

Stringybark Creek Stream Flow Management Plan Annual Report 2016

The purpose of this report is to summarise Melbourne Water's activities administering and enforcing the Stringybark Creek Stream Flow Management Plan.

Each year a report is submitted to the Minister for Water and Port Phillip and the Westernport Catchment Management Authority in accordance with section 32C of the *Water Act 1989* and prescription 22 of the Stringybark Creek Stream Flow Management Plan.

Prescription No.	Prescription	Compliance	Comments
1.	<p>PROHIBITIONS ON GRANTING NEW LICENCES</p> <p>Melbourne Water must refuse an application under section 51(1)(a) or (ba) of the Act if this will, or may, cause the total volume of water taken in any year under:</p> <p>all licences to exceed 2664 ML; or</p> <p>all-year licences to exceed 1527 ML.</p>	Yes	Allocation cap exceeded by historic licences. No new licences issued and trading confined to within catchment.
2.	<p>LICENCE CONDITIONS</p> <p>A licence granted under section 51 of the Act is subject to each condition set out in Schedule 1, in relation to that licence's purpose.</p>	Yes	

Prescription No.	Prescription	Compliance	Comments
3	<p>TRANSFERRING LICENCES</p> <p>3.1 Melbourne Water may grant an application made under section 62(3) of the Act to permanently transfer a licence upstream or downstream from a location within the Protection Area and without reduction in volume.</p> <p>3.2 Melbourne Water must refuse an application made under section 62(3) of the Act to permanently or temporarily transfer a licence if this will cause the limits referred to in prescription 1 to be exceeded.</p> <p>3.3 Subject to prescription 3.4 if approving an application to permanently transfer a licence into or within the Protection Area, Melbourne Water must amend its conditions to ensure that it is a licence for the purpose of dam-filling where Melbourne Water deems that this is practical.</p> <p>3.4 In deciding whether to amend, delete or add to the conditions to which a licence is subject when it is permanently transferred, Melbourne Water may have regard to whether the location at which water is taken or collected will, or will not, change.</p>	Yes	<p>During 2015–16, 4 licence transfers were granted that did not meet prescription 3.2 as the overall allocation limit is exceeded for this catchment. The allowance for winter-fill licences at the time the plan was formed did not account for all licences issued at that time and thus the allocation limit was set lower than historic levels. This issue will be resolved over time as licences are surrendered or transferred out of the catchment. The current margin is only 36ML and has reduced from 45.2 ML in 2012-13.</p>

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3. (cont)	3.5 Melbourne Water may grant an application made under section 62(3) to temporarily transfer a licence into or within the Protection Area without amending its conditions.		<p>For this rule to be enforced no transfers could occur other than trading to areas outside of the WSPA. Melbourne Water considered the issue of these licences to be appropriate as the trades are managed to meet all of the other prescriptions, and are consistent with the intent of prescription 3.2 to not increase overall allocation within the catchment from the commencement of the plan period.</p> <p>To delay or refuse the issuing of these licences until the Plan allocation limit is formally updated was considered unfair as they were transfers of existing licences with historic allocations. As the current use within the catchment is well below the current allocation limit allowing the transfers of these licences was not considered to have a detrimental effect on the environment.</p>

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4	<p>ROSTERS AND RESTRICTIONS</p> <p>4.1 Melbourne Water may prepare and implement rosters or restrictions in accordance with the principles specified in prescription 4.2 to specify a maximum volume or percentage allocation of water that a licensee may take or use on any rostered day (or lesser roster period).</p> <p>4.2 In developing rosters or restrictions Melbourne Water must have regard to the need to:</p> <p>(a) maintain flows above the minimum levels specified under licence conditions 1.1 and 1.2 of Schedule 1;</p> <p>(b) limit the number of days upon which licensees are unable to take water because of the effect of licence conditions 1.1 and 1.2 Schedule 1;</p> <p>(c) take account of:</p> <p>(i) the relative requirements of different crops and other uses of land water;</p> <p>(ii) differences between types of licences, maximum volumes which may be taken under licences, and pumping capacities; and</p> <p>(iii) the need for all licensees to have a fair and reasonable access to available water, given the matters referred to in sub-paragraphs (i) and (ii)</p>	Yes	Melbourne Water imposes restrictions, rosters and bans under the principles and triggers detailed in Melbourne Water's Drought Response Plan for Licensed Water Users taking into account the requirements of Stream Flow Management Plans where relevant.

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5	<p>NEW DAMS, AESTHETIC DAMS AND DAMS ON SUBDIVISIONS</p> <p>Note: Section 67 of the Act allows Melbourne Water to grant a licence to construct works etc. This includes operation of dams. Section 71 of the Act empowers Melbourne Water to set conditions for these licences.</p> <p>5.1 Melbourne Water will not issue any licence under section 67 of the Act to construct a dam on a watercourse.</p> <p>5.2 For the purposes of clause 5.3, a dam is:</p> <p>(a) operated for aesthetic purposes if it is constructed after the commencement of this Plan and is used for recreational purposes; but</p> <p>(b) not operated for aesthetic purposes if it is:</p> <p>(i) constructed or used for domestic and stock, irrigation or commercial purposes; or</p> <p>(ii) designed specifically for environmental, rather than aesthetic or recreational purposes and is used for erosion control or nature conservation purposes.</p>	Yes	<p>Yarra Ranges Shire Council are responsible for subdivisions. Council processed 2 applications to subdivide in the Stringybark catchment, none of which included a farm dam. Council believe this will not affect the total volume of farm dams.</p> <p>As a result to our knowledge the total volume of water for domestic and stock purposes has not exceeded the total volume of water from all private dams on that land.</p>

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5. (cont)	<p>5.3 A person must not operate a dam by taking or storing water for aesthetic purposes at any time when, in the opinion of Melbourne Water, the volume of evaporation from that dam alone, or in combination with evaporation of other aesthetic dams in the Protection Area, would cause the combined volume taken under licences and aesthetic dams to exceed the limits referred to in prescription 1.</p> <p>5.4 The total volume of water for domestic and stock purposes that may be taken from all private dams within a subdivision must not exceed the greater of:</p> <p>(a) the total volume taken from all private dams on that land before the relevant plan of subdivision was approved; and</p> <p>(b) the total volume required for domestic and stock purposes on that land, as determined by Melbourne Water in accordance with the Notes on Aesthetic Dams in the Irrigation and Commercial Farm Dams Compendium of Ministerial Guidelines and Procedures.</p>		<p>Melbourne water undertakes field observations and acts on reports received from the general community to assess the impact of aesthetic dams.</p> <p>No community reports regarding aesthetic dams were received during this reporting period.</p> <p>To Melbourne Water's knowledge no aesthetic dams exist that breach the requirements of this prescription.</p>

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6	<p>MONITORING</p> <p>6.1 Melbourne Water must install a stream flow gauging station on Stringybark Creek at the easterly road crossing on St Hubert's Rd Coldstream at DSE's cost.</p> <p>6.2 Melbourne Water must:</p> <p>(a) continuously record flows at the Clegg Rd and St Hubert's Rd gauging stations;</p> <p>(b) periodically inspect the condition of each gauging station;</p> <p>(c) maintain each gauging station in good condition; and</p> <p>(d) keep a record of each inspection and work undertaken under paragraph (a) or (b).</p> <p>6.3 Melbourne Water must install a flow meter to measure water taken for irrigation or commercial purposes under any actively used licence greater than 5 ML in volume granted within the Protection Area under section 51(1)(a) or (ba) of the Act.</p> <p>6.4 Melbourne Water must:</p> <p>(a) periodically inspect the condition of each flow meter installed under prescription 6.3;</p> <p>(b) maintain each flow meter in good condition; (c) replace any damaged flow meter; and (d) keep a record of all work done under paragraph (b) and (c).</p>	Yes	<p>Melbourne Water meters all active users greater than 5ML.</p> <p>Meter inspection occurred in June 2015. Meter maintenance data captured in Melbourne Water's Asset Management system (Maximo). Maintenance of meters is scheduled every 3 years. Program available from Diversions team.</p> <p>Melbourne water monitors flows continuously at:</p> <ul style="list-style-type: none"> • the Clegg Road gauging station (229401A); • the St Hubert's Road gauging station (229247B).

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6. (cont)	<p>6.5 Melbourne Water must:</p> <p>(a) read each meter referred to in prescription 6.3 at least:</p> <p>(i) once in every year in the case of an all-year licence; and</p> <p>(ii) shortly after the beginning and end of the dam-filling period in every year, in the case of a licence for the purpose of dam-filling; and</p> <p>(b) record, for each meter:</p> <p>(i) the reading obtained; (ii) the number of the relevant licence; (iii) the date on which the meter is read; and</p> <p>(iv) any information about the accuracy of the meter which Melbourne Water considers relevant; and</p> <p>(c) if a meter becomes defective, registers incorrectly or is removed for any reason, estimate the correct registration in any of the following ways:</p> <p>(i) by comparison with the quantity of water taken under similar conditions during some other period; (ii) by comparison with the quantity of water taken after the meter has been restored to proper order; (iii) by comparison with the registration of a substitute meter used temporarily in place of the defective meter; or</p> <p>(iv) by applying a correction factor if the meter is found to have a consistent error of registration.</p>		

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6. (cont)	<p>6.6 Melbourne Water must propose to the Minister a program to monitor the implementation of the Plan, including arrangements to monitor:</p> <p>(a) the effects of the Plan on the reliability of supply to licensees; (b) the ability of the provisions to maintain environmental flows set out in Schedule 1; and (c) in-stream environmental indicators.</p> <p>6.7 The Minister may:</p> <p>(a) approve a plan proposed under prescription 6.6;</p> <p>(b) approve that plan, subject to amendments made by the Minister; or</p> <p>(c) refuse to approve the plan.</p> <p>6.8 Melbourne Water must implement a plan in the form approved by the Minister under prescription 6.7.</p>		
7	<p>REDRESSING HISTORICAL OVERUSE</p> <p>7. Where historical overuse has occurred, Melbourne Water may approve an application under Section 62(3) of the Act to permanently transfer a licence within the first 12 months after the commencement of the Plan without being subject to prescription 3.3 if this will address the volume of overuse.</p>	Yes	

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8	<p>REVIEW OF PLAN</p> <p>8. Melbourne Water must:</p> <p>(a) review the implementation and object of this Plan:</p> <p>(i) five years after it commences; and</p> <p>(ii) thereafter, at intervals of no more than five years; and</p> <p>(b) propose any consequential amendment (if any) to the Minister.</p>	Yes	Melbourne Water reviewed this Stringybark Creek SFMP in 2013.