

## Basin Plan Matter 19 (Compliance with Water Resource Plans) for water year 2023-24

### Overview questions

#### Reporting context

- This template covers Basin State 2023-24 annual reporting obligations in relation to the Basin Plan Schedule 12, Matter 19 (Compliance with Water Resource Plans)
- Responses may draw from and direct to existing publicly available information by including hyperlinks to public reporting or websites which contain explanatory details
- The MDBA assumes everything provided in this template is public, and licensing would allow the information's re-use unless specifically notified
- Reporting is due by 31 October 2024 to the Murray–Darling Basin Authority via [AnnualSchedule12Reporting@mdba.gov.au](mailto:AnnualSchedule12Reporting@mdba.gov.au)

Matter 19 reporting questions	State agency response
<p>1. <b>Is the state agency aware of non-compliance with the rules and/or obligations created by WRPs?</b></p> <p><i>Your response may include reporting on areas where the state agency is aware that entities regulated by the WRPs, including state agencies and Irrigation Infrastructure Operators, have not complied with the rules contained within WRPs. e.g. Internal assurance processes found operational procedures did not support provision X of the WRP.</i></p> <p><i>For compliance by water users, state agencies may reference their annual water compliance activity reporting published (via hyperlink). States should refer to the water compliance activity guidelines prepared under the Basin Compliance Compact and reporting under the Metrological Assurance Framework for the AS 4747 when developing water compliance reporting. Compliance and enforcement activities and responses per WRP area is preferred, to provide a clearer picture of where the non-compliance is occurring.</i></p>	<p>Victoria is not aware of any non-compliance with the rules and/or obligations created by either the Wimmera-Mallee or Victoria's North and Murray Water Resource Plans (WRPs).</p> <p>Note: Victoria meets its Basin Plan obligations through its existing water management framework – WRPs make no changes to this.</p> <p>Compliance and enforcement for water theft are undertaken by the Minister and 'Authorities' (water corporations and catchment management authorities). Authorities may also be responsible for compliance and enforcement as delegates of the Minister.</p> <p>Part 5.7 of the Wimmera-Mallee Comprehensive Report and Part 6.7 of Victoria's North and Murray Comprehensive Report provides further detail on how compliance and enforcement is undertaken, including State assurance processes.</p> <p>Reporting in relation to obligations occurs through established annual reporting processes. For details, please refer to reports below:</p> <ul style="list-style-type: none"><li>• Water compliance activity reporting – see <a href="#">link</a></li><li>• Annual Schedule 12 reporting</li><li>• SDL compliance via Annual Water Take reporting</li></ul>
<p>2. <b>What level of confidence does the state agency have in compliance with the rules and obligations contained in WRPs?</b></p> <p><i>The purpose of the question is to note the state agencies' view of its considered level (e.g. high, medium or low) of confidence and what that is based on. The state agency should provide the reasons or indicators to demonstrate how it establishes its level of confidence in compliance e.g. regular audits, performance reporting or systems.</i></p> <p><i>This is also an opportunity to mention other barriers and constraints which impede the state agency ability to achieve full compliance and therefore effect confidence.</i></p>	<p>High - Victoria's current water resource management arrangements enable the State to comply with obligations under Victoria's WRPs.</p>
<p>3. <b>How is the state agency ensuring there is compliance with the rules and obligations contained in WRPs?</b></p> <p><i>Seeking a description of the assurance, proactive measures or activities taken by a state to ensure compliance with the rules contained in the WRP. For example, state agency does X, Y and Z proactive activities, such monitoring programs, a risk assessment process including review of the effectiveness of controls, audits or verification of self-assessments.</i></p> <p><i>Reflect on the effectiveness of activities and current regulatory framework to achieve compliance and met objectives of the Basin Plan where relevant. Mention where the compliance activities indicated the need for changes in compliance approach.</i></p> <p><i>This is an opportunity to mention how the state agency determines level of risk and allocate resources, including how emerging issues are addressed and how low risk areas are managed compared to higher risk areas. This will</i></p>	<p>Under Victoria's WRPs, rules or obligations that support meeting Basin Plan requirements for water management have simply been replicated using Basin Plan language. Compliance with the obligations under Victoria's WRPs is set out in the relevant Index Tables:</p> <ul style="list-style-type: none"><li>• <a href="#">Wimmera-Mallee Index Table (see Part 5.7)</a></li><li>• <a href="#">Victoria' North and Murray Index Table (see Part 6.7)</a></li></ul> <p>Victoria continues to take a proactive improvement approach to ensuring compliance with WRP rules and obligations. Compliance is monitored via a range of methods including:</p> <ul style="list-style-type: none"><li>• Bulk entitlement holders report any non-compliance through their corporate annual reports.</li><li>• a register of water related entitlements is monitored</li><li>• overall compliance with SDLs is monitored and reported on annually</li><li>• long-term average estimates of take by commercial plantations and runoff dams is monitored</li><li>• a specific team monitors information related to unregulated take</li></ul> <p>The Victorian Government has a zero-tolerance approach to unauthorised take of water. A range of measures are in place regarding metering including:</p>

<p><i>help to explain why areas are being managed differently and manage perceptions that low risk areas are not effectively regulated.</i></p>	<ul style="list-style-type: none"> <li>the Implementation Plan under the Basin Compliance Compact to improve metering against the National Standard for metering. This is in accordance with the approved exemptions published in December 2019 under Action 3.1 (including Actions 3.1 - 3.5) and supported by Actions VIC 3.1-3.7. It is subject to revised timeframes negotiated with the MDBA</li> <li>upgrades to non-urban metering according to the National Metering Standards for Non-Urban Water Meters consistent with the Victorian policy for non-urban water metering and the state-wide implementation plan over the next seven years</li> </ul> <p>For more information on Victoria's monitoring of water resources see Section 15.7 of Victoria's North and Murray Comprehensive Report and Part 15 of the Wimmera-Mallee Comprehensive Report.</p>
<p>4. <b>Have there been any amendments to the state instruments that affect the operation of the WRP or are referenced in the accredited text of the WRP, and are any anticipated for the near future? If yes and the MDBA has not been notified, please outline these amendments.</b></p> <p><i>Include amendments, drafting, repeals, proposed amendments to regulations that may change how and where to find rules which impact on the rules and obligations of the WRP E.g. State agency is drafting amendments to Water Act provision X or policy X including provisions affecting WRP sections X, Y, Z to improve water register transparency.</i></p>	<p>Mechanisms are in place within Victoria's WRPs to ensure any amendments or changes to the provisions of State instruments and policies described therein do not impact on our obligations under the WRPs.</p> <p>There were no amendments to bulk or environmental entitlements or system management appointments (Storage Manager appointments section 122ZK of the Water Act or Resource Manager appointments section 43A Water Act) that affected the operations of the WRP or are referenced in the accredited text of the WRP, and there are no amendments to bulk or environmental entitlements or system management appointments that affected the operations of the WRP or are referenced in the accredited text of the WRP anticipated for 2024-25.</p> <p>Note – while the place of take framework took effect on 20 November 2023 (refer to Matter 21), the related changes to Victorian instruments does not affect the operation of the WRP and do not impact the accredited text of the WRP. As required under section 12.19 and 12.46 of the Basin Plan, the Inspector-General of Water Compliance and the MDBA were notified of changes to Victorian instruments that relate to water trade and which were re-made under the new place of take framework provisions.</p>