



Victoria Government Gazette

No. G 37 Thursday 16 August 1999

GENERAL

GENERAL AND PERIODICAL GAZETTE

Copy to: Gazette Officer
The Craftsman Press Pty. Ltd.
125 Highbury Road,
Burwood Vic 3125
Telephone: (03) 9926 1233
Facsimile: (03) 9926 1292
DX: 32510 Burwood
Email: gazette@craftpress.com.au

Advertising Rates and Payment

Private Notices

Payment must be received in advance with advertisement details.

30 cents per word - Full page \$180.00.

Additional costs must be included in prepayment if a copy of the gazette is required. Copy Prices - Page

\$1.50 - Gazette \$3.20 Certified copy of Gazette \$3.50. (all prices include Postage). **Cheques should be made payable to The Craftsman Press Pty. Ltd.**

Government and Outer Budget Sector Agencies Notices

Not required to pre-pay.

Advertisements may be faxed or sent via email with a cover sheet, marked to the attention of the Gazette Officer.

Floppy Disks (Mac & PC) can also be accepted.

Costs can be calculated on the following basis:

Per Line	Typeset
Single column	\$1.55
Double column	\$3.10
Full Page	\$64.80

The Craftsman Press is pleased to offer a series of discounts from the typesetting costs.

1. Copy supplied on disk.
2. Copy supplied via email.
3. Artwork for forms and other material which require exact reproduction.

1. Copy supplied on disk.

Where a disk is supplied and there is minimum alteration required, **30% off.**

Where a disk is supplied requiring extraneous matter stripped out and styles applied, **20% off.**

2. Copy supplied via email.

Where a notice is sent via email and there is minimum alteration required, **25% off.**

Where email is supplied requiring extraneous matter stripped out and styles applied, **15% off.**

3. Artwork for forms and other material which requires exact reproduction.

Scanning and sizing of artwork for forms, to be reproduced in page format, **35% off.**

Copy Deadline for General Gazette

9.30 a.m. Monday - (Private Notices)

9.30 a.m. Tuesday - (Government and Outer Budget Sector Agencies Notices)

Advertisers should note:

- Late copy received at The Craftsman Press Pty. Ltd. after deadlines will be placed in the following issue of VGG, irrespective of any date/s mentioned in the copy (unless otherwise advised).
- Proofs will be supplied only when requested or at the direction of the Gazette Officer.
- No additions or amendments to material for publications will be accepted by telephone.
- Orders in Council may be lodged prior to receiving assent with the Governor's or Clerk's signature. They will only be published once approved and signed.
- Government and Outer Budget Sector Agencies please note: *See style requirements on back page.*

SPECIAL GAZETTES

Copy to: Gazette Officer
The Craftsman Press Pty. Ltd.
125 Highbury Road,
Burwood Vic 3125
Telephone: (03) 9926 1233
Facsimile: (03) 9926 1292
Email: gazette@craftpress.com.au

Advertising Rates and Payment

Private Notices

Full Page \$360.00

Payment must be received in advance with notice details.

Government and Outer Budget Sector Agencies Notices

	Typeset
Full Page	\$87.50

Note:

The after hours number for Special Gazettes is:
Telephone: 0419 327 321

SUBSCRIPTIONS AND RETAIL SALES

Copies of the Victoria Government Gazette can be purchased from The Craftsman Press Pty. Ltd. by subscription.

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

INDEX TO PRIVATE ADVERTISERS

A		J	
A.B. Natoli Pty .....	.2081	John Stewart .....	.2082
D		L	
Deacons Graham & James .....	.2081	Littleton Hackford .....	.2082
E		M	
Eales & Mackenzie .....	.2081	McKean & Park .....	.2082
		Meier Denison .....	.2083
		Mills Oakley .....	.2083
		Mitchell, Mackenzie & Co. ....	.2083
F		O	
Featherby's .....	.2081	Oakleys White .....	.2083
G		P	
Garden & Green .....	.2081	Pearsons .....	.2084
Gray, Friend & Long .....	.2082	Pearce Webster Dugdales .....	.2084
H		W	
Holding & Redlich .....	.2082	William Murray .....	.2084

PRIVATE ADVERTISEMENTS

SHIRLEY BERTHA GREENSMITH late of 1/20 Moodie Street, Carnegie, Victoria, deceased. Creditors, next of kin and others having claims in respect of the estate of the abovementioned deceased who died on the 23 May 1999 are required by Alexander Ernest Greensmith of 74 Tannock Street, Nort Balwyn, Victoria, retired cartage contractor the executor of the deceased's Will to send particulars of their claim to the said executors care of the undermentioned solicitors by the 15 November 1999 after which date they will convey or distribute the assets having regard only to the claims of which they then have notice.

A. B. NATOLI PTY, solicitors,
24 Cotham Road, Kew 3101.

GRACE MARY WILSON late of Camberlea Private Nursing Home, 629 Riversdale Road, Camberwell, Victoria, spinster, deceased. Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 27 June 1999 are required by the personal representatives, Kenneth David James Barry and Martin John O'Dell Armstrong both of 385 Bourke Street, Melbourne, Victoria, solicitors, to send particulars to them c/- the below mentioned solicitors by 16 November 1999 after which date they may convey or distribute the assets having regard only to the claims of which they then have notice.

DEACONS GRAHAM & JAMES,
solicitors for the estate,
385 Bourke Street, Melbourne.

MARTINO DELPOL, late of 17-19 Hoddle Street, Yarra Junction, farmer deceased. Creditors, next-of-kin, and others having claims of the estate of the deceased, who died on the 12 June 1999 are required by the trustees, Roberto Delpol of 7 Herbert Street, Yarra Junction, Victoria, shop proprietor and Michele Delpol of 17-19 Hoddle Street, Yarra Junction, Victoria, shop proprietor to send particulars to the trustees by the 4 November 1999 after which date the trustees may convey or distribute the assets having regard only to the claims of which the trustees then have notice.

EAL'S & MACKENZIE, solicitors,
114-116 Main Street, Lilydale.

Creditors, next of kin or others having claims in respect of the estate of the late LAWRENCE WILLIAM JAMES HEFFERNAN, late of 180 Kidds Road, Doveton in the State of Victoria, deceased, who died on 15 May 1999 are to send particulars of their claims to the executor care of the undermentioned solicitors by 3 November 1999 after which date the executor will distribute the assets having regard only to the claims of which he then has notice.

FEATHERBY'S, solicitors,
1043a Point Nepean Road, Rosebud 3939.

MARJORIE FRANCES ELSTON late of Osborn Lodge, Wodonga, Victoria, home duties, deceased. Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on the 22 June 1999 are required by the trustees, Terence George Elston and Ewan Frances Elston (also known as Ian Francis Elston) to send particulars to them care of the undermentioned solicitors by the 15 November 1999, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

GARDEN & GREEN, lawyers,
4 McCallum Street, Swan Hill.

CHARLES ANDREW GROAT late of Jacaranda Lodge, Nyah West, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on the 2 July 1999 are required by the trustees, Marjorie Joy Buckley and David Anthony Buckley, to send particulars to them care of the undermentioned solicitors by the 10 November 1999, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

GARDEN & GREEN, lawyers,
4 McCallum Street, Swan Hill.

EDMOND JAMES TYSON (in the Will called EDMUND JAMES TYSON) late of 15 Holloway Grove, Swan Hill, Victoria, retired horticulturist, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on the 20 July 1999,

are required by the trustee, Jennifer Ann Neilson, to send particulars to her care of the undermentioned solicitors by the 10 November 1999, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

GARDEN & GREEN, lawyers,
4 McCallum Street, Swan Hill.

REGINALD NORMAN SYKES, late of Garry Road, Kernot, grazier, deceased. Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 12 June 1999 are required by the Trustees Geoffrey Norman Sykes, William Everett Sykes and Elizabeth Ann Sykes-Smith to send particulars of their claims to them care of the undersigned solicitors by 9 November 1999 after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

GRAY, FRIEND & LONG, solicitors,
70 Queen Street, Warragul, 3820.

Creditors, next of kin and all other persons having claims against the estate of FILIPPO COMMISSO (also known as Philip Commisso) late of 44 Whitby Street, West Brunswick, Victoria, retired, deceased who died on 3 December 1998 are to send particulars of their claims to the deemed executor of the estate Nicola Commisso care of the undermentioned solicitors by 19 November 1999 after which date the deemed executor will convey and distribute the assets having regard only to the claims of which the deemed executor then has notice.

HOLDING REDLICH, solicitors,
350 William Street, Melbourne.

Creditors, next of kin and others having claims in respect of the will of GIULIA COSTABILE late of Cyril Jewell House, 68 Hassett Crescent, East Keilor, Victoria, widow deceased who died on 18 July 1999 are requested to send particulars of their claims to the executor Carmine Costabile care of the undermentioned legal practitioner by the 10 November, 1999 after which date he will distribute the assets having regard only as to the claims of which he then has notice.

JOHN STEWART, legal practitioner,
290 Racecourse Road, Newmarket.

Creditors, next of kin and others having claims in respect of the estate of MADGE RUBINA FIDLER late of 2A Ethel Street, Traralgon, Victoria, widow, deceased who died on 28 August 1999 are to send their claims to the trustees, Glenys Jean Crisp and Max Ernest Crisp both of 4 Cherbourg Court, Frankston, 1999 after which date they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

LITTLETON HACKFORD, solicitors,
"Law Chambers"
115 Hotham Street, Traralgon, Victoria, 3844.

Creditors, next of kin and others having claims in respect of the estate of ANNABELLE RUTH GARDINER (also known as RUTH ANNABELLE GARDINER) late of 9 Rigall Road, Traralgon, Victoria, widow deceased who died on 17 August 1999 are to send their claims to the trustees, Donald Raymond Gardiner of 27 Pearson Street, Bunyip, Victoria and Phyllis Neicho of 175 Bena-Korumburra Road, Whitelaw, Victoria, care of the below mentioned Solicitors by 14 November, 1999 after which date they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

LITTLETON HACKFORD, solicitors,
"Law Chambers"
115 Hotham Street, Traralgon, Victoria 3844.

Creditors, next of kin and others having claims in respect of the estate of JEAN WILLIAMS late of 27 Bristol Street, Moe, Victoria, pensioner, deceased who died on 13 July 1999 are to send their claims to the trustee, Gary Lawrence Williams of RMB 1450 Jumbuk Road, Yinnar, Fitter, care of the below mentioned solicitors by the 17 November, 1999 after which date he will distribute the assets of the deceased having regard only as to the claims of which he then has notice.

LITTLETON HACKFORD, Solicitors,
"Law Chambers"
94 Buckley Street, Morwell, Victoria 3840.

MELITA JEAN ROGAN, late of Mayflower Retirement Community, 7 Centre Road, Brighton, Victoria, home duties, deceased. Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who died

on 1 September 1999 are required by the trustee Geoffrey Arthur Park of 405 Little Bourke Street, Melbourne, Victoria, solicitor to send particulars to the trustee care of the undermentioned solicitors by 26 November 1999 after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

McKEAN & PARK, solicitors,
405 Little Bourke Street, Melbourne.

NOELYNE WINIFRED GODSON also known as NOELYNE WINIFRED COKER-GODSON late of Unit 16, Ballam Village, 256 Cranbourne Road, Frankston, Victoria, home duties, deceased. Creditors, next of kin, and others having claims in respect of the estate of the deceased, who died on the 10 June 1999 are required by the trustee, Pamela May Ough care of Meier Denison, 49 Playne Street, Frankston 3199 to send particulars to her by the 30 November 1999 after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

MEIER DENISON, solicitors,
49 Playne Street, Frankston.

Creditors, next of kin or others having claims in respect of the estate of FLORENCE LORNA BARRY late of Manningham Centre, 371 Manningham Road, Doncaster, Victoria but formerly of Unit 2, 684 Whitehorse Road, Mont Albert, Victoria, home duties, deceased (who died on 3 May 1999) are required by the executor, ANZ Executors & Trustee Company Limited of 530 Collins Street, Melbourne, Victoria to send particulars to it by 16 November 1999 after which date it may convey or distribute the estate having regard only to the claims of which it then has notice.

MILLS OAKLEY, lawyers,
131 Queen Street, Melbourne.

Creditors, next-of-kin, and others having claims in respect of the estate of FRANCIS HOLMES, late of Rockwood Junction, Ballart, Victoria, retired farmer, deceased (who died on 28 October 1998) are required by the co-executor, ANZ Executors & Trustees Company Limited of 530 Collins Street, Melbourne, Victoria to send particulars to it of 16 November 1999 after which date it may convey or

distribute the estate having regard only to the claims of which it then has notice.

MILLS OAKLEY, lawyers,
131 Queen Street, Melbourne.

Creditors, next of kin and others having claims in respect of the estate of BETTY IRENE JAMES late of 52 Husband Road, Forest Hill, Victoria, widow, deceased (who died on 16 July 1999) are required by the co-executor, ANZ Executors & Trustee Company Limited of 530 Collins Street, Melbourne, Victoria, to send particulars to it by 16 November 1999 after which date it may convey or distribute the estate having regard only to the claims of which it then has notice.

MILLS OAKLEY, lawyers,
131 Queen Street, Melbourne.

Creditors, next of kin and others having claims against the estate of ELIZABETH MULDOON late of 83 Glenlyon Road, Brunswick, Victoria, home duties, deceased (who died on 8 June 1999) are required by the executor, ANZ Executors & Trustee Company Limited of 530 Collins Street, Melbourne, Victoria to send particulars to it by 16 November 1999 after which date it may convey or distribute the estate having regard only to the claims of which it then has notice.

MILLS OAKLEY, lawyers,
131 Queen Street, Melbourne.

Creditors, next-of-kin or others having claims in respect of the estate of ELSIE BEATRICE WALTER late of Glanville Village, Leichardt Street, Echuca 3564, widow deceased who died on the 22 June 1999 are to send particulars of their claims to the sole Executor John Sidney Walter care of the undermentioned solicitors by the 8 November 1999 after which date the Executor will distribute the assets having regard only to the claims of which the executor then has notice.

MITCHELL, McKENZIE & CO., solicitors
51-55 Heygarth Street, Echuca.

Creditors, next-of-kin or others having claims in respect of the estate of ARTHUR RONALD ANDREW late of RMB 2365 Clements Road, Woorarra, farmer, deceased, who died on the 27 May 1999 are to send

particulars of their claims to the Executor care of the undermentioned solicitors by the 25 November 1999 after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

OAKLEYS WHITE, solicitors,
65 Main Street, Foster.

Creditors, next of kin and others having claims in respect of the estate of DAVID IAN KLEIN late of 74 Lorne Street, Fawkner, Victoria, deceased who died on 4 August 1997 are to send particulars of their claims to the executors care of the undermentioned solicitors within two clear months of the date of publication hereof, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

PEARSONS, solicitors,
794 Pascoe Vale Road, Glenroy 3046.

WILLIAM REGINALD STOCKER late of 2 Mount Eliza Way, Mount Eliza, retired deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased who died on 2 July 1999 are required by the trustees, John Wilcox Stocker of 335 Richardson Street, Middle Park, scientist and Patricia Noelle Tredinnick of 128 Bradford Road, Mount Martha, married woman, to send particulars to the trustees by 8 November 1999 after which date the trustees may convey or

distribute the assets having regard only to the claims of which the trustees have notice.

PEARCE WEBSTER DUGDALES, solicitors,
379 Collins Street, Melbourne.

EVA MAY ROWE late of 60 Auburn Road, Hawthorn, Victoria, widow, deceased. Creditors, next of kin and all other persons having claims against the estate of the said deceased, to send particulars of such claims to them care of the undermentioned solicitors on or before 23 November 1999 after which date they will distribute the estate having regard only to the claims of which they then have notice.

WILLIAM MURRAY, solicitors,
411 Collins Street, Melbourne, 3000.

EDNA JEAN WILKINSON late of 26 Fernhill Road, Sandringham, Victoria, retired bookkeeper, deceased. Creditors next of kin and all other persons having claims against the estate of the said deceased are required by Hazel Ivy Kelly, Administrator of the estate of the said deceased, to send particulars of such claims to her care of the undermentioned solicitors on or before 23 November 1999 after which date they will distribute the estate having regard only to the claims of which they then have notice.

WILLIAM MURRAY, solicitors,
411 Collins Street, Melbourne, 3000.

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

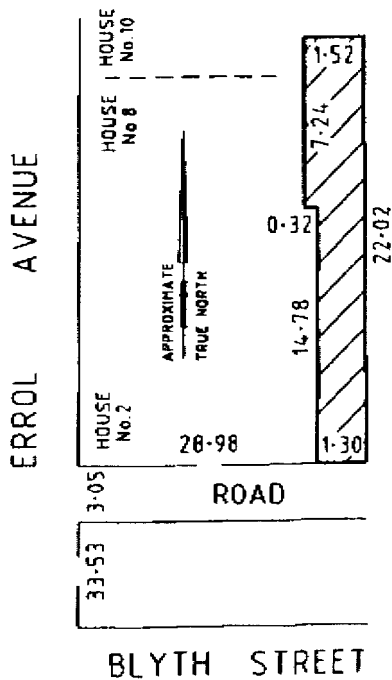
<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
J. B. WERE & SON			
	\$		
Citibank Private Luxembourg	3,975.00	Cheque	10/06/97

99166
CONTACT: WARREN AGG, PHONE: (03) 9679 1198.

**GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES
NOTICES**

MORELAND CITY COUNCIL
Road Discontinuance

Under Section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989** the Moreland City Council at its Ordinary meeting held on 12 April 1999, formed the opinion that the road shown hatched on the plan below is not reasonably required as a road for public use and has resolved to discontinue the road and sell the land from the road by private treaty subject to any right, power or interest held by the Moreland City Council and the Melbourne Water Corporation (Yarra Valley Water Ltd.) over the whole of the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.

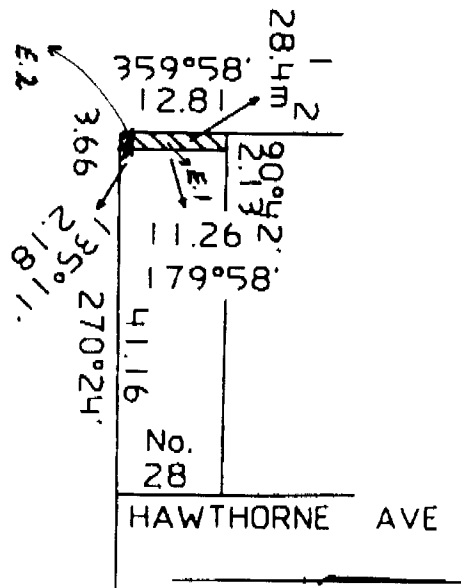


MARIA MERCURIO
Chief Executive Officer

GLEN EIRA CITY COUNCIL
Road Discontinuance

Under Section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989** the Glen Eira City Council formed the opinion that the road shown hatched on the plan below is not reasonably required as a road for public use and has resolved to discontinue the road and sell the

land from the road by private treaty subject to any right, power or interest held by the Glen Eira City Council in respect to the sections shown hatched and cross-hatched and marked E-1 & E-2 on the plan and the Melbourne Water Corporation (City West Water Ltd.) in respect to the section shown cross-hatched and marked E-2 on the plan, in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



MARGARET DOUGLAS
Chief Executive

BANYULE CITY COUNCIL
Order on the Control of Dogs

At its meeting on the 30 August 1999, at the request of Parks Victoria Council made the following order under S26 of the **Domestic (Feral and Nuisance) Animals Act 1994** relating to the control of dogs.

Location	Melways	Control
Yarra Flats	32 C6	Dogs On Lead
Annulus Billabong (within black fenced area)	32 C6	No Dogs Permitted
View Bank	32 H1	Dogs On Lead
Cock Property	32 K2	No Dogs Permitted

All of the above land is under the control of Parks Victoria. All enquiries should be directed to that authority on 13 19 63.

P. SODING
Director City Development

STONNINGTON CITY COUNCIL

Notice of Intention to Make a Local Law

Notice is given pursuant to section 119 of the **Local Government Act 1989** that the Council of Stonnington City Council ("Council") proposes to amend Local Law No. 1 in relation to the regulation of commercial activity on footpaths, under Division 6 – Roads, Public Places & Council Land.

The purpose of the amendment is to ensure that the Local Law is compliant with the principles of National Competition Policy, by providing consistent regulation of commercial activity on the footpath, whilst enabling greater flexibility for business within guidelines that protect public safety and amenity.

The General Purport of the amendment is as follows:

the amendment of:

s564 – Tables & Chairs etc

s565 – Obstacles

the repeal of:

s563 – Advertising Signs and Display Goods

s602 – Busking

s605 – Hawking

and corresponding amendments to Schedule 5 and the Definitions.

Amended s564 titles "Footpath Trading Code": aims to regulate commercial activity on the footpaths, through the incorporation of the Footpath Trading Code that sets out the manner in which tables and chairs, advertising signs, display goods, busking and hawking are permitted on the footpath.

Copies of the amended Local Law and incorporated document, are available for viewing during business hours at both Stonnington Service Centres: Cnr Greville and Chapel Streets, Prahran and Cnr Glenferrie Road and High Street, Malvern.

Submissions on the proposed amendments received by Council within 14 days after publication of this notice will be considered by the Council in accordance with Section 223(1) of the **Local Government Act 1989**. A person making a submission may request to be heard in support of that submission.

Written submissions should be addressed to the Manager Civic Services, Stonnington City Council, P.O. Box 21, Prahran 3181.

HADLEY SIDES
Chief Executive Officer



Local Law No 8

This year the City of Yarra will again implement alcohol consumption controls at the 1999 Melbourne Fringe Street Party and Parade on Sunday 26 September.

Local Law No 8 aims to promote community safety by restricting the consumption of alcohol to licensed premises.

This means that you can only consume alcohol or carry alcohol around in an open container within licensed areas.

The law applies only to the designated Festival area, see Map below, and only on Sunday 26 September between the hours of 11.00am and 12 midnight.

We hope this law improves your enjoyment of, and participation in, the 1999 Fringe Street Parade and Party.

For further information, please contact the Community Amenity Unit on 9205 5412.

BALLARAT CITY COUNCIL
Notice of Proposed Local Law

The Council of the City of Ballarat proposes to make a Local Law for the purposes of providing for the peace, order and good government of the municipal district of the City of Ballarat, and to regulate and control:

- (a) the environment;
- (b) animals;
- (c) behaviour in public places;
- (d) activities in road reserves;
- (e) the use of public assets; and
- (f) community safety and amenity.

The general purport of the proposed local law includes a specification of the laws which will govern;

1. the keeping of animals and birds – including a requirement that dog owners remove dog faeces deposited by their dogs within certain areas of the municipality, and the effective fencing of livestock;
2. the control of the environment, including domestic waste collection the orderly handling of recyclable materials, safety matters, use of Council drains, and health issues;
3. behaviour in public reserves – including activities in public gardens, around lakes, and public swimming pools, regulation of the Ballarat Aerodrome, the consumption of liquor in designated area within the municipality, and use of Council assets.
4. activities within streets and roads – including regulation of vehicle crossings, street levels, road openings, shopping trolleys, residential parking schemes, road collections, skateboards, the maintenance of overhanging trees, the use of the road reserve for advertising, and outdoor eating facilities.

If made, the local law will replace the existing Local Law No. 1, known as the Community Local Law.

Copies of the proposed local law can be obtained from the Town Hall, Sturt Street, Ballarat during normal office hours. Any person may make a submission to the Council in relation to the proposed local law.

Written submission received by the Council within fourteen (14) days of the publication of this notice will be considered by the Council (or a committee appointed for the purpose) in accordance with Section 223 of the **Local Government Act 1989**.

Any person who wishes to be heard in support of a submission should indicate such in their written submission. Any person requesting that he or she be heard in support of a submission is entitled to appear before a meeting of the Council (or committee), either personally or be represented by a person acting on his or her behalf, and will be notified of the time and date of the meeting.

JOHN McLEAN
Chief Executive Officer



Moorabool Shire Council
Proposed Local Law

Council proposes to make a Local Law titled the General Local Law 1999.

The purpose and general purport of the proposed Local Law is to provide for:

- (a) the peace, order and good government of the municipality;
- (b) a safe and healthy environment so that the Moorabool community can enjoy a quality of life that meets its expectations;
- (c) the safe and fair use and enjoyment of public places;
- (d) protection and enhancement of Council property, and the amenity and environment of the municipality;
- (e) the fair and reasonable use and enjoyment of private land; and
- (f) the uniform and fair administration of this Local Law.

The proposed Local Law is divided into parts:

- Part 1 - Preliminary
- Part 2 - Environment
- Part 3 - Public Places
- Part 4 - Trade Activities
- Part 5 - Animals
- Part 6 - Administration
- Part 7 - Enforcement

A copy of the proposed Local Law can be obtained from Council's offices at 15 Stead Street, Ballan and 197 Main Street, Bacchus Marsh (rear of Library) or by telephoning 5366 7100.

Written submissions about the proposed Local Law will be considered in accordance with section 223 of the **Local Government Act 1989** and must be received at Council's Ballan office (post address PO Box 18, Ballan 3342) within 14 days after the publication of this notice.

Any person who requests to be heard in support of their written submission may appear in person or by a person on their behalf before a meeting of Council on a date to be advised.

CHRIS GILLARD
Chief Executive Officer



Moorabool Shire Council

Planning and Environment Act 1987
BACCHUS MARSH PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L58

The Moorabool Shire Council has prepared Amendment L58 to the Local Section of the Bacchus Marsh Planning Scheme.

The amendment is an ordinance only amendment and affects all land within the Commercial Service zone.

The amendment proposes to include a club located within a licence premises in column four (4) (permit required) of the table of uses to Cause 6.15 in the Commercial Services zone of the Bacchus Marsh Planning Scheme.

The amendment will facilitate the operation of clubs within licensed premises in the Commercial Services zone.

The amendment can be inspected at: Moorabool Shire Council, 15 Stead Street, Ballan, Moorabool Shire Council, 197 Main Street, Bacchus Marsh, Department of Infrastructure, 1315 Sturt Street, Ballarat and Department of Infrastructure, Nauru House, 80 Collins Street, Melbourne.

Submissions about the amendment must be sent to Moorabool Shire Council, P.O. Box 18, Ballan, Victoria 3342 by October 18 1999.

Dated: September 16 1999.

RON MILDREN
Manager Development Services

Planning and Environment Act 1987
MORNINGTON PENINSULA PLANNING SCHEME
Notice of Amendment
Amendment C6

The Morninnton Peninsula Shire Council has prepared Amendment C6 to the Mornington Peninsula Planning Scheme.

The land affected by the amendment is various heritage places throughout the municipality of the Mornington Peninsula Shire,

all 233 of which, have been identified in one of the following studies:

- Shire of Flinders Heritage Study Inventory of Significant Places (Context Pty Ltd; Kellaway, C & Lardner, H; 1992 (Updated 1997)).
- Shire of Mornington Heritage Study Volume 1 Recommendations and Guidelines Volume 2 Environmental History Volume 2 Significant Sites and Areas (Graeme Butler & Associates, 1994).
- City of Frankston Heritage Study Volume 3 Significant Sites (City of Frankston, 1995).

The amendment proposes to:

1. Make references to the above studies and related volumes in the Planning Scheme.
2. Include two additional policy considerations in the Local Planning Policies for Cultural Heritage Places in Clause 22.04-4 being:
 - the recognition of individually significant heritage places in historic precincts; and,
 - the identification of 31 such places in the Sorrento Historic Precinct.
3. Provide more accurate property identification or corrections in relation to 12 heritage places that are already in the Schedule to the Heritage Overlay. This involves Heritage Overlay mapping or modifications to entries in the existing Schedule.
4. Include an additional 190 heritage places in the Schedule to the Heritage Overlay with associated Heritage Overlay mapping.

The amendment and explanatory report can be inspected, free of charge, during office hours at the following places: Department of Infrastructure; Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; Mornington Peninsula Shire Council; Mornington Office, Queen Street, Mornington, Hastings Office; Marine Parade, Hastings, Rosebud Office; Besgrove Street, Rosebud and Somerville Office; Edward Street, Somerville.

Written submissions should be sent to The Manger – Strategic Planning, Mornington Peninsula Shire Council, Private Bag 1000, Rosebud 3939 by the close of business on 18 October 1999.

LYNTON SHEDDEN
Manger – Strategic Planning,
Mornington Peninsula Shire Council

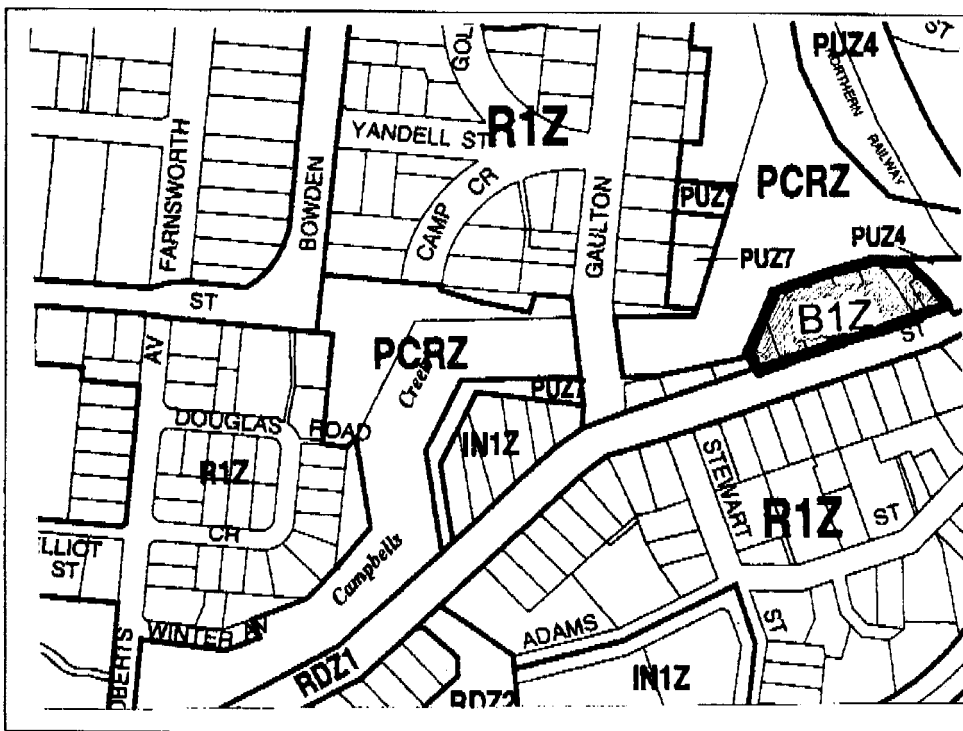
Planning and Environment Act 1987
MOUNT ALEXANDER PLANNING SCHEME
 Notice of Amendment to a Planning Scheme
 Amendment C1

The Mount Alexander Shire Council has prepared Amendment C1 to the Mount Alexander Planning Scheme.

The amendment affects land shown on the attached map, municipally known as 4-20 Johnstone Street, Castlemaine.

The amendment proposes to make changes to Map 22 of the Mount Alexander Planning Scheme, by rezoning the abovementioned land from Residential 1 Zone (R1Z) to Business 1 Zone (B1Z).

AMENDMENT C1

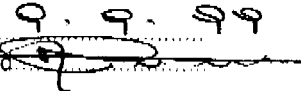


Refer to Planning Scheme Map 22

LEGEND



Business 1 Zone

This map forms part of the Amendment exhibited by the Mount Alexander Shire Council on:
 Date: 9. 9. 99
 Signed: 
 Chief Executive Officer

The amendment can be inspected at Mount Alexander Shire Council; 25 Lyttleton Street, Castlemaine and Department of Infrastructure (Vic Roads Office), Lansell Street, Bendigo, Victoria.

Submissions about the amendment must be sent to Mount Alexander Shire Council, Chief Executive Officer, P.O. Box 185, Castlemaine, Victoria, 3450 by 18 October 1999.

Dated: 9 September 1999.

IVAN GILBERT
Chief Executive Officer

Local Government Act 1989

WARRNAMBOOL CITY COUNCIL

Notice of Authorisation under Section 224A

Under Section 224A of the **Local Government Act 1989** the Warrnambool City Council resolved on 24 May 1999, and by this Notice authorises, and police officer to enforce provisions of Part of 4.10 and those of Part 4.1 to the extent they relate to the enforcement of the provisions of Part 4.10 of the Municipal Places Local Law No. 4 of 1999 relating to the control of liquor.

DAMIAN B. GOSS
Chief Executive Officer

Creditors, next of kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, A.C.N 064 593 148, 168 Exhibition Street, Melbourne, Victoria, 3000 the personal representative, on or before November 23, 1999 after which date State Trustees Limited may convey or distribute the assets having regard only to the claims of which State Trustees Limited then has notice.

CAPLES, ISABELLE HERON, late of 103 Lower Dandenong Road, Mordialloc, home duties, who died May 5, 1999.

CHANDLER, ISABEL JEAN, late of 103 Olinda-Monbulk Road, Olinda, home duties, who died April 14, 1998.

DAY, WILLIAM JAMES, late of Southport Community Nursing Home, 18-30 Richardson Street, Albert Park, retired, who died June 17, 1999.

HOLT, NELLIE, also known as Ellen Holt, late of Yallambee Traralgon Village For the Aged, 7-11 Campbell Street, Traralgon, retired, who died May 31, 1999.

JACKSON, EVA EASTER, late of 17 Finlay Street, Frankston, home duties, who died July 29, 1999.

McDONALD, GEORGE RONALD, late of Springvale Private Nursing Home, 340 Springvale Road, Springvale, pensioner, who died July 8, 1999.

RAMUS, VALDA LOVE, late of Unit 2/21 Somerset Street, Richmond, Pensioner, who died July 19, 1999.

WILLIAMSON, IRENE MATILDA MARY, late of Western Suburbs Private Nursing Home, 44 Stephen Street, Yarraville, home duties, who died August 2, 1999.

Dated at Melbourne 14 September 1999.

CATHY VANDERFEEN
Manager, Estate Management
State Trustees Limited

Department of Treasury and Finance

**SALE OF CROWN LAND
BY PUBLIC AUCTION**

Date of Auction: 2 October 1999 at 10.00 a.m. on site.

Reference: E8347/5.

Address of Property: East Street, Yea.

Crown Description: Crown Allotment 4, Section 27A, Parish of Yea.

Terms of Sale: Deposit 10%, Balance 60 days.

Area: 0.8657 ha.

Officer Co-ordinating Sale: Andrew Martin, Victorian Government Property Group, Department of Treasury and Finance, 10/1 Macarthur Street, Melbourne, Victoria 3002.

Selling Agent: Elders Real Estate, 58 High Street, Yea, 3717.

ROGER M. HALLAM
Minister for Finance

Department of Treasury and Finance

**SALE OF CROWN LAND
BY PUBLIC AUCTION**

Date of Auction: 2 October 1999 at 10.00 a.m. on site.

Reference: E8347/6.

Address of Property: East Street, Yea.

Crown Description: Crown Allotment 2, Section 27, Parish of Yea.

Terms of Sale: Deposit 10%, Balance 60 days.
Area: 0.3666 ha.

Officer Co-ordinating Sale: Andrew Martin,
Victorian Government Property Group,
Department of Treasury and Finance, 10/1
Macarthur Street, Melbourne, Victoria 3002.

Selling Agent: Elders Real Estate, 58 High
Street, Yea, 3717.

ROGER M. HALLAM
Minister for Finance

Department of Treasury and Finance

SALE OF CROWN LAND
BY PUBLIC AUCTION

Date of Auction: 2 October 1999 at 10.00 a.m.
on site.

Reference: E8347/7.

Address of Property: East Street, Yea.

Crown Description: Crown Allotment 3,
Section 27, Parish of Yea.

Terms of Sale: Deposit 10%, Balance 60 days.

Area: 0.4338 ha.

Officer Co-ordinating Sale: Andrew Martin,
Victorian Government Property Group,
Department of Treasury and Finance, 10/1
Macarthur Street, Melbourne, Victoria 3002.

Selling Agent: Elders Real Estate, 58 High
Street, Yea, 3717.

ROGER M. HALLAM
Minister for Finance

Department of Treasury and Finance

SALE OF CROWN LAND
BY PUBLIC AUCTION

Date of Auction: 2 October 1999 at 10.00 a.m.
on site.

Reference: E8347/8.

Address of Property: East Street, Yea.

Crown Description: Crown Allotment 1,
Section 27, Parish of Yea.

Terms of Sale: Deposit 10%, Balance 60 days.

Area: 0.4047 ha.

Officer Co-ordinating Sale: Andrew Martin,
Victorian Government Property Group,
Department of Treasury and Finance, 10/1
Macarthur Street, Melbourne, Victoria 3002.

Selling Agent: Elders Real Estate, 58 High
Street, Yea, 3717.

ROGER M. HALLAM
Minister for Finance

EXEMPTION

Application No. 38 of 1999

The Victorian Civil and Administrative Tribunal, has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by Katrina Edwards trading as Paramount Health and Fitness Club for exemption from Sections 42, 59, 60, 100 and 195 of that Act. The application for exemption is to enable the applicant to conduct two exercise sessions per week for women only.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms Katrina Edwards, and for the Reasons for Decision given by the Tribunal on 10 September 1999, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 42, 59, 60, 100 and 195 of the Act to enable the applicant to enable the applicant to conduct two exercise sessions per week for women only.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 42, 59, 60, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to conduct two exercise sessions per week for women only.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 15 September 2002.

Note: A copy of the Reasons for Decision is available from the Registrar of the Anti-Discrimination List.

Dated: 10 September 1999.

CATE McKENZIE
Deputy President

EXEMPTION

Application No. 50 of 1999

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Work Force Plus. The application for exemption is to enable the applicant to advertise for a male apprentice Hairdresser on behalf of Akira Hairdressing.

Upon reading the material tendered in support of this application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 & 195 of the Act to enable the applicant to advertise for a male apprentice Hairdresser on behalf of Akira Hairdressing.

In granting this exemption the Tribunal noted:

- The Hairdressing Salon is a Unisex hairdressing Salon, where approximately half the customers are male.
- The Salon currently employs three female hairdressers and would like to train a male employee to even out the staff balance.
- The employment of a male apprentice hairdresser would provide a compliment to the number of current female staff. The presence of a male apprentice hairdresser may contribute to a positive, healthy attitude amongst clients and staff.
- It is desirable to be able to provide clients with the flexibility of choice of either a male or female hairdresser.

The Tribunal grants an exemption from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for a male apprentice Hairdresser on behalf of Akira Hairdressing.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 15 September 2002.

Dated 15 September 1999.

Ms CATE McKENZIE
Deputy President

EXEMPTION

Application No. 51 of 1999

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Norwood Association Inc. for exemption from Sections 13, 100 and 195 of that Act. The application for exemption is to enable the applicant to advertise for or recruit applicants for positions of Consumer Affairs Liaison Workers (two part-time positions) with Norwood Association Inc. with a Mandatory Selection Criteria of Applicants, where they

“must have been a service user of Mental Health Services at some point in time”.

Upon reading the material tendered in support of this application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 & 195 of the Act to enable the applicant to advertise for or recruit applicants for positions of Consumer Affairs Liaison Workers (two part-time positions) with Norwood Association Inc. with a Mandatory Selection Criteria of Applicants, where they “must have been a service user of Mental Health Services at some point in time”.

In granting this exemption the Tribunal noted:

- Norwood Association Inc. is a Psychiatric Disability Support Service operating within the Western Metropolitan Region of Victoria. The Association provides a range of programs providing disability support to adults who have a psychiatric disability who live independently or with their families.
- Norwood Association Inc. offers a Transitional Supported Accommodation Program which provides support and accommodation for six adults. Staff on site provide support and/or facilitate opportunities for individuals to acquire; household management, independent living and social skills.
- Norwood Association Inc. offers a Home Based Outreach Program, where support is provided on an outreach basis to individuals within their own home. It also offers a Housing and Outreach Support which provides long-term housing linked with outreach support.
- Norwood Association is conducting a Pilot Project over a 12 month period aimed at providing consumers (people with Psychiatric disabilities and Mental Health problems) with greater access to consumer consultancy mechanisms and enhancing consumer participation and feedback within the agency.
- A major focus of the project is the employment of two (part-time) Consumer Affairs Liaison Workers whose roles will be to improve communication, understanding & relationships between service users and the service providers and assist with the establishment of a consumer network within

Norwood and hold Consumer only forums and meetings.

- Research in the Area by the Victorian Mental Health Illness Awareness Council and a number of similar Pilot Programs operating in Clinical Service settings (Hospital Networks) support the principle that critical to the success of any strategy around consumer participation and feedback is the need for the strategy to be Consumer driven and that the employment of consumer's within the agency as consultants can significantly enhance an overall agency strategy, assisting consumers to support a sustained and regular effort to exchange views and develop better ideas for Practice.
- Consumers have expressed a belief that they will engage more effectively with a worker who has previously shared their experience and has an understanding and empathy that can not be achieved from outside the system.

The Tribunal grants an exemption from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995**, to enable the applicant to advertise/recruit applicants for positions of Consumer Affairs Liaison Workers (two part-time positions) with Norwood Association Inc. with a Mandatory Selection Criteria of Applicants, where they "must have been a service user of Mental Health Services at some point in time".

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 15 September 2002.

Dated 10 September 1999.

Ms CATE McKENZIE
Deputy President

EXEMPTION
Application No. 52 of 1999

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Parks Victoria. The application for exemption is to enable the applicant to advertise for a Term Contract Aboriginal Cultural Liaison Officer, to be filled by a person of Aboriginal origin.

Upon reading the material tendered in support of this application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 & 195 of the Act to enable the applicant to advertise for a Term Contract Aboriginal Cultural Liaison Officer, to be filled by a person of Aboriginal origin.

In granting this exemption the Tribunal noted:

- Parks Victoria is currently working to improve consultation with Aboriginal Communities and organisations, to enter into joint management arrangements with Aboriginal Communities, to protect Aboriginal cultural sites, and to develop an organisation-wide-cross cultural training program.
- The purpose of this position is to provide management and regional field staff with advice on Aboriginal cultural heritage values particularly with respect to on-ground protection and the development of site management plans, to help build good working relationships with key Aboriginal stakeholders and to liaise with Aboriginal stakeholders when issues arise relating to Parks Victoria's operational and development programs.
- The appointee will be expected to play a pivotal role in developing these programs, and Parks Victoria believes that an Aboriginal person is best suited to do this for a number of reasons, including: only an Aboriginal person can have a true understanding and appreciation of Aboriginal beliefs, customs, values and affinity to cultural sites and place; the appointee must be aware of, and sensitive to, Aboriginal meeting protocols, and be accepted and trusted by Aboriginal communities; an Aboriginal person is more likely than others to have a sound understanding of Aboriginal social groupings within Victoria and to have a well developed network of contacts.
- The duties will also include undertaking some limited benchmarking of the range of approaches to consultation with the Aboriginal communities in other developed states.
- A sound understanding of Victorian Aboriginal cultural heritage and Aboriginal cultural heritage in general is required, as

well as a detailed knowledge of legislation relating to Aboriginal cultural heritage and Native title, and knowledge of Local Aboriginal Community Groups in Victoria.

- Parks Victoria is actively working to develop better working relationships within Aboriginal communities. The appointment of a non-Aboriginal person would be viewed by Aboriginal people as contrary to achieving such an objective.
- The holder of the position will assist in identifying employment opportunities for Aboriginals within Parks Victoria and in developing procedures for engaging Aboriginal consultants and contractors.

The Tribunal grants an exemption from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for a Term Contract Aboriginal Cultural Liaison Officer, to be filled by a person of Aboriginal origin.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 15 September 2002.

Dated 15 September 1999.

Ms CATE McKENZIE
Deputy President

Valuation of Land 1960

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT

Fees for the Provision of Information

I, Jonathan Roy Dunham, Valuer General, pursuant to section 5(2) of the **Valuation of Land Act 1960**, set the following fees to be paid for the provision of the information held on my behalf by Landata and known as Prism property sales information data providing details of sale or transfer of land or of an interest in land.

- (a) For the supply of data through the Internet service via the Landata web site—
 - (i) Details of an individual record: 20 cents per record subject to (iii) below;
 - (ii) For all sales and transfer data in the whole of any municipality: 20 cents per record subject to (iii) below and subject to discounts for subscribers to additional municipalities as follows:

No. of Municipalities	Percentage Discount
1	0
2	5
3	10
4	15
5	20
6+	25

- (iii) A minimum charge of \$25 per month applies.
- (b) For the supply of data via other media (eg fax, email, telephone) –
For the supply of details of all or specific records in any municipality:
 - (i) As a regular service – \$30 per month plus 25 cents per record; or
 - (ii) As a request – \$30 per request plus 25 cents per record.

In accordance with the policy direction of the Hon. Marie Tehan, Minister for Conservation and Land Management, the following persons are entitled to be supplied with the above information:

- (a) A Municipal Council or its agent;
- (b) A person practising as a land valuer or his or her agent;
- (c) A person being a licensed real estate agent as defined in section 4 of the **Estate Agents Act 1980** of his or her agent;
- (d) A person or his or her agent whose land is being compulsorily acquired under the provisions of any Act or who is claiming compensation for loss or damage resulting from the exercise of powers under any Act relating to land whether for the acquisition of the land or for any other purpose.
- (e) A person or his or her agent who has lodged an objection to the assessment of the value of any land in accordance with the provisions of Part III of the **Valuation of Land Act 1960**; and
- (f) A person or organisation contracted by the Department to provide services to those classes of persons listed in (a), (b) and (c) above, provided that the service provider shall not provide the information to any other class of persons.

JONATHAN ROY DUNHAM
Valuer General

Private Agents Act 1966**NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES UNDER THE PROVISIONS OF THE PRIVATE AGENTS ACT 1966**

I, the undersigned, being the Registrar of the Magistrates' Court at Werribee hereby give notice that applications, as under, have been lodged for hearing by the said Court on the date specified.

Any person desiring to object to any such application must:

- (a) lodge with me a notice in the prescribed form of his objection and of the grounds thereof;
- (b) cause a copy of such notice to be served personally or by post upon the applicant at least three days before the hearing of the application; and
- (c) send or deliver
 - (i) where the objection is not made by the officer in charge of the police district in which the Court is situated — a copy of the notice to such officer; and
 - (ii) where the objection is not made by the Registrar or Deputy Registrar — a copy to the Registrar.

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Daniel Ernest Clifton	73 Civic Parade, Altona 3018		73 Civic Parade Altona 3018	Commercial sub-agent	17 October 1999

R. BRUGGEMANN
Registrar Werribee Magistrates' Court

Land Acquisition and Compensation Act 1986

FORM 7

S.21

Reg. 16

NOTICE OF ACQUISITION**Compulsory Acquisition of Interest in Land**

Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Crown Allotment A1,30 and 31, Parish of Craige comprising 241 square metres and being land described in Certificate of Title Volume 7560 Folio 149, shown as parcels 1 and 2 on VicRoads Survey Plan 19664A.

Interest Acquired: That of Executor of the Estate of D. N. Bilton, Ms G. Bilton and all other interests.

Published with the authority of VicRoads.

The Survey plan referred to in this notice may be viewed at the office of Property Services

Department, VicRoads, 60 Denmark Street, Kew.

Dated: 16 September 1999.

For and on behalf of VicRoads

T. H. HOLDEN

Manager Property Services Department

Land Acquisition and Compensation Act 1986

FORM 7

S. 21

Reg. 16

NOTICE OF ACQUISITION**Compulsory Acquisition of Interest in Land**

Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Crown Allotment 31, Parish of Craige comprising 10m2 square metres and being land described in Conveyance Book 398, Memorial 65, shown as parcel 5 on VicRoads Survey Plan 19664A.

Interest Acquired: That of Clunes and District Butter Factory and all other interests.

Published with the authority of VicRoads.

The Survey plan referred to in this notice may be viewed at the office of Property Services Department, VicRoads, 60 Denmark Street, Kew.

Dated: 16 September 1999.

For and on behalf of VicRoads
T. H. HOLDEN
Manager Property Services Department

Melbourne Market Authority Act 1997

Notice of Amendment to the Melbourne
Market Authority By-Law 1997

The Melbourne Market Authority By-Laws are amended to include the following additional By-Law:

“6. Definition

“Designated Pathway” means that part of the Market Land that has been specifically designated and marked by traffic signs for the use only of forklift trucks and motorised trolleys.

13. Control of Forklift Trucks and Motorised Trolleys

13.8 A person driving a forklift truck or motorised trolley between one point and another on Market Land must enter a designated pathway at the point nearest the commencement of their journey and proceed along that designated pathway leaving it only at the point nearest their ultimate destination.

13.9 No person shall:

13.9.1 drive a forklift truck or motorised trolley on or across a stand or parking space on the Market Land;

13.9.2 park or leave unattended a forklife truck or motorised trolley on a designated pathway;

13.9.3 at any time drive a forklift truck or motorised trolley on any part of the Market Land that has been exclusively marked and dedicated to pedestrians.

13.10 By-Law 13.9.3 does not apply to a person who drives a forklift truck or motorised trolley on a stand or parking space for the purpose of picking up or setting down product upon that stand or parking space.

Dated: 10 September 1999.

The Common seal of the Melbourne Market Authority was affixed in the presence of:

The COMMON SEAL of the)
MELBOURNE MARKET)
AUTHORITY)
was affixed in the presence of)

JEREMY GAYLARD
Chairman

E. R. PENTER
Acting Executive Office

Crown Land (Reserves) Act 1978

CROWN LAND RESERVES (POINT LEO
FORESHORE AND PUBLIC PARK
RESERVE) REGULATIONS 1999

TABLE OF PROVISIONS

I, Wayne Malone, Manager, Land Victoria, Port Phillip Region, in the Department of Natural Resources and Environment, as delegate of the Minister for Conservation and Land Management, make the following Regulations

PART 1 - PRELIMINARY

1. Title

These Regulations may be cited as the Crown Land Reserves (Point Leo Foreshore and Public Park Reserve) Regulations 1999.

2. Objective

The objective of these Regulations is to provide for the:

- (a) care, protection and management of the reserve;
- (b) preservation of good order and decency in the reserve;
- (c) provision of services and facilities on the land and the conditions under which any services or facilities may be used;
- (d) carrying out of works and improvements;

- (e) safety of persons in or occupying or using the reserve or any part thereof;
- (f) issuing of permits in relation to the reserve;
- (g) imposition collection and receipt of tolls, fees, rents or other charges for or in respect of entry to the reserve or any specified part thereof by any persons and/or vehicles; or any improvement services or facilities thereon (including car parks).

3. Authorising provision

These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.

4. Commencement

These Regulations come into operation on the date they are published in the Victorian Government Gazette.

5. Revocations

Any Regulations previously approved in respect of the reserve are hereby revoked.

6. Definitions

In these Regulations-

“Act” means the **Crown Land (Reserves) Act 1978**;

“appointed person” means an officer or employee of the Committee appointed in writing by the Committee as an appointed person for the purposes of these regulations;

“authorised officer” means an authorised officer appointed under section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the **Land Act 1958**;

“bicycle path” has the same meaning as in the **Road Safety (Traffic) Regulations 1988**;

“camp” means

- (a) to erect, occupy or use a tent or any similar form of accommodation; or
- (b) to erect, park, occupy or use a caravan, camper van or other movable form or temporary structure of accommodation;

“Central Plan Office” means the Central Plan Office of the Department of Natural Resources and Environment;

“Committee” means the committee of management appointed to manage the reserve under section 14 of the Act;

“damage” means to alter, to cut, to destroy, to deface, to soil or to vandalise;

“fauna” means any animal-life which is indigenous to Victoria whether vertebrate or invertebrate and in any stage of biological development and any other living thing generally classified as fauna but does not include humans or fish;

“firearm” has the same meaning as in the **Firearms Act 1996**;

“fireplace” means a facility constructed of stone, metal, concrete or other non-flammable material provided by the Committee in the reserve for the purposes of lighting and maintaining fires;

“flora” means any plant-life which is indigenous to Victoria whether vascular or non-vascular and in any stage of development and includes any other living thing generally classified as flora;

“footway” has the same meaning as in the Road Safety (Traffic) Regulations 1988;

“life-saving aid” includes any life-saving equipment, life-hook, drag, grapnel, life-buoy, warning sign, barrier, fire extinguisher, hose or similar equipment;

“Minister” means the Minister for Conservation and Land Management;

“Mooring” includes any equipment, facility or structure for the securing of a vessel.

“navigational aid” means any lighthouse, beacon, signal, flag or similar equipment and any adjacent supporting structure or post;

“parking area” has the same meaning as in the Road Safety (Traffic) Regulations 1988;

“permit” includes any authority, approval, consent, permission, receipt or ticket given granted or issued by the Committee in accordance with these regulations;

“reserve” means the Point Leo Foreshore and Public Park Reserve comprising land Permanently Reserved for the Protection of the Coastline within the Township of

Balnarring by Orders in Council of 17 February 1981 and notices in the Government Gazette of 25 February 1981 and being the land shown coloured blue and coloured red respectively on plan numbered CPR4 lodged in the Central Plan Office and a copy attached to Department of Natural Resources and Environment correspondence No. Rs 10961;

“Secretary” means the body corporate established by Part 2 of the **Conservation, Forests and Lands Act 1987**;

“segregated footway” has the same meaning as in the Road Safety (Traffic) Regulations 1988;

“shared footway” has the same meaning as in the Road Safety (Traffic) Regulations 1988;

“take” means -

- (a) in relation to flora, to kill, injure or disturb any live flora, or to remove or collect the whole or parts thereof whether dead or alive, and
- (b) in relation to fauna, to kill, injure or disturb any animal or remove any dead animal;

“vehicle” has the same meaning as in the **Road Safety Act 1986**;

“vessel” has the same meaning as in the **Marine Act 1988**;

“weapon” has the same meaning as in the **Control of Weapons Act 1990**.

7. Application of Regulations

- (1) These Regulations do not apply to any of the following persons when acting in the course of that person’s duties;
 - (a) a member of the Committee;
 - (b) an appointed person;
 - (c) any other officer or employee of the Committee; or
 - (d) an authorised officer, a person authorised by or an employee of the Secretary.
- (2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or a corresponding previous enactment

over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

PART 2 - POWERS OF COMMITTEE

8. Committee may erect buildings and carry out works

The Committee may erect buildings and carry out works to provide facilities or services on the reserve provided the consent required to be obtained in accordance with regulation 34 has been obtained.

9. Committee may set aside areas for particular purposes

(1) The Committee may determine that a specified area or areas in the reserve be set aside for one or more of the following purposes -

- (a) protection or management of flora, fauna, geological or geomorphological features or cultural values;
- (b) re-establishment or planting of vegetation;
- (c) amenities or facilities for public use;
- (d) camping;
- (e) the playing of games or sport;
- (f) the lighting or maintaining of fires;
- (g) the entry by any person accompanied by a dog under that person’s control;
- (h) the riding, driving or leading of a horse or a mule or a donkey or a camel or the drawing of a vehicle by any of those animals;
- (i) the parking of any vehicle or vehicles of a particular class or classes;
- (j) the passage of any vehicle or vehicles of a particular class or classes;
- (k) a bicycle path;
- (l) a footway;
- (m) a segregated footway;

- (n) a shared footway;
 - (o) the launching, landing, loading, unloading or mooring of vessels generally or vessels of a particular class;
 - (p) the entry by a person in a vessel or in vessels of a particular class or classes into a water covered area.
- (2) The Committee must include in a determination under sub-regulation (1) details of any conditions, the times or periods during which areas set aside under sub-regulation (1) may be used for the purpose for which they are set aside.
- (3) If the Committee has determined that an area be set aside under sub-regulation (1), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by the persons about to enter the areas, indicating -
- (a) the areas so set aside; and
 - (b) the purpose for which those areas are set aside; and
 - (c) the conditions, times or periods during which the purpose is permitted.
- (4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).
10. Committee may set aside further areas where entry or access is prohibited or restricted
- (1) The Committee may determine that a specified area or areas in the reserve be set aside as an area where access or entry is prohibited or restricted -
- (a) by a person who is in possession of alcohol;
 - (b) by a person with glass bottles, glass containers or glass utensils in their possession;
 - (c) for reasons of public safety;
 - (d) for the protection of flora, fauna, geological or geomorphological features or cultural values.
- (2) A determination under sub-regulation (1) must specify -
- (a) the times or periods during which entry or access is prohibited or restricted to an area or the conditions of entry to that area; and
 - (b) the reasons why entry or access is prohibited or restricted.
- (3) If the Committee has determined that an area be set aside under sub-regulation (1), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by the persons about to enter the areas, indicating -
- (a) the areas so set aside; and
 - (b) the reasons why entry or access is prohibited or restricted; and
 - (c) any conditions of entry or use of the area; and
 - (d) the times or periods during which entry or access is prohibited or restricted.
- (4) A person must comply with a determination made under sub-regulation (1) when displayed in accordance with sub-regulation (3).
11. Issuing, compliance production and cancellation of permits
- (1) The Committee may issue a permit for any purpose for which a permit is required under Part 3.
- (2) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve -
- (a) for the purpose specified in the permit; and
 - (b) for the period specified in the permit; and
 - (c) subject to any terms and conditions in respect of that entry or use determined by the Committee and specified in the permit.
- (3) The holder of any current permit

must comply with any terms and conditions of that permit.

- (4) The Committee or an appointed person may revoke or cancel a permit at any time.
 - (5) Upon revocation or cancellation of a permit under sub-regulation (4), the Committee or an appointed person must, within a reasonable time after the revocation or cancellation, notify the permit holder in writing of the cancellation or revocation of the permit.
 - (6) A person who holds a permit issued under this Part must produce the permit for inspection when requested to do so by the Committee, an authorised officer or appointed person.
12. Fees and charges
- (1) The reserve is open to the public free of charge except as otherwise determined by the Committee in accordance with sub-regulation (2).
 - (2) The Committee may determine such reasonable fees that it considers necessary for entry to the reserve or use of improvements, services or facilities in the reserve.
 - (3) If the Committee has determined that a fee is payable for entry to the reserve or use of improvements, services or facilities in the reserve under sub-regulation (2), the Committee must cause notices to be displayed in such a place and manner that the particulars are reasonably likely to be seen by persons about to enter the reserve or use the improvements, services or facilities in the reserve, indicating the fee payable for entry to the reserve or use of the improvements, services or facilities in the reserve.
 - (4) A person must not enter the reserve or use the improvements, services or facilities within the reserve without paying the appropriate fee, if any, determined by the Committee under sub-regulation (2).
- PART 3 - USE AND CONTROL OF THE RESERVE**
13. Offence to enter or remain in area where entry or access is prohibited or restricted
- (1) Subject to these Regulations, unless a current permit has been granted, a person must not enter or remain in an area to which entry or access has been prohibited or restricted under regulation 10 in respect of which a notice or notices are displayed in accordance with regulation 10.
 - (2) Sub-regulation (1) does not apply to a person who enters or remains in an area of the reserve in accordance with a current permit issued under Part 2.
14. Entry of dogs, horses and other animals
- (1) A person must not bring an animal into, or allow an animal under that person's control to enter or remain in the reserve.
 - (2) Sub-regulation (1) does not apply to a person who -
 - (a) brings a dog which is used as a guide dog into or allows that dog to remain in the reserve; or
 - (b) brings into or allows to remain in the reserve a dog which is in an area set aside under regulation 9(1) as an area where dogs are permitted ; or
 - (c) brings into or allows to remain in the reserve a horse, mule, donkey or camel which is in an area set aside under regulation 9(1) as an area for the riding, driving or leading of those animals or the drawing of a vehicle by any of those animals; or
 - (d) brings an animal into or allows an animal to remain in the reserve in accordance with a current permit issued under Part 2.
 - (3) A person who brings an animal into the reserve in accordance with this Regulation must ensure that the animal is effectively controlled from causing any nuisance, injury,

- unreasonable disturbance or damage to any person, garden, shrub, tree, building, fencing or other improvement.
- (4) A person who brings a dog, other than a dog used as a guide dog, into the reserve must remove any faeces deposited by that dog from the reserve or place the faeces in a receptacle which is provided for that purpose by the Committee.
15. Driving and parking vehicles
- (1) A person must not drive a vehicle in the reserve.
- (2) Sub-regulation (1) does not apply to a person who drives or parks a vehicle in an area set aside by the Committee under regulation 9(1) for the passage or parking of vehicles.
- (3) A person must not park or leave a vehicle standing in the reserve.
- (4) Sub-regulation (3) does not apply to a person who parks a vehicle or leaves a vehicle standing in an area set aside by the Committee under regulation 9(1) for the parking of vehicles in accordance with the times and manner determined by the Committee.
16. Launching and landing vehicles
- (1) A person must not launch, land, moor, load or unload a vessel in the reserve, except in an emergency-
- (a) without first paying the appropriate fee, if any, determined by the Committee under Regulation 12(2); and
- (b) unless the vessel is within an area of the reserve set aside for the launching, landing, loading, unloading or mooring of vessels.
17. Aircraft, helicopters and airborne craft
- (1) Within the reserve, a person must not launch, fly, land, control or operate any model aircraft, model helicopter, aircraft, helicopter, glider, hang glider or similar flying machine, kite, hot air balloon or parachute.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).
18. Camping
- (1) A person must not camp within the reserve.
- (2) Sub-regulation (1) does not apply to a person who camps -
- (a) in an area set aside by the Committee under regulation 9(1) for the purpose of camping; and
- (b) in accordance with a current permit issued under Part 2.
19. Fire
- (1) A person must not light or maintain a fire in the reserve.
- (2) Sub-regulation (1) does not apply to a person who lights or maintains a fire at a time and during a period when the lighting of fires is not prohibited under any Act in -
- (a) a fireplace provided by the Committee; or
- (b) an area set aside by the Committee under regulation 9(1) for the purpose of lighting or maintaining a fire.
- (3) A person must not leave unextinguished or unattended a fire which that person has lit or maintained in the manner referred to in sub-regulation (2).
20. Natural, cultural and other assets
- (1) In the reserve, a person must not-
- (a) take, cut, damage, displace, deface or interfere with any timber, tree, shrub, plant, wildflower or other vegetation;
- (b) enter any area which is set aside under Regulation 9(1) -
- (i) for the re-establishment or planting of trees, shrubs, grass or other vegetation; or

- (ii) for the protection of flora or fauna, geological or geomorphological features or cultural values;
 - (c) plant or knowingly introduce any seed, tree, shrub, fern or other vegetation or any part of any tree, shrub or other vegetation;
 - (d) take, destroy or damage any lair or nest or take any fauna or its lair or nest or take any skeletal remains;
 - (e) move or interfere with any sign, noticeboard, equipment, seat, table, gate, post, fence, bridge, facility, building or structure;
 - (f) move or interfere with any navigational aid or life saving aid except for the purpose of saving life;
 - (g) take any stone including any soil, sand or gravel.
 - (2) Sub-regulation (1) does not apply to a person acting in accordance with a lease, licence, permit or other authority under the **Extractive Industries Development Act 1995**, the **Mineral Resources Development Act 1990** or the **Petroleum Act 1958**.
21. Erecting or using buildings and structures
- (1) In the reserve, a person must not-
 - (a) erect or place any building or structure; or
 - (b) enter, occupy or use the whole or any part of any building or structure unless it is set aside as an amenity or facility for public use and any fee required to be paid under these Regulations has been paid and any times or periods or conditions relating to the use of the building or structure are complied with.
 - (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).
22. Use of amenity or facility
- (1) In the reserve, a person must not enter or use an amenity or facility set aside for use of persons of the opposite sex.
 - (2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of 6 years when accompanied by an adult.
23. Games or sports
- (1) In the reserve, a person must not engage in any game or sport likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.
 - (2) Sub-regulation (1) does not apply to a person-
 - (a) who is engaged in a game or sport in an area set aside for a game or sport under regulation 9(1) and any fee required to be paid under these Regulations has been paid and any times or periods or conditions relating to the use are complied with; or
 - (b) who is acting in accordance with a current permit issued under Part 2 which allows that person to engage in a game or sport.
24. Organised function, fete or public meeting
- (1) In the reserve, a person must not participate in an organised function, rally, concert, festival, tour, fete or public meeting or similar event.
 - (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).
25. Public address
- (1) In the reserve, a person must not preach or deliver an address or use any amplifier, public address system, loud hailer or similar device.
 - (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that

- person to engage in the particular activity referred to in sub-regulation (1).
26. Commercial Activities
- (1) In the reserve, a person must not-
- (a) sell or offer any article for sale;
 - (b) take photographs for gain or commercial purposes;
 - (c) ply any vehicle for hire or carry any passengers for fee or reward;
 - (d) conduct any school or provide any form of instruction for gain;
 - (e) display, advertise for sale or trade or hire any article, device, service or thing;
 - (f) solicit or collect money or orders for goods or services or other purposes;
 - (g) take part in or advertise any entertainment for gain;
 - (h) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing;
 - (i) offer for hire any article, device or thing;
 - (j) conduct a tour for gain or for commercial purposes.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).
27. Machinery and power tools
- (1) In the reserve, a person must not operate any portable or stationary generator, air-compressor, chainsaw, oxy-acetylene or electrical cutting or welding apparatus or other machinery.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).
28. Gates
- In the reserve, a person must not leave any gate open except where the gate is already open.
29. Use of Beach Umbrellas
- (1) A person must not erect or use a beach umbrella or similar device for providing shade or weather protection on any beach in the reserve.
- (2) Sub-regulation (1) does not apply to a person who uses a beach umbrella or similar device which is securely anchored -
- (a) by means of a disc made of wood, metal or similar material being at least 30 centimetres in diameter fitted over the shaft immediately above the tip and the tip is buried in the sand to a depth of at least 30 centimetres; or
 - (b) by means of a bag filled with at least 5 kilograms of dry weight of sand securely tied to the device; or
 - (c) by means of a device with an equivalent effect to an anchoring device referred to in paragraph (a) or (b).
30. Offensive behaviour
- In the reserve, a person must not -
- (a) use indecent or obscene language;
 - (b) use threatening or abusive words;
 - (c) behave in a riotous, indecent, offensive or threatening manner.
31. Firearms and traps
- In the reserve, a person must not possess or carry or use any firearm, trap or snare.
32. Stones or missiles
- In the reserve, a person must not propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals or is likely to damage any flora or property.
33. Royalties
- A person authorised by a current permit issued under Part 2 to take stone from the reserve must pay to the Secretary the royalty specified in Schedule 5 of the

Extractive Industries Development Regulations 1996, in respect of the type and quantity of stone taken.

PART 4 - WORKS AND IMPROVEMENTS

34. Consent of Minister

- (1) The Committee must obtain all the necessary approvals and permits and the consent of the Minister or the consent of the Minister's authorised delegate before undertaking any works or improvements on the reserve.
- (2) The consent of the Minister or the Minister's authorised delegate is not required if the works and improvements are;
 - (a) for the purpose of carrying out repairs or maintenance of structures, facilities and other improvements; or
 - (b) minor works or improvements necessary to keep the reserve in good order or appearance; or
 - (c) to provide information to the public; or
 - (d) works and improvements agreed to under a management or development plan which has been approved by the Minister or the Minister's authorised delegate.

PART 5 - GENERAL

35. Obstruction

A person must not in the reserve obstruct, hinder or interfere with a member of the Committee, an authorised officer or appointed person, any other officer or employee of the Committee or a person authorised by the Committee in the execution of his or her duties in the reserve.

36. Direction and direction to leave

- (1) An appointed person or authorised officer may direct a person in charge of a vehicle to move the vehicle or remove the vehicle from the reserve if -
 - (a) the vehicle is parked or standing contrary to any determination made under these Regulations; or

- (b) in the opinion of the appointed person or authorised officer the vehicle is obstructing or likely to obstruct the passage of people or other vehicles in the reserve; or
- (c) the vehicle is a danger or likely to be a danger to people using the reserve or is likely to cause injury or damage to property in the reserve; or
- (d) the vehicle is being driven in a manner which is likely to prejudice the safety of persons or cause injury or damage to property in the reserve.

- (2) An appointed person or an authorised officer may direct any person whom that officer believes on reasonable grounds has contravened these Regulations to leave the reserve or any part of the reserve.
- (3) When directed to do so by an appointed person or an authorised officer, a person must immediately -
 - (a) move a vehicle as directed within the reserve; or
 - (b) remove a vehicle from the reserve; or
 - (c) leave the reserve or the part of the reserve.

NOTES

Contravention of regulations

A contravention of these regulations may result in the imposition of penalties as set out in Section 13 of the Crown Land (Reserves) Act 1978.

Litter

The depositing of litter in the reserve is prohibited under the **Litter Act 1987** and may result in the imposition of penalties under that Act.

Motor Vehicles

Under the **Land Conservation (Vehicle Control) Regulations 1992**, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A contravention may result in the imposition of penalties under those regulations.

Fire

In addition to Regulation 19, the lighting of fires is governed by the Fire Protection Regulations 1992 and failure to adhere to those Regulations may result in the imposition of penalties.

Bicycle Path, Footway, Segregated footway or Shared Footway

The meanings of bicycle path, footway, segregated footway and shared footway are-

“Bicycle path” means a way, other than a bicycle lane, defined by a bicycle way sign at its beginning, and at its end by-

- (a) an end bicycle sign; or
- (b) a shared footway sign; or
- (c) a segregated footway sign; or
- (d) a bicycle way sign; or
- (e) a carriageway; or
- (f) a dead end-

the signs being erected adjacent to the way so as to face an approaching driver of a bicycle.

“Footway” means a footpath, lane or other place provided solely for the use of pedestrians or habitually used by pedestrians and not by vehicles, but includes a segregated footway or a shared footway.

“Segregated Footway” means a length of footway defined by means of a segregated footway sign at its beginning, and at its end by-

- (a) an end segregated footway sign; or
- (b) a shared footway sign; or
- (c) a bicycle way sign; or
- (d) a no-bicycles sign; or
- (e) a carriageway; or
- (f) a dead end; or
- (g) a segregated footway sign.

“Shared footway” means a length of footway defined by means of a shared footway sign at its beginning, and at its end by-

- (a) an end shared footway sign; or
- (b) a segregated footway sign; or
- (c) a bicycle way sign; or

- (d) a no-bicycles sign; or
- (e) a carriageway; or
- (f) a dead end, or
- (g) a shared footway.

Dated: 26 July 1999

WAYNE MALONE

Manager, Land Victoria, Port Phillip Region as delegate for the Honourable Marie Tehan, Minister for Conservation and Land Management

Prevention of Cruelty to Animals Act 1986

APPROVAL OF INSPECTOR

I, Peter John Bailey, Director Quality Assurance, Position Number 212677, in the Department of Natural Resources and Environment, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following officer, who is an inspector of livestock under the provisions of the **Livestock Disease Control Act 1994**, as an inspector for the purposes of Part 2 of the **Prevention of Cruelty to Animals Act 1986**.

NAME OF OFFICER	POSITION OF OFFICER
-----------------	---------------------

Tristan Finlay Jubb	533735
---------------------	--------

Dated: 30 August 1999.

PETER JOHN BAILEY
Director Quality Assurance

**Agricultural and Veterinary Chemicals
(Control of Use) Act 1992**

APPOINTMENT OF AUTHORISED
OFFICER

I, John William Galvin, Manager Animal Health Operations, Position Number 230599, in the Department of Natural Resources and Environment, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint the authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following officer

who holds an office in the Public Service, as an authorised officer for the purposes of all or any of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**.

NAME OF OFFICER	POSITION OF OFFICER
------------------------	----------------------------

Tristan Finlay Jubb	533735
---------------------	--------

Dated: 27 August 1999.

JOHN WILLIAM GALVIN
Manager Animal Health Operations

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTOR

I, John William Galvin, Manager Animal Health Operations, Position Number 230599, in the Department of Natural Resources and Environment, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint the inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following officer, who holds a position under the provisions of the **Public Sector Management Act 1992**, as an inspector for the purposes of all or any of the provisions of the **Livestock Disease Control Act 1994** and in respect of all or any livestock other than for fish and bees.

NAME OF OFFICER	POSITION OF OFFICER
------------------------	----------------------------

Tristan Finlay Jubb	533735
---------------------	--------

Dated: 27 August 1999.

JOHN WILLIAM GALVIN
Manager Animal Health Operations

Gas Industry Act 1994
ENERGEX RETAIL PTY LTD
Notice of Grant of Licence

The Office of the Regulator-General gives notice under section 48I of the Act that it has, pursuant to section 48E of the Act, issued a licence to ENERGEX Retail Pty Ltd (A.C.N. 078 849 055) to sell gas to non-franchise customers in Victoria.

The licence takes effect on and from 1 September 1999 and has an unlimited term that may be revoked or varied as provided by the Act or by the terms of the licence.

A copy of the licence may be inspected during business hours at the Office of the Regulator-General, 1st floor, 35 Spring Street, Melbourne 3000.

Dated: 6 September 1999.

JOHN C. TAMBLYN
Regulator-General

Stamps Act 1958

Notice Under Section 40A

Pursuant to section 40A of the **Stamps Act 1958** I hereby declare and make effective from 1 September 1999, that:

AP-409 – Simon John Purcell trading as Purcell Partners Solicitors

be an "Authorised Person" in relation to the stamping of Transfers of Land, Mortgages, Bonds, Debentures or Covenants, Marketable Securities, Leases, Agreements to Lease, Assignments or Transfers of Lease and Instruments of Settlement.

Dated: 3 September 1999.

DAVID POLLARD
Commissioner of State Revenue

Stamps Act 1958

Notice Under Section 40A

Pursuant to section 40A of the **Stamps Act 1958** I hereby declare and make effective from 1 September 1999, that:

AP-408 – Australian Probate Estate & Asset Related Services

be an "Authorised Person" in relation to the stamping of Transfers of Land, Mortgages, Bonds, Debentures or Covenants, Marketable Securities, Leases, Agreements to Lease, Assignments or Transfers of Lease and Instruments of Settlement.

Dated: 3 September 1999.

DAVID POLLARD
Commissioner of State Revenue

Subordinate Legislation Act 1994
Electricity Safety Act 1998

Electricity Safety (Management) Regulations
1999

NOTICE OF REGULATORY IMPACT STATEMENT

In accordance with the **Subordinate Legislation Act 1994**, notice is given that a Regulatory Impact Statement has been prepared in relation to the proposed Electricity Safety (Management) Regulations 1999.

The proposed Regulations will be made under sections 149A, 150 and 157 of the **Electricity Safety Act 1998**.

The proposed Regulations are designed to:

- allow accepted electricity safety managers to carry out certain functions of the Office of the Chief Electrical Inspector;
- allow electricity suppliers to establish safety schemes for their upstream networks; and
- establish industry wide "employer" type schemes, which allow individual companies to establish their own safety management program.

The Regulations provide for the requirements, procedures, fees and other matters relating to the acceptance of electricity safety managers and electricity safety management schemes. The Regulatory Impact Statement examines the appropriate level of regulation so as to ensure that the manager's functions are exercised properly and that safety standards of the scheme operators are maintained whilst allowing industry better control over how to achieve the required safety outcomes or to improve on those outcomes. The Regulatory Impact Statement concludes that the proposed regulated scheme provides the most cost effective means of achieving the objectives and provides for a relatively high level of safety.

A copy of the Regulatory Impact Statement and of the proposed Regulations can be obtained from the Office of the Chief Electrical Inspector, Level 3, 4 Riverside Quay, Southbank or by telephoning (03) 9203 9700.

Public comments and written submissions are invited and will be received up to 28 days from the date of publication of this notice.

Submissions should be addressed to: Mr Bill Greenland, General Manager Supply Safety, Office of the Chief Electrical Inspector, P.O. Box 262, Collins Street West, Victoria 8007.

ALAN R. STOCKDALE
Treasurer

**Drugs, Poisons and Controlled Substances
Act 1981**

SECTIONS 12G AND 12K
Notice Regarding the Amendment,
Commencement and Availability of
the Poisons Code

I, Rob Knowles, Minister for Health, give notice that the Poisons Code, prepared under

sections 12 and 12E of the **Drugs, Poisons and Controlled Substances Act 1981**, will be amended by incorporating by reference amendments to the Commonwealth standard as prescribed by the Drugs, Poisons and Controlled Substances (Commonwealth Standard) Regulations 1995.

The Poisons Code is a document that enables certain parts of the Commonwealth standard, particularly those parts relating to the uniform scheduling, labelling and advertising of drugs and poisons, to be incorporated by reference and then applied as law in Victoria.

The Poisons Code will be amended to the extent that -

- (a) Part 1 of Chapter 1 of the Code will be substituted so that the headings to Schedules 1 to 9 are aligned with the headings given to those Schedules in the Commonwealth standard; and
- (b) earlier incorporated by reference material, being the Standard for the uniform scheduling of drugs and poisons (SUSDP) No. 13 as amended by SUSDP No. 13 Amendment Nos. 1, 2, 3 and 4 Part A, will be amended, varied, remade or superseded to the extent necessary by the incorporation by reference of SUSDP No. 13 Amendment No. 4, Part B.

The date fixed for the substitution of Part 1 of Chapter 1 of the Code and the amending, varying, remaking or superseding material to take effect is 19 September 1999.

The Poisons Code may be inspected free of charge during normal business hours at the offices of the Department of Human Services situated at Level 16, 120 Spencer Street, Melbourne 3000. Contact - Duty Pharmacist, Drugs and Poisons Unit, Ph. 9637 4066; and Level 14, 555 Collins Street, Melbourne 3000. Contact - Legislation Officer, Phone 9616 7167.

A copy of the Code may also be obtained from the above offices. A copy of the Standard for the uniform scheduling of drugs and poisons, including amendments, may be obtained from the Australian Government Bookshop situated at 190 Queen Street, Melbourne 3000 Phone 132447.

ROB KNOWLES
Minister for Health

**Drugs, Poisons and Controlled
Substances Act 1981**

NOTICE

I, Rob Knowles, Minister for Health, have prepared the following amendment to the Poisons Code under sections 12E(1A) of the **Drugs, Poisons and Controlled Substances Act 1981**.

ROB KNOWLES
Minister for Health

Dated: 10 September 1999

Poisons Code

AMENDMENT TO PART 1 OF CHAPTER 1

For Part 1 of Chapter 1 of the Poisons Code substitute –

"PART 1 – SCHEDULES

1.1 The 9 Schedules of the Poisons List are –

- | | |
|-------------------|---|
| SCHEDULE: | 1 |
| SCHEDULE HEADING: | No heading. |
| SUBSTANCES: | There are no substances included in this Schedule. |
| SCHEDULE: | 2 |
| SCHEDULE HEADING: | Pharmacy Medicine–Substances, the safe use of which may require advice from a pharmacist and which should be available from a pharmacy or, where a pharmacy service is not available, from a licensed person. |
| SUBSTANCES: | The substances included in this Schedule are the substances listed in Schedule 2 of Part 4 of the Commonwealth standard as in force from time to time. |
| SCHEDULE: | 3 |
| SCHEDULE HEADING: | Pharmacist Only Medicine–Substances, the safe use of which requires professional advice but which should be available to the public from a pharmacist without a prescription. |
| SUBSTANCES: | The substances included in this Schedule are the substances listed in Schedule 3 of Part 4 of the Commonwealth standard as in force from time to time. |
| SCHEDULE: | 4 |
| SCHEDULE HEADING: | Prescription Only Medicine or Prescription Animal Remedy–Substances, the use or supply of which should be by or on the order of persons permitted in Victoria to prescribe and should be available from a pharmacist on prescription. |
| SUBSTANCES: | The substances included in this Schedule are the substances listed in Schedule 4 of Part 4 of the Commonwealth standard as in force from time to time. |
| SCHEDULE: | 5 |
| SCHEDULE HEADING: | Caution–Substances with a low potential for causing harm, the extent of which can be reduced through the use of appropriate packaging with simple warnings and safety directions on the label. |
| SUBSTANCES: | The substances included in this Schedule are the substances listed in Schedule 5 of Part 4 of the Commonwealth standard as in force from time to time. |

SCHEDULE:	6
SCHEDULE HEADING:	Poison—Substances with a moderate potential for causing harm, the extent of which can be reduced through the use of distinctive packaging with strong warnings and safety directions on the label.
SUBSTANCES:	The substances included in this Schedule are the substances listed in Schedule 6 of Part 4 of the Commonwealth standard as in force from time to time.
SCHEDULE:	7
SCHEDULE HEADING:	Dangerous Poison—Substances with a high potential for causing harm at low exposure and which require special precautions during manufacture, handling or use. These poisons should be available only to specialised or authorised users who have the skills necessary to handle them safely. Special Regulations restricting their availability, possession, storage or use may apply.
SUBSTANCES:	The substances included in this Schedule are the substances listed in Schedule 7 of Part 4 of the Commonwealth standard as in force from time to time.
SCHEDULE:	8
SCHEDULE HEADING:	Controlled Drug—Substances which should be available for use but require restriction of manufacture, supply, distribution, possession and use to reduce abuse, misuse and physical and psychological dependence.
SUBSTANCES:	The substances included in this Schedule are the substances listed in Schedule 8 of Part 4 of the Commonwealth standard as in force from time to time.
SCHEDULE:	9
SCHEDULE HEADING:	Prohibited Substances—Substances which may be abused or misused, the manufacture, possession, sale or use of which should be prohibited by law except when required for medical or scientific research, or for analytical teaching or training purposes with the approval of the Secretary to the Department of Human Services.
SUBSTANCES:	The substances included in this Schedule are the substances listed in Schedule 9 of Part 4 of the Commonwealth standard as in force from time to time."

Livestock Disease Control Act 1994

NOTICE UNDER SECTION 94

Notice is hereby given that on the 3 September 1999 the Commissioner of State Revenue declared, pursuant to section 94 of the **Livestock Disease Control Act 1994**, the undermentioned persons, being persons carrying on business as stock and station agents, abattoir operators, feedlot operators, cattle scale operators, calf dealers or any other prescribed business dealing with the buying or selling of

livestock or carcasses of livestock, as approved agents for the purposes of Part 6 of the **Livestock Disease Control Act 1994**, and of the **Stamps Act 1958**.

Mr Garry Francis Chisolm and Mrs Cheryl Lee Chisolm trading as Chisolm Livestock Services.

CHRISTOPHER CHARLES EDWIN GAHAN
as delegate of the Secretary to the Department
of Natural Resources and Environment

Water Act 1989

GRAMPIANS REGION WATER AUTHORITY
I, Patrick McNamara MP, Minister for
Agriculture and Resources, make the following
Order:

DECLARATION OF THE MINYIP
SEWERAGE DISTRICT ORDER 1999

1. This Order is called the Declaration of the Minyip Sewerage District Order 1999.
2. This Order is made under Section 96(11) of the **Water Act 1989** and all other available powers.
3. This Order takes effect from the date it is published in the Government Gazette.
4. The proposal for the declaration of a new sewerage district submitted to the Department of Natural Resources and Environment by Grampians Region Water Authority on 22 June 1999 is approved.
5. (a) A new sewerage district is declared;
(b) The new sewerage district is called Minyip Sewerage District;
(c) The Minyip Sewerage District is the area of land within the red border on the Grampians Region Water Authority's plan no. 99/4775, a copy of which may be inspected at the Authority's offices at 11 McLachlan Street, Horsham, 3402; and
(d) The Grampians Region Water Authority is nominated to manage and control the Minyip Sewerage District.

PATRICK McNAMARA MP
Deputy Premier
Minister for Agriculture and Resources

Water Act 1989

GRAMPIANS REGION WATER AUTHORITY
I, Patrick McNamara MP, Minister for
Agriculture and Resources, make the following
Order:

DECLARATION OF THE HOPETOUN
SEWERAGE DISTRICT ORDER 1999

1. This Order is called the Declaration of the Hopetoun Sewerage District Order 1999.

2. This Order is made under Section 96(11) of the **Water Act 1989** and all other available powers.
3. This Order takes effect from the date it is published in the Government Gazette.
4. The proposal for the declaration of a new sewerage district submitted to the Department of Natural Resources and Environment by Grampians Region Water Authority on 21 July 1999 is approved.
5. (a) A new sewerage district is declared;
(b) The new sewerage district is called Hopetoun Sewerage District;
(c) The Hopetoun Sewerage District is the area of land within the red border on the Grampians Region Water Authority's plan no. 99/4774, a copy of which may be inspected at the Authority's offices at 11 McLachlan Street, Horsham, 3402; and
(d) The Grampians Region Water Authority is nominated to manage and control the Hopetoun Sewerage District.

PATRICK McNAMARA MP
Deputy Premier
Minister for Agriculture and Resources

Water Act 1989

BULK ENTITLEMENT (AXEDALE,
GOORNONG & PART ROCHESTER)
CONVERSION ORDER 1999

I, Patrick John McNamara, as Minister
administering the **Water Act 1989**, make the
following Order -

1. CITATION
This Order may be cited as the Bulk Entitlement (Axedale, Goornong & Part Rochester) Conversion Order 1999.
2. EMPOWERING PROVISIONS
This Order is made under sections 43 and 47 of the **Water Act 1989**.
3. COMMENCEMENT
This Order comes into operation on the day it is published in the Government Gazette.

4. DEFINITIONS

In this Order -

“Act” means the Water Act 1989;

“annual entitlement” means the total amount of water, which the Authority may take from the system in any year;

“Authority” means the Coliban Region Water Authority trading under the name of Coliban Water;

“Campaspe Basin Water Accounts” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Campaspe Basin, with the terms of their bulk entitlements or licences;

“Campaspe Entitlement Holder” means the holder of the Bulk Entitlement (Campaspe System - Goulburn-Murray Water) Conversion Order 1999;

“climatically adjusted cap” means the water that the Authority would have diverted from the system waterway, under the 1990-91 level of development, as determined each year by the Resource Manager and calculated in accordance with Schedule 5 of the Bulk Entitlement (Campaspe System - Coliban Water) Conversion Order 1999;

“distribution system” means the channels, pipes and other works, and the natural or modified waterways which are used to transport water from the headworks system;

“entitlement holder” means a person or water agency holding a bulk entitlement under the Act;

“Eppalock Storage Operator” means any person or persons appointed by the Minister to operate Lake Eppalock in accordance with the duties specified in the “instrument of appointment”;

“headworks system” means -

- (a) Lake Eppalock and the associated water supply works, as shown in the Asset Register of Goulburn-Murray Water as owner of the storage, and
- (b) the system waterway;

“licence” means any licence granted under Part 4 of the Act;

“part Rochester” means that part of water supply to Rochester which is sourced from Campaspe River;

“Resource Manager” means any person appointed by the Minister to do all or any of the following -

- (a) prepare the Campaspe Basin Water Accounts; and
- (b) monitor whether bulk entitlement holders in the Campaspe Basin comply with the conditions of their bulk entitlements; and
- (c) investigate and mediate disputes between bulk entitlement holders in the Campaspe Basin; and
- (d) investigate and deal with significant unauthorised use of water in the catchment; and
- (e) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.
- (f) direct the release of any water set aside for maintaining water quality in the Campaspe Basin;

“security of supply” means the statistical probability that the Campaspe Entitlement holder will be able to supply the whole of the annual entitlement to the Authority from the headworks system;

“source cost” means the total annual cost to -

- (a) operate, maintain and administer; and
- (b) make releases from; and
- (c) keep an account of the shares of components available to the entitlement holders at any one time of; and
- (d) meet the finance charges including repayment of principal, calculated by reference to the weighted average cost of borrowing (based on internal Treasury arrangements and externally borrowed funds) associated with any new or replacement works undertaken on; and

- (e) make an appropriate allowance for asset consumption, using the renewal annuity approach or other asset consumption methodology directed by the Minister to apply to the authorities, associated with; and
- (f) assist in managing the catchment for water supply purposes to protect the quality of water diverted to, and stored in; and
- (g) contribute to the cost of salinity mitigation schemes along the River Murray operated by Victoria, commensurate with the extent to which entitlement holders in the Campaspe River basin rather than other water users in Victoria generate a need for these schemes; and
- (h) manage the stream gauging stations necessary to operate; and
- (i) implement, the program to manage the environmental effects of;

the shared component or components of the headworks system;

“system waterway” means the Campaspe River from Lake Eppalock to the confluence with the Murray River, including the pools formed by, and immediately upstream of, Eppalock Dam, Campaspe Weir and the Campaspe Siphon;

“water right” has the same meaning as in section 230(2)(c) of the Act;

“year” means the 12 months commencing 1 July.

5. CONVERSION TO A BULK ENTITLEMENT

All of the Authority’s entitlement to water from the system waterway is converted to a bulk entitlement on the conditions set out in this Order.

6. BULK ENTITLEMENT

- 6.1 The Authority may take from the system waterway in order to supply the township/s of
 - (a) Axedale and Goornong up to a maximum annual volume of 215 ML at a rate not exceeding 1.65 ML/d; and

- (b) Rochester only during the months of May, June, July, August and September, an average of 134 ML per annum over any consecutive 10 year period and up to a maximum volume of 285 ML over the five month period, at a rate not exceeding 10.9 ML/d.

- 6.2 The Authority may supply the township of Rochester, subject to sub-clause 6.1(b), and subject to clause 6 of “Bulk Entitlement (Rochester) Conversion Order 1995”, a combined maximum annual volume of 1534 ML.

7. SECURITY OF SUPPLY

- 7.1 The entitlements specified in clause 6 are 99% secure.

- 7.2 The Minister, by reference to an appropriate computer model, may modify the level of security specified in sub-clause 7.1, where the Minister is satisfied that either -

- (a) hydrological conditions have changed since December 1994; or

- (b) the estimated security of supply, based on the development within the Campaspe basin applying at the date of this Order has changed.

- 7.3 Where the Campaspe Entitlement Holder is unable to supply the Authority’s full annual entitlement, the Authority must assess and supply water in accordance with the restrictions procedure set out in clause 8.

8. RESTRICTION OF SUPPLY

- 8.1 In August and in each subsequent month until restrictions are no longer necessary for the remainder of the year, the Campaspe Entitlement Holder must decide whether to restrict this bulk entitlement in that year.

- 8.2 Whenever the seasonal allocation for the Campaspe Irrigation District determined by the Campaspe

Entitlement Holder drops below 100% water right then the Campaspe Entitlement Holder may restrict this entitlement in accordance with the following formula:

$$R = A \times S$$

where -

R = the Authority's restricted annual entitlement

A = the Authority's annual entitlements as specified in clause 6

S = the seasonal allocation for the Campaspe Irrigation District determined by the Campaspe Entitlement Holder

- 8.3 In any year if this bulk entitlement continues to be restricted in May, unless otherwise determined by the Campaspe Entitlement Holder, the same extent of restrictions shall apply in the following months till the end of the following September if new seasonal allocations announced in August and September by the Campaspe Entitlement Holder for the following irrigation season are lower than the allocation that prevailed in the immediately past May month. If the August and/or the September allocations are higher than the previous May allocation, the restrictions will be revised in accordance with sub-clauses 8.2 or 8.4, whichever is applicable.
- 8.4 In any year the Campaspe Entitlement Holder must review the restriction and revoke the restriction for that year whenever S equals or exceeds 100% water right.
- 8.5 The Authority's annual entitlement cannot be restricted in any year unless the Campaspe Entitlement Holder advises the Authority in writing within 14 days of a decision to restrict the entitlement under sub-clauses 8.1 and 8.2.
- 8.6 The Authority is not eligible for credits for any amount of the Authority's annual entitlement not taken due to any restriction imposed under sub-clause 8.2.
9. SUPPLY OF WATER
- 9.1 The Authority and the Campaspe Entitlement Holder must endeavour to agree on operational arrangements for the supply of water under this entitlement.
- 9.2 If the Authority and the Campaspe Entitlement Holder have not reached agreement under sub-clause 9.1 within 12 months of the date of this Order, either party may give written notice to the other party requiring the matter to be determined in accordance with clause 19.
10. GRANTING WATER CREDITS
- 10.1 On the application of the Authority, the Minister may grant the Authority credit for any water
- (a) taken from the system waterway and returned to the system waterway; and/or
 - (b) delivered from another distribution system to the system waterway;
- against the total amount of its entitlement, as set out in this clause.
- 10.2 The Minister may grant a credit for releases made directly to the system waterway from the Authority's distribution system if -
- (a) the return flow is treated to a high standard or is at least of similar quality to the water taken by the Authority from the system waterway; and
 - (b) the return flow is considered by the Minister to be useful in meeting passing flows or other Authorities' commitments to supply water.
- 10.3 The Minister may, by written notice to the Authority, specify any period or periods during which the Authority may not redeem credit against its annual entitlement.

11. METERING PROGRAM

- 11.1 The Authority must propose to the Minister within 12 months of the date of this Order a metering program to demonstrate compliance with this bulk entitlement with respect to all water taken by the Authority under this bulk entitlement; and
- 11.2 The Minister may -
- (a) approve the program proposed under sub-clause 11.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority -
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister; or
 - (d) not approve the program.
- 11.3 The Authority must, at its cost, and in accordance with any guidelines issued from time to time by the Minister -
- (a) implement and maintain the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition; and
 - (c) ensure that metering equipment is periodically re-calibrated; and
 - (d) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
 - (e) keep a record of all work undertaken under paragraphs (b), (c) and (d).

12. REPORTING REQUIREMENTS

- 12.1 The Authority may be required to report on all or any of the following matters, as provided in this sub-clause:

- (a) the daily amounts of water taken from the system waterway under this entitlement;
 - (b) the annual amounts of water taken from the system waterway under this entitlement;
 - (c) any credits granted under clause 10;
 - (d) the approval, amendment and implementation of the metering program approved under sub-clause 11.2;
 - (e) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (f) any period of restriction and the degree of restriction on supplies to Axedale, Goornong and Rochester;
 - (g) any amendment to this bulk entitlement;
 - (h) any new bulk entitlement granted to the Authority with respect to Axedale, Goornong and Rochester Water Supply Systems;
 - (i) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (j) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed.
- 12.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 12.1 -
- (a) in writing or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister's written request.
- 12.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 12.1, except -

- (a) paragraph (a) of sub-clause 12.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (h) of sub-clause 12.1;
- 12.4 The Resource Manager may require the Authority to report from time to time, on all or any of the matters set out in paragraphs (a) to (i) of sub-clause 12.1.
- 12.5 Any report under sub-clause 12.4 must be made -
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
- (b) unless the Authority and the person agree otherwise -
- (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) and (b) of sub-clause 12.1; or
- (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (c) to (i) of sub-clause 12.1.
13. WATER SUPPLY SOURCE COST
- 13.1 The Authority must pay the Campaspe Entitlement Holder an annual charge in return for the security of supply attached to the annual entitlement, calculated as follows:
- $$C_S = \$ (A/Y) \times (S+R)$$
- where
- C_S is the storage charge (\$)
- A is the annual entitlement (ML)
- Y is the average annual amount of water that can be supplied by the Campaspe Entitlement Holder at a security of 99% from the Headworks System (ML),
- S is the system source costs estimated by the Eppalock Storage Operator for the year for which the charge is calculated (\$)
- R is the return to Headworks System equity holders for the year for which the charge is calculated (\$)
- 13.2 The Authority must pay the charge, whether or not its annual entitlement is restricted in any year under clause 7.
14. WATER ACCOUNTING
- 14.1 For the purpose of determining how much water has been taken by the Authority under its annual entitlement the amounts measured under sub-clause 11.3(a) are conclusive.
- 14.2 If the equipment referred to in sub-clause 11.3(b) fails for any reason to operate accurately or correctly for any period, the amounts for the purpose of sub-clause 14.1 are deemed to be the same as the average amount taken by the Authority under its annual entitlement for the same period for the preceding three years.
15. WATER RESOURCE MANAGEMENT COSTS
- 15.1 Subject to sub-clause 16.1, the Authority must pay the Resource Manager a proportion of the costs incurred by the Resource Manager to perform the tasks defined under Clause 4.
- 15.2 The proportion of the costs referred to in sub-clause 15.1 will be the same as the ratio of the long term average climatically adjusted cap attributable to Axedale, Goornong and part Rochester, to the long term average climatically adjusted total cap calculated for the Campaspe River basin, unless a different proportion is agreed to between the Authority and any other entitlement holders within the Campaspe basin.
16. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS
- 16.1 The Authority is not obliged to make any payment to the Resource

Manager, under clause 14 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

16.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 15.1.

16.3 The Resource Manager must, by 1 February in any year, provide the Authority with an estimate, in respect of the ensuing year, of the costs referred to in sub-clause 15.2.

16.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

17. DUTY TO MAKE PAYMENTS

Any amounts payable by the Authority under sub-clauses 13.1 and 15.1 must be paid in arrears, within 30 days from the end of the month of the Authority receiving the respective invoices, for amounts payable under the clauses, unless the Authority and the persons to whom the amounts are payable agree otherwise.

18. DATA

18.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.

18.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 11 and 12 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

19. DISPUTE RESOLUTION

19.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Campaspe Entitlement Holder, the Resource Manager, or any of them (the "parties") concerning the

interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

19.2 The independent expert will be either -

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

19.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

19.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

19.5 In any difference or dispute to which the Minister is a party,

- (a) the independent expert must express the conclusion as a recommendation.
- (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

19.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

19.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 19 August 1999.

Note: An explanatory note that accompanies this Order is available from the

Department of Natural Resources and Environment.

PATRICK JOHN McNAMARA
Minister administering the **Water Act 1989**

Water Act 1989

BULK ENTITLEMENT (CAMPASPE SYSTEM - COLIBAN WATER) CONVERSION ORDER 1999

I, Patrick John McNamara, under the provisions of the **Water Act 1989**, make the following Order:-

1. CITATION

This Order may be cited as the Bulk Entitlement (Campaspe System - Coliban Water) Conversion Order 1999.

2. EMPOWERING PROVISIONS

This Order is made under sections 43 and 47 of the **Water Act 1989**.

3. COMMENCEMENT

This Order comes into operation on the day published in the Government Gazette.

4. DEFINITIONS

In this Order -

“Act” means the **Water Act 1989**;

“actual flow” means the flow as calculated under Schedule 5 (2.1) of the “Bulk Entitlement (Campaspe System - Goulburn-Murray Water) Conversion Order 1999”;

“AHD” means the Australian Height Datum;

“Agreement Volume” means the volume of water available under an agreement made under section 124(7) of the Act;

“Authority” means the Coliban Region Water Authority trading under the name of Coliban Water;

“Campaspe Basin” means the area of land previously designated by the Australian Water Resources Council (AWRC) as Basin Number 6 in the South-East Coast Division of the AWRC Australian Continental Drainage Divisions;

“Campaspe Basin Water Accounts” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Campaspe Basin, with the terms of their bulk entitlements or licences;

“Campaspe System” means the water supply systems supplied from the Coliban River storages and Lake Eppalock;

“cap” means an upper limit on diversions or any other prescribed parameter that should not be exceeded;

“capacity share” means a water entitlement which is expressed as a percentage share of all or any of the following, depending on the context in which the expression is used -

- (a) storage capacity; and
- (b) inflows to a storage or diversion weir; and
- (c) storage and waterway transmission losses; and
- (d) storage release capacity; and
- (e) unregulated flow in a waterway; and
- (f) share of specified minimum passing flows;

“climatically adjusted cap” means the water that the Authority would have diverted from the system waterway, under the 1990-91 level of development, as determined each year by the Resource Manager and calculated in accordance with Schedule 5;

“Coliban Storage Operator” means any person or persons appointed by the Minister to operate the headworks system in accordance with the duties specified in the “instrument of appointment”;

“distribution system” means the channels, pipes and other works, and the natural or modified waterways which are used to transport water from the headworks system;

“entitlement holder” means a person or water agency holding a bulk entitlement under the Act;

“Eppalock Storage Operator” means any person or persons appointed by the Minister to operate Lake Eppalock in

accordance with the duties specified in the "instrument of appointment";

"exchange rate" means the rate, determined by the Minister, at which the security of supply varies inversely to the annual entitlement;

"Fernhill storages" means Fernhill Reservoir Number 1 and Fernhill Reservoir Number 2;

"full supply level" means the AHD level at or below which a storage is designed to be operated;

"headworks storages" means Fernhill Reservoir Number 1, Fernhill Reservoir Number 2, Upper Coliban Reservoir, Lauriston Reservoir, Malmsbury Reservoir, Caledonia Reservoir;

"headworks system" means -

- (a) the headworks storages and the associated water supply works, as shown in the Asset Register of the owner of the Storages; and
- (b) the Coliban River and its tributaries to its confluence with the Campaspe River;

"internal spill" means an amount of water which is transferred in the water accounts between Authorities holding a capacity share of a storage as specified in Schedule 3;

"licence" means any licence granted under Part 4 of the Act;

"licence volume" means the volume of water available under a licence;

"natural flow" means the flow that would have occurred at a point in the stream had there been no artificial diversion structures on all of the stream and its tributaries upstream of the point.

"modified natural flow" means the flow as calculated under Schedule 5 (2.2) of the "Bulk Entitlement (Campaspe System - Goulburn-Murray Water) Conversion Order 1999";

"other Authority" means a Water Authority other than the Authority or any other person holding a bulk entitlement granted under Division 1 of Part 4 of the Act;

"passing flows" means the flows referred to in clause 11;

"primary entitlement" means an entitlement or commitment referred to in clause 7;

"regulated release" means any release from the headworks storages excluding releases made by the Storage Operator -

- (a) for maintenance purposes under non-emergency situations; and
- (b) to secure the safety of the headworks system under emergency situations;
- (c) to pass flood flows that are not diverted from the system waterway or do not contribute to passing flow commitments;

"Resource Manager" means any person appointed by the Minister to carry out the functions under the terms and conditions specified in the "Instrument of Appointment";

"security of supply" means, for

- (a) urban supplies, the average frequency of restrictions expressed as the percentage of years that supplies would not be restricted; and
- (b) rural supplies, the statistical probability that the February water allocation for a year, equals or exceeds the agreement or licence volume;

"source cost" means the total annual cost to -

- (a) operate, maintain and administer; and
- (b) make releases from; and
- (c) keep an account of the shares of components available to the entitlement holders at any one time of; and
- (d) meet the finance charges including repayment of principal, calculated by reference to the weighted average cost of borrowing (based on internal Treasury arrangements and externally borrowed funds) associated with any new or

replacement works undertaken on;
and

- (e) make an appropriate allowance for asset consumption, using the renewal annuity approach or other asset consumption methodology directed by the Minister to apply to the authorities, associated with; and
- (f) assist in managing the catchment for water supply purposes to protect the quality of water diverted to, and stored in; and
- (g) contribute to the cost of salinity mitigation schemes along the River Murray operated by Victoria, commensurate with the extent to which entitlement holders in the Campaspe River basin rather than other water users in Victoria generate a need for these schemes; and
- (h) manage the stream gauging stations necessary to operate; and
- (i) implement, in accordance with sub-clause 15.3, the program to manage the environmental effects of;

the components of the Authority's headworks system and any other headworks system that the Authority shares with other Authorities;

"system waterway" means the Coliban River and its tributaries downstream of Upper Coliban Reservoir to its confluence with the Campaspe River;

"waterway" has the same meaning as in section 3 of the Act;

"year" means the 12 months commencing 1 July.

5. CONVERSION TO BULK ENTITLEMENTS

All of the Authority's entitlement to water from the system waterway is converted to a bulk entitlement on the conditions set out in this Order.

6. BULK ENTITLEMENT

- 6.1 The Authority may take from the system waterway in order to supply primary entitlements described in Schedule 1, up to an average annual

volume of 50 260 ML over any period of three consecutive years, subject to compliance with the climatically adjusted cap calculated in accordance with the procedure set out in Schedule 5.

- 6.2 Subject to clause 6.1, the total volume of water taken from the Authority's share of Lake Eppalock, must not exceed an annual average volume of 17 440 ML over any consecutive three year period.
- 6.3 Unless otherwise determined by the Minister at that time, sub-clause 6.2 comes into effect on the cessation or completion of the "Effect of Flow Manipulation on the Biota of a Lowland River" project carried out by the Co-operative Research Centre for Freshwater Ecology.
- 6.4 The volumes specified in sub-clause 6.1 and Schedule 5 provide for the supply to primary entitlement holders and for water losses within the distribution system.

7. OBLIGATIONS TO SUPPLY PRIMARY ENTITLEMENTS

Water taken from the system waterway under this bulk entitlement must be used to supply the primary entitlements described in Schedule 1 in accordance with the operational arrangements referred to in sub-clauses 12.2 and 12.3 and the security of supply specified in Schedule 2.

8. TRANSFER OF ENTITLEMENT AND ADJUSTMENT OF SCHEDULES

- 8.1 The Minister may, from time to time, alter Schedule 1 to reflect -
 - (a) any new licence allocated under section 51, 52 or 57 of the Act;
 - (b) any trading between persons holding primary entitlements;
 - (c) any alteration to the security of primary rural entitlement under Schedule 1, in accordance with exchange rates determined by the Minister;
- 8.2 (a) The Authority may apply to the

Minister to amend all or any of the following:

- (i) the principles used to determine annual allocations to rural entitlements described in Schedule 2;
 - (ii) any part of Schedule 2; and other schedules that require consequential changes.
- (b) An application under paragraph (a) must set out -
- (i) the objectives of, and reasons for the proposed amendment; and
 - (ii) the results of an assessment of the likely effect of that amendment on both the security of primary entitlements and the environment.

8.3 The Minister may -

- (a) approve part or all of any application under sub-clause 8.2(a); or
- (b) require the Authority to -
 - (i) provide further information; or
 - (ii) re-submit the application in a different form; or
- (c) not approve the application.

9. SHARE OF STORAGE CAPACITY

9.1 The Authority is entitled to -

- (a) all the storage capacity of Upper Coliban Reservoir, up to 37 000 ML, at a full supply level of 505.6 metres AHD; and
- (b) all the storage capacity of Lauriston Reservoir, up to 20 000 ML, at a full supply level of 479.5 metres AHD; and
- (c) all the storage capacity of Malmsbury Reservoir, up to 18 000 ML, at a full supply level of 449.9 metres AHD; and
- (d) all the storage capacity of Fernhill Reservoir Number 1,

up to 130 ML, at a full supply level of 593.3 metres AHD; and

- (e) all the storage capacity of Fernhill Reservoir Number 2, up to 147 ML, at a full supply level of 616.4 metres AHD; and
- (f) all the storage capacity of Caledonia Reservoir, up to 322 ML, at a full supply level of 285.9 metres AHD; and
- (g) all the water temporarily stored above the full supply level, in each of the headworks storages as part of its entitlement volume under Clause 6; and
- (h) an 18% share of the storage capacity of Lake Eppalock where the total capacity is 312 000 ML at a full supply level of 193.92 metres AHD; and
- (i) an 18% share of any water temporarily stored above the full supply level, in Lake Eppalock as part of its entitlement volume under Clause 6.

9.2 If for any reason the Eppalock Storage Operator declares a changed storage capacity in Lake Eppalock, the Authority is entitled to an 18% share of the changed capacity unless otherwise agreed by capacity shareholders.

10. SHARE OF FLOW AND TRANSFER LIMITS

10.1 In order to supply the entitlements set out in clause 7, and after meeting the passing flow requirements specified in clause 11, the Authority may take -

- (a) all the inflow into Upper Coliban Reservoir; and
- (b) all the inflow into Lauriston Reservoir, and
- (c) all the inflow into Malmsbury Reservoir, and
- (d) all the inflow into Fernhill Reservoir Number 1, and

- (e) all the inflow into Fernhill Reservoir Number 2, and
 - (f) all the inflow into Caledonia Reservoir; and
 - (g) 18% of the natural and regulated flows to Lake Eppalock excluding any agreed transfers;
 - (h) all agreed transfers from Malmsbury Reservoir.
- 10.2 The Authority may take water at flow rates up to
- (a) 265 ML/d from Malmsbury Reservoir to the Coliban Main Channel; and
 - (b) 95 ML/d from its share of Lake Eppalock to the Eppalock-Bendigo pipeline; and
 - (c) 13 ML/d from Malmsbury Reservoir to the Malmsbury water supply system; and
 - (d) 30 ML/d from Fernhill and Lauriston Reservoirs to Tylden and Kyneton water supply systems.
- 10.3 The Authority must not take, as part of this entitlement, any flow in the system waterway which is being transferred by the holder of any other bulk entitlement or licence.

11. PASSING FLOW

- 11.1 The Authority, subject to sub-clauses 11.5, 12.5 and 15.1, must provide the following minimum passing flows -
- (a) in the Coliban River, immediately downstream of Malmsbury Reservoir, the lower of 8 ML per day or the natural flow at this location; and
 - (b) in the Little Coliban River, downstream of Fernhill Reservoir Number 1, the lower of 2.3 ML per week or the natural flow at this location; and
 - (c) in the reach of waterway between Lake Eppalock and

the Campaspe Weir pool, from its share of Lake Eppalock, 18% of the portion of regulated releases for environmental purposes, the total passing flow requirement in this reach of the waterway being:

- (i) the lower of 10 ML/d or the actual inflow to Lake Eppalock if the total storage volume in Lake Eppalock is less than or equal to 150 000 ML; or
- (ii) the lower of 50 ML/d or the actual inflow to Lake Eppalock, if the total storage volume in Lake Eppalock is between 150 001 ML and 200 000 ML; or
- (iii) the lower of 80 ML/d or the actual inflow to Lake Eppalock, if the total storage volume in Lake Eppalock is between 200 001 ML and 250 000 ML; or
- (iv) where the total storage volume in Lake Eppalock is greater than 250 000 ML, the lower of -
 - (A) 90 ML/d or the actual inflow to Lake Eppalock in the months of January, March, May, June and December; or
 - (B) 80 ML/d or the actual inflow to Lake Eppalock in the months of February and April; or
 - (C) 150 ML/d or the actual inflow to Lake Eppalock in the months of July and November; or
 - (D) 200 ML/d or the actual inflow to Lake Eppalock in the months of August to October inclusive; and

- (d) in the reach of waterway between the Campaspe Siphon and the River Murray, from its share of Lake Eppalock, 18% of the portion of regulated releases for environmental purposes, the total passing flow requirement in this reach of the waterway after meeting all licensed supply commitments, being:
 - (i) the lower of 35 ML/d or the “modified natural flow” immediately downstream of the Campaspe Siphon, if the total storage volume in Lake Eppalock is less than or equal to 200 000 ML; or
 - (ii) the lower of 70 ML/d or the “modified natural flow” immediately downstream of the Campaspe Siphon, if the total storage volume in Lake Eppalock is greater than 200 000 ML.
- 11.2 The Coliban Storage Operator will
 - (a) calculate the daily natural flow in the Coliban River immediately downstream of Malmsbury Reservoir, according to the procedure set out in Schedule 4; and
 - (b) make releases to meet the passing flows specified under sub-clause 11.1(a) and (b); and
 - (c) maintain accounts of passing flows provided as under sub-clause 11.2(b).
- 11.3 The Eppalock Storage Operator will calculate the actual inflow to Lake Eppalock and the “modified natural flow” immediately downstream of the Campaspe Siphon, specified in sub-clause 11.1, according to the procedure set out in Schedule 4.
- 11.4 The Eppalock Storage Operator will maintain accounts of passing flow commitments as set out in Schedule 3.
- 11.5 The passing flow obligations do not come into effect until cessation or completion of the “Effect of Flow Manipulation on the Biota of a Lowland River” project carried out by the Co-operative Research Centre for Freshwater Ecology. On cessation or completion of the project, the obligations in sub-clause 11.1 (c) and (d) come into effect unless the Minister, after consultation with BE holders and other stakeholders, decides to adopt other passing flow obligations as a result of the project.
- 12. ACCOUNTING AND OPERATING ARRANGEMENTS
 - 12.1 The Authority and the Coliban Storage Operator must agree on operational arrangements for the supply of water from the Coliban storages.
 - 12.2 The Authority, must comply with the operational arrangements and accounting procedures for the supply of water from Lake Eppalock as specified in Schedule 3.
 - 12.3 If the Authority, any other Authority holding a share of the capacity of Lake Eppalock and the Eppalock Storage Operator agree that a change to Schedule 3 is necessary, then they may jointly propose to the Minister an appropriate change to those arrangements.
 - 12.4 An application under sub-clause 12.3 must set out the -
 - (a) objectives of, and reasons for, the proposed change; and
 - (b) results of an assessment of the impacts of the proposed change on both the security of primary entitlements and the environment.
 - 12.5 The Minister may -
 - (a) approve the operating rules proposed under sub-clause 12.3; or
 - (b) require the Authority to amend the proposed operating rules; or

- (c) require the Authority -
 - (i) to review the operating rules approved by the Minister if, in the Minister's opinion, these are no longer appropriate; and
 - (ii) to propose amended operating rules to the Minister.
 - 12.6 If the parties have not reached agreement on an appropriate change within 40 working days from the time that notice was given that a change was considered necessary, any of the other parties may give written notice to the remaining party or parties, requiring the basis of any proposed change to be determined by referral as provided for under clause 23. If such notice is given, the Authority will co-operate in the dispute resolution process.
 - 12.7 Subject to clause 6 and the passing flow rules in clause 11, the Authority must not direct the Eppalock Storage Operator to release more water from the Authority's share of Lake Eppalock, than is required to meet the Authority's commitment to supply primary entitlements unless releases are necessary to -
 - (a) supply transfers of primary entitlements; or
 - (b) supply dilution flows to overcome serious water quality concerns.
 - 13. CALCULATING THE FLOW

For the purpose of clause 6, the volume taken from the headworks system by the Authority in any year is the sum of the total annual volume taken from

 - (a) Malmsbury Reservoir offtake to Malmsbury; and
 - (b) Malmsbury Reservoir to the Coliban Main Channel; and
 - (c) Lake Eppalock to the Eppalock-Bendigo pipeline; and
 - (d) Lake Eppalock to Heathcote, Tooborac and Caledonia Reservoir; and
 - (e) Lauriston Reservoir to Tylden and Kyneton; and
 - (f) Fern Hill Number 1 Reservoir to Tylden and Kyneton; and
- less any credits granted under clause 14.
14. GRANTING WATER CREDITS
- 14.1 On the application of the Authority, the Minister may grant the Authority credit for any water
- (a) taken from the system waterway and returned to the system waterway; and/or
 - (b) delivered from another distribution system to the system waterway;
- against the total amount of its entitlement, as set out in this clause.
- 14.2 The Minister may grant a credit for releases made directly to the system waterway from the Authority's distribution system if -
- (a) the return flow is treated to a high standard or is at least of similar quality to the water taken by the Authority from the system waterway; and
 - (b) the return flow is considered by the Minister to be useful in meeting passing flows or other Authorities' commitments to supply water.
- 14.3 The Minister may, by written notice to the Authority, specify any period or periods during which the Authority may not redeem credit against its three year entitlement, in any year.
15. CHANGES MADE TO LONG-TERM WATER AVAILABILITY
- 15.1 When a proposal associated with the provisions under the Act, which would have a significant adverse effect on the quantity or security of supply to primary entitlement holders, comes before the Minister, the Minister will:
- (a) if practicable, advise the Authority, and any other Authority potentially affected,

- in writing at least two months before any decision is taken by the Minister; and
- (b) after giving advice under paragraph (a), consult and attempt to reach agreement with the Campaspe System entitlement holders about alternative action to that which is proposed, which would not have a significant adverse effect; and
- (c) if it is not possible to agree on alternative action under paragraph (b), consult with and attempt to reach agreement with Campaspe System entitlement holders about ameliorative action, together with appropriate cost-sharing arrangements.
- 15.2 For the purpose of this clause a "significant adverse effect" includes an average annual net reduction of 2 GL or more of total inflows to the Coliban River Storages and Lake Eppalock; and
- 15.3 "Ameliorative action" may include efficiency measures or other action to maintain existing resource availability and security of supply for entitlement holders.
- 15.4 Decisions by the Minister which have some adverse effect on resource availability but individually not a significant adverse effect will be reviewed by the Minister every two years from the date this Order commences, and whenever the accumulated reductions equal or exceed 2 GL, the Minister will:
- (a) advise the Authority and other Campaspe System entitlement holders in writing; and
- (b) consult with and attempt to reach agreement with the holders of Campaspe System bulk entitlements about ameliorative action, including appropriate cost-sharing arrangements.
16. ENVIRONMENTAL OBLIGATIONS
- 16.1 The Authority, jointly with other capacity shareholders, the Coliban Storage Operator and the Eppalock Storage Operator where appropriate, must propose to the Minister, within 12 months of the date of this Order coming into operation, a program to manage the environmental effects of the Authority's works under its control that allow water to be taken from the system waterway, including -
- (a) the effects on the bed and banks of the waterway in the vicinity of the Authority's works; and
- (b) operational practices to remove silt from works; and
- (c) operational practices to manage the water quality in works on the waterway; and
- (d) operational rules to control releases from works to the waterway; and
- (e) operational rules to manage flood flows through works on the waterway; and
- (f) the proposed timing, extent and duration of any temporary changes to the provision of passing flows to allow for essential maintenance of the outlets works.
- 16.2 The Minister may -
- (a) approve the program proposed under sub-clause 16.1;
- (b) require the Authority to amend the proposed program;
- (c) require the Authority to -
- (i) review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
- (ii) propose an amended program to the Minister.
- 16.3 The Authority, jointly with other capacity shareholders, the Coliban

Storage Operator and the Eppalock Storage Operator where appropriate, must -

- (a) implement the approved environmental management program;
 - (b) keep a record of all work undertaken under sub-clause 16.3(a);
- 16.4 The cost of implementing the environmental management program will be met by -
- (a) the Coliban Storage Operator, where the program relates to the headworks storages; or
 - (b) the Authority, where the program relates to works on the system waterway other than the headworks storages; and/or
 - (c) the Eppalock Storage Operator, where the program relates to Lake Eppalock; or
 - (d) the Authority jointly with other capacity shareholders, where the program relates to works on the Campaspe River other than Lake Eppalock.
- 16.5 The Minister may, from time to time, require the Authority to report in writing on the implementation of any program approved under sub-clause 16.2.

17. METERING PROGRAM

- 17.1 The Authority, jointly with other capacity shareholders, the Coliban Storage Operator and the Eppalock Storage Operator where appropriate, must propose to the Minister within 12 months of the date of this Order a metering program to demonstrate compliance with this bulk entitlement with respect to -
- (a) all water taken by the Authority under this bulk entitlement; and
 - (b) all water referred to in sub-clause 17.1(a) which is returned to the system waterway by the Authority and

for which it seeks credit under clause 14; and

- (c) with the exception of flows into Fernhill Reservoir No. 1, Fernhill Reservoir No. 2 and Caledonia Reservoir, all the flows into, and the volume in, all of the other storages mentioned in sub-clause 9(1); and
- (d) the passing flows.

17.2 The Minister may -

- (a) approve the program proposed under sub-clause 17.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority -
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister; or
- (d) not approve the program.

17.3 The Authority must, at its cost, and in accordance with any guidelines issued from time to time by the Minister -

- (a) implement and maintain the approved metering program; and
- (b) maintain metering equipment and associated measurement structures in good condition; and
- (c) ensure that metering equipment is periodically re-calibrated; and
- (d) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
- (e) keep a record of all work undertaken under paragraphs (b), (c) and (d).

18. REPORTING REQUIREMENTS

18.1 The Authority jointly with the Coliban Storage Operator and the Eppalock Storage Operator where appropriate

may be required to report on all or any of the following matters, as provided in this sub-clause:

- (a) the daily flows in the Coliban River downstream of Malmsbury Reservoir;
- (b) the daily amounts of water taken, or estimates of water taken where recorded data is not readily available, from the headworks system by the Authority;
- (c) the daily flows into the headworks storages, excluding Fernhill Reservoir No. 1, Fernhill Reservoir No. 2 and Caledonia Reservoir;
- (d) the amount of water on any day in the headworks storages and the amount held by the Authority in Lake Eppalock;
- (e) the annual flows into the headworks storages excluding Fernhill Reservoir No. 1, Fernhill Reservoir No. 2 and Caledonia Reservoir;
- (f) the annual amounts of water taken from the headworks system by the Authority;
- (g) the amount of annual evaporation losses from the headworks storages and the annual evaporation losses debited to the Authority's share of storage in Lake Eppalock;
- (h) the annual amount of any internal spills of water from or to the Authority's share of storage in Lake Eppalock;
- (i) the full record of compliance in meeting the minimum passing flows specified under clause 11, including the record of natural flows calculated in accordance with Schedule 4 (2);
- (j) any credits granted under clause 14;
- (k) any temporary or permanent transfer of all or part of this bulk entitlement;
- (l) any bulk entitlement or licence in respect of the system waterway temporarily or permanently transferred to the Authority;
- (m) any period of restriction and the degree of restriction to primary entitlement holders listed in Schedule 1;
- (n) any alteration to the primary entitlements set out in Schedule 1 made under sub-clauses 8.2 and 8.3;
- (o) the number, volume and places of origin and destination, of transfers of primary entitlements;
- (p) the annual volume supplied to primary entitlements, or any group of primary entitlements specified by the Minister;
- (q) any amendment to this bulk entitlement;
- (r) any new bulk entitlement granted to the Authority with respect to supply of primary entitlements under this Order;
- (s) the implementation of programs approved under sub-clauses 16.3 and 17.3;
- (t) any failure by the Authority to comply with any provision of this bulk entitlement;
- (u) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed;
- (v) the number of occasions where planned maintenance works or other causes resulted in flows less than the flow specified in sub-clauses 11.1 and 16.1 (f), with details of the duration and flows for each occasion.

18.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 18.1 -

- (a) in writing or in such electronic form as may be agreed

- between the Authority and the Minister; and
- (b) within 14 days of receiving the Minister's written request.
- 18.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 18.1, except -
- (a) paragraphs (a), (b), (c), (d) and (e) of sub-clause 18.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (t) of sub-clause 18.1;
- 18.4 The Resource Manager may require the Authority to report from time to time, on all or any of the matters set out in paragraphs (a) to (v) of sub-clause 18.1.
- 18.5 Any report under sub-clause 18.4 must be made -
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
- (b) unless the Authority and the person agree otherwise -
- (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (e) of sub-clause 18.1; or
- (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (f) to (v) of sub-clause 18.1.
19. WATER RESOURCE MANAGEMENT COSTS
- 19.1 Subject to sub-clause 21.1, the Authority must pay the Resource Manager a proportion of the costs incurred by the Resource Manager to perform the tasks defined under Clause 4.
- 19.2 The proportion of the costs referred to in sub-clause 19.1 will be the

same as the ratio of the long term average climatically adjusted cap excluding supplies to Axedale, Goornong and part Rochester, calculated for the Authority, to the long term average climatically adjusted total cap calculated for the Campaspe River basin, unless a different proportion is agreed to between the Authority and any other entitlement holders within the Campaspe basin.

20. STORAGE OPERATOR COSTS

20.1 Subject to sub-clause 21.1 the Authority must pay the Storage Operators an annual source charge which will be determined according to sub-clauses 20.2 and 20.3.

20.2 The Authority must pay the -

(a) Eppalock Storage Operator a proportion of the source cost for Lake Eppalock determined by -

$$C_{\text{eppalock}}^{\text{S}} = \text{\$}[(0.18 \times S_{\text{eppalock}}) + R_{\text{epp-CW}}]$$

where -

$C_{\text{eppalock}}^{\text{S}}$ = the component of the source cost corresponding to the Authority's share of Lake Eppalock, payable by the Authority; and

S_{eppalock} = the estimated source costs for Lake Eppalock; and

$R_{\text{epp-CW}}$ = the Authority's payment, as determined by Government, as a return on equity on the headworks asset corresponding to Lake Eppalock.

and

(b) Coliban Storage Operator the source cost for the headworks storages determined by -

$$C_{\text{scol stor}} = \text{\$} [S_{\text{col stor}} + R_{\text{col stor}}]$$

where -

$C_{\text{scol stor}}$ = the source cost corresponding to the headworks storages payable by the Authority; and

$S_{\text{col stor}}$ = the estimated source costs for the headworks storages; and

$R_{\text{col stor}}$ = the Authority's payment, as determined by Government, as a return on equity on the headworks asset corresponding to headworks storages.

20.3 The charges for annual source costs must be paid by the Authority every year regardless of the amount of water diverted to, or taken from, Lake Eppalock and the headworks storages by the Authority.

21. DUTY TO KEEP ACCOUNTS

21.1 The Authority is not obliged to make any payment to -

- (a) the Resource Manager under clause 19; or
- (b) either or both the Storage Operators under clause 20 - unless the person or persons to whom the payment is due chooses or choose to comply with the provisions of this sub-clause relevant to those payments.

21.2 Separate accounts of all costs and payments must be kept by -

- (a) the Resource Manager in respect to sub-clause 19.1; and
- (b) each Storage Operator under sub-clause 20.1.

21.3 The Resource Manager must, by 1 February in any year, provide the Authority with an estimate, in respect of the ensuing year, of the costs referred to in sub-clause 19.1.

21.4 The Coliban Storage Operator and the Eppalock Storage Operator must, by 1 February in any year, provide the Authority with an estimate of the annual source charge referred to in sub-clause 20.1 for the ensuing year.

21.5 Accounts required to be kept under this sub-clause must be made available for inspection by the Authority upon request.

22. DUTY TO MAKE PAYMENTS

Any amounts payable by the Authority under clauses 19 and 20 -

- (a) are to be made in accordance with the usual business practices of the Resource Manager and Storage Operators, unless otherwise set by mutual agreement between the Authority and the Resource Manager and the Authority and the Storage Operators; and
- (b) must be invoiced to the Authority and to any other entitlement holder of a capacity share of Lake Eppalock, at least once a year, and, if more often than once a year, in instalments; and
- (c) unless the Authority and the person to whom the amount is payable agree otherwise -
 - (i) must be paid in arrears within 30 days from the end of the month of the Authority receiving an invoice for amounts payable under clause 19; and
 - (ii) must be paid in arrears within 30 days from the end of the month of the Authority receiving an invoice for amounts payable under clause 20.

23. DATA

23.1 The Minister will use his/her best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.

23.2 The Authority must make available data collected for the purpose of the metering and reporting program under sub-clauses 17.1 and 18.1 to any person subject to a fair and reasonable access fee, imposed by the Authority, to cover the costs of making the data available.

24. DISPUTE RESOLUTION

24.1 If any difference or dispute arises between the Authority, the other capacity shareholders, the Minister and, with their consent, the Resource Manager, the Coliban Storage Operator, the Eppalock

Storage Operator or any of them (the "parties") concerning the interpretation of application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

24.2 The independent expert will be either -

- (a) a person agreed to by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

24.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for determining the matter by a further 30 days.

24.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

24.5 In any difference or dispute to which the Minister is a party the -

- (a) independent expert must express the conclusion as a recommendation; and
- (b) Minister must consider any recommendation made under paragraph 24.5(a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

24.6 In any difference or dispute in which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

24.7 The apportionment of the costs of and incidental to every reference, including the costs of the

independent expert, shall be at the discretion of the independent expert.

24.8 Any determination by an independent expert is final and binding on the parties.

Dated 19 August 1999.

Note: An explanatory note that accompanies this Order is available from the Department of Natural Resources and Environment.

Patrick John McNamara

Minister administering the **Water Act 1989**

SCHEDULE 1

Primary Entitlements

1. Urban Commitments

Supplies including any associated losses to

- 1.1 Bendigo and satellite towns
- 1.2 Castlemaine and satellite towns
- 1.3 Malmsbury township
- 1.4 Kyneton and Tylden
- 1.5 Heathcote and Tooborac

2. Rural Entitlements

The entitlements as noted in the records maintained by the Authority at 1 July 1999 are supplies under licences issued under Section 51(1)(c) of the Act equal to 15568 ML per annum.

SCHEDULE 2

Security of Primary Rural Entitlements

1. Security of Rural Entitlements

1.1 The Authority must supply these entitlements with 99% security. This implies that the seasonal allocation in February for rural customers shall not drop below 100% licence volume, on average, in more than 1 year out of a 100 years.

1.2 The Authority must determine the annual allocation for these entitlements in accordance with the operating practices that are in place at the date of this Order and implemented in an appropriate computer model held by the Department of Natural Resources and Environment.

- 1.3 The Minister may, by reference to an appropriate computer model, modify the level of security set out in sub-clause 2.1, where the Minister is satisfied that either -
 - (a) hydrological conditions have changed since December 1994; or
 - (b) the estimated security of supply based on the irrigation development and operating rules applying at the date of this Order have changed.
- 1.4 Where the Authority is unable to supply the full rural entitlement volume due shortage of water resources, the Authority must assess and allocate the available water on a pro-rata basis to its rural users unless alternative arrangements are specified in the supply agreements or licence arrangements.
- 1.5 Where the Authority is unable to supply the full urban demands due to urban restrictions triggered by the shortage of water resources, the Authority must assess and equitably adjust the allocations to its rural users.

SCHEDULE 3

Lake Eppalock - Authority Storage Sharing Arrangements

1. Storage Accounts

Storage accounts will be maintained by the Eppalock Storage Operator and will be adjusted for:

- (a) the share of inflows apportioned to the Authority; and
- (b) any release directed by the Authority or water taken by the Authority direct from the storage to meet its water supply requirements including any allowances for in-transit losses; and
- (c) any internal spill; and
- (d) any allowance for the Authority's share of passing flows; and
- (e) any allowance for the Authority's share of evaporation losses or seepage losses from storage; and

- (f) any other adjustment provided for in this Order.
2. Operational arrangements and accounting procedures for supply of water from Lake Eppalock
 - 2.1 The Authority will order from the Eppalock Storage Operator, releases from Lake Eppalock to cover supplies under sub-clauses 13(c) and 13(d).
 - 2.2 The Authority will advise the Eppalock Storage Operator of the portion of the supply order that is in respect of sub-clauses 13(c) and 13(d).
 - 2.3 The accounting procedures to quantify the Authority's share of passing flows in the Campaspe River downstream of Lake Eppalock will be in accordance with the procedure set out in Schedule 4 of the "Bulk Entitlement (Campaspe System - Goulburn-Murray Water) Conversion Order 1999".
 3. Internal Spills
 - 3.1 An internal spill is a transfer of the water held in storage in Lake Eppalock by one of the Authorities holding a share of storage capacity to the other Authority holding a share of storage capacity.
 - 3.2 An internal spill occurs when an entitlement holder's share of inflow to Lake Eppalock is in excess of the amount necessary to fill its share of storage capacity and the other entitlement holder's share of storage in Lake Eppalock is not full.
 - 3.3 The total amount of internal spill in Lake Eppalock at any one time cannot exceed a volume equal to the sum of the amounts by which the volume held by each of the entitlement holders in the storage is below its full share.
 4. Initial Volume in the Authority's Share of Lake Eppalock

At the start of the day that this Order comes into operation, a share of the

volume of water held in Lake Eppalock at that time shall be allocated to the Authority by the Storage Operator. This volume is to be calculated as the same proportion of the volume held in Lake Eppalock at that time as its capacity share of the storage as specified in clause 9.

5. Calculation of volume in store

The volume held by the Authority in Lake Eppalock at the end of an accounting period will be calculated from the formula:

$$V_{CW(\text{end})} = V_{CW(\text{start})} - R_{CW} - E_t \\ \left\{ \frac{V_{CW(\text{mid})}}{V_{t(\text{mid})}} \right\} \\ + 0.18 \{ V_{t(\text{end})} - V_{t(\text{start})} + R_t \}$$

where

$V_{CW(\text{end})}$ = volume held by the Authority at the end of the period; and

$V_{CW(\text{start})}$ = volume held by the Authority at the start of the period; and

R_{CW} = total volume ordered by and released from Lake Eppalock for the Authority during the period, excluding supplies under "Bulk Entitlement (Axedale, Goornong and part-Rochester) Conversion Order 1999"; and

E_t = total evaporation from Lake Eppalock over the period, calculated as in para 6 below; and

$V_{CW(\text{mid})}$ = volume held by the Authority at the mid-point of the period; and

$V_{t(\text{mid})}$ = total volume held in Lake Eppalock at the mid point of the period; and

$V_{t(\text{end})}$ = total volume held in Lake Eppalock at the end of the period; and

$V_{t(\text{start})}$ = total volume held in Lake Eppalock at the start of the period; and

R_t = total volume ordered and released from Lake Eppalock by capacity shareholders during the period.

6. Evaporation

The total evaporation from Lake Eppalock will be estimated using the formula

$$E_t = A \times (0.81 \times E_{\text{pan}})$$

where

E_t is the total evaporation loss in ML from the lake surface; and

A is the surface area in km² corresponding to total volume in storage; and

E_{pan} is the class A pan evaporation measured in mm at Lake Eppalock (pan evaporation factor taken as 0.81 unless otherwise agreed between the capacity shareholders);

or such other method of estimation as may be agreed between the capacity shareholders.

SCHEDULE 4

Minimum passing flows

1. Operational Tolerances for Meeting Minimum Passing Flows

The following operational tolerances apply for meeting the minimum passing flow for the Coliban River downstream Malmsbury and the Campaspe River downstream Lake Eppalock:

(a) The average flow on any day is not to be less than 95% of the specified flow; and

(b) The average daily flow over any continuous 28 day period should not be less than the specified minimum passing flow.

2. Calculating the natural flow in the Coliban River immediately downstream of Malmsbury Reservoir

The Coliban Storage Operator must adopt one of the following methods for

calculating the natural daily flows in the Coliban River immediately downstream of Malmsbury Reservoir, as required in sub-clause 11.1(a):

2.1 Method based on water balance

$$Q_{CW} = \frac{V_{CW(\text{end})} - V_{CW(\text{start})} + R_{d/s} + D_{CW} + E}{D_{CW} + E}$$

Where

Q_{CW} = natural flow in the Coliban River upstream Malmsbury Reservoir; and

$V_{CW(\text{end})}$ = combined volume held by the Authority in Upper Coliban, Lauriston and Malmsbury Reservoirs at the end of the period; and

$V_{CW(\text{start})}$ = combined volume held by the Authority in Upper Coliban, Lauriston and Malmsbury Reservoirs at the start of the period; and

$R_{d/s}$ = total volume released from Malmsbury Reservoir during the period; and

D_{CW} = total volume diverted by the Authority upstream of Malmsbury during the period; and

E = combined evaporation loss from the Upper Coliban, Lauriston and Malmsbury Reservoirs during the period.

2.2 Method based on gauged flows

Where accurate gauging data is available at suitable streamflow gauging stations on the Coliban River and its tributaries upstream of Malmsbury Reservoir, the natural flows may be estimated by appropriately combining the flows allowing for storage effects, evaporation and stream channel losses and diversions, subject to agreement of the methodology by other entitlement holders in the Campaspe River basin.

2.3 The method adopted by the Coliban Storage Operator should be that which, in its opinion, provides the

best estimate of daily natural flows. An alternative method to those set out above may be agreed between the Coliban Storage Operator and the other entitlement holders in the Campaspe River basin.

2.4 The Coliban Storage Operator must periodically advise the Authority, and the other entitlement holders in the Campaspe River basin, of the adopted method and the period during which that method has been applied.

3. Calculating the "actual" inflow to Eppalock and the "modified natural" flow at the Campaspe Siphon in the Campaspe River downstream Lake Eppalock

The "actual" inflow to Lake Eppalock and the "modified natural" flow at the Campaspe Siphon in the Campaspe River, will be calculated in accordance with the procedure set out in Schedule 5 of the "Bulk Entitlement (Campaspe System - Goulburn-Murray Water) Conversion Order 1999".

SCHEDULE 5

Procedure for estimating the climatically adjusted cap for CW

The climatically adjusted cap for CW, is assessed at the end of June each year for the level of development that existed in 1990-91, on the following basis:

1. Modelled Diversions

Modelled diversions are the annual volumes modelled by the Goulburn Simulation Model run number K702 as diversions from the waterway to:

- Coliban Main Channel
- Malmsbury, Kyneton and Tylden
- Heathcote and Tooborac
- Eppalock-Bendigo pipeline

2. Actual diversions

Actual diversions are the recorded annual diversions from the waterway to the above locations.

3. Calculation of accumulated deviation

Each year in July/August, the Authority must calculate the accumulated

deviation, since 1 July 1997, of actual diversions from modelled diversions.

4. Management of Diversions

The Authority must manage the diversions to ensure the accumulated deviation of actual diversions from modelled diversions

- (a) does not exceed the limits established under the Murray-Darling Basin Agreement; or
- (b) in the absence of any limit in the Agreement, is within 20% of the long-term average modelled diversions. The long term average modelled diversion for the Authority is 45654 ML per annum as estimated from computer modelling undertaken by the Department of Natural Resources and Environment.

5. Cap Compliance [relevant to sub-clause 6.1]

Should the accumulated deviation at the end of the preceding year exceed the allowable accumulated deviation, then the Authority must take action, such as restricting supply and/or allocating less than the available resource in the current year, so as to ensure that the accumulated deviation at the end of the current year is less than the allowable accumulated deviation.

Transport Act 1983

TOW TRUCK DIRECTORATE OF
VICTORIA

Tow Truck Applications

Notice is hereby given that the Licensing Authority will consider the following application/s after 20 October 1999.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14-20 Blackwood Street, North Melbourne (P.O. Box 666, North Melbourne 3051) not later than 14 October 1999.

It will not be necessary for interested parties to appear on the date specified, unless advised in writing.

Rosby Pty Ltd. Application for variation of conditions of tow truck license number TOW658 which authorises the licensed tow truck to be managed, controlled and operated from a depot situated at 399 Tooronga Road, Hawthorn East to change the depot address to 257 Canterbury Road, Canterbury.

Jacana Falls Pty Ltd. Application for variation of conditions of tow truck license TOW063 which authorises the licensed tow truck to be managed, controlled and operated from a depot situated at 103-109 Union Street, Windsor to change the depot address to 257 Canterbury Road, Canterbury.

Note: This license is under consideration for transfer to Kegos Pty Ltd.

Dated: 16 September 1999.

TERRY O'KEEFE
Director

Transport Act 1983

VICTORIAN TAXI DIRECTORATE

Department of Infrastructure

Commercial Passenger Vehicle Applications

Notice is hereby given that the following applications will be considered by the Victorian Taxi Directorate, a division of the Department of Infrastructure after 20 October 1999.

Notice of any objection to the granting of an application should be forwarded to reach the Manager, Licensing & Certification, Victorian Taxi Directorate, Level 6, 14-20 Blackwood Street, North Melbourne, (P.O. Box 666, North Melbourne 3051) not later than 14 October 1999.

Copies of objections are forwarded to the applicants.

It will not be necessary for interested parties to appear on the date specified, unless advised in writing by the Department.

V. H. Buccella, Heathmont. Application to license one commercial passenger vehicle in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to

operate as a hire car from 17 Waters Grove, Heathmont.

A. J. Fitzgerald, Warrnambool. Application to license one commercial passenger vehicle in respect of a 1966 Ford sedan with seating capacity for 4 passengers to operate a service from 3 Donaldson Drive, Warrnambool for the carriage of passengers for wedding parties. Applicant will operate in conjunction with Limousines of Warrnambool and Luxury Limousines-Victoria Pty Ltd.

E. T. Hands, Kilsyth. Application to license one commercial passenger vehicle in respect of a 1995 Holden sedan with seating capacity for 4 passengers to operate a service from 25A Western Road, Boronia for the carriage of passengers for wedding parties.

Jordanview Pty Ltd., Surrey Hills. Application to license one commercial passenger vehicle in respect of a 1974 Rolls Royce sedan with seating capacity for 4 passengers to operate a service from 1/15 Union Road, Surrey Hills for the carriage of passengers for wedding parties, debutante balls, school formals and funerals.

K. N. Marriott, Boronia. Application to license two commercial passenger vehicles in respect of 1995 Holden sedans with seating capacity for 4 passengers to operate a service from 25A Western Road, Boronia for the carriage of passengers for wedding parties.

J. A. Pratt, Bayswater North. Application to license one commercial passenger vehicle to be purchased in respect of a 1986 or later model Ford stretched limousine with seating capacity for 7 passengers to operate a service from 11 Wattle Road, Bayswater North for the carriage of passengers for wedding parties, debutante balls and funerals.

L. J. Wright, Reservoir. Application to license one commercial passenger vehicle to be purchased in respect of a 1946-1955 Buick convertible with seating capacity for 5 passengers to operate a service from 927 High Street, Reservoir for the carriage of passengers for wedding parties, debutante balls and anniversaries.

Dated 16 September 1999.

ROBERT STONEHAM
Manager – Operations
Victorian Taxi Directorate

Planning and Environment Act 1987

AVON PLANNING SCHEME

Notice of Approval of Amendment

Amendment L12

The Minister for Planning and Local Government has approved Amendment L12 to the Avon Planning Scheme.

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

The Amendment rezones Crown Allotment 3C, Section 5, Parish of Yeerung, Stratford-Benworden Road, (former Perry Bridge School Site) from Special Use Zone to Rural Broad Area Farming Zone.

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 Street, Melbourne and at the offices of the Wellington Shire Council, 70 Foster Street, Sale.

LEIGH PHILLIPS

Director, Planning Operations
Planning, Heritage
and Market Information
Department of Infrastructure

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Approval of Amendment

Amendment L57

The Minister for Planning and Local Government has approved Amendment L57 to the Hume Planning Scheme.

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

The Amendment rezones land at 5-15 Albert Road, Sunbury from Bulla Negotiated Development Zone to Hume Low Density Residential Zone.

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 Street, Melbourne and at the offices of the

Hume City Council, 1079 Pascoe Vale Road,
Broadmeadows.

LEIGH PHILLIPS
Director, Planning Operations
Planning, Heritage
and Market Information
Department of Infrastructure

Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment L91

The Minister for Planning and Local Government has approved Amendment L91 to the Stonnington Planning Scheme.

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

The Amendment inserts a site specific clause that requires a planning permit to be obtained prior to the demolition of certain buildings that are included in a schedule as an incorporated document. The clause will remain in force until 30 June 2000.

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 Street, Melbourne and at the offices of the Stonnington City Council, cnr. Greville and Chapel Streets, Prahran.

LEIGH PHILLIPS
Director, Planning Operations
Planning, Heritage
and Market Information
Department of Infrastructure

Planning and Environment Act 1987
YARRA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C7

The Minister for Planning and Local Government has approved Amendment C7 to the Yarra Planning Scheme.

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

The Amendment changes the table of uses in Schedule 1 of Comprehensive Development

Zone for Victoria Gardens to allow warehouse use without permit, with conditions relating to location and maximum floor space.

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 Street, Melbourne and at the offices of the Yarra City Council, Richmond Town Hall, 333 Bridge Road, Richmond.

LEIGH PHILLIPS
Director, Planning Operations
Planning, Heritage
and Market Information
Department of Infrastructure

Vocational Education and Training Act 1990**DECLARATION THAT SPECIFIED CLASSES OF TRAINING AGREEMENTS ARE EXEMPT FROM STATE TRAINING WAGE PROVISIONS****Purpose**

1. The purpose of this instrument is to exempt from the State Training Wage provisions of the **Vocational Education and Training Act 1990** (the Act) specified classes of training agreements.

Background

2. Schedule 3 to the Act contains provisions relating to the payment of training wages for apprentices employed under training agreements. Clause 2 (3) of that Schedule empowers the State Training Board of Victoria to declare any class of training agreements to be a class of training agreement to which the Schedule does not apply.

Authorising Provision

3. This Declaration is made pursuant to clause 2 (3) of Schedule 3 to the Act.

Declaration of Exemption

4. The State Training Board of Victoria declares training agreements entered into under the following approved training schemes to be classes of training agreements to which schedule 3 of the Act does not apply:

VOCATION	APPROVED TRAINING SCHEME
Laundry	TAS3514 Certificate III in Textile Care (Laundry)

5. The State Training Board of Victoria declares training agreements entered into under the following approved training schemes, between employers and apprentices who have also entered into Australian Workplace Agreements or Certified Agreements under the **Commonwealth Workplace Relations Act 1996**, to be classes of training agreements to which Schedule 3 of the Act does not apply.

COURSE CODE	APPROVED TRAINING SCHEME
TAS3512	Certificate II in Textile Care (Laundry)
2206AGB	Certificate II in Automotive Repair, Services and Retail (Service Station Operator)
14962ACT	Certificate III in Sport and Recreation Apprenticeship (Streams: Retail, Administration, Fitness Instruction, Community Recreation, Outdoor Recreation, Aquatics)
UTG20198	Certificate II in Gas Operations
UTG30198	Certificate III in Gas Operations
UTG40198	Certificate IV in Gas Operations
MNQ20198	Certificate II in Extractive Industries (Operator)
MNQ30198	Certificate III in Extractive Industries (Operator)
MNQ40198	Certificate IV in Extractive Industries Operations
MNQ50198	Diploma of Extractive Industries Management
MNQ60198	Advanced Diploma of Extractive Industries Management

COURSE CODE	APPROVED TRAINING SCHEME
CUE20198	Certificate II in Entertainment
CUE20298	Certificate II in Entertainment (Front of House)
CUE30198	Certificate III in Entertainment
CUE30298	Certificate III in Entertainment (Set Manufacture)
CUE30398	Certificate III in Entertainment (Props Manufacture)
CUE30498	Certificate III in Entertainment (Lighting Operations)
CUE30598	Certificate III in Entertainment (Sound Operations)
CUE30698	Certificate III in Entertainment (Audiovisual Operations)
CUE30798	Certificate III in Entertainment (Front of House)
CUE30898	Certificate III in Entertainment (Costume)
CUE30998	Certificate III in Entertainment (Make-up)
CUE31098	Certificate III in Entertainment (Scenic Art)
CUE31198	Certificate III in Entertainment (Staging)
CUE31298	Certificate III in Entertainment (Cinema Projection)
CUE40198	Certificate IV in Entertainment
CUE40298	Certificate IV in Entertainment (Set Manufacture)
CUE40398	Certificate IV in Entertainment (Props Manufacture)
CUE40498	Certificate IV in Entertainment (Lighting)
CUE40598	Certificate IV in Entertainment (Sound)
CUE40698	Certificate IV in Entertainment (Audio visual)
CUE40798	Certificate IV in Entertainment (Costume)
CUE40898	Certificate IV in Entertainment (Make-up)
CUE40998	Certificate IV in Entertainment (Wig Manufacture)
CUE41098	Certificate IV in Entertainment (Scenic Art)
CUE41198	Certificate IV in Entertainment (Staging)
CUE50198	Diploma of Entertainment
CUE50298	Diploma of Entertainment (Set Manufacture)
CUE50398	Diploma of Entertainment (Props Manufacture)
CUE50498	Diploma of Entertainment (Lighting)
CUE50598	Diploma of Entertainment (Sound)
CUE50698	Diploma of Entertainment (Costume)

COURSE CODE	APPROVED TRAINING SCHEME
CUE50798	Diploma of Entertainment (Make-up)
CUE50898	Diploma of Entertainment (Wig Manufacture)
CUE50998	Diploma of Entertainment (Scenic Art)
CUE51098	Diploma of Entertainment (Staging)
CUE51198	Diploma of Entertainment (Stage Management)
CUE60198	Advanced Diploma of Entertainment
CUE60298	Advanced Diploma of Entertainment (Stage Management)
CUE60398	Advanced Diploma of Entertainment (Design)
PMA10198	Certificate I in Process Plant Skills
PMA20198	Certificate II in Process Plant Operations
PMA30198	Certificate III in Process Plant Operations
PMA40198	Certificate IV in Process Plant Technology
ICA20198	Certificate II in Information Technology
ICA40198	Certificate IV in Information Technology (Client Support)
FPP10198	Certificate I in Pulp and Paper Manufacturing
FPP20198	Certificate II in Pulp and Paper Manufacturing (Primary Resources)
FPP20298	Certificate II in Pulp and Paper Manufacturing (Pulping Operations)
FPP20398	Certificate II in Pulp and Paper Manufacturing (Chemical Recovery)
FPP20498	Certificate II in Pulp and Paper Manufacturing (Waste Paper Handling)
FPP20598	Certificate II in Pulp and Paper Manufacturing (Waste Paper Operations)
FPP20698	Certificate II in Pulp and Paper Manufacturing (Stock Preparation)
FPP20798	Certificate II in Pulp and Paper Manufacturing (West End Operations)
FPP20898	Certificate II in Pulp and Paper Manufacturing (Dry End Operations)
FPP20998	Certificate II in Pulp and Paper Manufacturing (Paper Coating)
FPP21098	Certificate II in Pulp and Paper Manufacturing (Finishing and Conversion)
FPP21198	Certificate II in Pulp and Paper Services (Electricity Generation)
FPP21298	Certificate II in Pulp and Paper Services (Steam Generation)
FPP21398	Certificate II in Pulp and Paper Services (Water Services)
FPP30198	Certificate III in Pulp and Paper Manufacturing (Primary Resources)

COURSE CODE	APPROVED TRAINING SCHEME
FPP30298	Certificate III in Pulp and Paper Manufacturing (Pulping Operations)
FPP30398	Certificate III in Pulp and Paper Manufacturing (Chemical Recovery)
FPP30498	Certificate III in Pulp and Paper Manufacturing (Waste Paper Handling)
FPP30598	Certificate III in Pulp and Paper Manufacturing (Waste Paper Operations)
FPP30698	Certificate III in Pulp and Paper Manufacturing (Stock Preparation)
FPP30798	Certificate III in Pulp and Paper Manufacturing (Wet End Operations)
FPP30898	Certificate III in Pulp and Paper manufacturing (Dry End Operations)
FPP30998	Certificate III in Pulp and Paper Manufacturing (Paper Coating)
FPP31098	Certificate III in Pulp and Paper Manufacturing (Finishing and Conversion)
FPP31198	Certificate III in Pulp and Paper Services (Electricity Generation)
FPP31298	Certificate III in Pulp and Paper Services (Steam Generation)
FPP31398	Certificate III in Pulp and Paper Services (Water Services)
FPP40198	Certificate IV in Pulp and Paper Manufacturing (Resources)
FPP40298	Certificate IV in Pulp and Paper Manufacturing (Pulping Operations)
FPP40398	Certificate IV in Pulp and Paper Manufacturing (Chemical Recovery)
FPP40498	Certificate IV in Pulp and Paper Manufacturing (Paper Manufacture)
FPP41198	Certificate IV in Pulp and Paper Services (Electricity Generation)
FPP41298	Certificate IV in Pulp and Paper Services (Steam Generation)
FPP41398	Certificate IV in Pulp and Paper Services (Water Services)
FPP50198	Diploma of Pulp and Paper Industry Operations
PMB10198	Certificate I in Process Manufacturing
PMB20198	Certificate II in Process Manufacturing (Production Support)
PMB20298	Certificate II in Process Manufacturing (Rubber - Injection Moulding)
PMB20398	Certificate II in Process Manufacturing (Plastics - Injection Moulding)
PMB20498	Certificate II in Process Manufacturing (Plastics - Blow Moulding)
PMB20598	Certificate II in Process Manufacturing (Plastics - Extrusion)
PMB20698	Certificate II in Process Manufacturing (Rubber - Extrusion)
PMB20798	Certificate II in Process Manufacturing (Plastics - Blown Film)

COURSE CODE	APPROVED TRAINING SCHEME
PMB20898	Certificate II in Process Manufacturing (Rubber - Tyre Retreading)
PMB20998	Certificate II in Process Manufacturing (Compounding and Reclamation)
PMB21098	Certificate II in Process Manufacturing (Plastics - Composite Materials)
PMB21198	Certificate II in Process Manufacturing (Rubber - Tyre Building)
PMB21298	Certificate II in Process Manufacturing (Plastics - Fabrication)
PMB21398	Certificate II in Process Manufacturing (Plastics - Thermoforming)
PMB21498	Certificate II in Process Manufacturing (Cablemaking)
PMB21598	Certificate II in Process Manufacturing (Specialised Processes)
PMB30198	Certificate III in Process Manufacturing (Production Support)
PMB30298	Certificate III in Process Manufacturing (Rubber - Injection Moulding)
PMB30398	Certificate III in Process Manufacturing (Plastics - Injection Moulding)
PMB30498	Certificate III in Process Manufacturing (Plastics - Blow Moulding)
PMB30598	Certificate III in Process Manufacturing (Plastics - Extrusion)
PMB30698	Certificate III in Process Manufacturing (Rubber - Extrusion)
PMB30798	Certificate III in Process Manufacturing (Plastics - Blown Film)
PMB30898	Certificate III in Process Manufacturing (Rubber - Tyre Retreading)
PMB30998	Certificate III in Process Manufacturing (Compounding and Reclamation)
PMB31098	Certificate III in Process Manufacturing (Plastics - Composite Materials)
PMB31198	Certificate III in Process Manufacturing (Rubber - Tyre Building)
PMB31298	Certificate III in Process Manufacturing (Plastics - Fabrication)
PMB31398	Certificate III in Process Manufacturing (Plastics - Thermoforming)
PMB31498	Certificate III in Process Manufacturing (Cablemaking)
PMB31598	Certificate III in Process Manufacturing (Specialised Processes)
PMB40198	Certificate IV in Process Manufacturing
FDF10198	Certificate I in Food Processing (General Foods)
FDF20198	Certificate II in Food Processing (General Foods)
FDF10398	Certificate I in Food Processing (Plant Baking)

COURSE CODE	APPROVED TRAINING SCHEME
FDF20398	Certificate II in Food Processing (Plant Baking)
FDF10298	Certificate I in Pharmaceutical Manufacturing
FDF20298	Certificate II in Pharmaceutical Manufacturing
FDF10498	Certificate I in Food Processing (Wine)
FDF20498	Certificate II in Food Processing (Wine)
FDF30498	Certificate III in Food Processing (Wine)
PRM20198	Certificate II in Asset Maintenance (Cleaning Operations)
PRM30198	Certificate III in Asset Maintenance (Cleaning Operations)
PRM40198	Certificate IV in Asset Maintenance (Cleaning Operations Management)
PRM20298	Certificate II in Asset Maintenance (Pest Management - Technical)
PRM20398	Certificate II in Asset Maintenance (Pest Management - Business Operations)
PRM30298	Certificate III in Asset Maintenance (Pest Management - Technical)
PRM30398	Certificate III in Asset Maintenance (Pest Management - Business Operations)
PRM40298	Certificate IV in Asset Maintenance (Pest Management)

Meaning of terms

6. In this Declaration, “approved training scheme”, “apprentice” and “training agreement” have the same meanings as in the Act.

Dated 3 September 1999.

PATRICIA NEDEN
 General Manager
 Client Relations Management
 (Delegate of the State Training Board)

**SUBORDINATE LEGISLATION ACT 1994
NOTICE THAT STATUTORY RULES ARE
OBTAINABLE**

Notice is hereby given under Section 17 (3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from Information Victoria, 356 Collins Street, Melbourne on the date specified:

114. *Statutory Rule:* County Court
(Chapter II
Amendment No. 2)
Rules 1999

Authorising Act: County Court Act
1958

Date first obtainable: 13 September 1999

Code C

Retail price will vary according to the number of pages in each special or periodical gazette. The table below sets out the prices that apply

<i>Price Code</i>	<i>No. of Pages (Including cover and blank pages)</i>	<i>Price</i>
A	1-16	\$2.90
B	17-32	\$4.30
C	33-48	\$5.90
D	49-96	\$9.15
E	97-144	\$11.85
F	145-192	\$14.00
G	193-240	\$16.15
H	241-288	\$17.20
I	289-352	\$19.35
J	353-416	\$22.60
K	417-480	\$25.80
L	481-544	\$30.10
M	545-608	\$34.40
N	609-672	\$38.70
O	673-736	\$43.00
P	737-800	\$47.30

ADVERTISERS PLEASE NOTE

As from 16 September 1999

The last Special Gazette was No. 138 dated 14 September 1999

The last Periodical Gazette was No. 1 dated 25 May 1999

CONTENTS

	Page
Estates of Deceased Persons	2081
Government and Outer Budget Sector Agencies Notices	2085
Private Advertisements	2081

The Victoria Government Gazette is published by The Craftsman Press Pty. Ltd. with the authority of the Government Printer for the State of Victoria
© State of Victoria 1999

ISSN 0819-5471

This publication is copyright. No parts may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Products and services advertised in this publication are not endorsed by The Craftsman Press Pty. Ltd. or the State of Victoria and neither of them accepts any responsibility for the content or the quality of reproduction. The Craftsman Press Pty. Ltd. reserves the right to reject any advertising material it considers unsuitable for government publication.

Address all enquiries 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

RETAIL SALES

Information Victoria Bookshop
356 Collins Street Melbourne 3000.
Telephone enquiries 1300 366 356

City Graphics
2nd Floor, 4 Bank Place
Melbourne 3000
Telephone enquiries (03) 9600 0977

Recommended Retail Price \$1.70

Government and Outer Budget Sector Agencies please note:
STYLE REQUIREMENTS.

To ensure that material received can be reproduced, and that errors are minimised, the following guidelines are to be observed when submitting material by fax.

Fax resolution:

Material sent by fax should be transmitted using Fine Resolution (200 dots per inch by 200 dpi).

Font size:

Use 12 point (10 pitch) or larger.

Font Style:

Clear plain font styles, such as Helvetica, should be used.

Graphics:

Line drawings should be transmitted as large as possible to ensure clarity. Drawings up to A4 size sent by fax using Fine Resolution provide a good quality for reproduction.

Avoid:

Italics, underlining and full justification.

Ensure document is square when sending as documents that are sent skewed are difficult to read and process.

ISSN 0819-5471



9 770819 547867