



Victoria Government Gazette

No. S 192 Wednesday 22 December 1999
By Authority. Victorian Government Printer

SPECIAL

**Planning and Environment Act 1987
Planning and Environment (Planning
Schemes) Act 1996**

MILDURA PLANNING SCHEME

Notice of Approval of Planning Scheme

The Minister for Planning has approved the new Mildura Planning Scheme.

The planning scheme comes into operation on the date this notice is published in the Government Gazette.

The planning scheme affects all of the area of the municipal district of the Mildura Rural City Council.

The new Mildura Planning Scheme, as required by the **Planning and Environment (Planning Schemes) Act 1996**, includes selected State standard provisions from the Victoria Planning Provisions, including the state policy framework, various zones and overlays, particular provisions relating to use and development, administrative provisions and definitions. The new planning scheme also includes a municipal strategic statement, local policies and schedules to some of the zones, overlays and other provisions. The new scheme also incorporates a number of documents specified in the planning scheme, and contains new maps applying the standardised zones and overlays to land within the area covered by the scheme.

Any planning scheme or any part of a planning scheme in force immediately before the commencement of the new Mildura Planning Scheme is revoked to the extent that it applies to the area covered by the new Mildura Planning Scheme. Any amendment to a planning scheme or any part of a planning scheme which is revoked lapses.

A copy of the new planning scheme can be inspected, free of charge, during office hours, at: Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000; Department of Infrastructure, Western Region, 1315 Sturt

Street, Ballarat, Vic. 3350 and Mildura Rural City Council, 108-116 Madden Avenue, Mildura, Vic. 3502.

LEIGH PHILLIPS

Director, Planning Operations
Planning, Building and
Heritage Division
Department of Infrastructure

**Planning and Environment Act 1987
Planning and Environment (Planning
Schemes) Act 1996**

KINGSTON PLANNING SCHEME

Notice of Approval of Planning Scheme

The Minister for Planning has approved the new Kingston Planning Scheme.

The planning scheme comes into operation on the date this notice is published in the Government Gazette.

The planning scheme affects all of the area of the municipal district of the City of Kingston and the area of Port Phillip Bay between the municipal boundary of the City of Kingston and an imaginary parallel line 600 metres seaward from the municipal boundary.

The new Kingston Planning Scheme, as required by the **Planning and Environment (Planning Schemes) Act 1996**, includes selected State standard provisions from the Victoria Planning Provisions, including the state policy framework, various zones and overlays, particular provisions relating to use and development, administrative provisions and definitions. The new planning scheme also includes a municipal strategic statement, local policies and schedules to some of the zones, overlays and other provisions. The new scheme also incorporates a number of documents specified in the planning scheme, and contains new maps applying the standardised zones and overlays to land within the area covered by the scheme.

Any planning scheme or any part of a

planning scheme in force immediately before the commencement of the new Kingston Planning Scheme is revoked to the extent that it applies to the area covered by the new Kingston Planning Scheme. Any amendment to a planning scheme or any part of a planning scheme which is revoked lapses.

A copy of the new planning scheme can be inspected, free of charge, during office hours, at: Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and Kingston City Council, Mentone Offices, corner Mentone Parade & Brindisi Street, Mentone and Moorabbin Offices, 999 Nepean Highway, Moorabbin.

LEIGH PHILLIPS
Director, Planning Operations
Planning, Building and
Heritage Division
Department of Infrastructure

Street, Melbourne and at the planning office of the Greater Bendigo City Council, 15 Hopetoun Street, Bendigo.

LEIGH PHILLIPS
Director, Planning Operations
Planning, Building and
Heritage Division
Department of Infrastructure

Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME
Notice of Approval of Amendment
Amendment L82

The Minister for Planning has approved Amendment L82 to the Greater Bendigo Planning Scheme.

The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment rezones a 1.562 hectare parcel of vacant land at 45 Harpin Street, East Bendigo, from Special Use 1 (Private Educational or Religions Institution) to Business 4 Zone, to allow for expansion of the adjoining Intervet veterinary vaccine manufacturing facility. Intervet has acquired the subject land and has facilitated use of adjoining residential-zoned land to the west of the facility as a landscaped buffer between the facility and nearby residential land.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins

ELIZABETH THE SECOND BY THE GRACE OF GOD QUEEN OF AUSTRALIA
AND HER OTHER REALMS AND TERRITORIES, QUEEN,
HEAD OF THE COMMONWEALTH

To: Lex Lasry QC

GREETINGS:

WHEREAS:

A.

1. In April 1997, the Auditor-General transmitted to the Presiding Officers of the Victorian Parliament Special Report No 49 entitled "Metropolitan Ambulance Service: Contractual and Outsourcing Practices" ("the Report").
2. In the Report, the Auditor-General raised many concerns about the probity of contractual and outsourcing arrangements at the Metropolitan Ambulance Service ("the Service") during the period April 1993 to March 1995, and also reported on the absence of key documentation concerning critical management decisions of the Service which was sought to be examined during his audit.

B.

1. Pursuant to the contract dated 7 June 1995 between Intergraph BEST (Vic) Pty Ltd (ACN 068 119 559) ("Intergraph"), the Hon. Patrick John McNamara MLA (for the Victoria Police Force and for the Victoria State Emergency Service), the Metropolitan Fire Brigades Board, the Country Fire Authority and the Service, Intergraph is obliged, in managing the new computerised ambulance dispatch system to which that contract relates, to meet certain Customer Specified Service Standards ("CSSS") which, in part, concern the time within which calls to Intergraph are answered.
2. Between June 1997 and July 1998, Intergraph staff may have been directed to make telephone calls to Intergraph at particular times, the purpose of which was to enable Intergraph to appear to meet certain standards included in CSSS.
- C. Certain requests under the **Freedom of Information Act 1982** for the release of documents relating to contracts or outsourcing practices affecting the Service may have been dealt with otherwise than in a legal and proper manner.
- D. The Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council has deemed it expedient that a Commission should issue to you in the terms set out below.

NOW THEREFORE the Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council and acting pursuant to section 88B of the **Constitution Act 1975**, appoints you, Lex Lasry QC to be our Commissioner.

FOR THE PURPOSE of inquiring into and reporting upon the following matters:

1. Whether, in connection with what is described in the Report as the development and implementation of a computerised communications system for the Service, there has been illegal or improper conduct by any person or any other company, business, legal entity or agency including but not limited to:
 - (a) failing to disclose relevant documents when required to do so, or
 - (b) removal, secreting or destruction of relevant documents to avoid disclosure.
2. Whether, in connection with what is described in the Report as the consulting and outsourcing arrangements made for or on behalf of the Service including arrangements for any commercial review of the operation of the Service and its arrangements with Griffiths Consulting Pty Ltd, there has been illegal or improper conduct by any person or any other company, business, legal entity or agency including but not limited to:
 - (a) failing to disclose relevant documents when required to do so, or

- (b) removal, secreting or destruction of relevant documents to avoid disclosure.
3. Whether, in connection with what is described in the Report as the other outsourcing arrangements made for or on behalf of the Service including:
- (i) management information systems and subscriptions systems;
 - (ii) outsourcing of fleet management and maintenance;
 - (iii) outsourcing on non-emergency services.
- there has been illegal or improper conduct by any person or any other company, business, legal entity or agency including but not limited to:
- (a) failing to disclose relevant documents when required to do so, or
 - (b) removal, secreting or destruction of relevant documents to avoid disclosure.
4. Whether, in connection with:
- (i) the arrangements entered into by the Service pursuant to which salary payments by the Service for the benefit of John James Firman or Donald Arthur Cameron were paid to Pinelow Pty Ltd;
 - (ii) the circumstances of the appointment by the Service and payments to Pinelow Pty Ltd to assist the Service with the management of changes within the Service and related training and development activities.
- there has been illegal or improper conduct by any person or any other company, business, legal entity or agency including but not limited to:
- (a) failing to disclose relevant documents when required to do so, or
 - (b) removal, secreting or destruction of relevant documents to avoid disclosure.
5. Whether between June 1997 and July 1998 any member of the staff of Intergraph was directed to make telephone calls to Intergraph for the purpose of enabling Intergraph to appear to meet certain standards included in CSSS or for the purpose of increasing the entitlements of Intergraph under its contract with the Service in any other manner.
6. If directions of the kind referred to in paragraph 5 hereof were given:
- (a) by whom and to whom were such directions given;
 - (b) was the direction in breach of the contractual obligations of Intergraph;
 - (c) was the giving of the direction illegal or improper;
 - (d) whether the management of the Service and/or any department or agency of the State of Victoria were informed that such direction had been given;
 - (e) whether any action was taken as a result of any information referred to in paragraph (b) hereof by the Service and/or any department or agency of the State of Victoria;
 - (f) whether the making of telephone calls as a result of any such direction in fact resulted in Intergraph being able to appear to meet certain standards included in CSSS or in any way resulted in the entitlements of Intergraph under its contract with the Service being increased.
7. Whether there has been any illegal or improper failure by any person to release or disclose documents or any other improper conduct in relation to the following requests under the **Freedom of Information Act 1982**:

A. Request to the Metropolitan Ambulance Service

Applicant	Date	Request
J Thwaites	3 May 1994	"All documents relating to the contracting out of non-emergency ambulance services including any contracts entered into, work descriptions, expressions of interest, invoices, and amounts paid."

J Thwaites	22 December 1994	"All documents since 3 May 1994 relating to the contracting out of non-emergency ambulance services including any contracts entered into, work descriptions, expressions of interest, invoices and amounts paid."
J Thwaites	26 June 1995	"All documents since 22 December 1994 relating to the contracting out of non-emergency ambulance services including any contracts entered into, work descriptions, expressions of interest, invoices and amounts paid."
J Thwaites	30 May 1997	"Any documents from the Minister for Health, the former Minister for Health Mrs Tehan, any of their staff or the Department of Human Services (or Department of Health and Community Services) relating in any way to the ministerial briefing note of 19 February 1996 (attached) including (but not limited to) any advice in relation to the four ministerial briefing notes relating to contracting out non-emergency stretcher transport referred to in paragraph 3 of the ministerial briefing note of 19 February 1996."
J Thwaites	30 May 1997	"All documents relating to the four ministerial briefing notes referred to in paragraph 3 in the ministerial briefing note of 19 February 1996 (attached) including any internal memoranda advising that the four ministerial briefing notes had been located, any memoranda relating to the proposed release of the four ministerial briefing notes, any instructions or memoranda in relation to the non-release of the four ministerial briefing notes, any documents explaining why the four ministerial briefing notes were not released, any legal advice in relation to the ministerial briefing notes, and any file records, diary notes or other records in relation to the four ministerial briefing notes."
J Thwaites	1 September 1998	"All documents relating to the legal advice given by Mallesons Solicitors in or about February 1996 in relation to four Ministerial Briefing Notes relating to non-emergency transport which had not been revealed at the Administrative Appeals Tribunal hearing at which the MAS had proposed to release to me in March 1996."

B. Request to the Victoria Police

M Forbes	6 April 1999	"all documents relating to the Victoria Police investigation into the integrity of processes used by the Metropolitan Ambulance Service during 1993-1995 to implement major outsourcing and other contractual arrangements. The material we seek includes briefs of evidence forwarded to the DPP."
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8. If any illegal or improper failure is found to have occurred in relation to any of the requests specified in paragraph 7, you may inquire as to whether there has been any illegal or improper failure by any person to release or disclose documents relating to contracts or outsourcing practices affecting the Service and required to be released pursuant to other requests under the Freedom of Information Act 1982.
9. Whether there has been any illegal or improper conduct in dealing with the Ministerial Briefing Note from the Service to the Minister for Health dated 19 February 1996 and the attachments thereto.

AND WE direct you to make such recommendations arising out of your inquiry as you consider appropriate, including recommendations regarding any legislative or administrative changes that are necessary or desirable.

AND WE do by these presents give and grant you full power and authority to call before you such person or person as you shall judge likely to afford you any information upon the subject of this Our Commission, and to inquire of and concerning the premises by all other lawful ways and means whatsoever.

AND WE will and command that this our Commission shall continue in full force and virtue and that you shall and may from time to time and at every place or places proceeding the execution thereof, and of every matter and thing therein contained although the same be not continued from time to time by adjournment.

AND WE direct you to conduct your inquiry as expeditiously as possible and, not later than 5 July 2000 or such later date as WE may be pleased to fix, to furnish US a report of your inquiry and of your recommendations and to provide US with any interim report that you may consider necessary or desirable at such earlier time that you may consider appropriate.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Seal of our State to be here affixed.

WITNESS His Excellency the Honourable Sir James Augustine Gobbo, Companion of the Order of Australia, Governor of Victoria and its dependencies in the Commonwealth of Australia at Melbourne this 21st Day of December One thousand nine hundred and ninety nine in the forty-eighth year of Our reign.

(L.S.)

JAMES GOBBO
By His Excellency's Command
STEVE BRACKS
Premier of Victoria

Entered on the record by me in the Register of Patents Book No 42 Page No 50 on the 21st day of December 1999.

BILL SCALES
Secretary, Department of Premier and Cabinet

Gazette Services

The *Victorian Government Gazette* (VGG) is published by The Craftsman Press Pty. Ltd. for the State of Victoria and is produced in three editions.

VGG General is published each Thursday and provides information regarding Acts of Parliament and their effective date of operation; Government notices; requests for tenders; as well as contracts accepted. Private Notices are also published.

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Subscriptions

VGG is available by three subscription services:

The Victoria Government Gazette

General and Special — \$170.00 each year

General, Special and Periodical — \$227.00 each year

Periodical — \$113.00 each year.

Subscriptions are payable in advance and accepted for a period of one year. All subscriptions are on a firm basis and refunds will not be given.

All payments should be made payable to

The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood Vic 3125

Telephone: (03) 9926 1233

Fax (03) 9926 1292

The Victoria Government Gazette is published by
The Craftsman Press Pty. Ltd. with the authority of the
Government Printer for the State of Victoria

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ISSN 0819-5471

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Address all inquiries to the Government Printer for the
State of Victoria

Government Information and Communications Branch

Department of Premier and Cabinet

Level 3, 356 Collins Street

Melbourne 3000

Victoria Australia

Subscriptions

The Craftsman Press Pty. Ltd.

125 Highbury Road, Burwood

Victoria, Australia 3125

Telephone enquiries: (03) 9926 1233

Facsimile (03) 9926 1292

Retail Sales

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356 Collins Street Melbourne 3000.

Telephone enquiries 1300 366 356

City Graphics

2nd Floor, 4 Bank Place

Melbourne 3000

Telephone enquiries (03) 9600 0977

Price Code A