

Water Act 1989

STATEMENT OF OBLIGATIONS

I, John Thwaites, Minister for Water, as Minister administering the **Water Act 1989**, pursuant to section 186A of the **Water Act 1989**, issue the attached Statement of Obligations to the North East Catchment Management Authority.

JOHN THWAITES MP

Minister for Water

Water Act 1989

STATEMENT OF OBLIGATIONS

**NORTH EAST CATCHMENT
MANAGEMENT AUTHORITY**

STATEMENT OF OBLIGATIONS

INTRODUCTION

This Statement of Obligation ('Statement') is issued under the provisions of the *Water Act 1989* and relates to existing function, responsibilities and powers of CMAs under the *Water Act* as well as associated government policy. It includes new responsibilities for the management of the environmental water reserve. It has been developed to:

- Clarify the manner in which CMA activities should be undertaken and the level to which CMA activities should be performed, by specifying obligations which relate to the performance of broad legislative functions and policy responsibilities; Specify which obligations are mandatory in the operation of a CMA and which obligations must be performed to the extent that funding is provided; and
- Reflect an integrated and sustainable approach to the management of river health.

This Statement does not derogate from current legislation.

Changes are proposed to the *CALP Act 1994* which will enable the issue of a Statement under that Act. Following that a revised integrated version of the Statement that will include responsibilities under both the *CALP Act* and the *Water Act* will be issued.

The Statement will be reviewed in 12 months after the initial release of the integrated Statement, after which it will be reviewed on an 'as needs' basis.

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STATEMENT OF OBLIGATIONS

PART 1 – PRELIMINARY	
1	Commencement and Term
1.1	This Statement of Obligations commences on 19 October 2006 and operates until it is revoked.
2	Authorising Provision
2.1	Parts 3 to 7 of this Statement of Obligations are issued by the Minister for Water under section 186A of the <i>Water Act 1989</i> .
3	Purpose
3.1	The purpose of this Statement is to impose obligations on the Authority in relation to the performance of its functions and exercise of its powers under the <i>Water Act 1989</i> .
4	Definitions of Terms and Interpretation
4.1	The definitions of the terms contained in Schedule A of this Statement apply in this Statement.
4.2	<p>The following rules also apply in interpreting this Statement, except where the content makes it clear that a rule is not intended to apply.</p> <p>(a) Terms defined in the <i>Water Act 1989</i> and the <i>Catchment and Land Protection Act 1994</i> have the same meaning in this Statement.</p> <p>(b) Whenever this Statement requires the Authority to make something "available to the public", the Authority must:</p> <ul style="list-style-type: none"> (i) publish that thing on the Authority's website; (ii) make a copy of the thing available for inspection at each of the Authority's offices; (iii) provide a copy on request and, at the discretion of the Authority, for a charge that covers the fair and reasonable costs of making the copy available. <p>(c) Whenever this Statement requires an Authority to "develop" something, the Authority must be taken to have complied with that obligation if it has already developed the thing before this Statement commenced.</p>
5	Performance of Activities
	<p>Activities undertaken in accordance with this Statement shall be performed as follows:</p> <p>a) Activities outlined in Parts 3, 4, 8 and clauses 6, 8, 20, 24.1, 24.2, 24.3, 24.5, 26, 27, 28.3, 28.4, 28.6, 29.2 and 31.4 (indicated with an #) shall be performed to the level outlined in this Statement and will be funded annually out of corporate allocations and statutory allocations (including funds for environmental water reserve management).</p> <p>b) All other Activities in the Statement shall be performed to the level outlined in the current Service Level Agreement and any contract or agreement between the Department and the Authority relating to the funding of an activity.</p>
6	Availability of Statement
6.1	The Authority shall make this Statement available to the public.
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PART 2- GENERAL	
7	Guiding Principles
7.1	<p>In performing its functions and providing its services an Authority shall:</p> <ul style="list-style-type: none"> (a) Facilitate and coordinate the management of catchments in an integrated and sustainable manner; (b) Take a sustainable approach by balancing environmental, social and economic considerations; (c) Plan and make decisions within an integrated catchment management context: <ul style="list-style-type: none"> • recognising the integral relationship between rivers, their catchments and coastal systems; • using the best available scientific information; • targeting resources to address priorities and deliver maximum improvement in resource condition; (d) Provide opportunities for community engagement in the integrated management of catchments including rivers and related water and land ecosystems; (e) Develop strategic partnerships with other relevant authorities and government agencies; (f) Promote and apply a risk management approach for natural assets which seeks to preserve the quality of the natural assets; (g) Promote and adopt an adaptive approach to integrated catchment management, including continuous review, innovation and improvement; (h) Manage business operations in a prudent, efficient and responsible manner; (i) Act as the caretaker of river health and provide regional leadership on issues relating to river health; and (j) Undertake the operational management of the Environmental Water Reserve as a key component of an integrated program of river, wetland, floodplain and aquifer restoration.
8	Ministerial Requests
8.1 #	The Authority shall respond to Ministerial requests for information on matters related to CMA business in a timely manner.
PART 3 – GOVERNANCE	
9	Authority Operations
9.1 #	The Authority shall operate within the requirements of the Governance Guidelines for the Department's statutory authorities.
9.2 #	The Authority shall review its performance periodically and provide a report to the Department as directed by the Secretary.
10	Corporate Plans
10.1 #	The Authority shall develop and implement a Corporate Plan in accordance with relevant legislative and subordinate instruments and any guidelines issued by the Ministers.
11	Annual Reporting
11.1 #	The Authority shall develop an Annual Report detailing the Authority's activities and financial position in accordance with any relevant legislative and subordinate instruments and any Government guidelines.

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12	Performance Monitoring
12.1 #	The Authority shall ensure that appropriate and effective processes and systems are in place to monitor its financial, social and environmental performance.
13	Management of Authority Funds
13.1 #	The Authority shall manage the relevant investment of Government funds in the region's natural resource management program in the manner outlined in its Service Level Agreement, the Financial Management Compliance Framework and all relevant legislative and sub-ordinate instruments.
13.2 #	The Authority shall manage its business operations in compliance with the Financial Management Compliance Framework and all relevant legislative and sub-ordinate instruments.
13.3 #	The Authority shall administer community grants on behalf of the Minister for Water to assist in the implementation of the Regional River Health Strategies, sustainable water management, flood and drainage programs in accordance with all relevant legislative and subordinate instruments and any guidelines issued by the Secretary.
14	Managing Risks
14.1 #	The Authority shall develop risk management systems and processes to effectively manage strategic, operational and financial risks in accordance with the Financial Management Compliance Framework, all relevant legislative and sub-ordinate instruments and industry standards.
15	Managing Assets
15.1 #	The Authority shall develop and maintain a comprehensive register of all relevant assets in accordance with the Financial Management Compliance Framework and all relevant legislative and sub-ordinate instruments.
15.2 #	The Authority shall develop and implement systems to manage and maintain its assets and supply its services in a sustainable manner.
PART 4 – COMMUNITY ENGAGEMENT	
16	General
16.1 #	The Authority shall develop, maintain and enhance strategic partnerships with regional service deliverers for implementation of Regional River Health Strategies, floodplain and drainage programs.
16.2 #	The Authority shall establish and maintain community engagement committees on an ongoing basis to: <ul style="list-style-type: none"> a) Provide advice to the Authority on the development and implementation of the Regional River Health Strategies, floodplain and drainage programs; and b) Act as a communication link with relevant stakeholder groups and the community.
16.3 #	The Authority shall make available to the public: <ul style="list-style-type: none"> a) Information about the catchment and waterway management services and b) relevant educational material
17	Communication Advice to Minister
17.1 #	The Authority shall advise the Minister for Water of appropriate opportunities to communicate issues and outcomes relating to catchment management, river health and the environmental water reserve.

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PART 5 – INTEGRATED REGIONAL PLANNING AND COORDINATION	
18	Regional Catchment Strategy (RCS)
18.1	The Authority shall provide input on regional river health, floodplain and regional drainage priorities and programs to the development of the RCS.
19	Regional Catchment Investment Process (RCIP)
19.1	The Authority shall include the planning works programs for regional river health, floodplain and regional drainage programs in the submission of the annual RCIP and other relevant funding processes to the Department.
20	Local Government Planning
20.1 #	<p>The Authority shall participate in the periodic review, continuous improvement and implementation of municipal planning schemes and in particular:</p> <p>a) any Local Planning Policy Framework; and</p> <p>b) any Municipal Strategic Statement;</p> <p>which may affect, or be affected by, the Authority's area, responsibilities or activities.</p> <p>A principal objective of the Authority's participation will be to promote consistency of any strategy or scheme with its planning and programs for the implementation of regional river health, floodplain and regional drainage programs.</p>
PART 6 – CARETAKER OF RIVER HEALTH	
21	Regional River Health Strategy
21.1	The Authority shall develop a Regional River Health Strategy according to guidelines issued by the Secretary.
22	River Health Action Plans
22.1	<p>For priority areas identified in the Regional River Health Strategy, the Authority shall, in consultation with relevant stakeholders and the community, develop and coordinate the implementation of, relevant action plans, in accordance with guidelines issued by the Secretary, which may include:</p> <p>a) water quality management action plans; and</p> <p>b) waterway management action plans.</p>
23	River Health Work Programs
23.1	The Authority shall develop and implement on-ground river restoration works programs to implement the priorities of the Regional River Health Strategy and related river health action plans.
23.2	The Authority shall include the works programs outlined in 23.1 in the submission of the annual RCIP to the Department.
23.3	The Authority shall manage the part of the Barwon River in Geelong and surrounding land vested in the Authority for which the Authority has been appointed to manage, by the Minister administering the <i>Water Act 1989</i> , in accordance with the relevant Order. ¹
23.4	The Authority shall consult with the Department's public land managers in development of any plans, programs or schemes which are on a Crown frontage.

¹This will only apply to Corangamite Catchment Management Authority and reflects the provision in the Ministerial Order dated 25 June 1999.

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24	Approvals, Referrals and Advice
24.1 #	The Authority shall authorise works on waterways and exercise enforcement powers in accordance with the CMA Waterways Protection By-law.
24.2 #	The Authority shall act as a referral body for any: <ul style="list-style-type: none"> - application for a licence to construct works; and - application for a licence to take and use water; referred to it by the Minister for Water in respect of a dam in accordance with relevant legislation.
24.3 #	The Authority shall provide advice on planning referrals which relate to waterway, water quality and any other river health issues when requested by local government.
24.4	The Authority shall advise the Department on conditions for licences in respect of Crown frontages.
24.5 #	The Authority shall provide advice to rural and urban water authorities local government and State Government agencies on aspects of their business, or matters which they are handling, which impact on river health.
25	Heritage River Areas
25.1	The Authority shall incorporate the requirements relating to Heritage River Areas into the development and implementation of Regional River Health Strategies.
26	Management of the Environmental Water Reserve (EWR)
26.1 #	The Authority shall integrate the management of the EWR into the development of the Regional River Health Strategy, action plans and integrated river works programs.
26.2 #	In all its river health planning and works programs, the Authority shall aim to: <ul style="list-style-type: none"> a) achieve the most effective use of the EWR; b) achieve the greatest level of environmental benefits practicable; and c) minimise, as far as possible, any adverse impacts on water users.
26.3 #	The Authority shall liaise with: <ul style="list-style-type: none"> a) the storage operator to negotiate the most effective release pattern for the EWR, and access to its distribution system, in regulated systems including during drought; and b) surface water and groundwater licensing authorities to negotiate the most effective surface water and groundwater extraction regime.
26.4 #	Where the EWR includes an environmental entitlement and the Authority is appointed as the environmental manager of the environmental entitlement by the Minister for Environment, the Authority shall: <ul style="list-style-type: none"> a) Develop a multi-year Environmental Operating Strategy for the environmental entitlement according to guidelines developed by the Secretary; b) Seek endorsement from both the Minister for Water and Minister for Environment for the Environmental Operating Strategy; c) Develop and implement an Annual Watering Plan in line with the Environmental Operating Strategy; d) Seek endorsement from both the Minister for Water and Minister for Environment for the Annual Watering Plan; e) Work with the storage operator and where relevant, the Department's regional officers and land managers to ensure provision of water and management of relevant structures according to the Annual Watering Plan; f) Manage any costs associated with the management and delivery of the EWR; g) Provide advice to the Minister of Environment through the Secretary on any temporary trade of the EWR.

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26.5 #	The Authority shall advise the Department annually on the distribution and headworks costs associated with managing the EWR.
26.6 #	The Authority shall report annually to the Secretary on the consistency of the management of the EWR with the requirements of the State Water Accounts.
26.7 #	The Authority shall receive approval from the Secretary where the Authority, whether acting in its own capacity or as a delegate of the Minister for Environment, intends to: <ul style="list-style-type: none"> • purchase a water share • transfer ownership of a water share • assign a limited-term transfer of a water share • assign a water allocation under a water share or an environmental entitlement
26.8 #	Any water shares that the Authority purchases shall be included in, and managed in accordance with, the Annual Watering Plan.
26.9 #	The Authority shall liaise with the storage operator to maximise benefits to the EWR resulting from the timing, volume and location of the release of water in the consumptive entitlements.
27	Water Allocation Processes
27.1 #	The Authority shall provide input into the development of Sustainable Water Strategies on: <ul style="list-style-type: none"> • Requirements and priorities for enhancing the EWR in high priority river and wetland systems and groundwater dependent ecosystems; • River health and water quality issues; • Potential large-scale land use changes in catchments; and • Opportunities and implications for regional development.
27.2 #	The Authority shall input into the development of streamflow management plans and groundwater management plans from a river health perspective and coordinate their implementation.
27.3 #	The Authority shall provide input to bulk entitlements, groundwater management plans, water savings projects, irrigation reconfiguration plan and any other water allocation processes from a river health perspective.
27.4 #	The Authority shall prepare regionally specific irrigation development guidelines which are consistent with the Statewide Irrigation Development Guidelines for approval by the Minister for Water.
27.5 #	The Authority shall advise the Minister for Water on conditions and objectives for water-use licences in accordance with relevant legislation, where requested by the Minister for Water.
27.6 #	The Authority shall report on the implementation of management plans for Water Supply Protection Areas, including groundwater and stream flow management plans in the annual report.
28	Floodplain Management
28.1	The Authority shall develop and coordinate the implementation of regional plans for floodplain management.
28.2	For priority areas in the regional floodplain plan, the Authority shall: <ul style="list-style-type: none"> • Undertake flood studies, develop floodplain management action plans and implement floodplain management works; and • Report to the Department on the progress of these activities in accordance with relevant funding agreements.

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28.3 #	The Authority shall provide advice about flooding and controls on planning scheme amendments, and planning and building approvals to local councils in its capacity as a referral body in accordance with relevant legislation.
28.4	The Authority shall declare the flood level where a flood study has been carried out and an appropriate flood level determined.
28.5 #	The Authority shall coordinate the collection of appropriate flood data following a significant flood event and make it available to the public.
28.6	The Authority shall participate and provide technical assistance and support for studies, plans and works undertaken by local government and other authorities to ensure that best practice outcomes are achieved.
28.7	The Authority shall assist local government in developing and maintaining their flood sub-plans under the Municipal Emergency Management Plans where appropriate.
29	Management of Regional Drainage
29.1	The Authority shall develop and coordinate the implementation of a regional plan for drainage management including establishing the roles of implementing authorities.
29.2 #	The Authority shall implement, operate and protect the regional drainage schemes and works which the Authority has been appointed to assume responsibility for by an Order made under s.98 <i>Water Act 1989</i> , in accordance with that Order.
30	Monitoring and Reporting on River Health
30.1	The Authority shall report to the Minister for Water on the implementation of Regional River Health Strategies, related action plans and resource condition in accordance with the Service Level Agreement and any guidelines issued by the Secretary.
30.2	The Authority shall benchmark and report to the Secretary on river condition in accordance with guidelines issued by the Secretary.
30.3	The Authority shall participate in the Regional Water Resource Monitoring Partnership and implement their role as outlined in the regional Water Monitoring Project Co-operative Arrangement.
31	Responding To Natural Disasters, Incidents And Emergencies
31.1	The Authority shall develop, maintain and implement a Flood Response Action Plan and review it annually.
31.2	The Authority shall develop and implement river related restoration works programs following natural disasters such as bushfires or floods.
31.3	The Authority shall participate in the development of regional blue-green algal blooms contingency plans.
31.4 #	The Authority shall liaise with local government and state emergency services on flooding and emergency management issues.
32	Community Participation and Awareness
32.1	The Authority shall undertake programs to encourage community engagement and participation in: <ul style="list-style-type: none"> (a) river health programs; (b) the management of the EWR; and (c) the monitoring of river health.

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32.2	The Authority shall develop and implement community education programs on river health and the management of the EWR.
32.3	The Authority shall promote community awareness of flood risks.
32.4	The Authority shall develop, implement and maintain strategic partnerships with rural and urban water authorities for the implementation of the Regional River Health Strategy.
PART 7 – INNOVATION AND KNOWLEDGE SHARING	
33.1	<p>The Authority shall:</p> <ul style="list-style-type: none"> a) identify the Authority’s research and capability needs; b) support investment in research and capability building, where doing so would improve the implementation of the RCS and its sub strategies; c) participate in processes or projects aimed at generating and sharing knowledge on integrated catchment management including river health, management of the EWR, flooding and drainage; and d) participate in the setting of statewide priorities
PART 8 – COMPLIANCE	
34	General Compliance
34.1 #	The Authority shall monitor compliance with its obligations under Parts 3 to 7 inclusive of this Statement.
34.2 #	<p>If the Authority becomes aware of a material failure to comply with:</p> <ul style="list-style-type: none"> a) an obligation under Parts 3 to 7 of this Statement; or b) a requirement of the Service Level Agreement and any contract or agreement between the Department and Authority to which this Statement relates; <p>the Authority shall give the Minister for Water a written report, within 30 days of becoming aware of the failure, that includes:</p> <ul style="list-style-type: none"> (a) the nature of and reason for the failure; and (b) a proposed plan of action to prevent the failure re-occurring.
34.3 #	The Authority shall make any variation to the plan of action referred to in sub-clause 34.2 as requested in writing by the Minister for Water.
34.4 #	<p>The Authority shall:</p> <ul style="list-style-type: none"> (a) implement the plan of action referred to in sub-clause 34.2, as varied by the Minister for Water; and (b) report its progress in implementing the plan, whenever the Minister for Water requests in writing; and (c) summarise the contents of any report made under sub-clause 34.2 and its progress in implementing the plan in its annual report.
35	Other Audits and Reviews
35.1 #	The Authority shall, when requested by the Department, arrange for an audit or review of any matter specified by the Minister for Water in relation to the performance of its functions and the exercise of its powers.
35.2 #	The Authority shall respond to audits or reviews of any aspect of their activities undertaken by the Department as requested.

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SCHEDULE A:

DEFINITIONS

Only terms not defined in the *Catchment and Land Protection Act 1994* or *Water Act 1989* are defined in this Schedule.

The following definitions apply in this Statement:

“**Annual Watering Plan**” means an annual plan developed by the Authority and endorsed by the Minister for the Environment to manage the environmental entitlement on an annual basis in manner consistent with the Environmental Operating Strategy.

“**Asset**” means any real property owned by the Authority.

“**Authority**” means a Catchment Management Authority established under Part 2 of the *Catchment and Land Protection Act 1994*.

“**Corporate Allocation**” means funds provided by the Department to the Authority for corporate activities as outlined in the Service Level Agreement.

“**Corporate Plan**” means a plan drafted in accordance with ss.247 and 248 *Water Act 1989*.

“**Crown Frontage**” means Crown land (including land temporarily or permanently reserved which has a frontage to a watercourse) within the meaning of Part XII of the Land Act 1958.

“**Department**” means the Department of Sustainability and Environment.

“**Environmental Operating Strategy**” means a plan developed by an Authority and endorsed by the Minister for Environment which outlines the long term management of the environmental water reserve.

“**Financial Management Compliance Framework**” means the framework implemented by the Department of Treasury and Finance on 1 July 2003, which provides a framework for the compliance of Victorian Public Service entities with the Financial Management Package. The framework can be found at www.fmkc.dtf.vic.gov.au.

“**Financial Management Package**” means the framework released by Department of Treasury and Finance titled the ‘Financial Management Package’ which includes key financial legislation, namely the *Financial Management Act 1994* and the *Audit Act 1994*, and their sub-ordinate instruments.

“**Flood Response Action Plan**” means a plan developed by the Authority in accordance with Departmental guidelines to manage the Authority’s response to a flood.

“**Governance Guidelines**” means the guidelines issued by the Secretary of the Department that relate to a framework for the Governance of statutory authorities operating in the Department’s portfolios.

“**Groundwater Management Plan**” means a management plan prepared in accordance with ss.31, 32 and 32A of the *Water Act 1989* relating to the management of groundwater.

“**Headworks**” mean dams, weirs and associated works used to harvest and supply water.

“**Heritage River Area**” is an area listed in Schedule 1 of the *Heritage Rivers Act 1992*.

“**Irrigation Reconfiguration Plan**” means a plan developed by Rural Water Authorities to manage the rationalisation of irrigation water distribution systems.

“**Land and Water Management Plan**” means a plan developed by an Authority in partnership with relevant stakeholders to address priority catchment management issues in the Regional Catchment Strategies which relate to private land.

“**Levee**” means an embankment raised to prevent a river from overflowing.

“**Local Planning Policy Framework**” means a framework developed by Local Government in accordance with the Victorian Planning Provisions which comprises of the Municipal Strategic Statement and local planning policies through which it identifies long term directions about land use and development in the municipality and provides the rationale for the zone and overlay requirements and particular provisions in the local planning scheme.

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“**Minister for Environment**” means the Minister administering the *Catchment and Land Protection Act 1994*.

“**Minister for Water**” means the Minister administering the *Water Act 1989*.

“**Ministers**” means both the Minister for Environment and the Minister for Water.

“**Municipal Strategic Statement**” means a statement developed in accordance with s.12A of the *Planning and Environment Act 1987*.

“**Natural asset**” means a biophysical attribute of a natural system that has a measurable value.

“**Planning Scheme**” means a scheme developed in accordance with section 6 of the *Planning and Environment Act 1987*.

“**Regional Catchment Investment Plan**” means the annual investment framework drafted by each Authority and associated bodies engaged in natural resource management, that documents an Authority’s project and project deliverables with the aim of implementing Regional Catchment Strategy targets.

“**Regional Management Plan**” means a plan drafted and approved by the Department to implement overarching State Government natural resource management strategies.

“**Regional River Health Strategy**” means a strategy developed by an Authority in order to implement the Victorian River Health Strategy and has been endorsed by the Minister for Water.

“**Regional Water Resource Monitoring Partnership**” means the partnership outlined in the Regional Agreement for Water Monitoring Project Co-operative Arrangements for the North East, North West, and South West and Gippsland regions in Victoria.

“**Relevant legislation**” includes the *Water Act 1989*, *Catchment and Land Protection Act 1994*, *Environment Protection Act 1970*, *Planning and Environment Act 1987*, *Financial Management Act 1994*, *Audit Act 1994* and the *Public Administration Act 2004*.

“**River**” includes a channel; the riparian zone which includes the land that adjoins, regularly influences or is influenced by the river, including a regularly wetted floodplain and associated floodplain wetlands; and an estuary or terminal lake.

“**Rural Water Authority**” has the same as definition as in s.4A of the *Water Industry Act 1994*.

“**Secretary**” means the person occupying or acting in the position of Secretary of the Department of Sustainability and Environment.

“**Service Level Agreement**” means the annual agreement between the Department and the Authority relating to regional catchment investment plan projects that is called a ‘Service Level Agreement’.

“**State Water Accounts**” means the annual report on the water availability, allocation and use of surface water, groundwater and recycled water in all of Victoria’s river basins developed by the Department and endorsed by the Minister for Water as part of the State Water Report.

“**Streamflow Management Plan**” means a management plan prepared in accordance with ss.31, 32 and 32A of the *Water Act 1989* relating to the management of surface water in unregulated systems.

“**Statement**” means this Statement of Obligations.

“**Statewide Irrigation Development Guidelines**” means the guidelines issued by the Minister for Water called the “Statewide Irrigation Development Guidelines”.

“**Statutory Allocation**” means funds provided by the Department to the Authority for the performance of statutory functions.

“**Storage operator**” means an individual appointed as a storage operator under s.43A of the *Water Act 1989*.

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“**Subordinate instrument**” has the same meaning as prescribed under s.38 *Interpretation of Legislation Act 1984* which is ‘an instrument made under and Act-

(a) that is a statutory rule; or

(b) that is not a statutory rule but—

(i) contains regulations, rules, by-laws, proclamations, Orders in Council, orders or schemes; or

(ii) is of a legislative character.’

“**Sustainable Water Strategy**” means a strategy prepared in accordance with Part 2, Division 1B of the *Water Act 1989*.

“**Victorian Action Plan for Second Generation Landcare**” means the plan developed by the Second Generation Landcare Taskforce titled “Healthy Landscapes: Sustainable Communities” which outlines the agenda for Landcare in Victoria for the next decade and was endorsed by the Minister for Environment in 2002.

“**Water Allocation Process**” means a process through which unallocated water is allocated for a consumptive or environmental purpose as outlined in Divisions 1 and 2 of Part 4 the *Water Act 1989*.

“**Water Monitoring Project Co-operative Arrangement**” means an agreement made between the Department and parties undertaking water resource monitoring within the Gippsland, North East, North West and South West regions which defines the responsibilities of the partner organisations and contract manager for the agreed monitoring project.

“**Water Savings Project**” means a project partially funded by the Victorian Government which results in the saving of water which may then be allocated for environmental or consumptive purposes.

“**Water Supply Protection Area**” means an area declared to be a water supply protection area under s.27 of the *Water Act 1989*.

“**Waterways Protection By-law**” means the CMA by-law called the Waterways Protection By-law established under ss.160-161 and s.219 of the *Water Act 1989*.