target was developed in consultation with NSW and SA.	
	The WRP states that the water resources are not connected to another Basin state's WRP area	Test turned off	N/A	Test does not apply as there are water resources also covered by a water resource plan area of another Basin State. See assessment above.	

Section 10.33 – WQM Plan to identify measures

- (1) The WQM Plan must specify measures to be undertaken in or in relation to the water resources of the water resource plan area that contribute to the achievement of the objectives set out in:
- (a) section 9.04 (Objectives of water-dependent ecosystems); and
 - (b) section 9.05 (Objectives for raw water for treatment for human consumption); and
 - (c) section 9.06 (Objective for irrigation water); and
 - (d) section 9.07 (Objective for recreational water quality); and
 - (e) section 9.08 (Objective to maintain good levels of water quality);
- unless there are no such measures that can be undertaken cost-effectively.
- (2) The measures must be prepared having regard to:
- (a) the causes, or likely causes, of water quality degradation identified in accordance with section 10.30; and
 - (b) target values identified in accordance with section 10.32; and
 - (c) the targets in Division 4 of Part 4 of Chapter 9.
- (3) The measures may include land management measures.

Note 1: Chapter 9 contains both water quality objectives and water quality targets. A WQM Plan must specify measures that contribute to the achievement of the objectives. The targets are relevant only to the extent that subsection (2) requires that the measures be prepared having regard to the targets. This section does not require a WQM Plan to set out measures designed to achieve the targets.

Note 2: See also subsections 22(9) to (12) of the Act.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Measures to be undertaken in or in relation to water resources in the WRP area are specified	True	Column 3 of the Index Table for this subsection Part 4.5 and Table 6 of the WQMP at Appendix A of the Comprehensive Report	Column 3 of the Index Table for this subsection refers to Part 4.5 of the WQMP at Appendix A of the Comprehensive Report which identifies two significant measures that will contribute to the achievement of the Basin Plan's water quality objectives set out in ss 9.04 to 9.08 of the Basin Plan. These measures are:	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> • implementation of the SEPP (Waters), and • implementation of Victoria's commitments under the Basin Salinity Management Strategy (BSMS) 2030. <p>Table 6 (Measures contributing to water quality objectives) of the WQMP at Appendix A of the Comprehensive Report specifies that both implementation of the SEPP (Waters), and implementation of Victoria's commitments under the BSM 2030 contribute to the achievement of the objectives set out in all five sections (ss 9.04 to 9.08) in both the Northern Victoria and the Victorian Murray water resource plan areas.</p> <p>As such, the Authority is satisfied that this subsection is met.</p>	
The measures contribute to each of the objectives in letters (a) to (e):					
1(a)	objectives of water-dependent ecosystems	True	Part 4.5 (including Parts 4.5.1.1 and 4.5.2.1) and Table 6 of the WQMP at Appendix A of the Comprehensive Report	<p>In addition to being identified in Table 6 of the WQMP at Appendix A of the Comprehensive Report, measures that contribute to the achievement of the objectives for water-dependent ecosystems are discussed in:</p> <ul style="list-style-type: none"> • Part 4.5.1.1 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of SEPP (Waters) policy contributes to achieving the objective for water-dependent ecosystems, and • Part 4.5.2.1 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of Victoria's obligations under BSM2030 contributes to achieving the objective for water-dependent ecosystems. 	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			As such, the Authority is satisfied that this subsection is met.	
1(b)	objectives for raw water treatment for human consumption	True	<p>Part 4.5 (including Parts 4.5.1.2 and 4.5.2.2) and Table 6 of the WQMP at Appendix A of the Comprehensive Report</p> <p>In addition to being identified in Table 6 of the WQMP at Appendix A of the Comprehensive Report, measures that contribute to the achievement of the objectives for raw water treatment for human consumption are discussed in:</p> <ul style="list-style-type: none"> Part 4.5.1.2 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of SEPP (Waters) policy contributes to achieving the objective for raw water treatment for human consumption, and Part 4.5.2.2 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of Victoria's obligations under BSM2030 contributes to achieving the objective for raw water treatment for human consumption. <p>As such, the Authority is satisfied that this subsection is met.</p>	
1(c)	objectives for irrigation waters	True	<p>Column 3 of the Index Table for this subsection</p> <p>Part 4.5.1.3 and Table 6 of the WQMP at Appendix A of the Comprehensive Report</p> <p>In addition to being identified in Table 6 of the WQMP at Appendix C of the Comprehensive Report, measures that contribute to the achievement of the objectives for irrigation water are discussed in Part 4.5.1.3 of the WQMP at Appendix A of the Comprehensive Report.</p> <p>As such, the Authority is satisfied that this subsection is met.</p>	
1(d)	objectives for recreational water quality	True	<p>Parts 4.5.1.4 and 4.5.2.3 and Table 6 of Appendix A of the Comprehensive Report</p> <p>In addition to being identified in Table 6 of the WQMP at Appendix A of the Comprehensive Report, measures that contribute to the achievement of the objectives for recreational water quality are discussed in:</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> Part 4.5.1.4 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of SEPP (Waters) policy contributes to achieving the objective for recreational water quality, and Part 4.5.2.3 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of Victoria's obligations under BSM2030 contributes to achieving the objective for recreational water quality. <p>As such, the Authority is satisfied that this subsection is met.</p>	
1(e)	objectives for maintaining good levels of water quality	True	Parts 4.5.1.5 and 4.5.2.4 and Table 6 of the WQMP at Appendix A of the Comprehensive Report	<p>In addition to being identified in Table 6 of the WQMP at Appendix A of the Comprehensive Report, measures that contribute to the achievement of the objectives for maintaining good levels of water quality are described in:</p> <ul style="list-style-type: none"> Part 4.5.1.5 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of SEPP (Waters) policy contributes to achieving the objective for maintaining good levels of water quality, and Part 4.5.2.4 of the WQMP at Appendix A of the Comprehensive Report, which describes how the implementation of Victoria's obligations under BSM2030 contributes to achieving the objective for maintaining good levels of water quality. <p>As such, the Authority is satisfied that this subsection is met.</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Where measures to be undertaken are not specified, a case is provided based on an assessment of cost-effectiveness	Test turned off	N/A	This test does not apply as measures are identified for all five sets of objectives specified by s 10.33(1) of the Basin Plan.	
2	The measures had regard to each of the matters in (a) to (c)	True	Column 5 of the Index Table for this subsection Parts 4.5.3 and 4.5.4 of the WQMP at Appendix A of the Comprehensive Report	Column 5 of the Index Table for this subsection states that consideration of the matters set out in s 10.33(2)(a) to (c) of the Basin Plan is described in Part 4.5.3 and Part 4.5.4 of the WQMP at Appendix A of the Comprehensive Report. See the assessment of each of the matters (a) to (c) below.	MET
	Causes or likely causes of water quality degradation, as identified in section 10.30	True	Part 4.5.3 of the WQMP at Appendix A of the Comprehensive Report	Part 4.5.3 of the WQMP at Appendix A of the Comprehensive Report appropriately describes how the measures were prepared having regard to the causes or likely causes of water quality degradation, as identified pursuant to s 10.30 of the Basin Plan.	
	Target values, as identified in s10.32	True	Part 4.5.4 of the WQMP at Appendix A of the Comprehensive Report	Part 4.5.4 of the WQMP at Appendix A of the Comprehensive Report appropriately describes how the measures were prepared having regard to the target values identified pursuant to s 10.32 of the Basin Plan.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The targets in Division 4 of Part 4 Chapter 9 (i.e. s9.19)	True	Part 4.5.4 of the WQMP at Appendix A of the Comprehensive Report	Part 4.5.4 of the WQMP at Appendix A of the Comprehensive Report appropriately describes how the measures were prepared having regard to the targets in Division 4 of Part 4 of Chapter 9 (i.e. s 9.19) of the Basin Plan.	
3	The WRP permits inclusion of land-based measures to achieve water quality objectives and targets	False	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection includes a statement that land management measures have not been included in the WQMP prepared under Part 7 of the Basin Plan.	MET

Section 10.34 – WQM Plan to identify locations of targets for irrigation water

The WQM Plan must identify the sites in the water resource plan area at which the target values for irrigation water apply.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP has geographic information that enables identification of sites where the target values for irrigation water applies	True	Column 3 of the Index Table for this section Table 9 in the WQMP at Appendix A of the Comprehensive Report	Column 3 of the Index Table for this section refers to Table 9 in the WQMP Appendix A of the Comprehensive Report, which identifies sites where the target values for irrigation water apply. As such, this section has been met.	MET

Section 10.35 – Impact of WQM Plan on another Basin State

The measures specified in the WQM Plan must be developed having regard to:

- (a) the impact those measures (including the absence of adequate measures) may have on the ability of another Basin State to meet water quality targets; and
- (b) any adverse impacts those measures may have on Basin water resources in the other Basin State.

Note: See also the consultation requirement in subsection 63(2) of the Act.

10.35 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The measures under s10.33 take account of the matters in letters (a) and (b)	True	Column 5 of the Index Table for this section	<p>Column 5 of the Index Table for this section refers to Part 4.5.5.1 of the WQMP at Appendix A of the Comprehensive Report, which discusses how the development of the measures specified in the WQMP for the Victorian Murray water resource plan area had regard to the impact of the measures on another state.</p> <p>Part 4.5.5.1 states that in developing measures, Victoria had regard to the impact that each measure may have on the ability of New South Wales and South Australia to meet their own water quality targets. It also indicates that Victoria is contributing to the water quality objectives of the <i>Water Act 2007</i> (Cth) and the Basin Plan by being a signatory to the Murray-Darling Basin Agreement and the BSM 2030 strategy. Additionally, the SEPP (Waters) measure is consistent with the National Water Quality Management Strategy and consequently will not have any adverse impact on New South Wales or South Australia to meet water quality targets.</p>	MET
(a)	The impact(s) of the measures (or absence of adequate measures) upon another Basin state's ability to meet WQ targets	True	Part 4.5.5.1 of the WQMP at Appendix A of the Comprehensive Report		
(b)	Adverse impacts on water resources in other the Basin state	True			

10.35 subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				Consequently, the Authority is satisfied that the measures will have minimal to no impact on the ability of another Basin State to meet water quality targets. Similarly, the Authority is satisfied that the measures will not have adverse impacts on the water resources of another Basin State.	

Section 10.35A – WQM Plan to identify key causes of water quality degradation

The WQM Plan must identify the causes, or likely causes, of water quality degradation in the water resource plan area having regard to the key causes of water quality degradation identified in Part 2 of Chapter 9 and set out in in Schedule 10.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WQMP identifies all causes and likely causes of WQ degradation in the WRP area	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	Not applicable
The causes and likely causes includes all the applicable key causes identified in Part 2/Chapter 9/Schedule 10	Test turned off	N/A		

Section 10.35B – WQM Plan to identify water quality target values

- (1) The WQM Plan must identify the water quality target values for the water resource plan area.
- (2) The water quality target values are the following:
 - (a) for fresh water-dependent ecosystems—the applicable target values referred to in section 9.16;
 - (b) for irrigation water—the target values for water quality characteristics set out in section 9.17;
 - (c) for water used for recreational purposes—the values set out in section 9.18.
- (3) However, the WQM Plan may specify alternative water quality target values if they are consistent with the water quality objectives in Part 3 of Chapter 9.

10.35B subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP identifies water quality targets for the plan area	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	Not applicable
	The WRP identifies which subsection approach is applied: s10.35B(2) or (3)	Test turned off	N/A		
2	Either, the identified water quality targets are targets that apply:				Not applicable
2(a)	(a) values for freshwater-dependent ecosystems as those values are described in s9.16/Schedule 11	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
2(b)	(b) values for irrigation water as those values are described in s9.17	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	

10.35B subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2(c)	(c) values for recreational purposes as those values are described in s9.18	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
3	Or, the alternative water quality target values are consistent with the water quality objectives in Part 3 of Chapter 9	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	Not applicable

Section 10.35C – Consideration to be given to rules or measures

- (1) In preparing the WQM Plan, regard must be had to whether it is desirable for it to include rules or measures that support the maintenance of water quality within groundwater SDL resource units against the effects of elevated levels of salinity and other types of water quality degradation, taking into account the causes, or likely causes, of water quality degradation identified under section 10.35A and the water quality target values identified under section 10.35B.
- (2) Without limiting subsection (1), regard must be had to whether it is desirable for the WQM Plan to include rules or measures that specify:
 - (a) the times, places and rates at which water is permitted to be taken from a groundwater SDL resource unit; and
 - (b) resource condition limits, being limits beyond which the taking of groundwater from the groundwater SDL resource unit will result in an elevated level of salinity or another type of water quality degradation; and
 - (c) restrictions on the water permitted to be taken (including the times, places and rates at which water may be taken) in order to prevent a resource condition limit from being exceeded; and
 - (d) a requirement to establish and maintain a register which identifies the sites of bores used to monitor salinity or other water quality characteristics in the groundwater SDL resource unit.
- (3) If the outcome of the requirement in subsection (1) is that such rules or measures are desirable, the WQM Plan must include those rules or measures, or explain why they have not been included.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP includes rules or measures to manage salinity or other WQ degradation within the GW SDL unit(s)	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	Not applicable
	The WRP explains how the rules/measures, or the rationale for not including rules or measures, take account of the causes and likely causes identified for s10.35A	Test turned off			
	The WRP explains how the rules/measures, or the rationale for not including rules or measures, take	Test turned off			

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	account of the WQ target values identified for s10.35B				
2	Regard was had to the need for rules to specify:				Not applicable
	(a) times, places and rates for permitted take from a groundwater SDL resource unit	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
	(b) resource condition limits for salinity levels and other water quality degradation	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
	(c) restrictions on take to prevent exceedance of resource condition limit	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
	(d) establishment and maintenance of a register of bores to monitor water quality	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
3	Rules or measures are included	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	Not applicable
	A rationale is provided for why rules or measures are not desirable	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	
	A rationale is provided for why rules or measures are not included	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	

Section 10.35D – Additional requirement for Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB and Goulburn-Murray: Sedimentary Plain SDL resource units

The WQM Plan for the following water resource plan areas must include rules or measures that are designed to ensure that the objective set out in section 10.35C is met:

(a) the NSW Murray-Darling Basin Porous Rock water resource plan area, in relation to the Western Porous Rock, Gunnedah-Oxley Basin MDB and Sydney Basin MDB SDL resource units;

(b) the Goulburn-Murray water resource plan area, in relation to the Goulburn-Murray: Sedimentary Plain SDL resource unit.

Note: The objective set out in section 10.35C is that water quality within a groundwater SDL resource unit is maintained against the effects of elevated levels of salinity and other types of water quality degradation.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP area is one of listed in this section 10.35D letters (a) or (b)	Test turned off	N/A	Division 3 of Part 7 does not apply to surface water, so this provision is not applicable.	Not applicable
The WRP/WQMP includes the rules or measures that achieves for the objectives in section 10.35C to be met	Test turned off	N/A		

Part 8 Trade of water access rights

Section 10.36 – Application of Part

This Part does not apply to water access rights of a kind that are not able to be traded under State water management law.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
Water access rights of a kind that are able to be traded under State water management law are identified in the WRP	True	Column 5 of the Index Table for this subsection Tables A and B of the Index Table	Column 5 of the Index Table for this section refers to Tables A and B attached to the Index Table, which identify the types of water access rights in the Northern Victoria, Victorian Murray and Goulburn-Murray water resource plan areas. These tables provide additional information about the circumstances in which trades may be permitted. The Authority is satisfied that water access rights of a kind that are able to be traded under State water management law are identified in the proposed WRP.	MET
The WRP applies the circumstances in s10.37 to 10.39 to groundwater water access rights that are tradable under State water management law	True	Column 3 of the Index Table for ss 10.37 – 10.39	Column 3 of the Index Table for ss 10.37 and 10.38 note that this matter is not relevant to the Victorian Murray WRP. Column 3 of the Index Table for s 10.39 applies to the Northern Victoria, Victorian Murray and Goulburn-Murray WRP areas.	

Section 10.37 – Circumstances in which conditions in section 12.24 are met

- (1) A water resource plan must set out the circumstances in which trade between 2 locations within a groundwater SDL resource unit is permitted. In setting out the circumstances, a water resource plan must ensure that each condition set out in section 12.24 will be met in relation to the proposed trade.
- (2) If the water resource plan applies a conversion rate to meet the condition in paragraph 12.24(d), the water resource plan must either:
 - (a) specify the conversion rate; or
 - (b) set out the way in which the conversion rate will be determined from time to time and made generally available.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP sets out the circumstances in which trade between 2 locations within a groundwater SDL resource unit is permitted	Test turned off	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area. This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area.	Not applicable
	When a trade as described in this section occurs, each of the following conditions will be met in relation to that trade:				Not applicable
	sufficient hydraulic connectivity between the 2 locations	Test turned off	Column 3 of the Index Table for this subsection	The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.	
	resource condition limits in the SDL resource unit	Test turned off		This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	specified in a water resource plan will not be exceeded as a result of the trade			the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area.	
	<u>and either:</u>				
	water access rights in the 2 locations have substantially similar characteristics of timing, reliability and volume <i>or</i>	Test turned off	Column 3 of the Index Table for this subsection	The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area. This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area and the test is turned off.	
	measures are in place to ensure that the water access right to be traded will maintain its characteristics of timing, reliability and volume	Test turned off			
	Measures in place to address the impact, as a result of trade, on water availability in relation to a water access right held by a third party	Test turned off			

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	The WRP applies a conversion rate to meet the condition in s12.24(d)	Test turned off	Column 3 of the Index Table for this subsection	<p>The proposed WRP in Column 3 of the Index Table for subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.</p> <p>This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area.</p>	Not applicable
	<i>If 'yes' either of the following:</i>				
2(a)	The conversion rate is specified	Test turned off	Column 3 of the Index Table for this subsection	The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.	Not applicable
2(b)	The way in which the conversion rate will be determined from time to time and made generally available is set out	Test turned off		<p>This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area and the test is turned off.</p> <p><i>The 'no' case is not necessary to re-state</i></p>	

Section 10.38 – Circumstances in which conditions in section 12.25 are met

- (1) A water resource plan must set out the circumstances in which trade between 2 groundwater SDL resource units is permitted. In setting out the circumstances, a water resource plan must ensure that each condition set out in section 12.25 will be met in relation to proposed trade.
- (2) If the water resource plan applies a conversion rate to meet the condition in paragraph 12.25(e), the water resource plan must either:
 - (a) specify the conversion rate; or
 - (b) set out the way in which the conversion rate will be determined from time to time and made generally available.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP sets out the circumstances in which trade between 2 groundwater SDL resource unit is permitted	Test turned off	Column 3 of the Index Table for this subsection	<p>The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.</p> <p>This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area.</p>	Not applicable
	<p>When a trade as described in this section occurs, each of the following conditions will be met in relation to that trade:</p> <p>sufficient hydraulic connectivity between the 2 units</p>				Not applicable

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	resource condition limits in the SDL resource units specified in a water resource plan will not be exceeded as a result of the trade	Test turned off		relevant to this requirement do not apply to this water resource plan area.	
	the measures in place to account for trade are consistent with the method addressing s10.10	Test turned off		This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area.	
	<u>and either:</u>		Column 3 of the Index Table for this subsection	The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.	
	water access rights in the 2 units have substantially similar characteristics of timing, reliability and volume	Test turned off			
	measures are in place to ensure that the water access right to be traded will maintain its characteristics of timing, reliability and volume	Test turned off			
	measures in place to address the impact, as a result of trade, on water availability in relation to a water access right held by a third party	Test turned off			

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
2	The WRP applies a conversion rate to meet the condition in s12.25(e)	Test turned off	Column 3 of the Index Table for this subsection	<p>The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.</p> <p>This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area.</p>	Not applicable
	If 'yes' either:				Not applicable
2(a)	The conversion rate is specified or	Test turned off	Column 3 of the Index Table for this subsection	<p>The proposed WRP in Column 3 of the Index Table for this subsection indicates that the circumstances relevant to this requirement do not apply to this water resource plan area.</p> <p>This requirement only applies where trade is allowed between groundwater SDL resource units. As a surface water plan does not cover the management of groundwater, the Authority is satisfied that this provision does not apply to this water resource plan area and the test is turned off.</p>	
2(b)	The way in which the conversion rate will be determined from time to time and made generally available is set out	Test turned off			
	The 'no' case is not necessary to re-state				

Section 10.39 – Circumstances in which conditions in section 12.26 are met

- (1) A water resource plan must set out the circumstances in which trade between a groundwater SDL resource unit and a surface water SDL resource unit is permitted. In setting out the circumstances, a water resource plan must ensure that each condition set out in section 12.26 will be met in relation to proposed trade.
- (2) If the water resource plan applies a conversion rate to meet the condition in paragraph 12.26(e), the water resource plan must either:
 - (a) specify the conversion rate; or
 - (b) set out the way in which the conversion rate will be determined from time to time and made generally available.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP sets out the circumstances that apply to trade being permitted between a groundwater SDL resource unit and a surface water SDL resource unit	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p>	<p>Column 3 of the Index Table for this subsection sets out the process under the <i>Water Act 1989</i> (Vic) by which trade could be permitted between a groundwater SDL resource unit and a surface water SDL resource unit.</p> <p>The Authority has reviewed the arrangements listed in the proposed WRP and Comprehensive Report, the arrangements listed in the groundwater management plans and WSPA management plans and is satisfied that the arrangements outlined in response to s 10.39(1) are not inconsistent with the requirements of this provision, noting also that the proposed WRP will impose conditions on trade consistent with the Basin Plan. The Authority is satisfied that setting out this process is a valid approach to meeting the requirements, including those listed in s 12.26.</p> <p>The Authority understands from the explanatory material in Column 5 of the Index Table for this subsection that currently surface water-groundwater trade is only being facilitated in the Upper Ovens River Water Supply Protection Area (WSPA) in the</p>	MET

			Northern Victoria water resource plan area, and there is currently no surface water-groundwater trade in the Victorian Murray water resource plan area.	
When a trade as described in this section occurs, each of the following conditions will be met in relation to that trade:				MET
sufficient hydraulic connectivity between the 2 units	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that trade between a groundwater SDL resource unit and a surface water SDL resource unit is permitted in areas considered to have sufficient hydraulic connectivity as recognised in a management plan approved under section 32A of the Victorian Water Management Act 1989.</p> <p>As noted above, currently there is currently no surface-groundwater trade in the Victorian Murray water resource plan area.</p> <p>As such, the Authority is satisfied that this subsection is met.</p>	
resource condition limits in the groundwater SDL resource unit specified in a water resource plan will not be exceeded as a result of the trade	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection does not specify any specific resource condition limits in the groundwater SDL resource unit would be exceeded as a result of trade. Consequently the Authority is satisfied that the operation of the proposed WRP does not pose any direct risk to resource condition limits as a result of trade.</p>	
the measures in place to account for trade are consistent with the method addressing s10.10	True	<p>Column 5 of the Index Table for s 10.38(1)</p> <p>Column 3 of the Index Table for s 10.10</p>	Column 5 of the Index Table for s 10.38(1) states that the measures in place to account for trade require all transfers of entitlements to be recorded on the Victorian Water Register (VWR). This is consistent with the method set out in s 10.10 of the Index Table to account for trade in the method.	
<u>and either:</u>				

	water access rights in the 2 units have substantially similar characteristics of timing, reliability and volume	True	Column 3 of the Index Table for this subsection	While the proposed WRP has not identified any trade in the Victorian Murray water resource plan area, Column 3 of the Index Table for this subsection notes that trade between surface water and groundwater will be permitted if the characteristics of the traded licence will be maintained. As such the Authority is satisfied that the this condition will be met for trades in the water resource plan area	
	measures are in place to ensure that the water access right to be traded will maintain its characteristics of timing, reliability and volume	Test turned off	N/A	This test is not applicable as the first condition will be met for trades in the water resource plan area.	
	measures in place to address the impact, as a result of trade, on water availability in relation to a water access right held by a third party	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that regard must be had to adverse impacts on other users before trade is permitted. The Authority is satisfied that there are appropriate measures in place to address the impact as a result of trade on water availability for third parties.</p> <p>As the proposed WRP has not identified any trade in the Victorian Murray water resource plan area, the Authority is satisfied that this subsection is met.</p>	
2	The WRP applies a conversion rate to meet the condition in s12.26(e)	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that a 20% conversion rate applies if specified in the relevant statutory management plans.	MET
	<i>If 'yes' either:</i>				

2(a)	The conversion rate is specified	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that a 20% conversion rate applies if specified in the relevant statutory management plans.	
2(b)	The way in which the conversion rate will be determined from time to time and made generally available is set out	Test turned off	N/A	A conversion rate is specified in the Column 3 of the Index Table for s 10.39(2), therefore this subsection is not necessary.	
The ‘no’ case is not necessary to re-state					

Part 9 Risk assessment

Section 10.40 - Definitions

In this Part:

risk means a risk listed in a water resource plan in accordance with subsection 10.41(4).

level of risk has the meaning given in AS/NZS ISO 31000:2009 Risk Management—Principles and Guidelines.

**Section 10.40 lists
definitions for Part 9 only
and therefore there is no
requirement to assess**

Section 10.41 – Risk identification and assessment methodology

- (1) A water resource plan must be prepared having regard to current and future risks to the condition and continued availability of the water resources of the water resource plan area.
- (2) Without limiting subsection (1), the risks include (where applicable):
 - (a) risks to the capacity to meet environmental watering requirements; and
 - (b) risks arising from the matters referred to in subsection 10.20(1); and
 - (c) risks arising from potential interception activities; and
 - (d) risks arising from elevated levels of salinity or other types of water quality degradation.
- (3) In identifying risks for the purposes of subsection (1), regard must be had to:
 - (a) risks identified in section 4.02; and
 - (b) any guidelines published by the Authority in relation to risk identification and risk assessment.
- (4) The water resource plan must list the risks identified for the purposes of subsection (1).
- (5) The water resource plan must assess each risk.
- (6) The water resource plan must define the level of risk of each risk, using the following categories:
 - (a) low;
 - (b) medium;
 - (c) high;
 - (d) if it is considered appropriate, any additional category.
- (7) The water resource plan must describe the data and methods used to identify and assess the risks.
- (8) The water resource plan must describe any quantified uncertainties in the level of risk attributed to each risk, including the results of any sensitivity analysis.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The development of the WRP had regard to current and future risks to the water resources in the WRP area	True	Column 5 of the Index Table for this subsection	Column 5 of the Index Table for this subsection includes an explanation of how the proposed WRP was prepared having regard to current and future risks to the water resources in the water resource plan area.	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Table 1.2.5 and Part 1.2 of Appendix B of the Comprehensive Report	<p>Column 5 of the Index Table for this subsection explains that current risks represent those threats and causes being experienced now, and future risks represent threats and causes proposed by scenarios of a possible future (identified in Table 1.2.5 in Appendix B of the Comprehensive Report). Part 1.2 of Appendix B of the Comprehensive Report indicates that the Risk Assessment considered potential future risks for a period beyond the life of the WRP up to 50 years.</p> <p>Column 5 of the Index Table for this subsection states that the proposed WRP is based on Victoria's existing framework and that the impact of the existing rules and arrangements were considered when developing the proposed WRP, including their impact on connected resources outside the water resource plan area.</p> <p>As such the Authority is satisfied that this subsection is met.</p>	
2	The development of the WRP had regard to the risks in letters (a)-(d) that are relevant to the WRP area	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p>	<p>Column 3 of the Index Table for this subsection states that the matters identified in s 10.41(2) were considered in the development of the proposed WRP.</p> <p>Column 5 of the Index Table for this subsection identifies where in the Risk Assessment at Appendix B of the Comprehensive Report regard was had to the risk in letters (a)-(d). See the assessment below for details.</p>	MET
	The list of risks in s10.41(4) includes each of the risks specified as follows:				

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	(a) Risks to the capacity to meet environmental watering requirements is listed in s10.41(4)	True	<p>Column 5 of the Index Table for this subsection</p> <p>Tables 3.4.9 to 3.4.16 and 3.4.33 to 3.4.36, and Part 1.2.1.5 of Appendix B of the Comprehensive Report</p>	<p>Column 5 of the Index Table for this subsection states that the risks to the capacity to meet environmental watering requirements for the Victorian Murray water resource plan area are listed in Part 3.4.2.1 in Tables 3.4.9 to 3.4.11 (surface water availability risks) , in Part 3.4.2.2 in Tables 3.4.12 to 3.4.16 (surface water condition risks), and in Part 3.4.6 in Tables 3.4.33 to 3.4.36 (priority environmental assets and priority ecosystem functions) of Appendix B of the Comprehensive Report.</p> <p>Part 1.2.1.5 of Appendix B of the Comprehensive Report states that the Risk Assessment includes risks to PEAs and PEFs relating to surface water and groundwater, and meeting environmental watering requirements as identified in the relevant Environmental Water Management Plans and Long-Term Watering Plan. The Authority is satisfied that the environmental watering requirements have been correctly identified and that the risks have been properly considered.</p> <p>As such, the Authority has found that this provision has been met.</p>	
	(b) Risks arising from the matters referred to in subsection 10.20(1) are listed in s10.41(4), as follows:				
	Risks that may cause structural damage to an aquifer (within or outside the water resource plan area) arising from take within the long-term	True	Column 5 of the Index Table for this subsection	Groundwater and surface water connections are considered in the Risk Assessment as a threat category (see Table 1.3.1 in Appendix B of the Comprehensive Report). In the Risk Assessment this is assessed by considering the loss of structural form of an aquifer as an impact from the causes.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	annual diversion limit for an SDL resource unit		Table 1.3.1 and Part 2.2 in Appendix B of the Comprehensive Report	On this basis, risks arising from damage to hydraulic relationships and properties in relation to groundwater/surface water connections are considered in the Risk Assessment. Column 5 of the Index Table for this subsection notes that no medium of higher risks to changes in structural form were identified.	
	Risks that may cause damage to hydraulic relationships and properties between groundwater and surface water systems, between groundwater systems, and within groundwater systems	True	Column 5 of the Index Table for s 10.20 and s 10.05	<p>Column 5 of the Index Table for this subsection states that the productive base of the groundwater systems was assessed in terms of the ability of the aquifer to provide water for environmental and consumptive purposes in the context of damage to the structural form of the aquifer arising from take across environmental or consumptive users.</p> <p>Column 5 of the Index Table for this subsection states that the Risk Assessment did not consider the risks associated with the implementation of the proposed WRP for connected resources outside of the water resource plan area because the proposed WRP is based on Victoria's existing water management framework. However, the Authority is satisfied that by undertaking an assessment of the Victoria's existing rules and arrangements to inform the proposed WRP, the proposed WRP demonstrates how the risks of structural damage outside the water resource plan area have been considered.</p> <p>Part 2.2 of Appendix B of the Comprehensive Report considers the loss of structural form of an aquifer is not a plausible risk for all risk categories except 'earth resources development'. However, this is inconsistent with the explanatory material provided for s 10.20 in Column 5 of the Index Table which</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>states that there may be circumstances where local risks to structural integrity of an aquifer or risks to hydraulic relationships may arise because of circumstances outside the operation of the WRP.</p> <p>The Authority notes that this inconsistency arises from the Risk Assessment aggregating the risks to a water resource plan scale so localised risks are not recognised. The Authority suggests that Victoria considers how to better represent localised risks in any subsequent Risk Assessment.</p> <p>The Authority also notes that further work is required to ensure that risks related to connected resources outside of the water resource plan area are appropriately managed and that Column 5 of the Index Table for s 10.05 states that Victoria and NSW have agreed to explore joint management for groundwater resources.</p> <p>The Authority is satisfied that the proposed WRP was prepared having regard to the risks in s 10.41(2)(b). The Authority notes that further work is required to ensure that these risks of all scales are managed.</p>	
	(c) Risks arising from potential interception activities	True	<p>Column 5 of the Index Table for this subsection</p> <p>Tables 3.4.38 and 3.4.39, and 2.3.1 and Parts 3.4.7 and</p>	Column 5 of the Index Table for this subsection states that the medium or higher risks arising from potential interception activities are identified in Table 3.4.38 (availability) and Table 3.4.39 (condition), and discussed in Part 3.4.7, of Appendix B of the Comprehensive Report.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>1.2.1.2 of Appendix B of the Comprehensive Report</p> <p>Column 5 of the Index Table for s 10.23 and s 10.41(6)</p>	<p>The interception activities listed in the note to s 10.23(3) of the Basin Plan and also listed at Part 1.2.1.2 of Appendix B of the Comprehensive Report are:</p> <ul style="list-style-type: none"> • runoff dams • commercial plantations • mining activities, including coal seam gas mining • floodplain harvesting <p>As stated in Column 5 of the Index Table for s 10.23, interception by floodplain harvesting does not occur in Victoria.</p> <p>The tables referred to above, setting out the medium or higher risks, are the result of a process which assessed risks arising from potential interception activities and therefore demonstrate that regard has been had to that category of risks.</p> <p>The inclusion of risks arising from potential interception activities in Table 2.3.1 of Appendix B demonstrates that the risks identified for the purpose of s 10.41(1) include risks arising from potential interception activities. Table 2.3.1 lists all the risks identified in the Risk Assessment for the Victorian Murray water resource plan area.</p> <p>The Authority notes that Column 5 of the Index Table for s 10.41(6) indicates that the initial assessment of risks arising from runoff dams and the initial assessment of risks arising from commercial plantations were subsequently superseded by better information. However, this does not detract from the inclusion of these risks in the initial identification of risks to be</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				considered, and therefore the Authority is satisfied that this provision is met.	
	(d) Risks arising from elevated levels of salinity or other types of water quality degradation	True	<p>Column 5 of the Index Table for this subsection</p> <p>Tables 3.4.4 to 3.4.8, 3.4.12 to 3.4.16, 3.4.22 to 3.4.26, 3.4.28 to 3.4.30 and 3.4.32 of Appendix B of the Comprehensive Report</p>	<p>Column 5 of the Index Table for this subsection identifies where in the Risk Assessment at Appendix B of the Comprehensive Report, the medium and high risks arising from elevated levels of salinity or other types of water quality degradation are discussed and listed.</p> <p>For the Victorian Murray water resource plan area, these are identified in Appendix B of the Comprehensive Report in Part 3.4.1.2 (consumptive use in Tables 3.4.4 to 3.4.8), Part 3.4.2.2 (environmental use in Tables 3.4.12 to 3.4.16), Part 3.4.3.2 (Aboriginal uses in Tables 3.4.22 to 3.4.26), Part 3.4.4.2 (recreational/social uses in Tables 3.4.28 to 3.4.30), and Part 3.4.5.2 (critical human water needs in Table 3.4.32).</p> <p>The tables referred to above, setting out the medium or higher risks, are the result of a process which assessed risks arising from elevated levels of salinity or other types of water quality degradation and therefore demonstrate that regard has been had to that category of risks.</p>	
3	<p>Risk identification had regard to risks in letters (a) and (b) as follows:</p> <p>Risks identified in s4.02:</p>				MET
	Insufficient water available for the environment	True	Tables 3.4.9 to 3.4.11 and Part 1.2.1.1 of Appendix B of the	The Risk Assessment includes a consideration of water availability for environmental users in Tables 3.4.9 to 3.4.11 of Appendix B of the Comprehensive Report.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			Comprehensive Report	Part 1.2.1.1 of Appendix B of the Comprehensive Report is missing a reference to the risk s4.02 (1) (a) of insufficient water available for the environment. However, as the information is contained in Tables 3.4.9 to 3.4.11, the Authority is satisfied that this meets this provision.	
	Water being of a quality unsuitable for use	True	Table 2.3.1 of Appendix B of the Comprehensive Report	The Risk Assessment at Appendix B of the Comprehensive Report includes a consideration of water condition (see Table 2.3.1).	
	Poor health of water-dependent ecosystems	True	Tables 2.3.1, 3.4.9-3.4.11, 3.4.12-3.4.16 and 3.4.33-3.4.36 of Appendix B of the Comprehensive Report	<p>The Risk Assessment at Appendix B of the Comprehensive Report includes a consideration of poor health of water-dependent ecosystems in terms of availability of water for environmental watering requirements (see Table 2.3.1).</p> <p>The medium or higher risks to environmental watering requirements are listed in Tables 3.4.9-3.4.11 (availability), Tables 3.4.12-3.4.16 (condition) and Tables 3.4.33-3.4.36 (priority environmental assets and functions) of Appendix B of the Comprehensive Report.</p>	
	Insufficient water is available, or water is not suitable for consumptive and other economic uses of Basin water resources	True	Tables 3.4.1 – 3.4.8 of Appendix B of the Comprehensive Report	For the Victorian Murray water resource plan area, the Risk Assessment at Appendix B of the Comprehensive Report considered risks in terms of availability (see Tables 3.4.1-3.4.3) and condition (see Tables 3.4.4-3.4.8) of water for consumptive and other economic uses of water resources.	
	Insufficient water is available, or water is not suitable to maintain social, cultural,	True	Tables 3.4.17 – 3.4.30 of Appendix B of the	For the Victorian Murray water resource plan area, the Risk Assessment at Appendix B of the Comprehensive Report considered risk in terms of availability (see Tables 3.4.17-3.4.21	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	Indigenous and other public benefit values		Comprehensive Report	and 3.4.27 in Appendix B of the Comprehensive Report) and condition (see Tables 3.4.22-3.4.26 and 3.4.28-3.4.30 in Appendix B of the Comprehensive Report) to maintain social, cultural, Indigenous and other public benefit values.	
	Guidelines published by the Authority in relation to risk identification and risk assessment	False	N/A	The Authority has not published any relevant guidelines for the purpose of s 10.41(3). Therefore this requirement is not applicable.	
4	The list of risks includes all current and future risks as described in subsection (1)-(3)	True	Column 3 of the Index Table for this subsection Table 2.3.1 of Appendix B of the Comprehensive Report	Column 3 of the Index Table for this subsection refers to Table 2.3.1 of Appendix B of the Comprehensive Report that contains the list of risks identified for the purposes of subsection 10.41(1). The Authority is satisfied that for the purposes of s 10.41(1), current and future risks have been listed.	MET
5	Each of the risks listed in subsection (4) has been assessed according to the State's chosen risk assessment method	True	Column 3 of the Index Table for this subsection Table 2.3.1 of Appendix B of the Comprehensive Report	Column 3 of the Index Table for this subsection refers to Table 2.3.1 of Appendix B of the Comprehensive Report that contains the list of risks identified for the purposes of subsection 10.41(1). The Authority is satisfied that for the purposes of s 10.41(1), current and future risks have been assessed.	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
6	Each of the risks listed in subsection (4) is rated as 'low', 'medium' or 'high'	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that Table 2.3.1 in Appendix B of the Comprehensive Report includes a list of risks for the purposes of s 10.41(1) for the Victorian Murray water resource plan area. The table also indicates a risk rating for each of the risks.	MET
	If used, additional categories of risk rating are appropriate to the State's chosen risk assessment method	True	Table 2.3.1 of Appendix B of the Comprehensive Report		
7	The data and method used to identify and assess risks is described	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Schedule 1 and Part 1 of Appendix B of the Comprehensive Report</p>	<p>Column 3 of the Index Table for this subsection states that Schedule 1 of Appendix B of the Comprehensive Report provides a list of data used to identify and assess risks. It also states that Part 1 of Appendix B of the Comprehensive Report describes the Risk Assessment method.</p> <p>Column 5 of the Index Table for this subsection indicates that the modelling used to underpin the Risk Assessment relating to interception of water by runoff dams has been updated since completion of the Risk Assessment. Column 3 of the Index Table for this subsection states that following the update to the modelling, the high risks identified with dam interception were downgraded. Column 5 of the Index Table provides additional information about why the risk rating was reduced.</p> <p>Column 3 of the Index Table for this subsection states that Victoria will revise its Risk Assessment for the proposed WRP once more accurate data is available regarding runoff dam interception.</p>	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that that the data and methods used to identify and assess the risks to condition and continued availability of water resources of the water resource plan area have been adequately described.	
8	Where uncertainties about risks are quantified, a description of the quantification methods is provided	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that Table 2.3.2 in Appendix B of the Comprehensive Report shows the level of confidence rating attributed to each risk in the Victorian Murray Water Resource Plan area. Part 1.6 in Appendix B of the Comprehensive Report describes the method used to attribute the level of confidence to each risk.	MET
	Where sensitivity analysis is used, the results are provided	True	Tables 2.3.2 , and 3.4.1 to 3.4.41, and Part 1.6 of Appendix B of the Comprehensive Report	Column 3 of the Index Table for this subsection states that the results of the sensitivity analysis are provided in Column 5 of Tables 3.4.1 to 3.4.41 in Appendix B of the Comprehensive Report.	

Section 10.42 – Description of risks

A water resource plan must describe:

- (a) each risk which is defined in accordance with subsection 10.41(6) as having a medium or higher level of risk; and
- (b) factors that contribute to those risks.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(a)	The WRP describes each of the risks defined as having a medium or higher level of risk	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states each risk that is defined as having a medium or higher level of risk is described in Tables 3.4.1 to 3.4.41 of Appendix B of the Comprehensive Report. It also states that factors that contribute to these risks are contained in these same tables. Column 5 of the Index Table for this section notes that a number of runoff dam interception risks identified as high have subsequently been reduced based on an update to the modelling. The explanatory material notes that the updated risk level has not been reflected in s 10.23(1), and that it will be revised when more accurate data is available. See the assessment of Part 5 for more details.	MET
(b)	The WRP describes the factors that contribute to those risks	True	Column 5 of the Index Table for this subsection Tables 3.4.1 to 3.4.41 of Appendix B of the Comprehensive Report		

Section 10.43 – Strategies for addressing risks

- (1) If a water resource plan defines a risk in accordance with subsection 10.41(6) as having a medium or higher level of risk, the water resource plan must either:
 - (a) describe a strategy for the management of the water resources of the water resource plan area to address the risk in a manner commensurate with the level of risk; or
 - (b) explain why the risk cannot be addressed by the water resource plan in a manner commensurate with the level of risk.
- (2) If the water resource plan identifies a risk which relates to a matter dealt with by a requirement in another Part of this Chapter, the strategy must take account of that requirement.
- (3) A water resource plan must be prepared having regard to:
 - (a) the strategies listed in subsection 4.03(3); and
 - (b) any guidelines published by the Authority in accordance with section 4.04.

Note: The Authority may publish guidelines in accordance with section 4.04 in relation to the implementation of strategies to manage or address risks identified in section 4.02.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Each risk rated as 'medium' or higher has either:				
	(a) a description of a strategy for management of the water resources that addresses the risk in a manner that is commensurate with the level of risk	True	Tables 3.4.1 to 3.4.41 and 4.2.1 in Appendix B of the Comprehensive Report Column 3 of the Index Table for this subsection	Each medium or higher risk identified for the Victorian Murray Water Resource Plan area has strategies assigned to it, see Tables 3.4.1 to 3.4.41 in Appendix B of the Comprehensive Report. Column 3 of the Index Table for this subsection states that strategies to address medium or higher risks are described in Table 4.2.1 in the Comprehensive Report.	MET
	(b) an explanation of why the risk cannot be	False		The Authority is satisfied that the listed strategies are commensurate with the level of risk.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	addressed by the WRP in a manner that is commensurate with the level of risk				
2	All other parts under Chapter 10 that have provisions to deal with a risk are identified	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Table 4.2.1 of Appendix B of the Comprehensive Report</p>	<p>Column 3 of the Index Table for this subsection states that each risk strategy is detailed in Table 4.2.1 in Appendix B of the Comprehensive Report. It also indicates that Part 4, 5 and 7 in Chapter 10 of the Basin Plan also contain provisions to deal with risk and that the relevant sections of the Index Table specify how these risks have been addressed.</p> <p>Column 5 of the Index Table for this subsection states that the information provided in the Index Table for ss 10.22(b), 10.23 and 10.31, discusses relevant risks. It also states that an explanation of how other Chapter 10 requirements were considered when developing strategies, is included in the explanation of the strategy (as included in Table 4.2.1 of Appendix B of the Comprehensive Report).</p>	MET
	The strategies in this s10.43(2) take account of the requirement under those other Chapter 10 parts	True	Table 4.2.1 of Appendix B of the Comprehensive Report	<p>Table 4.2.1 of Appendix B of the Comprehensive Report describes each strategy identified for medium of higher risks.</p> <p>The following assessment relates to the relevant parts for the requirement under s 10.43(2):</p> <p><u>Basin Plan Chapter 10 Part 3:</u></p> <p>The relevant strategies can be found in Table 4.2.1 of Appendix B of the Comprehensive Report against the macro risk cause NC (Non-Compliance).</p>	

Subsection	Summary of assessment test	Where this was observed in the WRP package	Justification	Assessment outcome
			<p>The Authority is satisfied that this identifies the relevant strategies in relation to risks to matters in Part 3 of Chapter 10 in the Basin Plan.</p> <p><u>Basin Plan Chapter 10 Parts 4 and 6</u> Strategies put forward to manage the risks to environmental watering that take account of the requirements under Part 4 and Part 6 of the Basin Plan are:</p> <ul style="list-style-type: none"> - Delivering the LTWPs - considering the impact of groundwater on meeting environmental watering requirements of PEAs and PEFs (as part of the environmental water management in a changing climate) - implementing Ministerial Guidelines for groundwater licensing and the protection of high-value groundwater dependent ecosystems - managing groundwater related risks (including groundwater and surface water connectivity) through Victorian planning and implementation frameworks <p><u>Basin Plan Chapter 10 Part 5:</u> No significant interception activities were identified and therefore there are no relevant strategies. See Part 5 assessment for further detail on the change of risk rating.</p> <p><u>Basin Plan Chapter 10 Part 7:</u> The proposed WRP states that the measures in the WQMP are the same as the relevant risk strategies. This demonstrates that there is a clear link between the relevant strategies and measures.</p> <p><u>Basin Plan Chapter 10 Part 10:</u></p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Table 4.2.1 of Appendix B of the Comprehensive Report states that improving public reporting on water availability and use also considers the requirements under Part 10 of Chapter 10 of the Basin Plan.</p> <p><u>Basin Plan Chapter 10 Part 13:</u> The proposed WRP states that the relevant risk strategies in relation to critical human water needs build on existing arrangements and are consistent with the requirements of Part 13.</p> <p><u>Basin Plan Chapter 10 Part 14:</u> The proposed WRP states that in developing strategies to address the risks to Indigenous values and uses, the objectives and outcomes of water resource management desired by Indigenous people were considered.</p> <p>The strategies relevant to Part 14 requirements are identified in Table 4.2.1 (Appendix B of the Comprehensive Report) as A for Aboriginal/Indigenous Uses.</p>	
3	The preparation of the WRP had regard to:				MET
	(a) the strategies listed in subsection 4.03(3) <i>and</i>	True	Column 5 of the Index Table for this subsection	Column 5 of the Index Table for this subsection outlines how regard was had to the strategies listed in s 4.03(3). The Authority is satisfied that there is sufficient information included in Column 5 of the Index Table for this section to indicate how this requirement has been met.	
	(b) guidelines published by the Authority in accordance with section 4.04	False	N/A	The Authority has not published guidelines in accordance with s 4.04, and therefore this provision does not apply.	

Part 10 Measuring and monitoring

Section 10.44 – Information relating to measuring take – water access rights

A water resource plan must include the following information in relation to each class of water access right relating to the water resources of the water resource plan area:

- (a) the best estimate of the total long-term annual average quantity of water taken that is measured;
- (b) the best estimate of the total long-term annual average quantity of water taken that is not measured;
- (c) how the quantities under paragraphs (a) and (b) were calculated;
- (d) the proportion of the quantity referred to in paragraph (a) that is measured in accordance with standards for measuring agreed by the Basin States and the Commonwealth.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The WRP includes the information as described in letters (a) to (d) for each class of water access right that apply to the water resources of the WRP area:				MET
(a)	(a) the best estimate of the total long-term annual average quantity of water taken that is metered	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection Table 15-1 of the Comprehensive Report	Column 3 of the Index Table for this subsection identifies the best estimates of the long-term annual average quantity of water that is taken that is measured as: <ul style="list-style-type: none">• Bulk entitlements: 1,669,595ML• Take and use licences: 13,356ML• Run off dams (licenced): 9,362ML Column 5 of the Index Table for this subsection states that Table 15-1 in the Comprehensive Report also outlines the total volume of water that is measured. The best estimate for measured take is the BDL for take from a river or watercourse	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				(excluding basic rights) and the BDL for take from runoff dams (excluding basic rights).	
(b)	(b) the best estimate of the total long-term annual average quantity of water taken that is not metered	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Table 15-1 of the Comprehensive Report</p>	<p>Column 3 of the Index Table for this subsection identifies the best estimates of the long-term annual average quantity of water that is taken that is not measured as:</p> <ul style="list-style-type: none"> • Basic rights (regulated and unregulated streams): 9,166ML • Runoff dams – basic rights: 11,285ML • Take and use licences: 1,750ML <p>Column 5 of the Index Table for this subsection states that Table 15-1 in the Comprehensive Report also outlines the total volume of water that is not measured. The best estimate for take that is not measured is the BDL for basic rights and runoff dams (basic rights).</p> <p>While there are small differences between the figures in Table 15-1 in the Comprehensive Report and the figures provided for this subsection, the Authority understands that these are due to rounding differences when estimates for the separate SDL resource units were combined. As such, the Authority is satisfied that this subsection is met.</p>	
(c)	(c) how the quantities under letters (a) and (b) were calculated	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that the quantities under ss 10.44(a) and (b) have been calculated in accordance with the methods for determining the baseline diversion limit as prescribed in the Basin Plan.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
(d)	(d) the proportion of the quantity metered take of water that apply the standards for metering agreed by the Basin States and the Commonwealth	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states it is not currently possible for Victoria to estimate the proportion of water taken that is measured by different classes of meters. However, improvement will be made to the data management system and reporting on this proportion will be possible from 2020/21. Victoria states that as a signatory to the <i>Murray-Darling Basin Compliance Compact</i>, it will require that all new and replacement meters are compliant with Australian Standard 4747.</p> <p>The Authority acknowledges that currently Victoria cannot estimate the proportion of meters that are compliant with Australian Standard 4747. However, given Victoria's Compliance Compact commitment to implement the agreed metering standard and Victoria's commitment to report on the proportion of compliant meters by 2020/21, the Authority is satisfied with the information provided in the proposed WRP in regard to s 10.44(d).</p>	

Section 10.45 – Supporting measuring

(1) A water resource plan must specify measures for maintaining and, if practicable, improving:

- (a) the proportion of take that is measured in the water resource plan area; and
- (b) the standard to which take is measured.

(2) The water resource plan must specify the timeframe for implementing the measures.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP specifies arrangements that ensures metered take remains stable or improves over time, as follows:		Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection lists a number of measures which Victoria has committed to under its <i>Water for Victoria</i> state policy.	MET
1(a)	(a) the proportion of take that is metered in the WRP area	True		Measures to maintain the proportion of take and standard to which take is measured include: <ul style="list-style-type: none"> maintain the proportion of take that is measured by maintaining stream gauges and meters of water corporations according to national standards continued investment in state-wide surface and groundwater monitoring networks 	
1(b)	(b) the standard to which take is metered	True			
	Where the WRP does not specify arrangements to improve metering in relation to letters (a) and (b), the WRP provides a logic and rationale that addresses practicality	False		Measures to improve the proportion of take and standard to which take is measured include: <ul style="list-style-type: none"> installation of meters by water corporations according to national standards; upgrades to non-urban metering according to national standards; and increasing metering efforts and investment in infrastructure upgrades and new technologies to improve the quality, accuracy and timeliness of monitoring data. 	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Column 3 of the Index Table for this subsection also states that Victoria will improve the proportion of take that is measured by implementing the measures agreed to under the Compliance Compact including Actions 3.1-3.5 and supported by Actions 3.1-3.7.</p> <p>The Authority is satisfied that the measures listed here are appropriate and that this provision is met.</p>	
2	Where arrangements to improve metering are not yet implemented, the WRP specifies the timeframes for implementation	True	Column 3 of the Index Table for s 10.45(1)	Column 3 of the Index Table for s 10.45(1) states that the improvements to measuring agreed under the Compliance Compact will be implemented by December 2019. The other measures listed for s 10.45(1) will be implemented over the next 7 years.	MET

Section 10.46 – Monitoring water resources

- (1) A water resource plan must specify the monitoring of the water resources of the water resource plan area that will be done to enable the Basin State to fulfil its reporting obligations under section 13.14.
- (2) Nothing in this section limits the capacity of the Basin State to conduct other monitoring of the water resources of a water resource plan area.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP specifies monitoring of water resources	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	Columns 3 and 5 of the Index Table for this subsection specify the relevant matters against which State reporting obligations under s 13.14/Schedule 12 must be undertaken.	MET
	The monitoring is specified in terms of the State's reporting obligation under s13.14/Schedule 12 (exhaustive)	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection Table 15-2 of the Comprehensive Report	Column 3 of the Index Table for this subsection refers to Table 15-2 and Part 6 of the Comprehensive Report which outlines monitoring to address the State obligations under s 13.14/Schedule 12 in relation to Basin Plan matters 8, 9, 12 and 19 and shows the indicative frequency of reporting on these matters. In addition to this, the VEWH reports on environmental watering in their annual publication. Column 3 of the Index Table for this subsection identifies that the remaining four Basin Plan matters (4, 10, 14 and 18) will be	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	The monitoring specified will enable the State to fulfil its reporting obligations under s13.14/Schedule 12	True	<p>Part 6 of Appendix A of the Comprehensive Report</p> <p>Column 3 of the Index Table for this subsection</p>	<p>informed, where relevant, by the monitoring for Basin Plan matters 8, 9, 12 and 19.</p> <p>The Authority is satisfied that the monitoring specified will enable Victoria to fulfil its reporting obligations under Schedule 12.</p> <p>Based on the information in Column 3 of the Index Table for this subsection, the Authority is satisfied that the proposed WRP specifies the monitoring of the water resources of the WRP that will be done to enable the Basin State to fulfil its reporting obligations under s 13.14 of the Basin Plan.</p>	
2	<i>Subsection 2 is not assessed</i>				

Part 11 Review of water resource plans

Section 10.47 – Review of water resource plans

A water resource plan must require that if a review of the plan (or a part of the plan) is undertaken, the report of the review must be given to the Authority within 30 days after the report is completed.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP provides for a review report to be given to the MDBA within 30 days of the report being completed	True	Column 3 of the Index Table for this section	<p>The proposed WRP states in Column 3 of the Index Table, that if a review of this plan is undertaken, the report of that review will be given to the MDBA within 30 days after the report is completed.</p> <p>This satisfies the requirement at s 10.47.</p>	MET

Section 10.47A – Additional requirements for Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB and Goulburn-Murray: Sedimentary Plain SDL resource units

If a review of the relevant water resource plan in relation to any of the Western Porous Rock, Gunnedah-Oxley Basin MDB, Sydney Basin MDB or Goulburn-Murray: Sedimentary Plain SDL resource units is undertaken, the review must assess:

- (a) the effectiveness of the implementation of the rules of the water resource plan; and
- (b) the extent to which the rules achieve the objectives mentioned in sections 10.21 and 10.35C.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP applies to any of the following SDL resource units: - Western Porous Rock - Gunnedah-Oxley Basin MDB - Sydney Basin MDB - Goulburn-Murray: Sedimentary Plain	False	Column 3 of the Index Table for this section	The proposed WRP does not apply to any of the SDL resource units outlined in this provision. As such, no assessment on this provision is required.	Not applicable
If 'yes', the review of the WRP has assessed:				Not applicable
(a) the effectiveness of the implementation of the rules of the water resource plan	Test turned off	N/A	The proposed WRP does not apply to any of the SDL resource units listed, so this provision is not applicable.	
(b) the extent to which the rules achieve the objectives mentioned in sections 10.21 and 10.35C	Test turned off	N/A	The proposed WRP does not apply to any of the SDL resource units listed, so this provision is not applicable.	

Section 10.48 – Amendment of water resource plan

A water resource plan must require a Basin State that proposes an amendment to the plan arising from a review to give the reasons for the amendment to the Authority.

Note: See also section 65 of the Act.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP provides for a proposed amendment to state the reasons for that amendment	True	Column 3 of the Index Table for this section	<p>The proposed WRP states in Column 3 of the Index Table for this section, that if a review of this plan results in a proposed amendment to this plan, the reasons for the amendment must be provided to the MDBA.</p> <p>This commitment satisfies the requirement at s 10.48.</p>	MET

Part 12 Information used to prepare water resource plan

Section 10.49 – Best available information

(1) A water resource plan must be based on the best available information.

(2) The water resource plan must identify and describe the significant sources of information on which the water resource plan is based.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The development of the WRP has been based on the best available information	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that the proposed WRP has been prepared using the best available information for each component of the proposed WRP.</p> <p>The Authority is satisfied that the best available information has been applied in the development of the proposed WRP, noting the following points:</p> <ul style="list-style-type: none">- The proposed WRP does not include re-use dams (used to capture rainfall runoff) as an applicable class of water access right for any form of take although these are listed in section 80A of the Water Act 1989 (Vic). The Authority understands there is little information known about re-use dams in Victoria and as such Victoria has not included this as a class of water access right for the purposes of s 10.08(1)(b). The Authority notes that further work is needed to be undertaken by Victoria to clarify the treatment of reuse dams in Victoria's water modelling.	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<ul style="list-style-type: none"> - The method to estimate take from a watercourse (excluding take under basic rights) is an interim method where the annual permitted take method for this is determined as the SDL (where the SDL is equal to the BDL). The interim method will be used for two years while Victoria undertakes a review to determine a more accurate method for permitted take for this form of take. Part 3.1.3.2 of Appendix C of the Comprehensive Report discusses why Victoria considers that is not cost-effective or fit-for-purpose to develop a new simulation model for the SDL volume of the out of model component for this form of take, given it is a small proportion of overall take. Victoria will undertake a review and develop a more appropriate permitted take method that recognises adjustments under bans and restrictions. - The list of Priority Environmental Assets (PEAs) in the proposed differs from the list of PEAs in the relevant Long-Term Watering Plans (LTWPs). Victoria indicates that this is due to a number of reasons including assets that are not watered anymore, or that cannot be watered. The Authority expects that following the review of the LTWPs to be undertaken by Victoria upon accreditation of a WRP that this list of assets will be updated in accordance with the requirements of Part 4 of Chapter 8 of the Basin Plan. - As the MDBA has determined that the Victorian LTWPs do not meet the requirements of the Basin Plan, 	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Victoria has relied on its Environmental Watering Plans to identify environmental watering requirements for each PEA. The Authority expects that following the review of the LTWPs upon accreditation of a WRP, and subject to them meeting the requirements of Part 4 of Chapter 8 of the Basin Plan, Victoria will update this in the WRP.</p> <ul style="list-style-type: none"> - The proposed WRP has not included the proportion of take which is measured in accordance with agreed metering standards (AS4747) as recommitted to in the Basin Compliance Compact. The proposed WRP states that it is not currently possible to estimate the proportion of water taken that is measured by different classes of meters. The Authority expects that following accreditation of the proposed WRP, and the determination of any exemptions to the metering standard that Victoria chooses to put in place, the proposed WRP will be amended by Victoria to include the proportion of take that is metered to agreed standards. 	
2	The WRP references the significant sources of information used to develop the plan	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection describes in general terms the significant sources of information used to develop the proposed WRP, identifying the Reference section of the Comprehensive Report as containing a list of significant sources of information used in development of the proposed WRP.	MET

Section 10.50 – Methods used to develop water resource plan

A water resource plan must identify any significant method, model or tool that has been used to develop the water resource plan.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
The WRP identifies the significant methods, models and tools used to develop plan	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection identifies the significant methods, models and tools that have been used to develop the proposed WRP. This satisfies the requirement at s 10.50.	MET

Part 13 Extreme events

Section 10.51 – Measures in response to extreme events

- (1) A water resource plan must describe how the water resources of the water resource plan area will be managed during the following types of events:
- (a) an extreme dry period;
 - (b) a water quality event of an intensity, magnitude and duration that is sufficient to render water acutely toxic or unusable for established local uses and values;
 - (c) any type of event that has resulted in the suspension of a statutory regional water plan in the past 50 years (including a transitional water resource plan or interim water resource plan).
- (2) If an event of a type listed in subsection (1) would compromise a Basin State's ability to meet critical human water needs in the water resource plan area, the water resource plan must set out measures to meet critical human water needs during such an event.
- (3) The water resource plan must provide that, if new scientific information suggests a change in the likelihood of an event of a type listed in subsection (1) occurring (for example, due to climate change), consideration must be given to whether, as a result of this new information, the water resources should be managed differently.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	The WRP describes how water resources will be managed during:				MET
1(a)	an extreme dry period	True	Column 3 of the Index Table for this subsection Section 10.3.3 and Table 10-4 of the Comprehensive Report	Column 3 of the Index Table for this subsection outlines the procedure for dealing with extreme dry periods, including powers and responsibilities of Victorian water corporations and the Victorian Minister. This includes the use of permanent and stages of water restrictions and the ability for the Victorian Minister to qualify rights to temporarily change water sharing arrangements if these measures are not sufficient to address the impacts during an extreme dry period.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>Column 3 of the Index Table for this subsection further states that planning is required regarding future water needs to ensure that available water is managed to meet critical human water needs within those events that can be predicted. Column 3 of the Index Table for this subsection refers to Table 10-4 of section 10.3.1.4 of the Comprehensive Report, which provides a broad overview of the planning strategies to manage urban water during extreme dry periods.</p> <p>For the Victorian Murray water resource plan area, Column 3 of the Index Table for this subsection refers to s 10.3.3 of the Comprehensive Report that outlines the arrangements for managing extreme dry events in the River Murray under the Murray-Darling Basin Agreement.</p> <p>Section 10.3.3 of the Comprehensive Report provides detail on the tiered approach to water sharing to prioritise water for critical human needs. It refers to s 11.05 of the Basin Plan which sets out the triggers for moving between the tiers, gives detail on the 3 tier arrangements and a brief overview of responsibilities held by the MDBA, Victoria and the Basin Officials Committee.</p> <p>Column 3 of the Index Table for this subsection indicates that there is currently inadequate information regarding Aboriginal values and uses of water to have an adequate strategy for management of the impact of water quality events. Victoria states that as information about the impact on Aboriginal values and uses improves, management strategies to respond to water quality events will be developed.</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is of the view that the strategies outlined ensures the proposed WRP meet the requirements of s 10.51(1)(a).	
1(b)	a water quality event that is sufficient to render water acutely toxic or unusable for established local uses and values	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection outlines that water corporations may reduce, restrict or discontinue the supply of water to urban towns, if the water is no longer fit-for-purpose. The water corporations manage the risks associated with water quality and where identified the public is immediately notified of the risks and any restrictions on access to prevent harm to individuals.</p> <p>Column 3 of the Index Table for this subsection states that there is insufficient data on what impact blue-green algae has on domestic and stock use and irrigation, however the proposed WRP does provide a general summary on where procedures are set out in the event of a blue-green algae outbreak and who coordinates the management and monitoring of the outbreaks.</p> <p>Column 3 of the Index Table for this subsection outlines the powers of the Environment Protection Authority Victoria in the instance of other pollution-related events.</p> <p>Column 3 of the Index Table for this subsection also notes that information about the impacts on Aboriginal values and uses is not yet sufficient, and management strategies to respond to water quality events in relation to these values and uses will be developed as information about the impacts on these values improve.</p> <p>For the proposed WRP, emergency response roles and responsibilities and process for coordinated during cyanobacteria</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				<p>events are set out in the <i>Blue-Green Algae Circular: Management Plan 2016-17</i> (2015), referred to in Column 3 of the Index Table.</p> <p>The Authority is of the view that the strategies outlined ensures the proposed WRP meets the requirements of s 10.51(1)(b).</p>	
1(c)	The WRP identifies that there has been an event in the past 50 years that resulted in the suspension of a statutory regional plan	False	Column 3 of the Index Table for this subsection	The proposed WRP does not identify an event in the past 50 years that resulted in the suspension of a statutory regional plan.	
	If yes, the WRP describes how water resources will be managed during such events	Test turned off	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection does not identify an event listed in s 10.51(1)(c), and therefore this provision is not relevant.	
	If no, the WRP states that such an event has not occurred.	False	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection states that this provision is not relevant to Victoria's North and Murray water resource plans.</p> <p>Although the proposed WRP does not state an event as listed under s 10.51(1)(c) has not occurred, Column 3 of the Index Table states that Victoria does not have statutory regional water plans and there are no powers to suspend transitional water resource plans or interim water resource plans under the Victorian regulatory framework.</p>	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				As such, the Authority is satisfied that the requirement at s 10.51(1)(c) has been met.	
2	One or more events listed under s10.51(1) have potential to compromise the State's ability to meet critical human water needs in the plan area				MET
	<p>If yes, the WRP sets out measures that operate to meet critical human water needs during a type of event listed under subsection (1)</p> <p>If no, the WRP sets out the logic and rationale for why events listed under subsection (1) do not compromise the State's ability to meet critical human water needs in the plan area</p>	<p>False</p> <p>Test turned off</p>	<p>Column 3 of the Index Table for this subsection</p> <p>Column 3 of the Index Table for ss 10.51(1)(a) and 10.51(1)(b)</p>	<p>Column 3 of the Index Table for this subsection states that the response to ss 10.51(1)(a) and 10.51(1)(b) in Column 3 of the Index Table sets out the existing measures within the Victorian water management framework which serve to protect critical human water needs in Victoria's North and Murray water resource plan areas. Further the text states that as these existing measures are sufficient, it is not necessary to specify additional measures for the purpose of this provision.</p> <p>Column 3 of the Index Table for this subsection also states that s 10.51(1)(c) is not relevant to Victoria's North and Murray water resource plan areas.</p> <p>The Authority is satisfied that the measures outlined in response to ss 10.51(1)(a) and 10.51(1)(b) are sufficient for the purpose of this provision.</p> <p>As s 10.51(1)(c) is not applicable to this WRP, measures to manage water in such an event are not required.</p>	
3	The WRP provides for a trigger to consider changes to management of water resources in the event that	Present	Column 3 of the Index Table for this subsection	Column 3 of the Index Table states that if new scientific information suggests a change to the likelihood of an event of a type as listed in s 10.51(1) occurring, consideration will be given as to whether the water resources should be managed differently.	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	new scientific information suggest a change in the likelihood of events under subsection (1)			The Authority is satisfied that this commitment satisfies the requirement at s 10.51(1)(3).	

Part 14 Indigenous values and uses

Note: If a water resource plan is prepared by a Basin State, it is expected that the Authority will consult with relevant Indigenous organisations in relation to whether the requirements of this Part have been met, for the purpose of paragraph 63(3)(b) of the Act.

Section 10.52 – Objectives and outcomes based on Indigenous values and uses

(1) A water resource plan must identify:

- (a) the objectives of Indigenous people in relation to managing the water resources of the water resource plan area; and
- (b) the outcomes for the management of the water resources of the water resource plan area that are desired by Indigenous people.

(2) In identifying the matters set out in subsection (1), regard must be had to:

- (a) the social, spiritual and cultural values of Indigenous people that relate to the water resources of the water resource plan area (*Indigenous values*); and
- (b) the social, spiritual and cultural uses of the water resources of the water resource plan area by Indigenous people (*Indigenous uses*);

as determined through consultation with relevant Indigenous organisations, including (where appropriate) the Murray Lower Darling Rivers Indigenous Nations and the Northern Murray-Darling Basin Aboriginal Nations.

(3) A person or body preparing a water resource plan may identify opportunities to strengthen the protection of Indigenous values and Indigenous uses in accordance with the objectives and outcomes identified under subsection (1), in which case the opportunities must be specified in the water resource plan.

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(a)	The objectives of Aboriginal people in relation to managing water resources in the WRP area are listed	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	Column 3 of the Index Table for this subsection identifies objectives of Indigenous people in relation to managing water resources in this Water Resource Plan area. Column 3 then points to various tables in the Comprehensive Report where the specific objectives are identified for Nations in the water resource plan area.	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
			<p>Chapter 8 of the Comprehensive Report, including Table 8-6 and Section 8.3</p> <p>Appendix F of the Comprehensive Report</p>	<p>The Authority notes that Table 8-6 in the Comprehensive Report does not include the name of the relevant Nation in the table name, however, it is evident from the table contents that this table contains information regarding the Dja Dja Wurrung Nation.</p> <p>Column 5 of the Index Table for this subsection states that contributions by individual Nations are provided in Section 8.3 and Appendix F of the Comprehensive Report.</p> <p>The Authority is satisfied that the objectives of Aboriginal people in relation to managing water resources in the water resource plans are listed in the Comprehensive Report.</p>	
1(b)	The outcomes of water resource management as desired by Aboriginal people are listed	True	<p>Column 3 of the Index Table for this subsection</p> <p>Column 5 of the Index Table for this subsection</p> <p>Chapter 8 of the Comprehensive Report, including Table 8-6 and Section 8.3</p> <p>Appendix F of the Comprehensive Report</p>	<p>Column 3 of the Index Table for this subsection identifies outcomes desired by Indigenous people in relation to managing water resources in the Victorian Murray water resource plan area. Column 3 then points to various tables in the Comprehensive Report where the specific outcomes are identified for Nations in the water resource plan area.</p> <p>The Authority notes that Table 8-6 in the Comprehensive Report does not include the name of the relevant Nation in the table name, however, it is evident from the table contents that this table contains information regarding the Dja Dja Wurrung Nation.</p> <p>Column 5 of the Index Table for this subsection states that contributions by individual Nations are provided in Section 8.3 and Appendix F of the Comprehensive Report.</p>	MET

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
				The Authority is satisfied that the outcomes desired by Aboriginal people in relation to managing water resources in the water resource plans are listed in the Comprehensive Report.	
2(a)	Supporting evidence demonstrates that the objectives and outcomes listed under subsection (1) had regard to the social, spiritual and cultural values of Aboriginal people	True	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	Column 3 of the Index Table for this subsection refers to Column 5 of the Index Table for an explanation of how regard has been had to the matters listed in this provision. Column 5 of the Index Table for this subsection lists the various sections in the Comprehensive Report where the values and uses of water resources are detailed for each of the Nations.	MET
	The social, spiritual and cultural values of Aboriginal people were determined through consultation with relevant indigenous organisations	True			
2(b)	Supporting evidence demonstrates that the objectives and outcomes listed under subsection (1) had regard to Aboriginal people's	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection refers to Column 5 of the Index Table for an explanation of how regard has been had to the matters listed in this provision. Column 5 of the Index Table for this subsection lists the various sections in the Comprehensive Report where the values and uses of water resources are detailed for each of the Nations.	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
	social, spiritual and cultural uses		Column 5 of the Index Table for this subsection		
	Aboriginal people's social, spiritual and cultural uses were determined through consultation with relevant indigenous organisations	True			
3	Opportunities to strengthen the protection of Aboriginal values and Aboriginal uses are identified in the WRP	Present	Column 3 of the Index Table for this subsection Column 5 of the Index Table for this subsection	Opportunities to strengthen the protection of Indigenous values and Indigenous uses are identified in Column 3 of the Index Table for this subsection. Column 5 of the Index Table for this subsection states that opportunities to strengthen the protection of Indigenous values and uses is included in Part 8.4.3 of the Comprehensive Report. The Authority is satisfied that the listed opportunities, once implemented, could operate to strengthen protections of Aboriginal values and uses.	MET
	The opportunities included under this subsection (3) operate to strengthen protections for Aboriginal values and uses	True	Section 8.4.3 of the Comprehensive Report		

Section 10.53 – Consultation and preparation of water resource plan

(1) A water resource plan must be prepared having regard to the views of relevant Indigenous organisations with respect to the matters identified under section 10.52 and the following matters:

- (a) native title rights, native title claims and Indigenous Land Use Agreements provided for by the Native Title Act 1993 in relation to the water resources of the water resource plan area;
- (b) registered Aboriginal heritage relating to the water resources of the water resource plan area;
- (c) inclusion of Indigenous representation in the preparation and implementation of the plan;
- (d) Indigenous social, cultural, spiritual and customary objectives, and strategies for achieving these objectives;
- (e) encouragement of active and informed participation of Indigenous people;
- (f) risks to Indigenous values and Indigenous uses arising from the use and management of the water resources of the water resource plan area.

Note: For examples of the principles that may be applied in relation to the participation of Indigenous people, see the document titled ‘MLDRIN and NBAN Principles of Indigenous Engagement in the Murray-Darling Basin’.

(2) In this section, registered Aboriginal heritage means Aboriginal heritage registered or listed under a law of a Basin State or the Commonwealth that deals with the registration or listing of Aboriginal heritage (regardless of whether the law deals with the listing of other heritage).

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1	Regard was had to the views of relevant Aboriginal organisation with respect to matters identified in section 10.52	True	Column 3 of the Index Table for this subsection	Column 3 of the Index Table for this subsection states that information about how regard was had to this provision is included in Column 5 of the Index Table. Column 5 of the Index Table for this subsection states that Parts 8.3 and 8.4 of the Comprehensive Report outline how regard was had to this provision.	MET
	Regard was had to each of the matters in letters (a) to (f):		Column 5 of the Index Table for this subsection		
1(a)	native title rights, native title claims and Indigenous Land Use Agreements	True	Chapter 8 of the Comprehensive	Column 5 of the Index Table for this subsection states that the matters listed in s 10.53(1) of the Basin Plan were used to inform the contributions contained in the proposed WRP from	

Subsection	Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
1(b)	registered Aboriginal heritage relating to the water resources of the WRP area	True	Report, including Parts 8.3 and 8.4 Appendix B of the Comprehensive Report	Traditional Owners. Column 5 refers to various sections of the Comprehensive Report where the views of Traditional Owners in regard to some of the matters in s 10.53(1), are included.	
1(c)	inclusion of Aboriginal representation in the preparation and implementation of the plan	True		Column 5 of the Index Table refers to sections of Appendix B of the Comprehensive Report where risks related to Aboriginal values and uses, and the strategies to address them are included. The Traditional Owner contributions included in Chapter 8 of the Comprehensive Report also highlight risks to Aboriginal values and uses of water.	
1(d)	Aboriginal social, cultural, spiritual and customary objectives and strategies for achieving these objectives	True		The Authority has consulted with MLDRIN to seek their advice as to whether the requirements of Part 14, Chapter 10 have been met in the Victorian Murray WRP. MLDRIN has confirmed that Victoria consulted with Traditional Owners in the Victorian Murray WRP area to inform the proposed WRP, and is satisfied that the proposed WRP addresses the requirements of Part 14, Chapter 10.	
1(e)	encouragement of active and informed participation of Aboriginal people	True			
1(f)	risks to Aboriginal values and Aboriginal uses arising from the use and management of the water resources of the WRP area	True		The Authority is satisfied that the proposed WRP was prepared having regard to each of the matters included in s 10.53(1)(a) to (f) of the Basin Plan.	
2	<i>Subsection 2 is not assessed</i>				

Section 10.54 – Cultural flows

A water resource plan must be prepared having regard to the views of Indigenous people with respect to cultural flows.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
Cultural flows are relevant to this WRP area	True	Column 3 of the Index Table for this subsection	<p>Column 3 of the Index Table for this subsection refers to Column 5 of the Index Table to address how regard was had to the matters in s 10.54 of the Basin Plan. Column 5 of the Index Table for this subsection states that the views of Traditional Owners with respect to cultural flows can be seen through their individual contributions in Chapter 8 and Appendix F of the Comprehensive Report.</p> <p>The Authority is satisfied that the Comprehensive Report shows that regard was had to the views of Aboriginal people about cultural flows.</p>	MET
The WRP has regard to the Aboriginal people's views about cultural flows	True	Column 5 of the Index Table for this subsection		
		Chapter 8 and Appendix F of the Comprehensive Report		

Section 10.55 – Retention of current protection


A water resource plan must provide at least the same level of protection of Indigenous values and Indigenous uses as provided in:

- (a) a transitional water resource plan for the water resource plan area; or
- (b) an interim water resource plan for the water resource plan area.

Summary of assessment test		Where this was observed in the WRP package	Justification	Assessment outcome
There is a TWRP or IWRP for this WRP area	True	Column 3 of the Index Table for this subsection	<p>The text in Column 3 and Column 5 of the Index Table for this subsection supports and provides for the same level of protection as provided by transitional and interim WRPs, and identifies opportunities to further strengthen the protection of Aboriginal values and uses of water through the Victorian Government Aboriginal water policy outlined in the Water for Victoria: Water Plan.</p> <p>The Authority's understanding of the transitional and interim WRPs in place for the Victorian Murray water resource plan area is that they are mainly in relation to Bulk Entitlements and strategic planning (catchment and water) documents and do not operate to protect Indigenous values and uses.</p> <p>The Authority is satisfied that the same level of protection is provided by the proposed WRP as it continues to recognise the right to take water under s8A of the <i>Water Act 1989</i> (Vic).</p>	MET
The WRP provides the same or greater level of protection as the TWRP or IWRP	True	Column 5 of the Index Table for this subsection		

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