



Victoria Government Gazette

No. G 11 Thursday 15 March 2001

GENERAL

GENERAL AND PERIODICAL GAZETTE

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- 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.*

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PRIVATE ADVERTISEMENTS

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1993**

AUSTRALIAN PAPER WELFARE SCHEME

The Trustee of the Australian Paper Welfare Scheme (Australian Paper Welfare Pty Ltd – ACN 064 976 183) is in the final stages of closing down and winding up the Benefit Section of the Welfare Scheme. Most of the assets of the Benefit Section have been distributed, and the residual assets will be distributed before 30 June 2001.

If you believe you are eligible to participate in the distribution and have not received any correspondence from the Scheme in the last year, please send particulars to the General Secretary, Australian Paper Welfare Scheme by the close of business on Wednesday, 16 May 2001 at 626 Heidelberg Road, Alphington, Victoria, 3078 (Tel (03) 9490 3131).

You may be required to provide your particulars in the form of a sworn statutory declaration.

After that date, the Trustee will distribute the residual assets, having regard only to those claims of which it then has notice.

YOU ARE ONLY ELIGIBLE IF:

You were making regular contributions to the Scheme as an active member on 24 March 2000.

(NB No new active members have been admitted to the Scheme since 24 March 2000)
OR

You were an honorary member on 24 March 2000 because you were retrenched, took normal retirement or took approved early retirement from the employer, an Amcor or APM Group company, on or before 31 December 1991 and were not re-employed by Amcor or an APM Group company after that date, and you made regular contributions to the Scheme up to the date of leaving employment and:

- Either you were at least age 60 at the date of leaving employment
- Or you left employment between January 1983* and 31 December 1991, and
 - were at least age 50 with at least 10 years' Scheme membership at the date of leaving employment, or

- were any age with at least 20 years' Scheme membership at the date of leaving employment,

and you made additional contributions in respect of any remaining period up to age 60 (or would have done so if the opportunity was given to you).

*In the case of some mills, the date is after January 1983. You will need to contact the General Secretary for precise dates.

(NB No new honorary members have been admitted since 31 December 1991).

STANLEY ARTHUR COCKLE, late of 6 Meyrick Crescent, View Bank, Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 26 September 2000, are required by John Cockle of 10 Legerwood Road, Narre Warren North, Victoria, company director and Robyn Keane of 56 Pentland Drive, Epping, Victoria, computer operator, the executors of the deceased's will, to send particulars of their claim to the said executors care of the undermentioned solicitors by 15 May 2001 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.

Re: Estate of DORIS BERYL PHILPOT, deceased. Creditors, next-of-kin or others having claims in respect of the estate of DORIS BERYL PHILPOT, late of 560 Mountain Highway, Bayswater 3153, married woman, deceased, who died on 19 November 2000, are to send particulars of their claims to the executor care of the undermentioned solicitors by 31 May 2001 after which date the executor will distribute the assets having regard only to the claims of which they then have notice.

ARMSTRONG ROSS, barristers & solicitors,
Suite 1, 1693A Burwood Highway, Belgrave.

PARASKEVI KETKARIS, also known as Pandora Ketkaris, late of 2 Tasman Drive, Bundoora, in the State of Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 August 2000,

are required by the executor, Paul Ketkaris and Christina Minovski, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to them by 15 May 2001 after which date the executor may convey or distribute the assets having regard only to claims to which they have notice.

ARTHUR J. DINES & CO., solicitors,
2A Highlands Road, Thomastown 3074.

Creditors, next-of-kin and others having claims in respect of the estate of EDWARD MORRIS WALTERS, late of 14 Younger Street, Wangaratta, in the State of Victoria, grazier, deceased, who died on 14 October 2000, are required by the executors to send particulars of their claims to the undermentioned solicitors within two months of this notice after which date the executors will distribute the assets to the persons entitled, having regard only to the claims of which they then have notice.

CAMPAGNA GRAY & MALLINDER,
solicitors,
11 Chisholm Street, Wangaratta 3677.

Creditors, next-of-kin and others having claims in respect of the estate of MARJORIE ALICE HENSHAW, late of Room 7, Grevillea, Strathalan Community, Erskine Road, Macleod, in the State of Victoria, home duties, deceased, who died on 16 October 2000, are to send particulars of their claims to the executor, Trust Company of Australia Limited, care of the undersigned solicitors by 1 May 2001 after which date the executor will distribute the assets of the estate having regard only to the claims of which it then has notice.

COADYS, solicitors,
299 Bridge Road, Richmond 3121.

Creditors, next-of-kin and others having claims in respect of the estate of GEZA MEZEI, late of 11 Heidelberg Road, Clifton Hill, in the State of Victoria, retired sheet metal worker, deceased, who died on 20 October 2000, are to send particulars of their claims to the executrix, Claire Michelle Dunning, care of the undersigned solicitors by 9 May 2001 after which date the executrix will distribute the assets of the estate having regard only to the claims of which it then has notice.

COADYS, solicitors,
299 Bridge Road, Richmond 3121.

Creditors, next-of-kin and others having claims in respect of the estate of SHIRLEY ELIZABETH TIPTON, late of Unit 2, 20 Shirley Grove, St Kilda East, in the State of Victoria, retired customs worker, deceased, who died on 13 October 2000, are to send particulars of their claims to the executor, Trust Company of Australia Limited, care of the undersigned solicitors by 1 May 2001 after which date the executor will distribute the assets of the estate having regard only to the claims of which it then has notice.

COADYS, solicitors,
299 Bridge Road, Richmond 3121.

Creditors, next-of-kin or others having claims in respect of the estate of HAROLD NORMAN BENZLEY, late of 136 Thurla Street, Swan Hill, in the State of Victoria, retired, deceased, who died on 22 January 2001, are to send particulars of their claim to the executrix care of the undermentioned legal practitioners by 7 May 2001 after which date the executrix will distribute the assets having regard only to the claims of which she then has notice.

DWYER MAHON & ROBERTSON,
legal practitioners
Beveridge Dome,
194-208 Beveridge Street, Swan Hill.

JUNE FRANCIS STEWART, late of 1/229 Highfield Road, Camberwell, Victoria, retired nurse, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 September 2000, are required by the trustees, Valerie Mary Cust and Mary Ann Stewart, care of the undermentioned solicitors, to send particulars to them by 15 May 2001 after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated 6 March 2001

ELLINGHAUS WEILL, solicitors,
79-81 Franklin Street, Melbourne.

Creditors, next-of-kin and others having claims in respect of the estate of ELSIE MONA ENID MAGUIRE, late of Brookfield Park Nursing Home, 69 Liddiard Road, Traralgon, Victoria, widow, deceased, who died on 9 February 2001, are to send their claims to the

trustees, Michael Jon Maguire of Princes Highway, Rosedale, Victoria and Cathryn Bond of "Willgadene", Coonamble, New South Wales, care of the below mentioned solicitors by 9 May 2001 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, Vic. 3844.

DAVID DUNCAN, late of Apartment 168 Parkglen Retirement Village, Cheltenham Road, Keysborough, Victoria, retired carpenter, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 November 2000, are required by the executor, Geoffrey Bruce Duncan, to send particulars to him care of the undermentioned solicitors by a date not later than two months from the date of publication hereof after which date the executrix may convey or distribute the assets having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley.

Creditors, next-of-kin and others having claims in respect of the estate of VINICIO CERVINI, late of 65 May Street, Glenroy, retired, deceased, who died on 29 December 2000, are requested to send particulars of their claims to the executrix, Myriam Cesar Fiumani, care of the undermentioned solicitors on or before 9 May 2001 after which date they will distribute the assets having regard only to the claims of which they then have notice.

MCF LAWYERS,
70 Bulla Road, North Essendon 3041.

ALLAN ROLFE CASTLE, late of Sutton Road, Warragul, Victoria. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 February 2000, are required by the executors, John David Castle and Barry Andrew Castle, to send particulars of their claims to them care of the undersigned solicitors by 14 May 2001 after which date the executors may convey or distribute the assets having regard only to the claims of which they have notice.

M. DAVINE & CO., solicitors,
5 Smith Street, Warragul, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of RONALD HENRY BREGAZZI, late of 5 Allister Street, Mount Waverley, Victoria, retired, deceased, who died on 13 July 2000, are required to send particulars of their claims to the executors care of the undermentioned solicitors by 15 May 2001 after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

MASON SIER TURNBULL, solicitors,
5 Hamilton Place, Mount Waverley.

Creditors, next-of-kin and others having claims in respect of the estate of FLORENCE EVA HARRIS, deceased, late of 25 Newton Street, Surrey Hills, Victoria, housewife, are required by the executor, ANZ Executors & Trustee Company Limited of 530 Collins Street, Melbourne, Victoria, to send particulars to it by 15 May 2001 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.

NORMAN ERNEST BENDER, late of 215 Aberdeen Street, Newtown, Victoria, retired company director, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 July 2000, are required by the trustee, Helene Flora Bender of 215 Aberdeen Street, Newtown, to send particulars to her care of the undermentioned solicitors by 7 June 2001 after which date the trustee shall distribute the assets having regard only to the claims of which she then has notice.

MINTER ELLISON, solicitors,
525 Collins Street, Melbourne 3000.

Creditors, next-of-kin and others having claims in respect of the estate of ELSA CATHERINE HOLT, late of Unit 1, 41 Simpsons Road, Eaglehawk, home duties, deceased, who died on 4 January 2001, are required to send particulars of their claims to the executor, Perpetual Trustees Consolidated Limited of 46 Queen Street, Bendigo, by 25 May 2001 after which date they will distribute the assets having regard only to the claims of which they have notice.

PERPETUAL TRUSTEES CONSOLIDATED
LIMITED,
46 Queen Street, Bendigo.

DULCIE WINIFRED DODD, late of Central Park of Windsor, K15 Raleigh Street, Windsor. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 October 2000, are required by Perpetual Trustees Victoria Limited, A.C.N. 004 027 258 of 360 Collins Street, Melbourne, Victoria, to send particulars of their claims to the said company by 17 May 2001 after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice. After which date they will convey or distribute the assets.

ELSIE VICTORIA MARTIN, late of Templestowe Pioneers Village, 16 Herlihy Road, Templestowe. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 September 2000, are required by Perpetual Trustees Victoria Limited, A.C.N. 004 027 258 of 360 Collins Street, Melbourne, Victoria, to send particulars of their claims to the said company by 17 May 2001 after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice. After which date they will convey or distribute the assets.

Creditors, next-of-kin and others having claims in respect of the estate of STEFANIA BAZGA, late of Unit 3, 35 Nepean Highway, Elsternwick, in the State of Victoria, pensioner, deceased, who died on 26 February 2001, are required to send particulars of such claims to the executor care of the undermentioned solicitors by 14 May 2001 after which date the executor will convey or distribute the assets having regard only to the claims of which the executor then has notice.

PIETRZAK, solicitors,
222 Latrobe Street, Melbourne.

Re: HELEN MARY VORPASSO, late of 52 Edington Way, Craigieburn, Victoria, but formerly of 29 Cecelia Drive, Keilor East, Victoria, life operator, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 October 2000, are required by the trustee, Andrew Wilczynski of 16 Chisholm Court, North Croydon, Victoria, cabinet maker, brother, to send particulars to the trustee by

25 May 2001, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

R. H. BALLARD & CO., solicitors,
1st Floor, 544 Whitehorse Road, Mitcham 3132.

Re: ALEXANDER JOSEPH GRAY, late of Unit 12, 77 Tanti Avenue, Mornington, retired, deceased. Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who died on 6 January 2001, are required by the trustee, Sheila Gray of Unit 12, 77 Tanti Avenue, Mornington, Victoria, retired, to send particulars to the trustee by 9 May 2001 after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee then has notice.

ROBERTS PARTNERS,
216 Main Street, Mornington.

ENID GLADYS PADBURY, late of Eva Tilley Memorial Home, 24 Nicholson Street, North Balwyn, Victoria, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 February 2001, are required by ANZ Executors & Trustee Company Limited, A.C.N. 006 132 332, one of the executors of the will of the deceased, to send particulars of their claims to the executor at Level 21, 530 Collins Street, Melbourne, Victoria, by 16 May 2001 after which date the executor may convey or distribute the assets having regard only to the claims of which they then have notice.

RUSSELL KENNEDY, solicitors,
10th Floor, 469 LaTrobe Street, Melbourne.

In the County Court of the State of Victoria
SALE BY THE SHERIFF

On 19 April 2001 at 2.30 p.m. at the Sheriff's Office, 8-20 King Street, Oakleigh, (unless process be stayed or satisfied).

All the estate and interest (if any) of Joseph Parisi of 8 Hogan Street, Fawkner, joint proprietor with Carmen Parisi of an estate in fee

simple in the land described on Certificate of Title volume 8276, Folio 757, upon which is erected a home known as 8 Hogan Street, Fawkner.

The Covenant contained in Transfer No. B35724 affects the said estate and interest.

Terms – Cash only

CW-00-011288-0

Dated 15 March 2001

S. BLOXIDGE
Sheriff's Office

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>
GADENS LAWYERS			
	\$		
Douglas Morrison Miller, PO Box 399, Golden Square, Bendigo 01010 CONTACT: SHARLENE GIDMAN, PHONE: (03) 9612 8241.	26,335.19	Cheque	22/06/99

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>
O'DONNELL FRAMPTON SALZANO			
	\$		
Zhou Shun Jia, Unit 8, 147 Glenhuntly Road, Elwood 01012 CONTACT: TINA SINCLAIR, PHONE: (03) 9642 2400.	480.00	Cheque	1996

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>
RUSH & FAILLA Barristers and Solicitors			
	\$		
Clarence Ronald Hall	4,861.09	Cheque	25/02/98

01016

CONTACT: ROGER RUSH, PHONE: (03) 9497 2044.

PROCLAMATIONS

Land Act 1958

PROCLAMATION OF ROAD

I, John Landy, Governor of Victoria acting with the advice of the Executive Council and under section 25(3)(c) of the **Land Act 1958** proclaim as road the following land:

MUNICIPAL DISTRICT OF THE
CITY OF GREATER DANDENONG

DANDENONG — Crown Allotment 10, Section 16, Township of Dandenong, Parish of Dandenong as shown on Certified Plan No. 110415 lodged in the Central Plan Office. — (12/03333).

This Proclamation is effective from the date on which it is published in the Government Gazette.

Given under my hand and the seal of
Victoria on 14 March 2001.

(L.S.) JOHN LANDY
Governor

By His Excellency's Command

SHERRYL GARBUTT MP
Minister for Environment
and Conservation

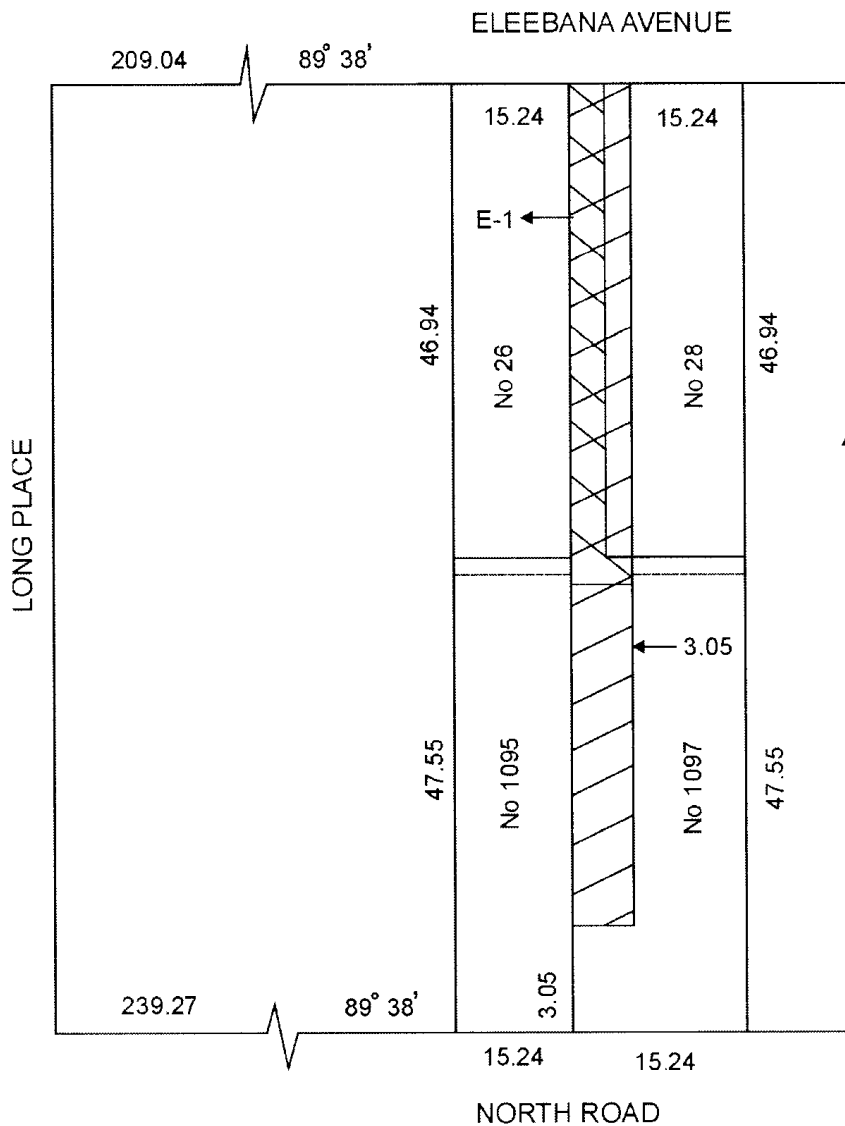
**GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES
NOTICES**

ERRATUM

Monash City Council

Discontinuance of Road

Notice is hereby given that the plan published on Page 573 of the Victoria Government Gazette G13 dated 30 March 2000 is incorrect. The plan shown below replaces the plan that was previously published.

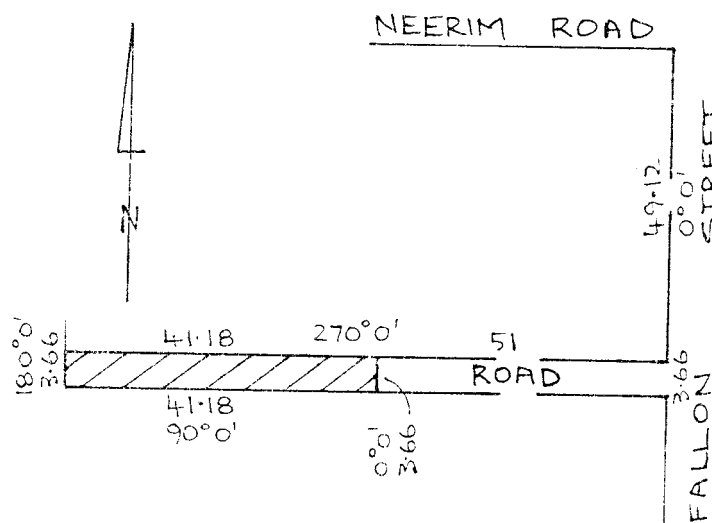


DAVID CONRAN
Chief Executive Officer

GLEN EIRA CITY COUNCIL
Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Glen Eira City Council, has formed the opinion that the road at the rear of 5 to 9 Neerim Road and 3 and 5 Freeman Street, Caulfield South, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by Private Treaty to the abutting property owners.

The road is to be discontinued and sold subject to the right, power or interest held by the City of Glen Eira in connection with any sewers, drains or pipes under the control of that authority in or near the road.



ANDREW NEWTON
Chief Executive Officer

YARRA RANGES SHIRE COUNCIL

RESIDENTS PLEASE NOTE

Notification of a Change to an Order of Council

Domestic (Feral & Nuisance) Animals Act 1994 Section 26(2)

Dogs in Public Places – Old Pound Reserve, Lilydale & Minak Reserve, Selby

In December 1998, the Shire of Yarra Ranges resolved to introduce mechanisms to strengthen the control of dogs in public places.

New regulations were introduced which identified reserves where dogs could be exercised off lead and where dogs and cats should be prohibited.

Council at its meeting of 27 February 2001 resolved to amend the provisions of both Schedule A – Dogs off-lead areas and Schedule B – Dog and Cat prohibited areas.

Minak Reserve Selby

Dog off-lead status is amended as follows:

- Flat open area is designated as a dog off-lead area (Schedule A);
- Bushland area is designated as prohibited to dogs and cats (Schedule B).

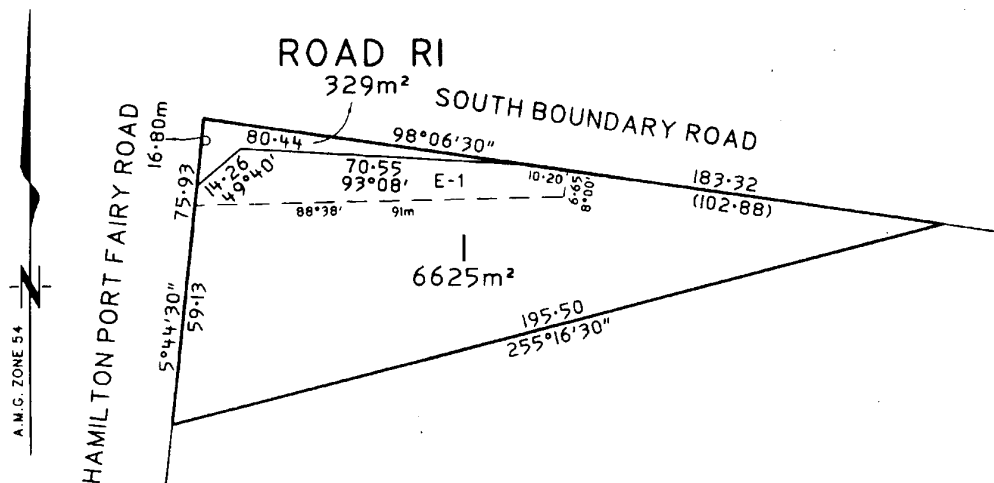
Old Pound Reserve Lilydale

Prohibited to Dogs and Cats status is amended as follows:-

- Bushland area only is prohibited to dogs and cats (Schedule B);
- Remainder of the reserve is designated as a dog on lead area.

SOUTHERN GRAMPIANS SHIRE COUNCIL
Road Deviation Order

Notice is given in accordance with Clause 2, Schedule 10 of the **Local Government Act 1989** that the land shown as R1 on plan of subdivision PS442701C being part of Crown allotment 1, section 22 in the Parish of South Hamilton and located at the south-east corner of South Boundary and Hamilton Port Fairy Roads, Hamilton, has been acquired by Southern Grampians Shire Council and shall be a public highway from the date of publication of this notice.



GRAHAM N. MOSTYN
Chief Executive Officer



Pursuant to Section(i)(b) of the **Public Holidays Act 1993** council intends to declare the following days as Public Half Day Holidays (unless otherwise stated) from 12 noon for the following districts:

Warracknabeal

Thursday 11 October 2001 to mark the Warracknabeal Agricultural & Pastoral Society Show.

Tuesday 6 November 2001 to mark Melbourne Cup Race Meeting.

Rupanyup

Wednesday 10 October 2001 (Full Day) to mark Rupanyup Agricultural & Pastoral Society Show.

Murtoa

Friday 5 October 2001 to mark Murtoa Agricultural & Pastoral Society Show.

Friday 6 July 2001 to mark Murtoa Cup Race Meeting.

Minyip

Tuesday 9 October 2001 to mark Minyip Agricultural & Pastoral Society Show.

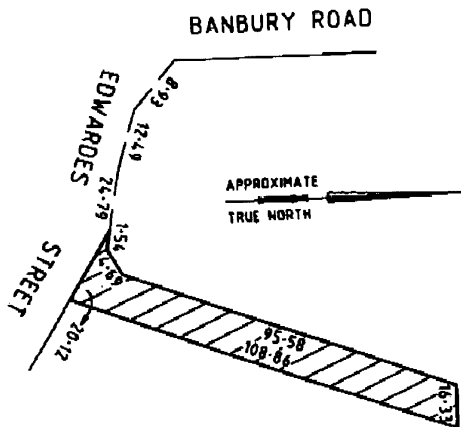
Friday 6 July 2001 to mark Murtoa Cup Race Meeting.

Hopetoun

Tuesday 6 November 2001 (Full Day) to mark Hopetoun Agricultural & Pastoral Society Show.

DAREBIN CITY COUNCIL
Road Discontinuance

Under Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989** the Darebin City Council at its Ordinary meeting held on 5 March 2001, 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 to retain the land from the road for Municipal Purposes subject to any right, power or interest held in the road held by the Melbourne Water Corporation (Yarra Valley Water Ltd) in connection with any sewers, drains, pipes, wires or cables under the control of that authority in or near the road.



PHILIP SHANAHAN
Chief Executive Officer

Planning and Environment Act 1987
MORNINGTON PENINSULA PLANNING
SCHEME

Notice of Amendment
Amendment C18

The Mornington Peninsula Shire Council has prepared Amendment C18 to the Mornington Peninsula Planning Scheme.

The land affected by the Amendment is various properties throughout the municipality.

The Amendment contains various proposals, including:

- Inclusion of the declared road network in Road Zone Category 1 with the relegation of non-declared roads from Category 1 to Category 2.
- Additions to the Business zone affecting Port Phillip Plaza, Rosebud; Balnarring, 125 Salmon Street, Hastings and Mornington Shopping Centre.
- Deletion of Industrial 3 Zone and inclusion of such land in the Industrial 1 Zone.
- Changes to the permissible uses in the Special Use Zone 1 – Port related uses.
- Various zoning and overlay changes including the correction of mapping anomalies.
- Deletion of land from Significant Landscape Overlay Schedule 6.
- Additions to areas covered by the Design and Development Overlay (DDO).
- Formatting and other changes to DDO Schedules 1 to 7 and Environmental Significance Overlay Schedules 1 to 16.
- The inclusion of Public Acquisition Overlays to provide for roads and a school.
- Changes to the Public Park and Recreation Zone and the Public Conservation and Resource Zone at Arthurs Seat, Coolart, Cape Schanck and elsewhere.
- Amendment of the Naval Base Estate Restructure Plan.

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; Somerville Office – Edward Street, Somerville.

Written submissions should be sent to: The Manager – Strategic Planning, Mornington Peninsula Shire Council, Private Bag 1000, Rosebud 3939 by the close of business on 16 April 2001.

LYNTON SHEDDEN
Manager – Strategic Planning
Mornington Peninsula Shire Council

Planning and Environment Act 1987

LODDON PLANNING SCHEME

Notice of Amendment

Amendment C2

The Shire of Loddon has prepared Amendment C2 to the Loddon Planning Scheme.

The Amendment affects land described as part Crown Allotment 3, Parish of Mincha West. This land is located approximately 2km north east of Pyramid Hill township.

The Amendment proposes to change the planning scheme by: Rezoning the land Public Use Zone 1 to provide for the use and development of the land for the Pyramid Hill Wastewater Treatment Plant. Amending the Schedule to Clause 52.17 Native Vegetation to exempt the native vegetation on the site of the works from the native vegetation clearance controls of the Loddon Planning Scheme.

The Amendment is available for inspection, free of charge, during office hours, at the following offices: Shire of Loddon, High Street, Wedderburn; Pyramid Hill Post Office, Pyramid Hill; Department of Infrastructure, Regional Office, Lansell Street, Bendigo and Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne.

Any person may make a submission on the Amendment. Submissions should clearly state all of the grounds on which the amendment is supported or opposed. Any submission lodged is a public document.

Submissions regarding the Amendment must be sent to: Mr Craig Niemann, Chief Executive Officer, PO Box 21, Wedderburn 3518.

Submissions must be received by 20 April 2001.

Planning and Environment Act 1987

GREATER DANDENONG PLANNING SCHEME – LOCAL SECTION

Notice of Amendment

Amendment C17

The City of Greater Dandenong has prepared Amendment C17 to the Local Section of the Greater Dandenong Planning Scheme. The Amendment will be placed on exhibition on 15 March 2001.

The Amendment affects land approximately 4.4 hectares in area situated on the south side of Hanna Street, Noble Park, described as Nos. 48–74, 77–102, 104–128 and 130–196 Hanna Street. Two factories occupy the westernmost third of the site and the balance of the land is vacant.

The Amendment proposes to change the Planning Scheme by rezoning the land from “Industrial 1” to “Residential 1” and to apply an “Environmental Audit Overlay” over the whole of the site.

The Amendment can be inspected at: The City of Greater Dandenong, Dandenong Office, 39 Clow Street, Dandenong; the Department of Infrastructure, Ground Floor, Nauru House, 80 Collins Street, Melbourne.

This can be done during office hours from 9 March 2001 and is free of charge.

Any person who may be affected by the Amendment may make a submission to the Planning Authority, the City of Greater Dandenong.

Submissions about the Amendment must be sent to: The Manager Strategic and Statutory Planning, City of Greater Dandenong, PO Box 200, Springvale 3171 by 15 April 2001.

BRUCE McCONCHIE
Senior Strategic Planner
City of Greater Dandenong

Planning and Environment Act 1987

STRATHBOGIE PLANNING SCHEME

Notice of Amendment

Amendment C6

Strathbogie Shire Council has prepared Amendment C6 to the Strathbogie Planning Scheme.

The land affected by the Amendment is: Land on the eastern side of Armstrong Street described as Lots 1, 2, 3, 4 and 5 on LP 18430, Lot 1 on LP 91455, Lot 3 on PS 314703 and Part Crown Allotment 1, Section 77, Parish of Euroa.

The Amendment proposes to: Rezone the land from Rural Zone to Residential 1 Zone.

The Amendment seeks to correct mapping errors which occurred in translation of the old planning scheme across to the new format Scheme. These drafting errors occurred when

the new Planning Scheme Base Maps were prepared prior to exhibition of the Scheme in October 1997.

The Amendment, explanatory report and associated documents can be inspected free of charge during office hours at: Department of Infrastructure Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; Department of Infrastructure, North Eastern Region, 50–52 Clarke Street, Benalla; Strathbogie Shire Council, Cnr Binney and Bury Streets, Euroa.

Submissions in writing about the amendment must be sent to the Chief Executive Officer, Strathbogie Shire Council, PO Box 177, Euroa 3666, by 12 April 2001.



Planning and Environment Act 1987

MITCHELL PLANNING SCHEME

Notice of Amendment

Notice of an Application for Planning Permit

Amendment C10

Application No. P302463

The land affected by the Amendment is Boundary Road, Kilmore (Crown Portion 3, 4, 13, 14, 18, 25 & 25^A, Parish of Moranding).

The land affected by the Application is Boundary Road, Kilmore (Crown Portion 3, 4, 13, 14, 18, 25 & 25^A, Parish of Moranding).

The Amendment proposes to introduce relevant overlays for Public Acquisition of the subject land and for the Road Closure of an unused government road within the subject land area.

The Application is for a Planning Permit to: Use the land for cropping, pasture generation and harvesting agricultural production including the reuse by irrigation of reclaimed water and any ancillary buildings and works including water storage and farm buildings. Develop the land for winter storage and any ancillary works for the purposes of establishing the irrigation scheme. Construct a pumping station and rising main. Remove isolated and individual native trees.

The person who requested the Amendment and the Applicant for the Planning Permit is Goulburn Valley Water.

You may inspect the: Amendment and the Application, and any documents that support the Amendment and the Application, and the explanatory report about the Amendment and the Application at the office of the Responsible Authority: Mitchell Shire Council, Shire Office, 113 High Street, Broadford; Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne and Department of Infrastructure – Northern Region, 57 Lansell Street, Bendigo.

This can be done during office hours and is free of charge.

Any person who may be affected by the Amendment or by the granting of the Planning Permit may make a submission to the Responsible Authority. Submissions must be sent to the Responsible Authority: Mr Ian Scholes, Planning Manager, Mitchell Shire Council, 113 High Street, Broadford 3658.

The closing date for submissions is 20 April 2001.

GARRY CECIL
Chief Executive Officer

EXEMPTION

Application No. A 56 of 2001

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995** by the Young Women's Housing Collective Incorporated in respect of a program called the Young Women's Housing Shopfront for exemption from Sections 13, 100 and 195 of that Act. The application for exemption is to enable the applicant to advertise for and employ as occasion requires, female only workers in respect of the Young Women's Housing Shopfront program.

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ as occasion requires, female only workers in respect of the Young Women's Housing Shopfront program.

In granting this exemption, the Tribunal noted:

- The role of the workers at the Shopfront is to provide support, counselling and advocacy in a women's only environment for young women who are homeless or at risk of homelessness.
- The collective manages 12 houses and workers are employed to provide support to tenants.
- Several of these houses specifically accommodated Muslim young women and others are targeted at lesbian young women.
- Over 80% of the Shopfront's clients are fleeing experiences of incest, rape, domestic violence and other forms of abuse.
- The Shopfront's clients wish to work through issues associated with their experiences of abuse with female workers.
- The Applicant was previously granted an exemption which expired on 17 July 1999.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ as occasion requires, female only workers in respect of the Young Women's Housing Shopfront program.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 14 March 2004.

Dated this 9 March 2001

Mrs A. COGHLAN
Deputy President

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 17 May 2001 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.

BAKOWSKI, Willi Bruno, late of 2/50 Lower Paper Mills Road, Fyansford, fitter and turner, who died 21 April 2000.

CAHILL, John Laurence, late of Rumbalara Nursing Home, 171 Church Street, Brighton, pensioner, who died 14 December 2000.

HOLLOW, Ursula, also known as Ursula Elma Hollow, formerly of 844 Burke Road, Canterbury, but late of Mother Romana Home, 11-15 A'Beckett Street, Kew, pensioner, who died 31 December 2000.

KING, Verna Eva, late of 7/7 Davison Street, Richmond, retired, who died 12 January 2001.

LEW, Lai Yung, late of Eastern Lodge Private Nursing Home, 124 Maroondah Highway, Croydon, retired, who died 20 November 2000.

PRZYBYLA, Walerian, late of 9 Donald Street, Wangaratta, retired, who died 17 January 2001.

REDFERN, Doris Eileen, formerly of 19 Scott Street, Kew, but late of St Anne's Nursing Home, 33 Wattle Road, Hawthorn, retired, who died 5 November 2000.

REEVES, Keith Joseph, late of Harvey Memorial Private Nursing Home, 5 Muir Street, Hawthorn, retired postal worker, who died 23 January 2001.

Dated at Melbourne, 8 March 2001

CATHY VANDERFEEN
Manager, Estate Management
State Trustees Limited

Department of Treasury and Finance
SALE OF CROWN LAND
BY PUBLIC TENDER

Tender Closing Date: Wednesday 11 April 2001 at 2.00 p.m.

Tender Lodgement: Tender Box (Ref. No. 2001/00714) Victorian Government Property Group, Department of Treasury and Finance, Mail Centre, Basement, 1 Treasury Place, Melbourne, Vic. 3002.

Address of Property: 81-119 Sayers Road, Laverton (Truganina).

Crown Description: Crown Allotments 13A, 13B & 14A, Section A, Parish of Truganina.

Area: 86.887 ha.

Terms of Sale: 1% preliminary deposit with lodgement of tender, 9% on acceptance of tender, balance 60 days.

Officer Co-ordinating Sale: Peter Jackel,
Victorian Government Property Group,
Department of Treasury and Finance, Level
10, 1 Macarthur Street, Melbourne, Vic.
3002.

Selling Agent: Allard & Shelton Pty Ltd, Level
6, 267 Collins Street, Melbourne, Vic. 3000.

LYNNE KOSKY
Minister for Finance

Psychologists Registration Act 1987

PSYCHOLOGISTS REGISTRATION BOARD
OF VICTORIA

Following a complaint, the Psychologists
Registration Board of Victoria conducted an
inquiry into the conduct of Paul Francis Fagan,
a psychologist registered in Victoria. After a
hearing, he was found guilty of infamous
conduct in a professional respect. The Board
cancelled Mr Fagan's registration with effect
from 13 December 2000.

J. C. SPANJER
Acting Registrar

Psychologists Registration Act 1987

PSYCHOLOGISTS REGISTRATION BOARD
OF VICTORIA

Following a complaint, the Psychologists
Registration Board of Victoria conducted an
inquiry into the conduct of Robb Stanley, a
psychologist registered in Victoria. After a
hearing, he was found guilty of conduct
discreditable to a psychologist. The Board
cancelled Mr Stanley's registration, with effect
from 28 November 2000.

J C SPANJER
Acting Registrar

Medical Practice Act 1994

MEDICAL PRACTITIONERS BOARD OF
VICTORIA

Notice

Re: Dr Ross Edwin Kirkman

A Panel of the Medical Practitioners Board
of Victoria on Monday 26 February 2001
concluded a Formal Hearing into the professional
conduct of Dr Ross Edwin Kirkman a registered
medical practitioner.

The Panel determined pursuant to Section
50(1)(a) of the **Medical Practice Act 1994**
(Vic.) ("the Act"), that Dr Ross Edwin Kirkman
had engaged in unprofessional conduct of a
serious nature.

Acting in accordance with Section 50 (2)(g)
of the Act, the Panel determined that the
registration of Dr Ross Edwin Kirkman be
suspended for a period of nine months,
commencing 12 March 2001.

The Panel further determined pursuant to
Section 50 (2)(a) of the Act, that Dr Kirkman
undergo counselling by a Board approved
psychiatrist, and also from a psychotherapist to
be nominated by Dr Kirkman and approved by
the Board, each for a period of two years.

In addition the Panel determined pursuant to
Section 50(2)(e) of the Act, that Dr Ross Edwin
Kirkman's registration is subject to the
following three conditions:

- (i) That prior to resumption of practice,
subsequent to the expiration of his period
of suspension, Dr Kirkman obtain and
commence to participate in a formal peer
review process.
- (ii) Prior to resumption of practice, subsequent
to the expiration of his period of suspension,
Dr Kirkman advise the Board of his peer
supervision arrangements.
- (iii) That Dr Kirkman provide to the Board at
three monthly intervals for twelve months,
commencing as of 26 February 2001, and
thereafter at six monthly intervals for a
further period of twelve months.
 - (a) Reports from a psychiatrist approved
by the Board, pursuant to Order 2, that
he or she is continuing to treat Dr
Kirkman.
 - (b) Reports from a psychotherapist
approved by the Board, pursuant to
Order 2, that Dr Kirkman has made
satisfactory progress in relation to
ethical awareness about the potential
for boundary violations in the course
of his practice as a psychiatrist.

Dated 9 March 2001

BARBARA STANLEY
Acting Registrar

Conservation, Forests and Lands Act 1987NOTICE OF MAKING OF LAND
MANAGEMENT CO-OPERATIVE
AGREEMENTS

Notice is given under section 80 of the **Conservation, Forests and Lands Act 1987** that a Land Management Co-operative Agreement has been entered into by the Secretary to the Department of Natural Resources and Environment with the following landowners:

- (a) Harrie Peter Rehfish and Gillian Louise Murray (Crown allotment 43C Section A in the Parish of Traralgon); and
- (b) David Christopher Kerr (Crown allotment 94A in the Parish of Yannathan).

Copies of the agreements are available for public inspection between the hours of 9.00 a.m. and 5.00 p.m. at the following offices of the Department of Natural Resources and Environment: Traralgon Office, Department of Natural Resources and Environment, 71 Hotham Street, Traralgon 3844 and Executive Services Branch, Department of Natural Resources and Environment, Level 16, 8 Nicholson Street, East Melbourne 3002.

CHLOE MUNRO
Secretary

Transport Act 1983TOW TRUCK DIRECTORATE OF
VICTORIA

Tow Truck Applications

Notice is hereby given that the following application will be considered by the Licensing Authority after 18 April 2001.

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 (PO Box 666, North Melbourne 3051) not later than 12 April 2001.

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

Golden Textiles (China) Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW068, TOW063, TOW764 and TOW576 which authorises the licensed vehicles to be managed, controlled and operated from a

depot situated at 66 Highbury Road, Burwood to change the depot address to 400 Neerim Road, Murrumbeena.

Dated 15 March 2001

STEVE STANKO
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 18 April 2001.

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 12 April 2001.

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.

Delrich Tower Pty Ltd, Oakleigh South. Application to license twelve commercial passenger vehicles to be purchased in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to operate as hire cars from 1084 Centre Road, Oakleigh South.

Delrich Tower Pty Ltd, Oakleigh South. Application for variation of conditions of licence SV1605 which authorises the licensed vehicle to operate for the carriage of passengers for wedding parties, social events and tourist activities to include the ability to operate for funerals.

L. Kantaras, Meadow Heights. Application to license one commercial passenger vehicle to be purchased in respect of a 1964 Ford convertible with seating capacity for 4 passengers to operate a service from 3 Eildon Court, Meadow Heights for the carriage of passengers for wedding parties and promotional photographic shoots.

Dated 15 March 2001

ROBERT STONEHAM
Manager – Operations
Victorian Taxi Directorate

Livestock Disease Control Act 1994

REVOCATION OF DECLARATION OF
APPROVED AGENT

Notice is hereby given that on 26 February 2001 the Commissioner of State Revenue revoked pursuant to Section 94(2) of the **Livestock Disease Control Act 1994** the declaration of the undermentioned person, being a person carrying on business as a stock and station agent, an abattoir operator, a feedlot operator, a cattle scale operator, a calf dealer or any other prescribed business dealing with the buying or selling of livestock or the 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**.

J. P. & E. A. McDonald trading as Dalgety Edenhope.

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

COMMONWEALTH OF AUSTRALIA

Petroleum (Submerged Lands) Act 1967

Renewal of a Retention Lease

The Renewal of Retention Lease numbered VIC/RL4 has been granted to:-

Esso Australia Resources Pty Ltd,
Esso House,
12 Riverside Quay,
Southbank, Victoria 3006

and

BHP Petroleum (Bass Strait) Pty Ltd,
Level 29,
600 Bourke Street,
Melbourne, Victoria 3000

In respect of one (1) block described hereunder, to have effect for a period of five (5) years from and including the twenty-eighth day of February 2001.

DESCRIPTION OF BLOCK

The graticular block numbered 1851 on the Melbourne Offshore Graticular Sections Map.

Dated 28 February 2001

Made under the **Petroleum (Submerged Lands) Act 1967** of the Commonwealth of Australia on behalf of the Commonwealth – Victoria Offshore Petroleum Joint Authority.

ROBERT KING
Manager, Minerals and
Petroleum Regulation
Designated Authority,
pursuant to Instrument of Delegation
Dated 10 December 2000

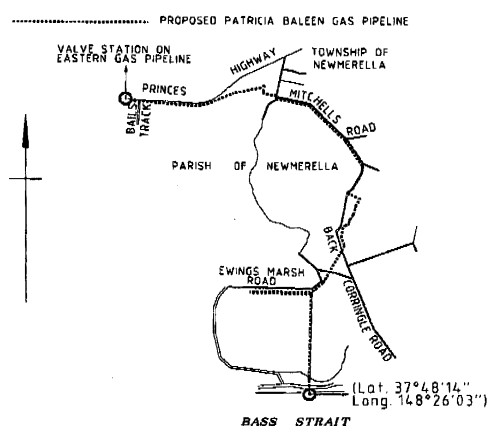
Pipelines Act 1967

NOTICE UNDER SECTION 11 OF THE
PIPELINES ACT 1967

Application for a Permit to Own and Use
Pipeline 230

1. In accordance with the provisions of Section 11 of the **Pipelines Act 1967**, notice is given that an application has been received from Basin Oil Pty Ltd for a Permit to Own and Use a Pipeline for the purpose of conveying gaseous hydrocarbons from the shore crossing north of Corringale Creek to the Eastern Gas Pipeline near Orbost.
2. A conjoint Notice advising that an Environmental Effects Statement/Public Environment Report (EES/PER) has been prepared by the applicant for the project under the provisions of the **Environment Effects Act 1978** has been advertised concurrently. The Notice lists where copies of EES/PER are available. Copies of EES/PER may be inspected at the same locations as the plans of the proposed route of the pipeline and which are listed in point 4 of this Notice.
3. The proposed route of the pipeline is generally as shown on the map below and described below:

A steel pipeline approximately 12.5 Kms in length with a nominal bore of up to 400 mm and commencing at the shore crossing just north of Corringale Creek Road and terminating at the Eastern Gas Pipeline Main Line Valve Station near Orbost.



4. The above plan is only indicative and detailed plans of the proposed route of the pipeline may be inspected between the hours of 9.00 a.m. and 4.00 p.m. Mondays to Fridays (excluding public holidays) by contacting Ms Uma Malipatil, Department of Natural Resources and Environment, 8th Floor, 250 Victoria Parade, East Melbourne, Vic. 3002 and other locations as listed below:

- (a) Department of Infrastructure, Customer Information Centre, Nauru House, 80 Collins Street, Melbourne 3000;
- (b) Department of Infrastructure, 120 Kay Street, Traralgon, Vic. 3844;
- (c) East Gippsland Shire Council, Bairnsdale, Vic.
- (d) East Gippsland Shire Council, Orbost Business Centre, Ruskin Street, Orbost, Vic.

Additional copies of the plans are not available from the Department but can be obtained from Dr Bronwyn Ridgway, Maunsell McIntyre Pty Ltd, Level 9, 161 Collins Street, Victoria 3000.

Any objection to the proposed route of the pipeline should be addressed to the Executive Director, Minerals and Petroleum, Department of Natural Resources and Environment, PO Box 500, East Melbourne, Vic. 3002 and must reach the Department by 20 April 2001.

Dated 21 February 2001

CANDY BROAD
Minister for Energy and Resources



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1919 in the category described as a Heritage place:

Big Lizzie, Calder Highway, Red Cliffs, Mildura Rural City Council.

EXTENT:

1. To the extent of all of Big Lizzie and its trailer marked BL and T1 on Diagram Number 1919 held by the Executive Director.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1908 in the category described as a Heritage place:

Killeen Homestead, Hume Highway, Longwood, Strathbogie Shire Council.

EXTENT:

1. All the buildings and structures being B1 homestead, B2 stables, B3 Manager's House, B4 Shearing Shed as marked on Diagram 1908 held by the Executive Director

2. All the land marked L1 on Diagram 1908 held by the Executive Director, being part of the land described in Vol. 1801 Fol. 775 part of Crown Section A, Parish of Longwood.

3. All the Trees and Landscape Features marked as follows on Diagram 1908 held by the Executive Director: T1 Arbutus undedo (x3), T2 Wisteria sinensis, T3 Cupressus sempervirens (x26), T4 Melia azederach.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended in that the Heritage Register Number 436 in the category described as a Heritage place is now described as :

Salvation Army Temple, 65–73 Bourke Street, Melbourne, Melbourne City Council.

EXTENT:

1. All the buildings and structures being B1 Salvation Army Temple building as marked on diagram 436 held by the Executive Director.

2. All the land marked L1 on Diagram 436 held by the Executive Director being described in Vol. 1255 Fol. 872 being part of Crown Allotment 17, Section 9 in the Parish of Melbourne North.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1921 in the category described as a Heritage place:

Bright Court House and Lock Up, Park Street, Bright, Alpine Shire Council.

EXTENT:

1. All the Buildings known as Bright Court House and Log Lock Up marked B1-B2 on Diagram Number 1921 held by the Executive Director.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1926 in the category described as a Heritage place:

Braille & Talking Book Library, 31–51 Commercial Road, South Yarra, Stonnington City Council.

EXTENT:

1. All the Buildings known as the Braille Library and Hall marked B1 and B2 on Diagram Number 1926 held by the Executive Director.

2. All the Land Marked L1 on Diagram Number 1926 held by the Executive Director being all the land described in the Certificates of Title Volume xxx, Folio xxx and Volume yyy and Folio yyy.

3. All the following objects :

- Wrought Iron “Braille and Talking Book Library” sign.
- Memorial Plaque formerly over the Fire place in Braille Hall.
- Stained Glass windows from Braille Hall depicting Dickens, Shakespeare, Scott and Milton.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1913 in the category described as a Heritage place:

St Kilda Bowling Club, 66 Fitzroy Street, St Kilda, Port Philip City Council.

EXTENT:

1. To the extent of the Club Building and the Green G1 as shown on Diagram 1913 held by the Executive Director.

2. The land as shown on Diagram 1913 held by the Executive Director.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1915 in the category described as a Heritage place:

White Hills Botanic Gardens, Napier & Scott Street, Bendigo, Greater Bendigo City Council.

EXTENT:

1. All the buildings and structures marked as follows on Diagram 1915 held by the Executive Director: B1 Arch of Triumph and gates, B2 Pavilion, B3 Brick gutter remnant, B4 Deer, B5 Stone Flower baskets x 2.

2. All the landscape features marked as follows on Diagram 1915 held by the Executive Director: S1 Lake and Island.

3. All of the trees marked as follows on Diagram 1915 held by the Executive Director: T1 Acacia karroo, T2 Dovyalis Caffra, T3 Callistemon brachyandrus, T4 Pinus torreyana, T5 Pinus roxburghii, T6 Livistona australis, T7 Schinus terebinthifolius, T8 Juniperus virginiana.

4. All of the land known as White Hills Botanic Gardens and gazetted as Crown Reserve Rs 4855 [P126799] and permanently reserved for Public Gardens and part of Napoleon Crescent road reserve marked L1 on Diagram 1915 held by the Executive Director.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended in that the Heritage Register Number 1054 in the category described as a Heritage place is now described as:

Former Yallourn Power Station Administrative Building, Yallourn Drive, Yallourn North, La Trobe Shire Council

EXTENT:

1. All the building (excluding modern rear additions) marked B1 on diagram 1054 held by the Executive Director.

2. All the land marked L1 on Diagram 1054 held by the Executive Director being all the land described in certificate of title Volume 10303 Fol. 288.

3. Removal of the land marked L2 on diagram 1054 held by the Executive Director from the Victorian Heritage Register being the land gazetted on 10 November 1994.

Dated 13 March 2001

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1895 in the category described as a Heritage place:

Manyung Recreation Camp, 35 Sunnyside Road, Mornington, Mornington Peninsula Shire Council.

EXTENT:

1. To the extent of the buildings shown as B1, B2, B3, B4 on diagram held by the Executive Director, being the Dining Hall, Bunkhouses, Outdoor Chapel and Former Manager's Residence.

2. The Land shown as L1 on diagram 1895 held by the Executive Director.
Dated 13 March 2001

RAY TONKIN
Executive Director

Water Act 1989

GLENELG REGION WATER AUTHORITY

Notice of Creation of the
Dunkeld Sewerage District

Notice is hereby given that, under Section 96(7) of the **Water Act 1989**, the Glenelg Region Water Authority proposes to create a Sewerage District for the township of Dunkeld.

The Dunkeld Sewerage District is required to be created to enable the future Dunkeld Sewerage Scheme to proceed to the Statutory Process stage, which will allow sewerage services to be established in Dunkeld within this sewerage district.

Separate notices will be sent at a later date to all liable property owners under the Dunkeld Sewerage Scheme, giving more information about the scheme including the proposed capital contributions.

The proposal for the creation of the sewerage district is available for inspection, free of charge, at the following locations:

- Dunkeld Post Office, Wills Street, Dunkeld; or
- GRWA Business Centre, 66 Gray Street, Hamilton.

Submissions, addressed to the General Manager, on the proposal from interested parties, are invited, and will be received, up until 2.00 p.m. on Tuesday 17 April 2001 at the Office of Glenelg Region Water Authority, 66 Gray Street (PO Box 107), Hamilton 3300. Submissions should set out the grounds for any objection to the proposal.

Further information may be obtained by contacting Mr Brian Jenkins, Manager Engineering Services, on 5551 0400.

Water Act 1989

BULK ENTITLEMENT (THOMSON RIVER – MELBOURNE WATER CORPORATION)
CONVERSION ORDER 2001

I, Sherryl Garbutt, under the provisions of the **Water Act 1989**, make the following Order –

1. CITATION

This Order may be cited as the Bulk Entitlement (Thomson River – Melbourne Water Corporation) Conversion Order 2001.

2. EMPOWERING PROVISIONS

This Order is made under sections 43, 47 and 64A 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**;

“**Agreement on Environmental Flows**” means the “Agreement on an Environmental Flows Package for the Thomson and Macalister Rivers” made between West Gippsland Catchment Management Authority, Gippsland Coastal Board, Southern Rural Water, Melbourne Water and the Department and dated 19 June 2000.

- “Agreement on Thomson Water Sharing”** means the “Agreement on Thomson Basin Water Sharing Arrangements” made between Southern Rural Water and Melbourne Water and dated May 2000.
- “Authority”** means a Water Authority other than Melbourne Water which holds a bulk entitlement granted under Division 1 or 3 of Part 4 of the Act;
- “bulk entitlement holder”** means a person holding a bulk entitlement under the Act;
- “Coopers Creek Gauging Station”** means the stream gauging station, number 225208, located on the waterway;
- “Department”** means the Department of Natural Resources and Environment;
- “environmental flows”** means the flows referred to in clause 10;
- “Melbourne Water”** means Melbourne Water Corporation;
- “Minister”**, in relation to any provision, includes any person authorised by the Minister to act on the Minister’s behalf in relation to that provision, or to whom the Minister has delegated the relevant power, discretion, function, authority or duty under section 306 of the Act;
- “Narrows gauging station”** means the stream gauging station, number 225210, located on the waterway;
- “Resource Manager”** means any person appointed by the Minister to do all or any of the following –
- (a) prepare the Thomson Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Thomson Basin comply with the conditions of their bulk entitlements; and
 - (c) investigate and mediate disputes between entitlement holders in the Thomson Basin; and
 - (d) investigate and deal with significant unauthorised uses of water in the Thomson Basin; 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;
- “Reservoir”** means the Thomson Reservoir;
- “Southern Rural Water”** means Gippsland and Southern Rural Water Authority;
- “Storage Operator”** means any person appointed by the Minister to operate all or part of the water supply works of the Reservoir, to manage or measure the flow into or in all or part of the Reservoir or waterway, or to do all or any of them;
- “target filling arrangements”** means operating rules determined by the Storage Operator to control the filling of the Reservoir during the winter and spring months in order to mitigate flooding;
- “Thomson Basin”** means the area of land designated as Basin Number 25 in the South East Coast Division of the Australian Water Resources Council’s Australian Continental Drainage Divisions;
- “Thomson Basin Water Accounts”** means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Thomson Basin, with the terms of their bulk entitlements or licences;
- “waterway”** means the Thomson River between Easton Weir and the confluence with the Latrobe River, including the pools formed by and immediately upstream of Easton Weir, Swingler Weir and the Reservoir;
- “Yarra Basin”** means the area of land designated as Basin Number 29 in the South East Coast Division of the Australian Water Resources Council’s Australian Continental Drainage Divisions;
- “year”** means the 12 months next following 1 July.

5. CONVERSION TO A BULK ENTITLEMENT

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

6. BULK ENTITLEMENT

- 6.1 Subject to sub-clauses 6.2 and 9.3, Melbourne Water may take from the waterway up to an annual average total of 265,000 megalitres over any period of five consecutive years at a rate not exceeding 1,700 megalitres/day.
- 6.2 The amount taken by Melbourne Water under this order is to be included in the total amount that may be taken under any other bulk entitlement order granted to Melbourne Water in respect of the Yarra and Thomson basins.
- 6.3 Melbourne Water must not direct the Storage Operator to release more than the amount it holds in its share of the Reservoir.

7. TRANSFER OF ENTITLEMENT

- 7.1 Subject to section 46 of the Act and sub-clause 7.2, this bulk entitlement may be transferred –
- (a) temporarily or permanently;
 - (b) in whole or in part; and
 - (c) for any purpose, including an in-stream use of water.
- 7.2 The Minister may, on the application of Melbourne Water, at any time, alter any provision of this Order to reflect trading of this or any other bulk entitlement by Melbourne Water.
- 7.3 Any application made by Melbourne Water under sub-clause 7.2 must –
- (a) set out the objectives of, and reasons for, the proposed alteration; and
 - (b) set out the results of an assessment of the likely effects of the proposed alteration on the environment and other authorities holding a bulk entitlement on the waterway.
- 7.4 The Minister may –
- (a) approve part or all of any application under sub-clause 7.2; or
 - (b) require Melbourne Water to –
 - (i) provide further information; or
 - (ii) re-submit the application in a different form; or
 - (c) not approve the application.

8. SHARE OF STORAGE CAPACITY

- 8.1 Melbourne Water is entitled to a share of the estimated storage capacity of the Reservoir, being 1,078,100 ML at a full supply level of 453.5 metres Australian Height Datum.
- 8.2 At the commencement of this Order, Melbourne Water is deemed to be entitled to a volume in the Reservoir calculated by the Storage Operator in accordance with the Agreement on Thomson Water Sharing.
- 8.3 Melbourne Water may, subject to sub-clause 6.3, use all of the water which the Storage Operator calculates is stored in the Reservoir by Melbourne Water, in accordance with Schedule 1.

9. SHARE OF FLOW

- 9.1 The Storage Operator must attribute 94% of all inflow to Thomson Reservoir from the Thomson Basin, as calculated by the Storage Operator, to Melbourne Water's share.
- 9.2 In addition to the share of flow attributed under sub-clause 9.1, Melbourne Water may store such further inflow to Thomson Reservoir that the Storage Operator attributes to Melbourne Water's share, in accordance with item 2 of Schedule 1.
- 9.3 After meeting the environmental flow requirements specified in clause 10, and subject to the storage operating arrangements approved by the Minister under clause 13, Melbourne Water may –

- (a) store all the inflow to Thomson Reservoir; and
- (b) take all the inflow via the Thomson-Upper Yarra tunnel from
 - (i) the Reservoir; and
 - (ii) subject to clause 12 –
 - (A) Swingler Weir; and
 - (B) Easton Weir.

10. ENVIRONMENTAL FLOWS

- 10.1 Melbourne Water must provide a minimum instantaneous flow in the Thomson River –
- (a) immediately downstream of the Thomson Pondage Weir;
 - (b) at the Narrows Gauging Station; and
 - (c) at Coopers Creek Gauging Station;
- of Q_T , where Q_T is specified for each month in Schedule 2.
- 10.2 Melbourne Water must provide the environmental flows specified at the Narrows and Coopers Creek gauging stations within the following operating tolerances –
- (a) The average flow on any day is to be not less than Q_T by –
 - (i) 10 ML/day if Q_T is less than or equal to 150 ML/day; and
 - (ii) 15 ML/day if Q_T is greater than 150 ML/day and less than 250 ML/day;
 - (b) the total flow over any continuous 7 day period is to be not less than the sum of Q_T for each day over the same period; and
 - (c) over any continuous 12 month period, the specified flow Q_T is to be provided 95% of the time.

11. AMENDMENT OF ENVIRONMENTAL FLOWS

- 11.1 Melbourne Water must, within three years of the commencement of this Order, apply to the Minister to amend this Order under section 44 of the Act in respect of the environmental flows specified in clause 10 in accordance with any new agreement made under Item 11 of the Agreement on Environmental Flows.
- 11.2 If a new agreement has not been made as provided for under Item 11 of the Agreement on Environmental Flows, Melbourne Water must apply to the Minister to extend the Agreement on Environmental Flows for a period of no more than twelve months.

12. DIVERSIONS OTHER THAN FROM THE RESERVOIR

- 12.1 In calculating water available to Melbourne Water under this Order at any point on the waterway other than the Reservoir, allowance must be made for –
- (a) any losses of water incurred between that point and the Reservoir; and
 - (b) the time taken to reach that point from the Reservoir.
- 12.2 If Melbourne Water proposes to divert water under this Order from a point on the waterway other than the Reservoir, it must, after consultation with Southern Rural Water and the Department, propose to the Minister –
- (a) fair reasonable and representative means for calculating the allowances required by sub-clause 12.1;
 - (b) details of the proposed location and amount of the extraction;
 - (c) details of the operational requirements of the Resource Manager; and
 - (d) the results of an assessment of the likely effects of the proposed taking of water on the environment and other authorities holding a bulk entitlement on the waterway.

- 12.3 The Minister may –
- (a) approve a proposal made under sub-clause 12.2; or
 - (b) require Melbourne Water to amend the proposal; and
 - (c) require Melbourne Water –
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose an amended proposal to the Minister.

- 12.4 Melbourne Water must –
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 12.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

13. OPERATING ARRANGEMENTS

- 13.1 Melbourne Water, after consulting the Storage Operator and Southern Rural Water, must propose to the Minister within 12 months of the commencement of this Order –

- (a) water accounting and operational arrangements for water stored in and released from the Reservoir under this Order, including target filling arrangements; and
- (b) arrangements for reporting under clause 16.

- 13.2 The Minister may –

- (a) approve a proposal made under sub-clause 13.1; or
- (b) require Melbourne Water to amend the proposal; or
- (c) not approve the proposal.

- 13.3 The Minister may, at any time, require Melbourne Water to –

- (a) review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
- (b) make an amended proposal to the Minister.

- 13.4 Melbourne Water must –

- (a) advise the Resource Manager in writing within 14 days after the Minister approves any proposal made under this clause; and
- (b) provide the Resource Manager with such other information concerning diversions as the Resource Manager may, from time to time, require.

14. ENVIRONMENTAL OBLIGATIONS

- 14.1 Melbourne Water must propose to the Minister, within 12 months of the date of this Order, a program to assess and manage the environmental effects of operating the Reservoir, including –

- (a) the effects on the bed and banks of the waterway in the vicinity of the Reservoir; and
- (b) the effects on aquatic biota in the waterway; and
- (c) operational practices to remove silt from the Reservoir; and
- (d) operating practices to manage the water quality, including temperature, in the Reservoir and on the waterway; and
- (e) operating rules to control releases from the Reservoir to the Thomson River; and
- (f) operating rules for managing flood flows through the Reservoir.

- 14.2 The Minister may –
- (a) approve the program proposed under sub-clause 14.1; or
 - (b) require Melbourne Water to amend the proposed program; or
 - (c) require Melbourne Water 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.
- 14.3 Melbourne Water, must at its cost –
- (a) implement the approved environmental management program; and
 - (b) keep a record of all work undertaken under paragraph (a).
- 14.4 The Minister may, from time to time, require Melbourne Water to report in writing on the implementation of any program approved under sub-clause 14.2.
- 14.5 Melbourne Water may recover the costs of implementing the approved program from the Storage Operator.
- 15. METERING PROGRAM**
- 15.1 Melbourne Water must propose to the Minister within 12 months of the commencement of this Order, a metering program to demonstrate Melbourne Water's compliance with its bulk entitlement under this Order.
- 15.2 A proposal under sub-clause 15.1 must include details of any existing or proposed arrangements made by Melbourne Water for any person other than Melbourne Water to measure or to calculate instream flows.
- 15.3 The Minister may –
- (a) approve a program proposed under sub-clause 15.1; or
 - (b) require Melbourne Water to amend the proposed program; or
 - (c) not approve the proposed program.
- 15.4 The Minister may, at any time, require Melbourne Water to –
- (a) review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (b) propose an amended program to the Minister.
- 15.5 Melbourne Water must, at its cost and in accordance with any guidelines issued from time to time by the Minister –
- (a) implement and maintain any metering program approved by the Minister; 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).
- 16. REPORTING REQUIREMENTS**
- 16.1 The Minister may require Melbourne Water to report on all or any of the following:
- (a) Status of Melbourne Water's entitlement to water in the Reservoir including –
 - (i) the amount of water taken by Melbourne Water from the waterway;
 - (ii) the amount of water released from the Reservoir for the purposes of flood control and hydro-electric power generation;
 - (iii) the daily passing flows at the locations specified in clause 10;

- (iv) the volume of Melbourne Water's share of storage capacity under sub-clause 8.1;
 - (v) the volume of inflows attributed to Melbourne Water under sub-clauses 9.1 and 9.2;
 - (vi) the volume of losses attributed to Melbourne Water as determined by the Storage Operator pursuant to paragraph 12.1(a); and
- (b) Any temporary or permanent transfer of all or part of this bulk entitlement.
 - (c) Any temporary or permanent transfer of a bulk entitlement or other entitlement under the Act to Melbourne Water which does or may alter the flow of water in the waterway.
 - (d) Any amendment to this bulk entitlement.
 - (e) Any new bulk entitlement granted to Melbourne Water.
 - (f) The implementation of any program approved under sub-clause 14.2 including monitoring of its performance.
 - (g) The implementation of any program approved under sub-clause 15.3.
 - (h) Any failure by Melbourne Water to comply with any provision of this bulk entitlement.
 - (i) Any difficulty experienced or anticipated by Melbourne Water in complying with this bulk entitlement and any remedial action taken or proposed.
- 16.2 The Minister may require Melbourne Water to report on all or any of the matters set out in sub-clause 16.1—
- (a) in writing, or in such electronic form as may be agreed between Melbourne Water and the Minister; and
 - (b) within 14 days of receiving the Minister's written request or such longer period as the Minister may determine.
- 16.3 The Resource Manager may require Melbourne Water to report from time to time on all or any of the matters set out in sub-clause 16.1.
- 16.4 Any report under sub-clause 16.3 must be made —
- (a) in such form as may be agreed between Melbourne Water and the Resource Manager; and
 - (b) within such period of time as may be agreed between Melbourne Water and the Storage Operator and approved by the Minister under operating arrangements referred to in clause 13.
- 16.5 Subject to sub-clause 16.6, Melbourne Water must, in its Annual Report, report on each of the matters referred to in sub-clause 16.1.
- 16.6 On the application of Melbourne Water, the Minister may, in writing, relieve Melbourne Water from the need to report on one or more failures referred to in paragraph 16.1(h) in its Annual Report for a particular year.
- 17. WATER RESOURCE MANAGEMENT COSTS**
- 17.1 Subject to sub-clause 19.1, Melbourne Water must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager in —
- (a) preparing the Thomson Basin Water Accounts; and
 - (b) monitoring whether entitlement holders in the Thomson Basin comply with the conditions of their bulk entitlements; and
 - (c) directing the release of any water set aside for maintaining water quality in the waterway; and
 - (d) investigating and mediating disputes between entitlement holders in the Thomson Basin; and
 - (e) investigating and dealing with significant unauthorised uses of water in the Thomson Basin; and

- (f) supervising the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act – as estimated under sub-clause 19.3 and invoiced under clause 20.

18. STORAGE OPERATOR COSTS

- 18.1 Subject to sub-clause 19.1 Melbourne Water must pay the Storage Operator a proportion of the source costs in any year, whether or not Melbourne Water directs the Storage Operator to release water from the Reservoir in that year.
- 18.2 For the purposes of this clause, “source costs” means the total annual cost of –
 - (a) operating, maintaining and administering the Reservoir; and
 - (b) making releases from the Reservoir; and
 - (c) meeting the cost of any new or enhancement work to the Reservoir (other than work designed to increase the yield of the Reservoir); and
 - (d) making an appropriate allowance for depreciation of works associated with the Reservoir, using the deprival value approach, or such other depreciation method required by the Victorian Department of Treasury and Finance; and
 - (e) managing the stream gauging stations on the waterway in accordance with the metering program approved by the Minister under clause 15; and
 - (f) implementing the program established under clause 14 to manage the environmental effects of operating the Reservoir; and
 - (g) any other activity undertaken by the Storage Operator that has been agreed to by Melbourne Water and Southern Rural Water.
- 18.3 The proportion referred to in clause 18.1 is either –
 - (a) all of the source costs; or
 - (b) the proportion from time to time agreed between Melbourne Water, Southern Rural Water and the Storage Operator.

19. DUTY TO KEEP FINANCIAL ACCOUNTS AND FIX PROPORTIONS

- 19.1 Melbourne Water is not obliged to make any payment to –
 - (a) the Resource Manager under clause 17;
 - (b) the Storage Operator under clause 18 –unless the person to whom the payment is payable chooses to comply with the provisions of this clause relevant to that payment.
- 19.2 Separate accounts of all costs and payments must be kept –
 - (a) by the Resource Manager in respect of clause 17; and
 - (b) by the Storage Operator under clause 18.
- 19.3 The Resource Manager must, by 1 March in any year, provide Melbourne Water with an estimate of the fair and reasonable proportion of the costs referred to in sub-clause 17.1, in respect of the ensuing year.
- 19.4 The Storage Operator must, by 1 March in any year, provide Melbourne Water with a detailed estimate of the amounts payable by Melbourne Water under sub-clause 18.1, in respect of the ensuing year.
- 19.5 Accounts required to be kept under this clause must be made available for inspection by Melbourne Water upon request.

20. DUTY TO MAKE PAYMENTS

- 20.1 Any amounts payable by the Authority under clauses 17 and 18 –
 - (a) are to be made in accordance with the usual business practices of the Resource Manager and Storage Operator, unless otherwise set by mutual agreement between Melbourne Water and the Resource Manager and Melbourne Water and the Storage Operator; and
 - (b) must be invoiced to Melbourne Water and to any other entitlement holder for the Reservoir, at least once a year, and, if more often than once a year, in instalments; and

- (c) unless Melbourne Water 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 Melbourne Water receiving an invoice for amounts payable under clause 17; 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 18.

21. DATA

- 21.1 Subject to sub-clause 15.5, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by Melbourne Water to comply with this bulk entitlement are made available to Melbourne Water.
- 21.2 Melbourne Water must make available to any person data collected by or on behalf of Melbourne Water for the purpose of clause 15 or 16 subject to the person paying any fair and reasonable access fee imposed by Melbourne Water to cover the costs of making the data available to that person.

22. DISPUTE RESOLUTION

- 22.1 If any difference or dispute arises between Melbourne Water, the Minister and, with their consent, Southern Rural Water, the Resource Manager, the Storage Operator 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.
- 22.2 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 President of the Institute of Arbitrators, Australia.
- 22.3 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.
- 22.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- 22.5 In any difference or dispute to which the Minister is a party –
 - (a) the independent expert must express the conclusion as a recommendation; and
 - (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.
- 22.6 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.
- 22.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, are at the discretion of the Minister.

Signed:

SHERRYL GARBUTT,
Minister administering the **Water Act 1989**

Dated 19 February 2001

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

Schedule 1**Managing Melbourne Water's Share of Water Stored in the Reservoir****1. Adjustments to Melbourne Water's Share**

The Storage Operator must adjust the volume calculated under sub-clause 8.3 to reflect –

- (a) any inflow to the Reservoir attributed to Melbourne Water under sub-clauses 9.1 and 9.2; and
- (b) any share of losses from the Reservoir through infiltration and evaporation, attributed to Melbourne Water under any water accounting or operating arrangements approved by the Minister under clause 13; and
- (c) any share of out-of-balance from time to time attributed to Melbourne Water under item 3 of this Schedule; and
- (d) any other adjustment provided for in this Order.

2. Internal Spills

2.1 During any period when the Reservoir contains –

- (a) less water attributed to Melbourne Water than the amount set out in sub-clause 8.1; and
- (b) the full amount of the share of the capacity of the Reservoir to which any other bulk entitlement holder is entitled (the “first holder”) –

the Storage Operator must attribute to Melbourne Water all of the inflow to the Reservoir until the full amount of Melbourne Water's share under sub-clause 8.1 is reached.

3. Out-of-balance

3.1 The Storage Operator must determine the difference between the volume of water which the Storage Operator calculates is stored in the Reservoir at any time and the sum of all the adjusted volumes calculated under item 1 at that time.

3.2 The Storage Operator must attribute to Melbourne Water 94% of the difference determined under item 3.1.

Schedule 2**Passing Flows for the Thomson River****Specification of environmental flows**

The table below specifies the minimum instantaneous flows in the Thomson River that Melbourne Water must provide in each month in accordance with sub-clause 10.1.

Month	Environmental flow		
	Thomson Reservoir (ML/day)	The Narrows Gauging Station (ML/day)	Coopers Creek Gauging Station (ML/day)
July	25	80	216
August	25	80	238
September	25	80	245
October	25	80	225
November	75	120	205
December	75	120	200
January	75	120	200
February	75	120	180
March	25	80	155
April	25	80	155
May	25	80	150
June	25	80	150

Water Act 1989**BULK ENTITLEMENT (THOMSON RIVER – MELBOURNE WATER CORPORATION)****Conversion Order 2001****Explanatory note to accompany Order**

This note has been prepared to explain the basis and intent of this bulk entitlement granted in favour of Melbourne Water.

General:

This bulk entitlement is a source entitlement which allows Melbourne Water to store water in and take water from Thomson Reservoir. This entitlement is proposed to be converted to a bulk entitlement under the **Water Act 1989**.

Water harvested in Thomson Reservoir is shared between Melbourne Water and Southern Rural Water which supplies irrigators in the Macalister Irrigation District. These entitlements are defined as capacity shares in separate bulk entitlement orders.

The principal obligation of Melbourne Water holding this bulk entitlement is to provide minimum flows in the waterway.

This Order defines a Resource Manager and a Storage Operator. The Resource Manager has the responsibility to ensure that authorities comply with their bulk entitlements and will keep the basin water accounts.

The Storage Operator is responsible for maintaining and operating the headworks at Thomson Reservoir, will keep accounts of the volumes held in store by Melbourne Water and Southern Rural Water, and will release water for passing flows and for Southern Rural Water from its capacity share of Thomson Reservoir. While Melbourne Water will assume the role for the foreseeable future, the Storage Operator has been defined to clearly separate the role of Melbourne Water as entitlement holder from its role of Storage Operator for capacity share purposes.

Bulk entitlement (clause 6)

Melbourne Water is entitled to divert an average annual volume of up to 265,000 ML from the system waterway over any 5 consecutive year period at a rate not exceeding 1,700 ML/day.

The 265,000 ML limit was determined from Run No. BE01 of the Thomson/Yarra system simulation model. Specific details of the model are documented in the report 'Basis of the Transfer Cap for Thomson Reservoir', Melbourne Water, October 2000.

The rate of 1,700 ML/day is the maximum capacity of the Thomson-Upper Yarra tunnel.

For the purpose of accounting for water diverted against the bulk entitlement in the initial year following the commencement of the Order, the initial year will be deemed to be the fifth year of a consecutive five year period and the recorded diversions in the previous four years will be used to calculate Melbourne Water's share of the flow for the purpose of clause 6.

Sub-clause 6.2 provides for the amount taken by Melbourne Water from the Thomson Basin to be included in an overall cap for the Melbourne system which will be defined when bulk entitlements are granted for the remainder of the Melbourne system.

Transfer of entitlement (clause 7)

Melbourne Water may apply to the Minister to transfer, temporarily or permanently, all or part of its entitlement.

Share of storage capacity (clause 8)

Melbourne Water is entitled to a share of the capacity of Thomson Reservoir of 1,078,100 ML which is all of the capacity of the Reservoir except for Southern Rural Water's share of 45,000 ML.

The Thomson Storage Operator keeps an account of credits in the form of inflow to Melbourne Water's share of Thomson Reservoir, and debits in the form of losses and ordered releases. The method to be used by the Storage Operator to keep an account of Melbourne Water's share is explained in Schedule 3.

The 'Agreement on Thomson Basin Water Sharing Arrangements' dated May 2000, details the sharing arrangements for water in Thomson Reservoir agreed to by Melbourne Water and Southern Rural Water over the last few years and is the basis for determining the starting volumes at the commencement of this bulk entitlement order.

Share of flow (clause 9)

Melbourne Water is entitled to a 94% share of all inflows to Thomson Reservoir from the Thomson Basin.

The reference to the Thomson Basin ensures that Southern Rural Water's true share of inflow is accounted for if Melbourne Water chooses to divert from a point upstream of the Reservoir for any reason, for example, from Swingler Weir or Easton Portal. Water would be taken from Easton Weir or Swingler Weir only in exceptional circumstances such as when the Reservoir was below Melbourne Water's minimum operating level of 389.95 metres AHD. Before such a diversion can take place, clause 12 requires Melbourne Water to apply to the Minister and assess the impacts of the diversion on other interests.

Melbourne Water's share of storage will 'spill' if its share of inflows is sufficient to more than fill its share of the storage capacity. This is referred to as an 'internal spill' if the real storage is less than full.

Passing flows (clause 10)

Melbourne Water has an obligation to provide minimum passing flows in the Thomson River downstream of the Reservoir.

The passing flows specified in this order are identical to those specified in the 'Agreement on an Environmental Flows Package for the Thomson and Macalister Rivers' endorsed in June 2000 by West Gippsland CMA, the Gippsland Coastal Board, Melbourne Water, Melbourne Water and the Department.

Practical limitations of regulating water through a natural channel are recognised by specifying an operating tolerance on the minimum passing flows at the Narrows and Coopers Creek gauging stations.

Amendment of passing flows (clause 11)

The Agreement on Environmental Flows recognises that there is scope to improve the environmental flow regime in the Thomson River and establishes a program of studies and measures to improve the regime over time.

This clause ensures that the environmental flow provisions of this order are reviewed in three year's time in accordance with negotiated outcomes arising from implementation of the Agreement.

Diversions other than from the Reservoir (clause 13)

This clause establishes a process for Melbourne Water to follow if it proposes to take water under this order from a location other than the Reservoir. The Minister's approval to any such proposal is required and the Minister would need to be satisfied that there was no significant impact on other interests, including the environment.

Operating arrangements (clause 13)

As a capacity share entitlement holder, Melbourne Water is obliged to develop operating and accounting arrangements for supply of water from Thomson Reservoir and for compliance reporting in consultation with Southern Rural Water.

Environmental Obligations (clause 14)

This clause recognises that water users should take a share of the responsibility for environmental condition of the waterways from which they take water. However it does not go as far as extending this responsibility to management of upstream catchments which is an issue in most river basins, having major implications for water quantity and quality. Effective upstream catchment management is recognised as current world best practice for water supply and Melbourne Water

already has a major role in management of the Thomson catchment. It is only one of a number of agencies with interests and responsibilities in the Thomson catchment and the bulk entitlement order is not an appropriate instrument to implement effective catchment management by placing obligations on one of the parties.

Melbourne Water must propose a program to assess and manage the specific environmental effects of its operating rules and practices associated with taking water under the bulk entitlement order.

Metering program (clause 15)

Melbourne Water is required to measure and record all water taken from the waterway to demonstrate compliance with this entitlement. The term 'metering' includes a range of methods for measuring the flow of water, from automated continuous measurement and recording of flow to manual reading and recording of a water level at a flow control structure. The appropriate method for any given site depends on its strategic significance to the overall system, accessibility of the site and the cost of different methods of metering.

Reporting requirements (clause 16)

Melbourne Water is required to prepare reports on a number of factors to ensure compliance with its bulk entitlement. Routine reporting is to be done under Melbourne Water's annual report. The Minister or the Resource Manager may require exceptional reports from Melbourne Water.

Water resource management costs (clause 17)

Melbourne Water must contribute to the Resource Manager's costs of carrying out the listed tasks. It is expected that the Resource Manager and Melbourne Water will agree on the basis for apportioning the costs before charges are made.

Storage Operator costs (clause 18)

The Minister shall appoint a Storage Operator to operate, maintain and administer the headworks, to release water as instructed by the entitlement holders and to meet passing flows.

This clause recognises that Southern Rural Water's share of the operating costs of Thomson Reservoir is essentially free of charge in recognition of the irrigators' rights prior to construction of the storage. As set out in the Agreement on Water Sharing, Southern Rural Water is liable for a share of other costs associated with Thomson Reservoir such as costs of metering. However, if Southern Rural Water seeks a change to the operation or management of the headworks which is significantly different to that existing at the date of commencement of this Order, the Order provides for the associated Storage Operator charges to be negotiated between the parties.

Water Accounts And Duty To Keep Accounts (clauses 19 and 20)

This Order specifies a range of duties that third parties such as the Resource Manager and Storage Operator may choose to undertake. In the event that these third parties chose not to undertake these duties, Melbourne Water may withhold payment.

Data (clause 21)

The second part of this clause ensures that any data collected by Melbourne Water in accordance with the metering program for reporting purposes must be made available to other persons, subject to an access fee being paid to cover the costs of making the data available.

This is not intended to apply to the situation in which another authority also requires data from the same site to report on their compliance with their entitlements, and for other operational purposes. In such situations, the most cost-effective solution is likely to be for the authorities to co-operate and for each to contribute a fair and reasonable proportion of the costs of such monitoring.

Dispute resolution (clause 22)

This clause sets out the procedure if a dispute arises between the parties.

It has been suggested that a period of 14 days is short in the context of resolving many water resource issues, however, there needs to be a relatively short timeframe as a default in case

resolution of the dispute is urgent for one of the parties. The 14 days should be treated as a default in the absence of the parties agreeing to a time frame appropriate to the particular dispute.

It has also been suggested that the above dispute procedure should be replaced by a process following the principles of co-operative planning, for example, as used by Melbourne Water in its revised bulk service agreements with the retail companies. Clause 22 provides a default procedure and if the parties agree, a different protocol could be incorporated in the Operating Arrangements prepared between the two parties under clause 16.

Schedule 1

Schedule 1 explains how Melbourne Water's capacity share in Thomson Reservoir should be managed by the Storage Operator.

In respect of internal spills, it has been suggested that the distribution of internal spills is a decision of each entitlement holder and that it is not appropriate to specify a rule in the bulk entitlement order. Another way of looking at it is to say that an internal spill will only occur if the entitlement holder takes no deliberate action to avoid it, for example, by implementing the flood pre-release rules, or by selling some water to another entitlement holder. From this perspective it is appropriate that the Thomson Storage Operator has a default rule for distribution of internal spills as defined in paragraph 2.

Geographic Place Names Act 1998

REGISTRATION OF AMENDMENT OF GEOGRAPHIC NAMES

The Registrar of Geographic Names hereby gives notice of the registration of amendment of the undermentioned place name.

File No.	Place Name	Proposer & Location
GPN 311	From Red Hill National Primary School (also known as Red Hill National School) to Sovereign Hill School.	Department of Education. Located in the Sovereign Hill Goldmining Township, Ballarat.

Office of the Registrar of Geographic Names

c/-**LAND VICTORIA**
2nd Floor
456 Lonsdale Street
Melbourne 3000

KEITH C. BELL
Registrar of Geographic Names

Crown Land (Reserves) Act 1978

ORDER GIVING APPROVAL TO GRANT OF A LEASE UNDER SECTIONS 17D AND 17DA

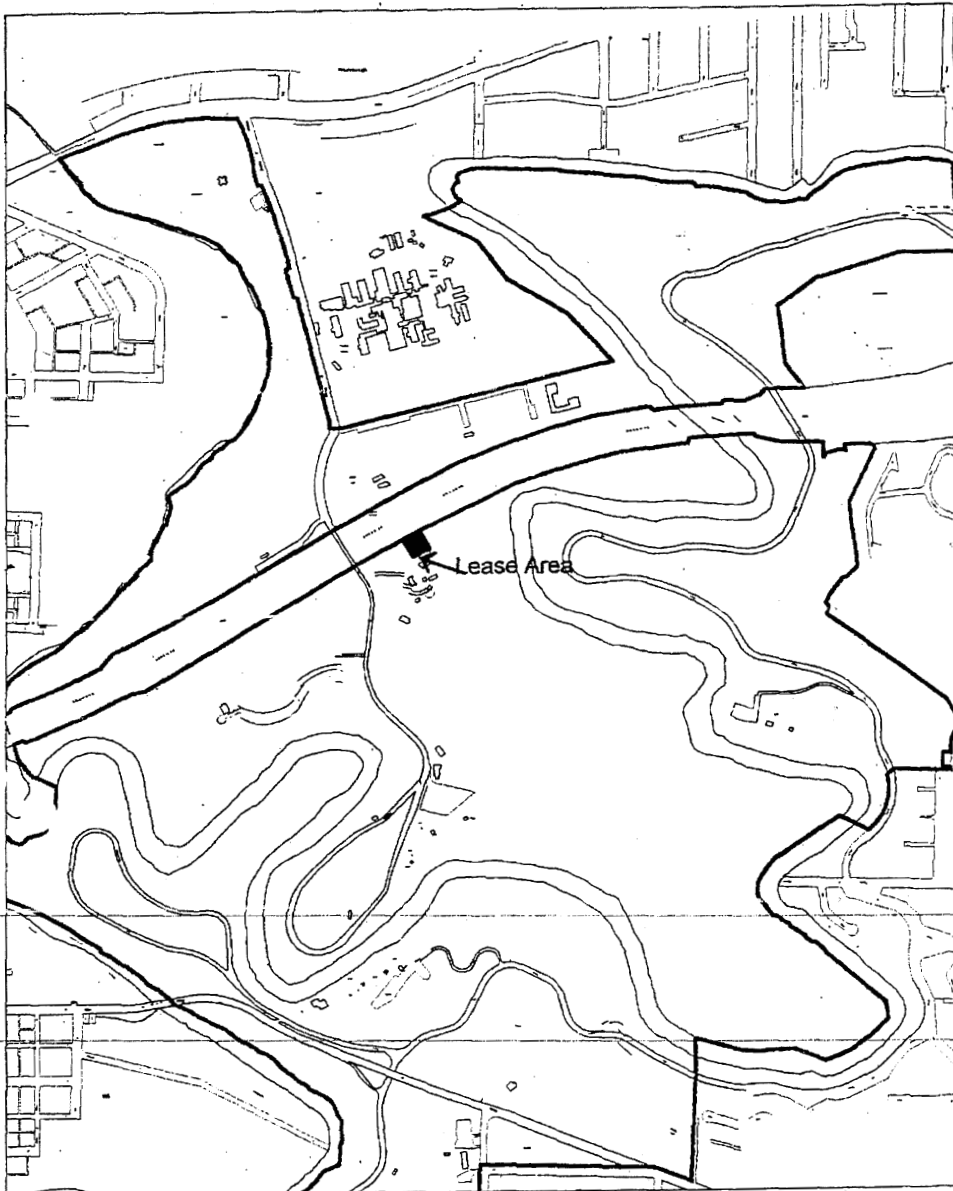
Under Sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Sherryl Garbutt, Minister for Environment and Conservation, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by the Yarra Bend Part Trust for the wholesale production and retail sale of indigenous plants and associated educational, horticultural and environmental activities over the area of the Yarra Bend Park described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

- (a) there are special reasons which make granting the lease reasonable and appropriate in the particular circumstances; and

- (b) to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**.

SCHEDULE

The land shown by black colour on the attached plan, being part of the land permanently reserved for Public Park and Recreation by Order in Council of 26.3.1935 (vide Government Gazette of 3.4.1935, page 1096). — RS 4368.



Dated 19 January 2001

SHERRYL GARBUTT MP
Minister for Environment
and Conservation

Education Act 1958

NOTICE OF MAKING OF ORDER UNDER SECTION 13

Two Orders of the Minister for Education were made on 24 February 2001 pursuant to sections 13(4) and 13(11) of the **Education Act 1958** amending the constituting Orders of two school councils to change their names. The changes are as follows:

Old name	New name
Graham Street Primary School Council	Port Melbourne Primary School Council
Council of the State school proposed to be called Albert Park/South Melbourne Primary School	Council of the State school called Albert Park Primary School

MARY DELAHUNTY
Minister for Education

Interpretation of Legislation Act 1984

PATHOLOGY SERVICES ACCREDITATION (GENERAL) REGULATIONS 2001

Notice of Incorporation of Documents

As required by section 32 of the **Interpretation of Legislation Act 1984**, I give notice that the Pathology Services Accreditation (General) Regulations 2001 apply, adopt or incorporate the following documents:

Statutory Rule Provision	Title applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 4	Criteria for Assessment of External Quality Assurance Programs, Volume 1, Clinical Biochemistry, Haematology, Microbiology, National Pathology Accreditation Advisory Council, AGPS, Canberra 1995; Criteria for Assessment of External Quality Assurance Programs, Volume 2, Anatomical Pathology, Cytology, Transfusion Serology, National Pathology Accreditation Advisory Council, AGPS, Canberra, 1996.	The whole.
Schedule 1 Items 8.5, 18 and 20	Retention of Laboratory Records and Diagnostic Material, National Pathology Accreditation Advisory Council, AGPS, Canberra, 1998.	The whole.
Schedule 1 Item 11	AS ISO/IEC 17025, Australian Standard for General Requirements for the Competence of Testing and Calibration Laboratories, Standards Australia, 21 December 1999.	The whole.

Copies of the materials applied, adopted or incorporated by the regulations were lodged with the Clerk of the Parliaments on 28 February 2001.

Dated 28 February 2001

HON JOHN THWAITES MP
Minister for Health

Interpretation of Legislation Act 1984

NOTICE OF INCORPORATION OF A DOCUMENT AND ADDRESS FOR
INSPECTION OF DOCUMENTS UNDER SECTION 32 OF
THE INTERPRETATION OF LEGISLATION ACT 1984

The standards contained in the Plumbing (Cooling Tower) Regulations 2001 apply, adopt or incorporate the following documents:

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 7	AS/NZS 3666.1:1995 – Air-handling and water systems of buildings – Microbial control, Part 1: Design, installation and commissioning	Whole document
Regulation 7	AS/NZS 3666.2: 1995 – Air handling and water systems of buildings – Microbial control, Part 2: Operation and maintenance	Whole document
Regulation 7	AS/NZS 3666.3: 2000 – Air handling and water systems of buildings – Microbial control, Part 3: Performance – based maintenance of cooling water systems	Whole document

A copy of the material applied, adopted or incorporated by the regulations was lodged with the Clerk of the Parliaments on 8 March 2001.

A copy of the aforementioned documents applied, adopted or incorporated by the Plumbing (Cooling Tower) Regulations 2001 shall be kept available for inspection during normal office hours by members of the public without charge at the offices of the Plumbing Industry Commission, 450 Burke Road Camberwell 3124.

Date: 8 March 2001

HON JOHN THWAITES MP
Minister for Planning

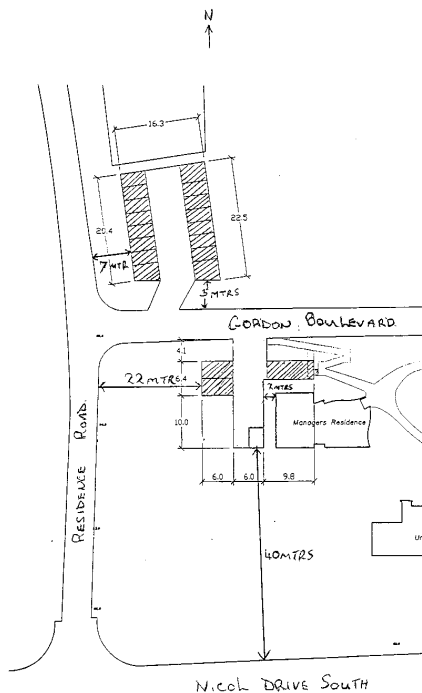
Road Safety Act 1986

ORDER UNDER SECTION 98

ROAD SAFETY ACT 1986 EXTENDING PROVISIONS TO PORTIONS OF THE DEAKIN
UNIVERSITY CAR PARK,
AT GORDON BOULEVARD,
WAURN PONDS CAMPUS

I, Robert Freemantle, Regional Manager, VicRoads South Western Region, delegate of the Minister for Transport under Section 98 of the **Road Safety Act 1986** by this Order extend the application of:

- (a) Sections 59, 64, 65, 76, 85–90 and 100 of that act; and
 - (b) The Road Safety (Road Rules) Regulations 1999; and
 - (c) Parts 5 and 6 and Schedules 3 and 4 of the Road Safety (General) Regulations 1999;
- to portions of the Deakin University car park, at Gordon Boulevard, Waurn Ponds Campus within the City of Greater Geelong, particulars of which are shown on the attached plan.



Dated 2 March 2001

ROBERT FREEMANTLE
Regional Manager
South Western Victoria

Gas Industry Act 1994

NOTIFICATION OF VARIATION OF GAS RETAIL LICENCES

The Office of the Regulator-General gives notice under section 48I of the **Gas Industry Act 1994** that it has, pursuant to section 48H(1)(c) of the **Gas Industry Act 1994**, varied the gas retail licences of –

AGL Energy Sales and Marketing Ltd (ACN 076 092 067);

CitiPower Pty (ACN 064 651 056);

ENERGEX Retail Pty Ltd (ACN 078 848 549);
EnergyAustralia;

Ergon Energy Gas Pty Ltd (ACN 084 441 047);

Origin Energy Retail Pty Limited (ACN 078 868 425);

Origin Energy (Vic) Pty Limited (ACN 086 013 283);

Pulse Energy Pty Ltd (ACN 090 538 337); and
TXU Pty Ltd (ACN 086 014 968);

The licences have been varied to establish the Energy and Water Ombudsman.

A copy of the licences may be obtained from the Office's website located at <http://www.reggen.vic.gov.au> or by contacting the Office of the Regulator-General, 1st Floor, 35 Spring Street, Melbourne 3000 (telephone 03 9651 0222).

Dated 9 March 2001

JOHN C. TAMBLYN
Regulator-General

Country Fire Authority Act 1958

VARIATION OF FIRE DANGER PERIOD

In pursuance of the powers conferred by Section 4 of the **Country Fire Authority Act 1958**, I, Robert Gordon Seiffert, Chief Executive Officer of the Country Fire Authority, after consultation with the Secretary of Natural Resources and Environment, hereby vary the declaration of the Fire Danger Periods previously published in the Government Gazette by declaring that such Fire Danger Periods shall end in respect of the undermentioned Municipal Districts of Municipalities or parts of Municipalities specified.

To terminate from 01.00 hours on 19 March 2001:

Gannawarra Shire Council

Buloke Shire Council (Remainder)

R. SEIFFERT
Chief Executive Officer

Planning and Environment Act 1987

ARARAT PLANNING SCHEME

Notice of Approval of Amendment

Amendment C1

The Minister for Planning has approved Amendment C1 to the Ararat Planning Scheme.

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

The Amendment reserves land for acquisition for a deviation of the Western Highway at Armstrong, and provides that no permit is required to remove native vegetation within the area reserved for the highway.

A copy of the Amendment can be inspected, free of charge, during office hours, at the

Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and 1315 Sturt Street, Ballarat and at the offices of the Ararat Rural City Council, Vincent Street, Ararat.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

FRANKSTON PLANNING SCHEME

Notice of Approval of Amendment
Amendment C10

The Minister for Planning has approved Amendment C10 to the Frankston Planning Scheme.

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

The Amendment includes the former Monterey Secondary College site at 14 Monterey Boulevard, Frankston North in a Public Acquisition Overlay and makes consequential changes to the schedule to that Overlay.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Frankston City Council, Civic Centre, Davey Street, Frankston.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

INDIGO PLANNING SCHEME

Notice of Approval of Amendment
Amendment C5 Part 2

The Minister for Planning has approved Amendment C5 Part 2 to the Indigo Planning Scheme.

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

The Amendment to make the following changes to the Indigo Planning Scheme:

- amends the Municipal Strategic Statement to include a strategy relating specifically to tourism;
- introduces a new Local Policy in respect of new dwellings on existing small rural allotments;
- introduces a new Local Policy in respect of development and/or use of tourism and recreation facilities;
- reviews and re-format the following existing Local Policies in accordance with the Department of Infrastructure's VPP Practice Note on writing a local policy:
 - Effluent Disposal and Water Quality
 - Rural Living
 - Classified National Trust Landscapes
 - Rural Dwelling Siting and Design
 - Landuse, Development and Subdivision in Rural Areas;
- rezones Lots 5, 6, 7, 8 & 9 PS 33736Y, Chiltern-Howlong Road and land in Conness Street, Chiltern from Low Density Residential to Rural Living Zone;
- makes minor changes to the relevant sections of the Municipal Strategic Statement to reflect the above mentioned rezoning;
- includes the above land within a Development Plan Overlay (DPO5 – Rural Living Zone);
- rezones Lots 1 & 2 LP 141823 and Crown Allotments 2 & 2A, Pritchard Lane, Beechworth from Low Density Residential to Residential 1 Zone;
- includes the above land within a Development Plan Overlay (DPO1 – Residential 1 Zone);
- corrects minor typographical errors in the Schedule to the Heritage Overlay;
- amends the Municipal Strategic Statement to remove the requirement for Council to forward to the Minister, on an annual basis, information collected as part of its general ongoing monitoring process; and
- amends various planning scheme maps to correct a number of anomalies and mapping errors which have come to light since the introduction of the new format Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; 50–52 Clarke Street, Benalla and at the offices of the Indigo Shire Council at: Indigo Way, Main Street, Yackandandah; Indigo Shire Council, Ford Street, Beechworth; Indigo Shire Customer Service Centres, Conness Street, Chiltern and Drummond Street, Rutherglen.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987
MAROONDAH PLANNING SCHEME

Notice of Approval of Amendment
Amendment C10

The Minister for Planning has approved Amendment C10 to the Maroondah Planning Scheme.

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

The Amendment applies Significant Landscape Overlay Schedule 2 to areas of the municipality with medium to good canopy tree coverage and ridgeline areas with poor canopy tree coverage.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Maroondah City Council, Municipal Offices, Braeside Avenue, Ringwood.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987
MORELAND PLANNING SCHEME

Notice of Approval of Amendment
Amendment C9

The Minister for Planning has approved Amendment C9 to the Moreland Planning Scheme.

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

The Amendment includes 42 David Street, Brunswick as a place in the schedule to the Heritage Overlay and amends Planning Scheme Map 14HO to identify the extent of protection for this place, on an interim basis until 28 February 2002.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Moreland City Council, 90 Bell Street, Coburg.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987
NORTHERN GRAMPIANS PLANNING
SCHEME

Notice of Approval of Amendment
Amendment C1

The Minister for Planning has approved Amendment C1 to the Northern Grampians Planning Scheme.

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

The Amendment reserves land for acquisition for a deviation of the Western Highway at Armstrong, and provides that no permit is required to remove native vegetation within the area reserved for the highway.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and 1315 Sturt Street, Ballarat and at the offices of the Northern Grampians Shire Council, Customer Service Centre, Gold Reef Mall, Stawell.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

CORRIGENDUM

Planning and Environment Act 1987

MONASH PLANNING SCHEME

Notice of Approval of Amendment

Amendment C8

In Government Gazette G9 dated 1 March 2001 in paragraph (4) the words 'Stonnington City Council, corner Chapel and Greville Streets, Prahran' should be replaced by the words 'Monash City Council, 293 Springvale Road, Glen Waverley.'

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

ORDERS IN COUNCIL**Water Act 1989****BULK ENTITLEMENT (THOMSON/MACALISTER – SOUTHERN RURAL WATER)
CONVERSION ORDER 2001**

The Governor in Council, under the provisions of the **Water Act 1989**, makes the following Order –

1. CITATION

This Order may be cited as the Bulk Entitlement (Thomson/Macalister – Southern Rural Water) Conversion Order 2001.

2. EMPOWERING PROVISIONS

This Order is made under sections 43, 47 and 223(4) 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**;

“**Agreement on Environmental Flows**” means the “*Agreement on an Environmental Flows Package for the Thomson and Macalister Rivers*” made between West Gippsland Catchment Management Authority, Gippsland Coastal Board, Southern Rural Water, Melbourne Water and the Department and dated 19 June 2000.

“**Agreement on Thomson Water Sharing**” means the “*Agreement on Thomson Basin Water Sharing Arrangements*” made between Southern Rural Water and Melbourne Water dated May 2000.

“**Authority**” means a Water Authority other than Southern Rural Water which holds a bulk entitlement granted under Division 1 or 3 of Part 4 of the Act;

“**bulk entitlement holder**” means a person holding a bulk entitlement under the Act;

“**Coopers Creek Gauging Station**” means the stream gauging station, number 225208, located on the waterway;

“**domestic and stock allowance**” means the amount of water made available to each holding within an irrigation district pursuant to section 222(1)(a) of the Act;

“**exchange rate**” means the rate determined by the Minister at which the security of supply for an entitlement varies inversely to the volume of water comprised in that annual entitlement;

“**headworks system**” means the water supply works of Thomson Reservoir, Lake Glenmaggie, Maffra Weir, and Cowwarr Weir;

“**licence**” means any licence referred to in Schedule 1;

“**licence volume**” means the volume of water available under a licence;

“**Macalister Storage Operator**” means any person appointed by the Minister to operate Lake Glenmaggie, Maffra Weir and Cowwarr Weir in accordance with the duties specified in the instrument of appointment;

“**Melbourne Water**” means the Melbourne Water Corporation;

“**Minister**”, in relation to any provision, includes any person authorised by the Minister to act on the Minister’s behalf in relation to that provision, or to whom the Minister has delegated the relevant power, discretion, function, authority or duty under Section 306 of the Act;

- “passing flows”** means the flows referred to in clause 11;
- “primary entitlement”** means an entitlement referred to in clause 7;
- “Register”** means the register referred to in section 230 of the Act;
- “Resource Manager”** means any person appointed by the Minister to do all or any of the following –
- (a) prepare the Thomson Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Thomson Basin comply with the conditions of their bulk entitlements; and
 - (c) investigate and mediate disputes between entitlement holders in the Thomson Basin; and
 - (d) investigate and deal with significant unauthorised uses of water in the Thomson Basin; 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;
- “sales water”** means any additional water sold by Southern Rural Water under section 222(c) of the Act;
- “security of supply”** means the statistical probability of being able to supply a given volume of water in any year;
- “Supply by Agreement”** means an agreement made under section 124(7) of the Act;
- “target filling arrangements”** means operating rules, determined by Macalister Storage Operator to control the filling of Lake Glenmaggie, and by the Thomson Storage Operator to control the filling of Thomson Reservoir, during the winter and spring months in order to mitigate flooding;
- “Thomson Basin”** means the area of land designated by the Australian Water Resources Council (AWRC) as Basin Number 25 in the South East Coast Division of the AWRC Australian Continental Drainage Divisions;
- “Thomson Basin Water Accounts”** means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Thomson River Basin, with the terms of their bulk entitlements or licences;
- “Thomson Storage Operator”** means any person appointed by the Minister to operate Thomson Reservoir in accordance with the duties specified in the instrument of appointment;
- “transfer loss”** means water lost from the waterway through infiltration and evaporation, between two points;
- “unregulated flow”** means any flow in the waterway downstream of Thomson Reservoir which is not a release of water from Southern Rural Water’s entitlement in Thomson Reservoir as specified in clauses 9 and 10;
- “Wandocka Gauging Station”** means the stream gauging station, number 225212, located on the waterway;
- “water right”** has the same meaning as in section 230(2)(c) of the Act;
- “waterway”** means –
- (a) the Macalister River between Lake Glenmaggie and its confluence with the Thomson River, including the pools formed by, and immediately upstream of, Glenmaggie Dam and Maffra Weir; and
 - (b) the Thomson River between Thomson Reservoir and its confluence with the Latrobe River, including the pools formed by and immediately upstream of the Thomson Reservoir and Cowwarr Weir; and
 - (c) the Rainbow Creek;
- “year”** means the 12 months next following 1 July.

5. CONVERSION TO A BULK ENTITLEMENT

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

6. BULK ENTITLEMENT

Southern Rural Water may take from the waterway up to an annual average amount of 274,800 ML over any period of five consecutive years, to supply primary entitlements.

7. OBLIGATIONS TO SUPPLY PRIMARY ENTITLEMENTS

Southern Rural Water must only use water referred to in clause 6 to supply the primary entitlements described in Schedule 1 in accordance with any allocation procedures and security of supply and restriction policies set out in Schedule 2.

8. TRANSFER OF ENTITLEMENT AND ADJUSTMENT OF SCHEDULES

8.1 The Minister may, on the application of Southern Rural Water at any time, alter –

- (a) any provision of this Order to reflect trading of this or any other bulk entitlement by Southern Rural Water;
- (b) the volumes of water specified in Schedule 1 to reflect any change in primary entitlements referred to in Schedule 1;
- (c) the security of supply for any primary entitlement specified in Schedule 2 in accordance with exchange rates;
- (d) the principles used to determine sales water described in Schedule 2; and
- (e) the values of 80th percentile flows for the Macalister River specified in Schedule 4.

8.2 An application made by Southern Rural Water under sub-clause 8.1 must –

- (a) set out the objectives of, and reasons for, the proposed alteration; and
- (b) set out the results of an assessment of the likely effect of the proposed alteration on –
 - (i) the security of primary entitlements; and
 - (ii) the environment.

8.3 The Minister may –

- (a) approve part or all of any application under sub-clause 8.1; or
- (b) require Southern Rural Water to –
 - (i) provide further information; and
 - (ii) re-submit the application in a different form; or
- (c) not approve the application.

9. SHARE OF STORAGE CAPACITY

9.1 Southern Rural Water is entitled to –

- (a) 100% of the estimated storage capacity of Lake Glenmaggie, being 190,340 ML at a full supply level of 78.03 metres Australian Height Datum; and
- (b) a storage capacity of 45,000 ML in Thomson Reservoir above a level of 366.0 metres Australian Height Datum.

9.2 At the commencement of this Order, Southern Rural Water is deemed to be entitled to a volume in Thomson Reservoir calculated by the Thomson Storage Operator in accordance with the Agreement on Thomson Water Sharing.

9.3 Southern Rural Water may, subject to clause 6, use all the water which the Thomson Storage Operator calculates is stored in Southern Rural Water's share of Thomson Reservoir, in accordance with Schedule 3.

10. SHARE OF FLOW

- 10.1 The Thomson Storage Operator must attribute 6% of all inflow to Thomson Reservoir from the Thomson Basin, as calculated by the Thomson Storage Operator, to Southern Rural Water's share.
- 10.2 In addition to the share of flow attributed under sub-clause 10.1, Southern Rural Water may store such further inflow to Thomson Reservoir that the Thomson Storage Operator attributes to Southern Rural Water's share.
- 10.3 After meeting the passing flow requirements specified in clauses 11 and 12, Southern Rural Water may –
- (a) subject to the target filling arrangements –
 - (i) store all the inflow to Lake Glenmaggie; and
 - (ii) take all the inflow via the Main Northern and Main Southern Channels; and
 - (b) take all inflow to Maffra Weir via the Main Eastern Channel up to a maximum amount of 460 ML/day; and
 - (c) take all inflow to Cowwarr Weir via the Cowwarr Main Channel up to a maximum amount of 720 ML/day.
- 10.4 Southern Rural Water may authorise the holder of a primary entitlement to satisfy that entitlement from –
- (a) any flow released to the waterway for that purpose from the headworks system at the direction of Southern Rural Water; and
 - (b) any unregulated flow in the waterway except flow which the Macalister Storage Operator designates as providing for one or more of the purposes set out in clauses 11 and 12 and sub-clause 10.5.
- 10.5 Southern Rural Water must not take, as part of this entitlement, any flow in the waterway which is being transferred by the holder of any other bulk entitlement or licence.

11. PASSING FLOWS FOR THE MACALISTER RIVER

- 11.1 Southern Rural Water must provide a minimum flow in the Macalister River below Maffra Weir of 60 ML/day, except as provided for in clauses 11.2 to 11.4.
- 11.2 The passing flow can be reduced to 30 ML/day if –
- (a) in any month between June and October (inclusive), the inflow to Lake Glenmaggie for the previous month is less than the 80th percentile inflow to Lake Glenmaggie for that previous month; and
 - (b) in November, the volume in Lake Glenmaggie during November is less than 133,000 ML.
- 11.3 If the passing flow has been reduced to 30 ML/day under clause 11.2 in any year, it is to be maintained until the end of May in that year unless –
- (a) for any month between June and October (inclusive), the inflow to Lake Glenmaggie for the previous month exceeds the 80th percentile inflow to Lake Glenmaggie for that previous month; or
 - (b) for the months of August to January (inclusive), the volume in Lake Glenmaggie exceeds 185,000 ML;
- in which case, the passing flow is to be restored to 60 ML/day.
- 11.4 If the inflow to Lake Glenmaggie on any day as calculated by the Macalister Storage Operator is less than the passing flow calculated under sub-clauses 11.1 to 11.3, the passing flow may be reduced to the same value as the inflow to Lake Glenmaggie.
- 11.5 For the purposes of clause 11.4, the inflow to Lake Glenmaggie is to be estimated using the method described in the September 1995 report by Sinclair Knight Merz, "Thomson Macalister Natural Flow Indicators".

- 11.6 For the purposes of sub-clauses 11.2 and 11.3, Southern Rural Water must –
- (a) use the values of the 80th percentile inflow to Lake Glenmaggie as specified in Schedule 4.
 - (b) re-calculate these 80th percentile inflow values every three years using the method described in Schedule 4 and including all recorded inflows to Lake Glenmaggie up to that time.
- 11.7 Southern Rural Water must provide the passing flows calculated in accordance with sub-clauses 11.1 to 11.6, Q_M , within the following operating tolerances –
- (a) the average flow on any day is not to be less than 50% of Q_M at all times;
 - (b) the average flow on any day is not to be less than 70% of Q_M on more than 7 days within any continuous 28 day period; and
 - (c) the average flow on any day is not to be less than Q_M on more than 14 days within any continuous 28 day period.
- 11.8 Southern Rural Water must not use the passing flows specified in this clause to supply licensed diverters below Maffra Weir.
- 11.9 Southern Rural Water's compliance with meeting the passing flows calculated in accordance with sub-clauses 11.1 to 11.6 is to be based on the average daily flow measured at Maffra Weir.

12. PASSING FLOWS IN THE THOMSON RIVER

- 12.1 Except as provided for in sub-clause 12.6, Southern Rural Water must provide a minimum instantaneous passing flow in the Thomson River and Rainbow Creek between Cowwarr Weir and Wandocka of –
- (a) the lesser of 125 ML/day, and the natural flow; or
 - (b) if the natural flow is less than 50 ML/day, 50 ML/day.
- 12.2 The Macalister Storage Operator is to estimate the natural flow using the method described in the September 1995 report by Sinclair Knight Merz "*Thomson Macalister Natural Flow Indicators*".
- 12.3 Southern Rural Water must provide the passing flow specified in sub-clause 12.1, Q_W , within the following operating tolerances –
- (a) The average flow on any day is not to be less than 65% of Q_W at all times;
 - (b) The average flow on any day is not to be less than 80% of Q_W on more than 7 days within any continuous 28 day period; and
 - (c) The average flow on any day is not to be less than Q_W on more than 14 days within any continuous 28 day period.
- 12.4 Southern Rural Water must not use the passing flows specified in this clause to supply licensed diverters below Cowwarr Weir.
- 12.5 Southern Rural Water's compliance with meeting the passing flows calculated in accordance with sub-clauses 12.1 to 12.3 is to be based on the average daily flow.
- 12.6 Southern Rural Water may temporarily vary the passing flows specified in sub-clauses 12.1 to 12.3 as provided for in Item 5 of the Agreement on Environmental Flows.

13. AMENDMENT OF PASSING FLOWS

- 13.1 Southern Rural Water must, within three years of the commencement of this Order, apply to the Minister to amend the passing flows specified in clauses 11 and 12 as provided for under section 44 of the Act in accordance with any new agreement made under Item 11 of the Agreement on Environmental Flows.
- 13.2 If a new agreement has not been made as provided for under Item 11 of the Agreement on Environmental Flows, Southern Rural Water must apply to the Minister to extend the Agreement on Environmental Flows for a period of no more than twelve months.

14. RELEASES

- 14.1 Subject to item 2.4 in Schedule 2, Southern Rural Water must –
- (a) direct the Macalister Storage Operator to release sufficient water from Lake Glenmaggie, Maffra Weir and Cowwarr Weir to supply the primary entitlements specified in clause 7 and the passing flows specified in clauses 11 and 12; and
 - (b) direct the Thomson Storage Operator to release sufficient water from Southern Rural Water's share of Thomson Reservoir to supply the primary entitlements specified in clause 7.
- 14.2 Southern Rural Water must not direct the Macalister Storage Operator to release water from Lake Glenmaggie, Cowwarr Weir and Maffra Weir in a way which exceeds the maximum permissible rates at which releases may be changed in accordance with the program approved under clause 18.
- 14.3 Southern Rural Water must not direct the Macalister Storage Operator to release more water from Lake Glenmaggie, Cowwarr Weir and Maffra Weir than is required to meet its commitment to supply passing flows and the primary entitlements unless releases are necessary to –
- (a) comply with target filling arrangements for Lake Glenmaggie; or
 - (b) allow work to be undertaken within the storages created by Glenmaggie dam, Cowwarr Weir or Maffra Weir; or
 - (c) supply dilution flows to overcome serious water quality concerns; or
 - (d) allow transfers of primary entitlements to be made.
- 14.4 Southern Rural Water must not direct the Thomson Storage Operator to release more water from Thomson Reservoir than –
- (a) Southern Rural Water is entitled to under clauses 9 and 10; and
 - (b) is required to meet Southern Rural Water's commitment to supply primary entitlements unless –
 - (i) releases from Southern Rural Water's entitlement are necessary to supply dilution flows to overcome serious water quality concerns; or
 - (ii) releases are necessary to allow transfers of primary entitlements to be made; or
 - (iii) Southern Rural Water's share of inflows is in excess of the amount it requires to supply primary entitlements.

15. CALCULATIONS

- 15.1 For the purpose of clause 6, Southern Rural Water is deemed to have taken from the waterway in any year, the sum of –
- (a) all diversions to the Cowwarr Main, Main Eastern, Main Northern, and Main Southern channels, less any water returned to the Thomson River at the Thomson Siphon outfall; and
 - (b) all diversions made to satisfy primary entitlements taken directly from the waterway; less
 - (c) any credits approved by the Minister in accordance with clause 17.
- 15.2 Southern Rural Water must exclude from any calculation made under clause 6 any water being transferred to or from –
- (a) a bulk entitlement holder; or
 - (b) a person holding a licence under Part 4 Division 2 of the Act, other than a licence referred to in Schedule 1.

- 15.3 Releases from Southern Rural Water's Thomson Reservoir entitlement are to be measured at the outlet of Thomson Dam and are to be calculated in addition to any other releases from Thomson Reservoir that would have been made by the Melbourne Water to meet its environmental flow obligations in the normal course of events if Southern Rural Water had not caused a release to be made from Southern Rural Water's entitlement.

16. OPERATING ARRANGEMENTS

- 16.1 Southern Rural Water, after consulting the Thomson Storage Operator, Macalister Storage Operator and Melbourne Water, must propose to the Minister within 12 months of the commencement of this Order –
- (a) water accounting and operational arrangements for water stored in and released from Thomson Reservoir under this Order; and
 - (b) allocation procedures and restriction policies to ensure that Southern Rural Water complies with clause 7 and Schedule 2 in supplying primary entitlements; and
 - (c) arrangements for reporting under clause 20.
- 16.2 The Minister may –
- (a) approve a proposal made under sub-clause 16.1; or
 - (b) require Southern Rural Water to amend the proposal; or
 - (c) not approve the proposal.
- 16.3 The Minister may, at any time, require Southern Rural Water to –
- (a) review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (b) make an amended proposal to the Minister.
- 16.4 Southern Rural Water must –
- (a) advise the Resource Manager in writing within 14 days after the Minister approves of any proposal made under this clause; and
 - (b) provide the Resource Manager with such other information concerning diversions to satisfy entitlements under licences as the Resource Manager may, from time to time, require.

17. GRANTING WATER CREDITS

- 17.1 On the application of Southern Rural Water, the Minister may grant Southern Rural Water credit for any water taken from the waterway and returned to the waterway or another river or stream, against the total amount of its entitlement, as set out in this clause.
- 17.2 The Minister may grant a credit for releases made directly to the waterway from Southern Rural Water's distribution system if –
- (a) the quality of the return flow is similar to water taken by Southern Rural Water from the waterway; and
 - (b) the return flow either –
 - (i) is considered by the Minister to be useful in meeting Southern Rural Water's or other Authorities' commitments to supply water or passing flows; or
 - (ii) facilitates operation of the headworks system.
- 17.3 The Minister may, by written notice to Southern Rural Water, specify any period or periods during which Southern Rural Water may not redeem credit against its five year entitlement, in any year.
- 17.4 The credit granted in any year under this clause expires at the end of the fifth year after it is granted.

18. ENVIRONMENTAL OBLIGATIONS

- 18.1 Southern Rural Water must propose to the Minister, within 12 months of the date of this Order, a program to assess and manage the environmental effects of operating Lake Glenmaggie, Maffra Weir and Cowwarr Weir, including –
- (a) the effects on the bed and banks of the waterway in the vicinity of the works; and
 - (b) the effects on aquatic biota in the waterway; and
 - (c) operational practices to remove silt from the works; and
 - (d) operating practices to manage the water quality, including temperature, in the works and on the waterway; and
 - (e) operating rules to control releases from the works to the waterway; and
 - (f) operating rules for managing flood flows through the works; and
 - (g) operating practices for the distribution of releases from Cowwarr Weir between the Thomson River and Rainbow Creek, including when the level of Cowwarr Weir is lowered for maintenance.
- 18.2 The Minister may –
- (a) approve the program proposed under sub-clause 18.1; or
 - (b) require Southern Rural Water to amend the proposed program; or
 - (c) require Southern Rural Water 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.
- 18.3 Southern Rural Water, must at its cost –
- (a) implement the approved environmental management program; and
 - (b) keep a record of all work undertaken under paragraph (a).
- 18.4 The Minister may, from time to time, require Southern Rural Water to report in writing on the implementation of any program approved under sub-clause 18.2.
- 18.5 Southern Rural Water may recover the costs of implementing the approved program from the Macalister Storage Operator.
- 19. METERING PROGRAM**
- 19.1 Southern Rural Water, after consulting with the Thomson Storage Operator, Macalister Storage Operator and Melbourne Water, must propose to the Minister within 12 months of the date of this Order a metering program to demonstrate Southern Rural Water's compliance with its bulk entitlement under this Order.
- 19.2 A proposal under sub-clause 19.1 must include details of any existing or proposed arrangements made by Southern Rural Water for any person other than Southern Rural Water to measure or to calculate instream flows, or water taken from the waterway to satisfy primary entitlements.
- 19.3 The Minister may –
- (a) approve the program proposed under sub-clause 19.1; or
 - (b) require Southern Rural Water to amend the proposed program; or
 - (c) not approve the proposed program.
- 19.4 The Minister may, at any time, require Southern Rural Water to –
- (a) review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (b) propose an amended program to the Minister.

- 19.5 Southern Rural Water must, at its cost and in accordance with any guidelines issued from time to time by the Minister –
- (a) implement and maintain any metering program approved by the Minister; 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 paragraph (b), (c) and (d).

20. REPORTING REQUIREMENTS

- 20.1 The Minister may require Southern Rural Water to report on all or any of the following –
- (a) The status of the Southern Rural Water's entitlement in Thomson Reservoir including;
 - (i) releases made from Thomson Reservoir to supply primary entitlements;
 - (ii) the volume of Southern Rural Water's share of storage capacity under clause 9;
 - (iii) the volume of inflows attributed to the Authority under sub-clauses 10.1 and 10.2; and
 - (b) the daily flows into Lake Glenmaggie and Cowwarr Weir;
 - (c) the daily passing flows at the locations specified in clauses 11 and 12;
 - (d) the daily and annual amounts of water taken by Southern Rural Water from the waterway at –
 - (i) the Main Northern Channel; and
 - (ii) the Main Southern Channel; and
 - (iii) the Main Eastern Channel; and
 - (iv) the Cowwarr Main Channel;
 - (e) the volume of water held in Lake Glenmaggie;
 - (f) the volume of water taken by the primary entitlement holders under this Order;
 - (g) any credits granted under clause 17;
 - (h) any temporary or permanent transfer of a bulk entitlement or other entitlement under the Act to Southern Rural Water which does or may alter the flow of water in the waterway;
 - (i) any alteration to Schedules 1 and 2 made under sub-clause 8.1;
 - (j) the number, amount and places of origin and destination, of transfers of primary entitlements;
 - (k) any amendment to this bulk entitlement;
 - (l) any new bulk entitlement granted to Southern Rural Water with respect to the supply of primary entitlements under this Order;
 - (m) the implementation of any program approved under sub-clause 18.2 including the monitoring of its performance;
 - (n) the implementation of any program approved under sub-clause 19.3;
 - (o) any failure by Southern Rural Water to comply with any provision of this bulk entitlement;
 - (p) any difficulty experienced or anticipated by Southern Rural Water in complying with this bulk entitlement and any remedial action taken or proposed.

- 20.2 The Minister may require Southern Rural Water to report on all or any of the matters set out in sub-clause 20.1 –
- (a) in writing or in such electronic form as may be agreed between Southern Rural Water and the Minister; and
 - (b) within 14 days of receiving the Minister's written request or such longer period as the Minister may determine.
- 20.3 Subject to sub-clause 20.4, Southern Rural Water must, in its Annual Report, report on each of the matters referred to in sub-clause 20.1.
- 20.4 On the application of Southern Rural Water, the Minister may, in writing, relieve Southern Rural Water from the need to report on one or more failures referred to in paragraph 20.1(o) in its annual report for a particular year.

21. WATER RESOURCE MANAGEMENT COSTS

- 21.1 Subject to sub-clause 23.1, Southern Rural Water must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager in –
- (a) preparing the Thomson Basin Water Accounts; and
 - (b) monitoring whether entitlement holders in the Thomson River Basin comply with the conditions of their bulk entitlements; and
 - (c) directing the release of any water set aside for maintaining water quality in the waterway; and
 - (d) investigating and mediate disputes between entitlement holders in the Thomson River Basin; and
 - (e) investigating and dealing with significant unauthorised uses of water in the Thomson River Basin; and
 - (f) supervising the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act –
- as estimated under sub-clause 23.3 and invoiced under clause 24.

22. THOMSON STORAGE OPERATOR COSTS

- 22.1 Subject to sub-clause 22.2, Southern Rural Water is not liable to pay the Thomson Storage Operator a contribution to the source costs in any year.
- 22.2 Southern Rural Water must pay the Thomson Storage Operator a proportion of the source costs associated with any additional or changed requirements for operation and management of the headworks as agreed between Melbourne Water, Southern Rural Water and the Thomson Storage Operator from time to time.
- 22.3 For the purposes of this clause, "source costs" means the total annual cost of –
- (a) operating, maintaining and administering the Thomson Reservoir; and
 - (b) making releases from the Thomson Reservoir; and
 - (c) meeting the cost of any new or enhancement work to the Thomson Reservoir (other than work designed to increase the yield of the Thomson Reservoir); and
 - (d) making an appropriate allowance for depreciation of works associated with the Thomson Reservoir, using the deprival value approach, or such other depreciation method required by the Victorian Department of Treasury and Finance; and
 - (e) managing the stream gauging stations on the waterway in accordance with the metering program approved by the Minister under clause 19; and
 - (f) implementing the program established under clause 18 to manage the environmental effects of operating the Thomson Reservoir; and
 - (g) any other activity undertaken by the Thomson Storage Operator that has been agreed to by Melbourne Water and Southern Rural Water.

23. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

- 23.1 Southern Rural Water is not obliged to make any payment to the Resource Manager under clause 21, unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.
- 23.2 The Resource Manager must keep separate accounts of all costs and payments in respect of clause 21.
- 23.3 The Resource Manager must, by 1 March in any year, provide Southern Rural Water with an estimate of the fair and reasonable proportion of the costs referred to in sub-clause 21.1, in respect of the ensuing year.
- 23.4 Accounts required to be kept under this clause must be made available for inspection by Southern Rural Water upon request.

24. DUTY TO MAKE PAYMENTS

- 24.1 The Resource Manager must invoice Southern Rural Water for the annual amount payable under clause 21.
- 24.2 Where the actual cost of any component of the amount payable is not known to the Resource Manager at the time an invoice is prepared, the Resource Manager may prepare an invoice based on an appropriate proportion of the relevant estimate given to Southern Rural Water under sub-clause 23.3.
- 24.3 If an invoice is prepared in accordance with sub-clause 24.2, the Resource Manager must make a corresponding adjustment to the first invoice prepared after the component referred to in sub-clause 24.2 becomes known to the Resource Manager.
- 24.4 Unless the Resource Manager otherwise agrees in writing –
- (a) invoices under sub-clauses 24.1 and 24.2 must be given to Southern Rural Water quarterly, in arrears; and
 - (b) Southern Rural Water must pay the full amount of each invoice, within 28 days of receiving it.

25. DATA

- 25.1 Subject to clause 19.5, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by Southern Rural Water to comply with this bulk entitlement are made available to Southern Rural Water.
- 25.2 Southern Rural Water must make available to any person data collected by or on behalf of Southern Rural Water for the purpose of clauses 19 and 20 subject to the person paying any fair and reasonable access fee imposed by Southern Rural Water, to cover the costs of making the data available to that person.

26. DISPUTE RESOLUTION

- 26.1 If any difference or dispute arises between Southern Rural Water, the Minister and, with their consent, the Resource Manager, the Thomson Storage Operator, the Macalister Storage Operator, Melbourne Water 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.
- 26.2 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.
- 26.3 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.

- 26.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- (a) In any difference or dispute to which the Minister is a party, 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.
- 26.5 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.
- 26.6 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: 6 March 2001

Responsible Minister:
SHERRYL GARBUTT
Minister for Environment and Conservation

HELEN DOYE
Clerk of the Executive Council

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

SCHEDULE 1**Primary Entitlements**

The following entitlements, as noted in the records maintained by Southern Rural Water at the date of this Order :

1 Macalister Irrigation District

- (a) Domestic and stock allowances of 6,289 megalitres, apportioned as set out in the Register maintained by Southern Rural Water.
- (b) Water rights of 117,279 megalitres, apportioned as set out in the Register maintained by Southern Rural Water.
- (c) Sales water as determined by Southern Rural Water each year.

2 Licences issued under section 51(1)(a) of the Act

Licences to take water from the waterway comprise –

- (a) 19,801 megalitres of licensed diversions for irrigation; and
- (b) Sales water as determined by Southern Rural Water each year; and
- (c) 281 megalitres of other licensed diversions.

3 Bulk Entitlements held by other Authorities as primary entitlements

Authority	Order
Central Gippsland	Bulk Entitlement (Toongabbie and Cowwarr) Conversion Order
Region Water	Bulk Entitlement (Maffra) Conversion Order
Authority	Bulk Entitlement (Glenmaggie and Coongulla) Conversion Order
	Bulk Entitlement (Heyfield) Conversion Order

4 Agreements made under section 124(7) of the Act

Nil

SCHEDULE 2**Security of Primary Irrigation Entitlements****1. Domestic and Stock Allowances**

Southern Rural Water must supply these entitlements every year.

2. Water Rights and Licences

- 2.1 Except as set out in item 2.3, Southern Rural Water must supply irrigation primary entitlements with 95% security.
- 2.2 The security of supply specified in sub-item 2.1 was determined using the Thomson/Macalister System Model Run No. 0877 held by the Department.
- 2.3 The Minister may, by reference to a computer model, which the Minister considers to be appropriate, modify the level of security set out in sub-item 2.1, if the Minister is satisfied that either –
 - (a) hydrological conditions have changed since June 1998; or
 - (b) the security of supply, estimated from the development of irrigation and the operating rules applying on 30 June 1998, has improved.
- 2.4 If Southern Rural Water –
 - (a) is, because of a shortage of water or for any other unavoidable cause unable to supply; or
 - (b) believes that, in order to avoid future water shortages it is necessary to supply less than –

all irrigation primary entitlements set out in Schedule 1 in any year, it must reduce the supply of water to water right and licence holders in the same proportion, after making provision to supply other primary entitlements in accordance with paragraph 1 of this Schedule, the restriction policies set out in the Orders listed in item 3 of Schedule 1, and any agreement made under section 124(7) of the Act, unless the Minister is of the opinion that the circumstances are so extreme as to justify some other basis.

3. Sales Water

- 3.1 Southern Rural Water must determine any allocation of sales water made by it in any year in accordance with principles –
 - (a) proposed to the Minister by Southern Rural Water after consultation with its retail customers; and
 - (b) approved by the Minister.
- 3.2 Southern Rural Water must not determine an allocation under sub-item 3.1 which could result in Southern Rural Water being unable to supply water rights and licence entitlements with 95% security.

SCHEDULE 3**Managing Southern Rural Water's Share in Thomson Reservoir****1. Adjustments to Southern Rural Water's Share**

The calculation of the amount of water in Southern Rural Water's share of Thomson Reservoir referred to in sub-clause 9.3, and specified in the accounting arrangements developed by Southern Rural Water and the Thomson Storage Operator under clause 16, is to allow for the following adjustments –

- (a) any inflow to the Reservoir attributed to Southern Rural Water under sub-clause 10.1; and
- (b) any further inflow to the Reservoir attributed to Southern Rural Water under sub-clause 10.2; and
- (c) releases made by the Thomson Storage Operator under target filling or other operational arrangements; and
- (d) any release made by the Thomson Storage Operator for the purpose of supplying primary entitlements at the direction of Southern Rural Water; and
- (e) any share of losses from the Reservoir through infiltration and evaporation, attributed to Southern Rural Water; and
- (f) any share of out-of-balance from time to time attributed to Southern Rural Water under item 3 of this Schedule; and
- (g) any other adjustment provided for in this Order.

2. Internal Spills

2.1 During any period when Thomson Reservoir contains –

- (a) less water attributed to Southern Rural Water than the amount set out in paragraph 9.1 (b); and
- (b) the full amount of the share of the capacity of the Reservoir to which Melbourne Water is entitled –

the Thomson Storage Operator must attribute to Southern Rural Water all of the inflow to Thomson Reservoir until the full amount of Southern Rural Water's share under paragraph 9.1 (b) is reached.

3. Out-of-balance

The Thomson Storage Operator must –

- (a) from time to time, adjust the volume of water in the Reservoir on behalf of every bulk entitlement holder with a share of the capacity of the Reservoir, in accordance with principles comparable to those set out in paragraphs (a) to (g) of item 1 of this Schedule, and
- (b) determine the difference between the volume of water which the Thomson Storage Operator calculates is stored in the Reservoir at any time and the sum of all the adjusted volumes calculated under paragraph 3(a) at that time; and
- (c) attribute to Southern Rural Water 6% of the difference determined under paragraph 3(a).

SCHEDULE 4**80th percentile flow for Macalister River at Lake Glenmaggie**

Month	ML/month
May	5,050
June	15,950
July	26,650
August	45,000
September	58,350
October	43,800

The values in the table were calculated by statistical analysis (*Low Flow Statistics Package developed by Sinclair Knight Merz for the Department – 1995*) from –

- (a) recorded and estimated monthly inflows to Lake Glenmaggie from July 1955 to June 1998 – refer report *1998 Update of Inputs to Thomson Macalister Model– Summary Report – October 1998* by Sinclair Knight Merz; and
- (b) recorded monthly flows from July 1998 to June 1999 collated by the Department from Southern Rural Water's weekly operational reports.

Water Act 1989**BULK ENTITLEMENT (THOMSON/MACALISTER – SOUTHERN RURAL WATER)
CONVERSION ORDER 2001****Explanatory note to accompany Order**

This note has been prepared to explain the basis and intent of this bulk entitlement granted in favour of Southern Rural Water.

General:

This bulk entitlement is a source entitlement which allows Southern Rural Water to store water in Lake Glenmaggie and Thomson Reservoir and to take water from the Macalister and Thomson rivers.

Water harvested in Thomson Reservoir is shared between Southern Rural Water and Melbourne Water which supplies Melbourne. These entitlements are defined as capacity shares in separate bulk entitlements orders.

The principal obligation of Southern Rural Water holding this bulk entitlement is to supply primary entitlements in the form of irrigation water rights and licences in the Macalister Irrigation District, Gippsland Water's urban bulk entitlements, and to provide minimum flows in the waterway.

Southern Rural Water is entitled to store water in Lake Glenmaggie and Thomson Reservoir, and take unregulated flow from the waterway. The provision of passing flows in the Thomson River between Thomson Reservoir and Cowwarr Weir is the responsibility of Melbourne Water and is defined in its bulk entitlement order. The provision of passing flows on the Thomson River below Cowwarr Weir and the Macalister River below lake Glenmaggie is the responsibility of Southern Rural Water.

This Order defines a Resource Manager and two Storage Operators. The Resource Manager has the responsibility to ensure that authorities comply with their bulk entitlements and will keep the basin water accounts.

The Macalister Storage Operator is responsible for maintaining and operating the headworks structures at Lake Glenmaggie, Maffra Weir and Cowwarr Weir and will release water to meet primary entitlements at the request of Southern Rural Water. The obligation to pass minimum flows rests with Southern Rural Water. While Southern Rural Water will assume this role for the foreseeable future, a Macalister Storage Operator has been defined to clearly delineate its role from that of the Thomson Storage Operator, and to establish an entity for the Macalister Irrigation District system which is common to both this order and Gippsland Water's delivery bulk entitlement orders.

The Thomson Storage Operator is responsible for maintaining and operating the headworks at Thomson Reservoir, will keep accounts of the volumes held in store by Melbourne Water and Southern Rural Water, and will release water for Southern Rural Water from its capacity share of Thomson Reservoir. While Melbourne Water will assume the role for the foreseeable future, the Thomson Storage Operator has been defined to clearly separate the role of Melbourne Water as entitlement holder from its role of storage operator for capacity share purposes.

Bulk entitlement (clause 6)

Southern Rural Water is entitled to divert an average annual volume of up to 274,800 ML from the system waterway over any 5 consecutive year period. This figure represents the combined total diversions to all primary entitlements, measured at offtakes and diversion points on the Thomson and Macalister rivers.

The 274,800 ML limit was determined from Run No. 0877 of the Thomson/Macalister simulation model. Specific details of the model are documented in the report "*Thomson/Macalister Model User Manual – Run 0877*" prepared by the Department of Natural Resources and Environment.

For the purpose of accounting for water diverted against the bulk entitlement in the initial year following the commencement of the Order, the initial year will be deemed to be the fifth year of a consecutive five year period and the recorded diversions and releases in the previous four years will be used to calculate Southern Rural Water's share of the flow for the purpose of clause 6.

Transfer of entitlement (clause 8)

Sub-clause 8.1 is standard in irrigation bulk entitlement orders and is there to allow for amendments which are essentially administrative in nature to be made to the Order without having to follow the more onerous provisions of an amendment under Section 44 of the Act. Items (a) to (c) don't necessarily fall within the scope of a minor amendment under Section 45 of the Act.

Southern Rural Water may apply to the Minister to transfer, temporarily or permanently, all or part of its entitlement.

Any such transfer will only be permitted where –

- (a) primary entitlements for individual water rights or Part 4 entitlements described in clause 7 are permanently transferred. The Minister may take account of losses within the waterway or Southern Rural Water's distribution system when amending the annual entitlement; and
- (b) losses within the headworks system or Southern Rural Water's distribution system are reduced as the result of works or other measures and Southern Rural Water is able to identify a volume of entitlement that is not committed to supply primary entitlements described in clause 7. In this case, Southern Rural Water will have to demonstrate to the Minister that the volume of entitlement proposed for transfer will not adversely affect the primary entitlements described in clause 7.

Exchange rates (Clause 8.1(c))

The amount of annual entitlement may be increased by decreasing the security of supply and vice versa. An exchange rate determined from the Department of Natural Resources and Environment's Thomson/Macalister REALM model enables allowances to be made to the volume of water available at different levels of security.

Share of storage capacity (clause 9)

Southern Rural Water is entitled to all of the capacity of Lake Glenmaggie.

It is also entitled to a 45,000 ML share of Thomson Reservoir. The level of 366.0 metres AHD is the minimum operating level in Thomson Reservoir for release to the river via the lower outlet tower.

The Thomson Storage Operator keeps an account of credits in the form of inflow to Southern Rural Water's share of Thomson Reservoir, and debits in the form of losses and ordered releases. The method to be used by the Thomson Storage Operator to keep an account of Southern Rural Water's share is explained in Schedule 3.

Share of flow (clause 10)

Southern Rural Water is entitled to a 6% share of all inflows to Thomson Reservoir from the Thomson Basin. The inclusion of a reference to the Thomson Basin ensures that SRW's true share of inflow is accounted for if Melbourne Water chooses to divert from a point upstream of the Reservoir eg. Swinger Weir or Easton Portal.

Southern Rural Water's share of storage will 'spill' if its share of inflows is sufficient to more than fill its share of the storage capacity. This is referred to as an 'internal spill' if the real storage is less than full. As well as providing for Southern Rural Water to store internal spills from Melbourne Water's share of storage capacity, sub-clause 10.2 also provides for Southern Rural Water to store internal spills in leased air space as described in the Agreement on Thomson Water Sharing.

Southern Rural Water is also entitled to 100% of inflows to Lake Glenmaggie and Cowwarr Weir after the passing flows downstream of these two points have been met.

Releases from Southern Rural Water's entitlement in Thomson Reservoir are to be measured at the Reservoir and must be calculated in addition to any other flows in the Thomson River which would have occurred had Southern Rural Water not ordered the release, and which include:

- minimum passing flows Thomson Reservoir and at the Narrows and Coopers Creek gauging stations;
- releases by Melbourne Water for other purposes eg. under its flood release rules (target filling arrangements); and
- unregulated inflow to the Thomson River between Thomson dam and Coopers Creek Gauging Station.

Passing flows (clauses 11 and 12)

Southern Rural Water has an obligation to provide minimum passing flows in the Macalister River and the Thomson River downstream of Cowwarr Weir.

The passing flows specified in this order are identical to those specified in the 'Agreement on an Environmental Flows Package for the Thomson and Macalister Rivers' endorsed in June 2000 by West Gippsland CMA, the Gippsland Coastal Board, Southern Rural Water, Melbourne Water and the Department.

The minimum passing flow below Maffra Weir is 60 ML/day but this can be reduced to 30 ML/day in dry years. The rules for deciding when to switch from 60 to 30 ML/day and back again are based on measurement of the previous month's inflow to Lake Glenmaggie and the amount held in store in Lake Glenmaggie.

For the Thomson River, the minimum passing flow below Cowwarr Weir is 125 ML/day.

These are environmental flows and thus are intended to pass right through to the downstream end of the waterway and not be extracted by primary entitlement holders. Water to be supplied to private diverters is to come from sources other than the passing flows.

For both rivers, the minimum passing flow is the lesser of the specified flow or the natural flow. The natural flow is estimated from indicator stream gauges using a method described in a consultant's report. An absolute minimum of 50 ML/day has been specified for the Thomson River.

The minimum passing flow is specified as an average daily flow to correspond with Southern Rural Water's current practice of once daily regulation. However, the instantaneous flows are monitored and if the diurnal fluctuations are found to be excessive (from the point of view of maintaining environmental values) after several years of operation, other rules may need to be developed which are more prescriptive in terms of within-day variation.

Practical limitations of regulating water through a natural channel are recognised by specifying operating tolerances on the minimum passing flows.

Clause 12.6 provides for the Thomson passing flows to be varied in accordance with the Agreement on Environmental Flows, which proposes a different flow regime for the purposes of the two year flow monitoring trial.

Amendment of passing flows (clause 13)

The Agreement on Environmental Flows recognises that environmental flows are too low particularly on the Macalister River and establishes a program of studies and measures to improve the environmental flow regime over time.

This clause ensures that the environmental flow provisions of this order are reviewed in three year's time in accordance with negotiated outcomes arising from implementation of the Agreement.

Releases (clause 14)

Southern Rural Water must, subject to the restriction policies applying to primary entitlements, make releases to supply these entitlements. The restriction policy which applies to the delivery bulk entitlements is detailed in each individual bulk entitlement order.

Southern Rural Water must make provision for the supply of domestic and stock water, any other

bulk entitlements (specified in Schedule 2), water right, licences, and high security sales supplied by agreement before making irrigation sales entitlements available. The security of supply for water right and licences is 95% which has been determined from Run No. 0877 of the Thomson/Macalister REALM model.

Calculations (clause 15)

For the purpose of the Order, the total volume taken by Southern Rural Water represents the sum of all diversions, including those of other Authorities with delivery entitlements and licensed diverters, taken directly from the waterway. Any water released into the system waterways from other water supply systems, and subsequently diverted by primary entitlement holders, or transfers of entitlements held by other persons, would be excluded from the amount calculated against the bulk entitlement.

Operating arrangements (clause 16)

As a capacity share entitlement holder, Southern Rural Water is obliged to develop operating and accounting arrangements for supply of water from Thomson Reservoir in consultation with Melbourne Water.

Southern Rural Water must also develop allocation procedures and restriction policies associated with its supply to primary entitlement holders.

Granting water credits (clause 17)

Water credits may be granted for water flowing directly back to the waterway from channels provided the return flow is deemed to be useful and the quality is not appreciably diminished compared to where it was originally taken from the waterway.

There is no provision to grant returns for drainage flows, although a channel outfall transferred to the waterway by a drain may be acceptable if the quality of water returned is satisfactory.

Environmental Obligations (clause 18)

This clause recognises that water users should take a share of the responsibility for environmental condition of the waterways from which they take water. However it does not go as far as extending this responsibility to management of upstream catchments which is an issue in most catchments, having major implications for water quantity and quality. Effective upstream catchment management is current world best practice. However, Southern Rural Water is only one of a number of agencies with interests and/or responsibilities in the Thomson and Macalister catchments and the bulk entitlement order is not an appropriate instrument to implement effective catchment management by placing obligations on one of the parties.

Southern Rural Water must propose a program to assess and manage the specific environmental effects, operating rules and practices associated with taking water under the bulk entitlement order.

Amongst the other things listed in sub-clause 18.1, this program will include contingency provisions for those occasions when routine or extraordinary maintenance work on river regulating structures would cause a brief interruption to the specified environmental flows and when the Minister considers that the only other alternative would incur unreasonable cost on Southern Rural Water or risk to human safety.

Metering program (clause 19)

Southern Rural Water is required to measure and record all water taken from the waterway to demonstrate compliance with this entitlement. The term 'metering' includes a range of methods for measuring the flow of water, from automated continuous measurement and recording of flow to manual reading and recording of a water level at a flow control structure. The appropriate method for any given site depends on its strategic significance to the overall system, accessibility of the site and the cost of different methods of metering.

Reporting requirements (clause 20)

Southern Rural Water is required to prepare reports on a number of factors to ensure compliance with its bulk entitlement. Routine reporting is to be done under Southern Rural Water's annual

report. The Minister or the Resource Manager may require exceptional reports from Southern Rural Water.

Water resource management costs (clause 21)

Southern Rural Water must contribute to the Resource Manager's costs of carrying out the tasks listed in sub-clause 21.1. It is expected that the Resource Manager and Southern Rural Water will agree on the basis for apportioning the costs before charges are made.

Thomson Storage Operator costs (clause 22)

The Minister shall appoint a Storage Operator to operate, maintain and administer the headworks, to release water as instructed by the entitlement holders and to meet passing flows.

This clause recognises that Southern Rural Water's share of the operating costs of Thomson Reservoir is essentially free of charge in recognition of the irrigators' rights prior to construction of the storage. As set out in the Agreement on Water Sharing, Southern Rural Water is liable for a share of other costs associated with operating Thomson Reservoir such as costs of metering. However, if Southern Rural Water seeks a change to the operation or management of the headworks which is significantly different to that existing at the date of commencement of this Order, the Order provides for the corresponding Thomson Storage Operator charges to be negotiated between the parties.

Water Accounts And Duty To Keep Accounts (clauses 23 and 24)

This Order specifies a range of duties that third parties such as the Resource Manager and Storage Operator may choose to undertake. In the event that these third parties chose not to undertake these duties, Southern Rural Water may withhold payment.

Data (clause 24)

The second part of this clause ensures that any data collected by Southern Rural Water in accordance with the metering program for reporting purposes must be made available to other persons, subject to an access fee being paid to cover the costs of making the data available.

This is not intended to apply to the situation in which another authority (or authorities) also requires data from the same site to report on their compliance with their entitlements, and for other operational purposes. In such situations, the most cost-effective solution is likely to be for the authorities to co-operate and for each to contribute a fair and reasonable proportion of the costs of such monitoring.

Dispute resolution (clause 26)

This clause sets out the procedure if a dispute arises between the parties.

It has been suggested that a period of 14 days is short in the context of resolving many water resource issues, however, there needs to be a relatively short timeframe as a default in case resolution of the dispute is urgent for one of the parties. The 14 days should be treated as a default in the absence of the parties agreeing to a time frame appropriate to the particular dispute.

It has also been suggested that the above dispute procedure should be replaced by a process following the principles of co-operative planning, for example, as used by Melbourne Water in its revised bulk service agreements with the retail companies. Clause 26 provides a default procedure and if the parties agree, a different protocol could be incorporated in the Operating Arrangements prepared between the two parties under clause 16.

Schedule 1

Schedule 1 sets out the irrigation and domestic and stock entitlements held by individuals. The irrigation entitlements include a volume held as water right or licence and, depending on the seasonal availability, sales water. The volumes listed are those in Southern Rural Water's records on 1 July 2000.

Schedule 2

Schedule 2 sets out the security of domestic and stock allowances, water right and licence entitlements. The security of supply to these entitlements represents the proportion of years in which the entitlement volume could be supplied and has been determined from the Thomson/Macalister System Model Run No. 0877.

Sales water is implicitly secured by other clauses of the Order and the principles approved by the Minister to determine the level of allocation each year.

The schedule provides for the nominated security to water right and licences to be varied if climate changes occur which impact on streamflow or if better estimates of security show that the nominated security is incorrect.

Schedule 3

Schedule 3 explains how Southern Rural Water's capacity share in Thomson Reservoir should be managed by the Thomson Storage Operator.

In respect of internal spills, it has been suggested that the distribution of internal spills is a decision of each entitlement holder and that it is not appropriate to specify a rule in the bulk entitlement order. Another way of looking at it is to say that an internal spill will only occur if the entitlement holder takes no deliberate action to avoid it, for example, by the flood pre-release rules, or by selling some water to another entitlement holder. From this perspective it is appropriate that the Thomson Storage Operator has a default rule for distribution of internal spills as defined in paragraph 2.

Tobacco Act 1987

ORDER DECLARING TWO RETAIL SHOPPING CENTRES TO BE CONTROLLED SHOPPING CENTRES UNDER SECTION 3C

Order in Council

The Governor in Council under section 3C of the **Tobacco Act 1987**, on the recommendation of the Minister for Health, by this Order, declares the two retail shopping centres listed below to be controlled shopping centres for the purposes of that Act in addition to the shopping centres declared to be controlled shopping centres by Order published in Government Gazette G5 of 1 February 2001:

<i>Retail Shopping Centre</i>	<i>Address</i>
Parkmore Shopping Centre	317 Cheltenham Road, Keysborough
Sunbury Terrace Shopping Centre	92 Evans Street, Sunbury

This Order takes effect from the date it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
JOHN THWAITES
Minister for Health

HELEN DOYE
Clerk of the Executive Council

Health Services Act 1988

AN ORDER PURSUANT TO SECTION 8(1) OF THE HEALTH SERVICES ACT 1988 ("THE ACT") IN RELATION TO THE AMENDMENT OF THE NAME OF THE STAWELL DISTRICT HOSPITAL TO STAWELL REGIONAL HEALTH

Order in Council

The Governor in Council amends Schedule 1 of the Act such that the name of Stawell District Hospital is amended under section 8(1)(c) of the Act to the name of Stawell Regional Health.

This Order-in-Council is to be made to take effect from the date of gazettal.

Dated 14 February 2001

Responsible Minister
HON JOHN THWAITES MP,
Minister for Health

HELEN DOYE
Clerk of the Executive Council

Crown Land (Reserves) Act 1978**NOTICE OF INTENTION TO REVOKE
TEMPORARY RESERVATIONS**

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

MORTLAKE — The temporary reservation by Order in Council of 21 February, 1870 of an area of 8094 square metres of land in the Parish of Mortlake (formerly part of Crown Allotment 1 of Section 18) as a site for Common School purposes. — (Rs 43095).

PIMPINIO — The temporary reservation by Order in Council of 14 February, 1876 of an area of 2.023 hectares of land in the Township of Pimpinio, Parish of Wail as a site for Public purposes (State School). — (Rs 6633).

WA-DE-LOCK — The temporary reservation by Order in Council of 4 September, 1893 of an area of 8094 square metres of land in the Parish of Wa-de-lock as a site for Supply of Stone. — (Rs 2534).

WA-DE-LOCK — The temporary reservation by Order in Council of 14 March, 1979 of an area of 2021 square metres of land being Crown Allotment 1C, Section 2, Parish of Wa-de-lock as a site for Supply of Stone. — (Rs 10508).

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE
Clerk of the Executive Council

Crown Land (Reserves) Act 1978**NOTICE OF INTENTION TO REVOKE
TEMPORARY RESERVATIONS**

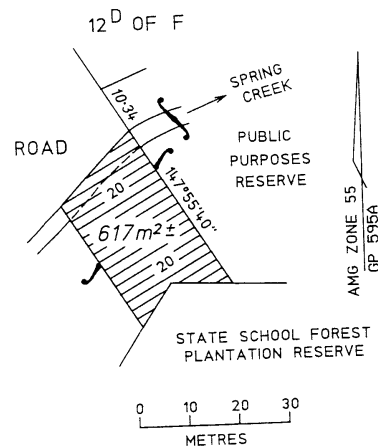
The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

BALLARAT — The temporary reservation by Order in Council of 6 May, 1879 of an area of 4655 square metres of land in Section 4A, Township of Ballarat, (formerly in Section C, City of Ballarat) as a site for the use of the Police Department, revoked as to part by

various Orders, so far as the balance remaining containing 3207 square metres, more or less. — (Rs 3109).

BALLARAT — The temporary reservation by Order in Council of 30 September, 1941 of an area of 2327 square metres of land in Section 4A, Township of Ballarat (formerly City of Ballarat) as a site for Public Offices and Approaches thereto. — (Rs 5285).

BEECHWORTH — The temporary reservation by Order in Council of 28 November, 1961 of an area of 8.802 hectares, more or less, of land in the Township of Beechworth, Parish of Beechworth as a site for Public Purposes, revoked as to part by Order in Council of 2 March, 1965 so far only as the portion containing 617 square metres, more or less, as indicated by hatching on plan hereunder. (B348[9]) — (Rs 3867).



BEECHWORTH — The temporary reservation by Order in Council of 22 July, 1929 of an area of 2.226 hectares of land in the Township of Beechworth, Parish of Beechworth as a site for Public Purposes (State School Forest Plantation). — (Rs 3881)

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE
Clerk of the Executive Council

Crown Land (Reserves) Act 1978REVOCATION OF TEMPORARY
RESERVATIONS

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

BALLARAT EAST — The temporary reservation by Order in Council of 21 June, 1983 of an area of 3229 square metres of land being Crown Allotment 20C, Section B4, Township of Ballarat East, Parish of Ballarat as a site for Recreation and Public purposes. — (Rs 3775).

LILYDALE — The temporary reservation by Order in Council of 3 July 1866 of an area of 4047 square metres of land in Section 3, Township of Lilydale, Parish of Yering (formerly Crown Allotments 7 and 8, Section 3, Township of Lillydale) as a site for Police purposes, revoked as to part by various Orders, so far only as the portion containing 614 square metres shown as Crown Allotment 13A, Section 3, Township of Lilydale, Parish of Yering on Original Plan No. 121099 lodged in the Central Plan Office. — (Rs 1749).

MALDON — The temporary reservation by Order in Council of 4 November, 1987 of an area of 2370 hectares, more or less, of land in the Township of Maldon and Parishes of Maldon, Muckleford and Walmer as a site for the preservation of an area of natural and historic interest, revoked as to part by Orders in Council of 10 June, 1992 and 25 August, 1992 so far only as the portion containing 176 square metres shown as Crown Allotment 27A, Section 6A, Township of Maldon, Parish of Maldon on Original Plan No. 121095 lodged in the Central Plan Office. — (Rs 12778).

NARRACAN — The temporary reservation by Order in Council of 26 July, 1955 of an area of 14.417 hectares of land in the Parish of Narracan as a site for State School purposes. — (Rs 7371).

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE

Clerk of the Executive Council

Crown Land (Reserves) Act 1978REVOCATION OF TEMPORARY
RESERVATION

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservation:

CONEWARRE — The temporary reservation by Order in Council of 31 August, 1982 of an area of 3300 hectares, more or less, of land in the Parishes of Conewarre, Bellarine and Moolap as a site for the Management of Wildlife, so far only as the portion containing 1.237 hectares shown as Crown Allotment C1, Section 15, Parish of Conewarre on Original Plan No. 120732 lodged in the Central Plan Office. — (Rs 12158).

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE

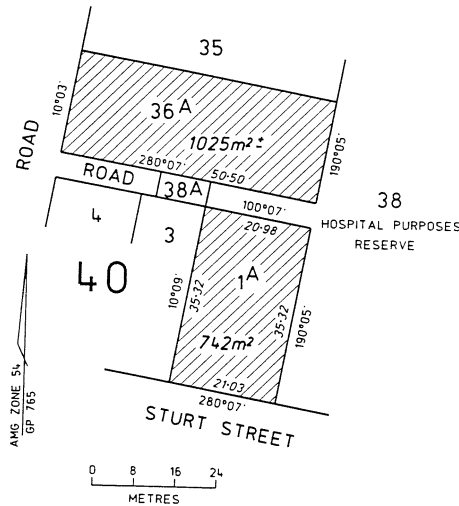
Clerk of the Executive Council

Crown Land (Reserves) Act 1978TEMPORARY RESERVATION OF CROWN
LANDS

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which in his opinion are required for the purposes mentioned:

MUNICIPAL DISTRICT OF THE
BALLARAT CITY COUNCIL

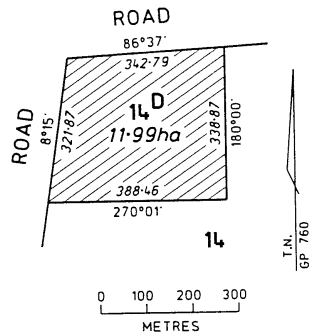
BALLARAT — Hospital purposes, 1767 square metres, more or less, being Crown Allotments 1A and 36A, Section 40, Township of Ballarat, Parish of Ballarat as indicated by hatching on plan hereunder. (B128[65]) — (Rs 11405).



Total area of hatched portions 1767m².

MUNICIPAL DISTRICT OF THE
MILDURA RURAL CITY COUNCIL

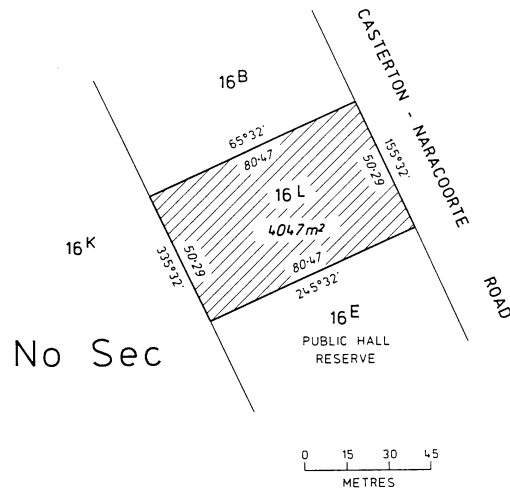
BUNUROUK — Conservation of an area of natural interest, 11.99 hectares being Crown Allotment 14D, Parish of Bunurouk as indicated by hatching on plan hereunder. (B698[1]) — (01/2010899).



MUNICIPAL DISTRICT OF THE
GLENELG SHIRE COUNCIL

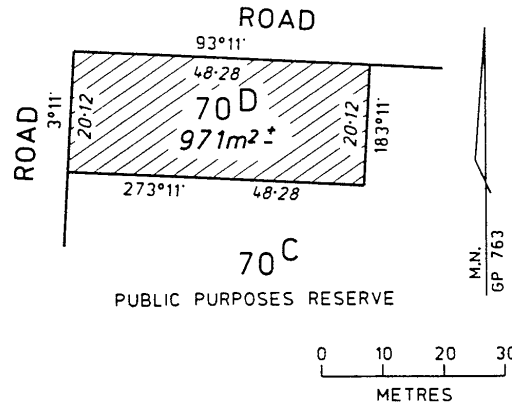
CASTERTON — Public Purposes and Recreation, 4047 square metres being Crown Allotment 16L, No Section, Parish of Casterton as

indicated by hatching on plan hereunder. (C178[9]) — (Rs 43108).



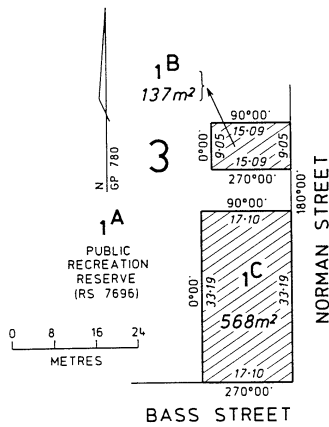
MUNICIPAL DISTRICT OF THE
GOLDEN PLAINS SHIRE COUNCIL

DURDIDWARRAH — Public purposes, 971 square metres, more or less, being Crown Allotment 70D, Parish of Durdidwarrah as indicated by hatching on plan hereunder. (2568) — (Rs 9105).



MUNICIPAL DISTRICT OF THE
MORNINGTON PENINSULA SHIRE COUNCIL

FLINDERS — Public Recreation, 705 square metres being Crown Allotments 1B and 1C, Section 3, Township of Flinders, Parish of Flinders as indicated by hatching on plan hereunder. (F16[A1]) — (Rs 7696).



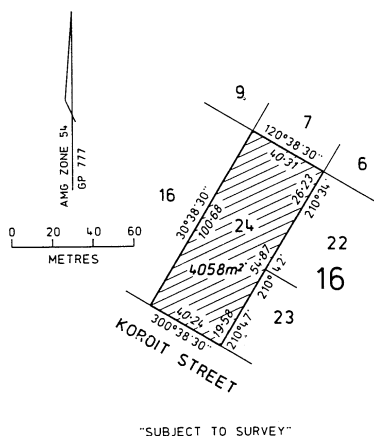
TOTAL AREA OF HATCHED PORTIONS = 705m²

MUNICIPAL DISTRICT OF THE CITY OF KINGSTON

MORDIALLOC — Health Care purpose, total area 18.54 hectares, being Crown Allotments 1F and 1G, Section 16, Parish of Mordialloc as shown on Certified Plan No.118761 lodged in the Central Plan Office. — (Rs 5548).

MUNICIPAL DISTRICT OF THE CITY OF WARRNAMBOOL

WARRNAMBOOL — Public purposes (Court purposes), 4058 square metres being Crown Allotment 24, Section 16, Township of Warrnambool, Parish of Wangoom as indicated by hatching on plan hereunder. (W99[7]) — (Rs 43109).



This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001
 Responsible Minister
 SHERRYL GARBUTT
 Minister for Environment
 and Conservation

HELEN DOYE
 Clerk of the Executive Council

Crown Land (Reserves) Act 1978
Interpretation of Legislation Act 1984
 AMENDMENT OF TEMPORARY
 RESERVATION — PARISH OF
 YANGARDOOK

The Governor in Council under Section 4 of the **Crown Land (Reserves) Act 1978** and Section 27 of the **Interpretation of Legislation Act 1984** amends the Order in Council made on 10 January, 1876 and published in the Government Gazette on 14 January, 1876 – page 66 of the temporary reservation of an area of 6.614 hectares of land in the Parish of Yangardook, County of Bourke as a site for Watering purposes, revoked as to part by Order in Council of 26 January, 1993 (vide Government Gazette of 28 January, 1993 – page 197) by deletion of the words “Site for Watering purposes” and the substitution thereof of the words “Public purposes”. — 2010939.

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001
 Responsible Minister
 SHERRYL GARBUTT
 Minister for Environment
 and Conservation

HELEN DOYE
 Clerk of the Executive Council

Crown Land (Reserves) Act 1978
 DISSOLUTION OF INCORPORATED
 COMMITTEE OF MANAGEMENT

The Governor in Council under section 14A(7) of the **Crown Land (Reserves) Act 1978** dissolves the “Dereel Soldiers Memorial Hall Committee Incorporated” constituted by Order in Council of 29 July, 1997 (vide Government Gazette of 31 July, 1997 – page 1946). — Rs 6463.

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE
Clerk of the Executive Council

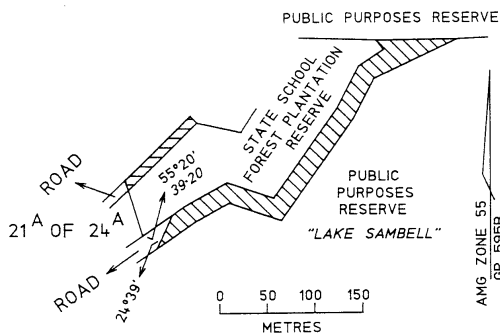
Land Act 1958

CLOSURE OF UNUSED ROADS

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipality in which the roads are situated closes the following unused roads:

**MUNICIPAL DISTRICT OF THE
SHIRE COUNCIL**

BEECHWORTH — The roads in the Township of Beechworth, Parish of Beechworth as indicated by hatching on plan hereunder. (B348[8] & [9]) — (Rs 3867).



This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE
Clerk of the Executive Council

Land Act 1958

CLOSURE OF UNUSED ROADS

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated and the owners of land adjoining those roads closes the following unused roads:

**MUNICIPAL DISTRICT OF THE
BASS COAST SHIRE COUNCIL**

CORINELLA — The road in the Parish of Corinella shown as Crown Allotment 167B on Original Plan No. 121133 lodged in the Central Plan Office. — (12/L12-0525).

**MUNICIPAL DISTRICT OF THE
MOORABOOL SHIRE COUNCIL**

EGERTON — The road in the Township of Egerton, Parish of Bungal shown as Crown Allotment 6, Section 22 on Original Plan No. 120249 lodged in the Central Plan Office. — (07/L1-4501).

**MUNICIPAL DISTRICT OF THE
WYNDHAM CITY COUNCIL**

MAMBOURIN — The road in the Parish of Mambourin shown as Crown Allotment 9A, No Section on Original Plan No. 121105 lodged in the Central Plan Office. — (L1-4786).

**MUNICIPAL DISTRICT OF THE
SOUTH GIPPSLAND SHIRE COUNCIL**

WONGA WONGA — The road in the Parish of Wonga Wonga shown as Crown Allotment 21E, Section A on Original Plan No. 120854 lodged in the Central Plan Office. — (14/87-1029).

This Order is effective from the date on which it is published in the Government Gazette.

Dated 14 March 2001

Responsible Minister
SHERRYL GARBUTT
Minister for Environment
and Conservation

HELEN DOYE
Clerk of the Executive Council

Crown Land (Reserves) Act 1978**INCORPORATION OF COMMITTEES OF MANAGEMENT AND APPOINTMENT OF CHAIRPERSONS**

The Governor in Council under section 14A(1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interest to declare to be corporations the Committees of Management appointed under section 14(2) of the Act of the lands described in Column 1 of the schedule hereunder:-

- (a) declares that the Committees of Management shall be corporations;
 (b) assigns the names shown in Column 2 to the corporations; and
 under section 14B(3) of the Act, appoints the persons listed in Column 3 to be Chairpersons of the corporations.

SCHEDULE

Column 1 Reserve details	Column 2 Corporate name	Column 3 Chairperson
Lake Bringalbart Public Purposes Reserve The land in the Parish of Boorooopki temporarily reserved for Public purposes by Order in Council of 5 December, 1961 (vide Government Gazette of 13 December, 1961 – page 4280) [Rs 8101].	Lake Bringalbart Foreshore Reserve Committee Incorporated	David STEELE
Rowen Park Recreation Reserve Portion of the land in the Parish of Beethang temporarily reserved for public recreation by Order in Council of 29 August, 1961 (vide Government Gazette of 6 September, 1961 – pages 3070 & 3071) [Rs 8064].	Rowen Park Committee of Management Incorporated	Graeme BROWN
Rhymney Recreation Reserve The land in the Parish of Lexington temporarily reserved for public recreation by Order in Council of 9 December, 1902 (vide Government Gazette of 17 December, 1902 – page 4872) [Rs 16].	Rhymney Recreation Reserve Committee Incorporated	Ray ROBINSON
Emerald Mechanics' Institute Reserve The remaining land in the Township of Emerald temporarily reserved for Mechanics' Institute and Free Library by Order in Council of 13 November, 1924 (vide Government Gazette of 19 November, 1924 – page 3760) [Rs 22].	Emerald Mechanics Institute and Free Library Committee of Management Incorporated	Ron HARMER
Lake Meran Public Purposes Reserve The land in the Parish of Meering resumed for public purposes by Order in Council of 17 February, 1987 [Rs 6030].	Lake Meran Public Purposes Reserve Committee Incorporated	Michael PRIOR

This Order is effective from the date on which it is published in the Government Gazette.

Dated: 14 March 2001

Responsible Minister
 SHERRYL GARBUTT
 Minister for Environment and Conservation

HELEN DOYE
 Clerk of the Executive Council

Cemeteries Act 1958

SCALE OF FEES

Order in Council

Under section 17(1) of the **Cemeteries Act 1958**, and on the recommendation of the Minister for Health, the Governor-in-Council consents to the making of the Scales of Fees in respect of the following Public Cemetery Trusts:

CHELTENHAM
 GEELONG
 INVERLOCH
 LOCHIEL
 SWAN HILL
 TARADALE
 TRARALGON

Cemeteries Act 1958

SCALE OF FEES

In pursuance of the powers conferred upon them by the **Cemeteries Act 1958** the trustees of The Cheltenham & Regional Cemeteries Trust hereby make the following scale of fees, which shall come into operation upon the publication in the Government Gazette, and from and after such publication every scale of fees heretofore made by the said trustees shall be and is hereby rescinded to the extent to which it conflicts with this scale.

All prices include GST.

LAWN AND MONUMENTAL LAWN GRAVES*	\$
At need	1,175.00
Pre-need	1,290.00
Special non-standard positions (available on request)	1,800.00
* Size of graves at Cheltenham is 2.44m x 1.22m	
* Size of graves at Bunurong is 2.5m x 1.2m	
Memorials for lawn Graves	Cost of supply plus 130%
MONUMENTAL GRAVES*	
Monumental Grave	1,385.00
Monumental Grave – Pre Need	1,500.00
In-ground Concrete Vault (2 interments)	6,890.00
In-ground Concrete Vault (3 interments)	8,905.00
* Size of graves at Cheltenham is 2.44m x 1.22m	
* Size of graves at Bunurong is 2.7m x 1.2m	
Monuments and memorials for Monumental graves	Cost of supply plus 130%
MONUMENT PERMIT FEES	
New Monument	730.00
Placement of Headstone only	375.00
Renovation of Monument	105.00
Additional inscription only	45.00

OTHER CEMETERY FEES

Burial Interment Fee – At Need	755.00
Burial Interment Fee – Third Depth (Additional)	115.00
Burial Interment Fee – Silver Service	840.00
Burial Interment Fee – Gold Service	985.00
Interment Fee – Mausoleum	520.00
Oversize Grave (Extra)	130.00
Interment in children's grave – child under 5 years	60.00
Interment in children's grave – child 6 – 12 years	180.00
Interment Fee Saturday burial – extra	420.00
Interment Fee Sunday, or Public Holiday	675.00
Exhumation Fee	1,595.00
Upkeep of monumental grave – per annum	110.00
Sealing of Vaults	220.00
Selected special sites – per square meter	4,085.00

CREMATION FEES

Adults – Standard (Pre Need)	720.00
Adults – Standard (At Need)	670.00
Adults – Silver Service	840.00
Adults – Gold Service	985.00
Children under 12 Years	450.00
Children under 5 years	180.00
Stillborn to one year	60.00
Saturday – extra	275.00
Public Holidays – Extra	580.00
Chapel only	195.00
Catering	Cost of supply price plus 110%

DISPOSAL OF REMAINS

Mail within Australia	95.00
Mail Overseas – Air	155.00
Scattering of Remains	110.00
Interment in a Grave	205.00

MEMORIALS

Basic Memorial Wall – (non recoverable cremated remains)	270.00
Basic Memorial Wall – (recoverable cremated remains)	385.00
Memorial Shrub position	755.00
Memorial Dedicated Rose position	960.00
Memorial Boulder position	960.00
Placement of additional interment	210.00
Lakeside Garden position	1,775.00
Lakeside Family Garden position	2,950.00
Plaques, memorials & embellishments	Cost of supply plus 130%

Memorial seat position			2,950.00
Memorial tree position			4,360.00
Interment Memorial per photo entry			925.00
THE 'COURTYARD OF THE PIETA' MAUSOLEUM	Prayer Level	Heart & Eye Levels	Heaven Level
Exterior Single Crypts (1)	10,260.00	12,545.00	9,795.00
Exterior Tandem Crypts (2)	15,860.00	19,825.00	14,925.00
Exterior Side by Side Companions (2)	24,720.00	29,385.00	23,875.00
Exterior Lakeside Single Crypts (1)	11,545.00	13,410.00	10,960.00
Interior Single Crypts (1)	14,924.00	17,140.00	14,575.00
Interior Single Front Corridor Crypts (1)	15,390.00	17,610.00	14,930.00
Interior Tandem Crypts (2)	21,455.00	27,050.00	20,525.00
Interior Slide Over Crypts (2)	29,150.00	32,650.00	28,220.00
Interior Tandem Front Corridor Crypts (2)	24,720.00	28,685.00	23,790.00
Single Couch Crypts (1)	20,405.00	26,350.00	
Double Couch Crypts (2)	31,485.00	40,810.00	30,550.00
Blue Pearl Double Couch Crypts (2)	38,475.00	43,145.00	34,320.00
Blue Pearl Side by Side Companion Crypts (2)	37,080.00	42,445.00	36,145.00
* Number of casket spaces shown in brackets (#)			
Cheltenham Mausoleum No 3	Prayer Level	Heart & Eye Level	Heaven Level
Couch Crypts (2)		28,570.00	25,070.00
Westminster Crypts (4)	37,315.00		
Wall Niche memorials (2) all levels	1,865.00		

J. S. CAMPBELL, trustee

W. M. SODING, trustee

B. CARRUTHERS, trustee

J. R. GILBERTSON, Chief Executive Officer

Cemeteries Act 1958

SCALE OF FEES

By resolution of the Trust, the following fees will be applied by Geelong Cemeteries Trust from the date of approval by the Governor in Council. All other fees are rescinded to the extent to which they conflict with this scale.

MEMORIAL POSITIONS FOR CREMATED REMAINS	Price incl. GST
MANCHURIAN PEAR TREE	
At each tree there is one family memorial of up to four positions	\$11,000.00 per memorial
WEEPING CHERRY TREE	
At each tree there is one family memorial of up to four positions	\$11,000.00 per memorial

CYPRESS GARDEN

At each garden there are four positions available individually \$1,100.00 per single position

LILLY PILLY TREE

At each tree there are two family memorials,
with up to two positions at each memorial \$3,300.00 per memorial

BENCH SEAT

At each seat there is one family memorial of up to two positions \$4,400.00 per memorial

FOUNTAIN AND NAMING RIGHTS OF GARDEN

There is one family memorial \$21,000.00

A limited tenure of 50 years applies from the date of acquisition
of the Right to any of these memorials.

L. H. MILLER, trustee
A. I. JICKELL, trustee
M. G. BARWICK, trustee

Cemeteries Act 1958**SCALE OF FEES**

By resolution of the Trust, the following fees will apply in the Inverloch Public Cemetery from the date of approval by the Governor in Council. All other fees are rescinded to the extent to which they conflict with this scale.

LAWN SECTION	\$
Land – 2.44 metres x 1.22 metres	500.00
Interment	150.00
Grave digging	Contract price plus 10%
Cancellation of order to dig grave (if commenced)	Contract price
Cemetery Administration Charge – normal hours	80.00
– Saturdays, Sundays or Public Holidays	240.00
Exhumation charge (when authorised)	860.00
Garden Niche	100.00
Interment of cremated remains	100.00
Interment in grave without exclusive right – child up to 3 years	50.00
– others	100.00
Numbered peg or label on grave without exclusive right	50.00
Bronze plaque	Contract price plus 10%
Fixing of plaque by Trust	50.00

NEIL SOMMERS, trustee
LEONARD A. CUTTRISS, trustee
NORMAN R. DEACON, trustee

Cemeteries Act 1958

SCALE OF FEES

By resolution of the Trust, the following fees will apply in the Lochiel Public Cemetery from the date of approval by the Governor in Council. All other fees are rescinded to the extent to which they conflict with this scale.

PRIVATE GRAVES	\$
Land, 2.44m x 1.22m	80.00
Own selection of land (extra)	40.00
Land, 1.22m x 0.9 (for child's grave)	40.00
SINKING CHARGES FOR PRIVATE GRAVES	
Sinking child's grave – Stillborn	Contract price
Sinking child's grave – other	Contract price
Sinking grave 2.00m deep	Contract price
Each additional 0.3m	Contract price
Cancellation of order to sink (if commenced) (plus any other cost if commenced)	Contract price
Re-opening grave (no cover)	Contract price
Re-opening grave (with cover – advised against)	Contract price
Sinking – Saturdays, Sundays, Public Holidays	Contract price
Sinking oversize grave	Contract price
MISCELLANEOUS CHARGES	
Administrative fee for interment	100.00
Interment outside prescribed hours, or on Saturdays Sundays or Public Holidays or without due notice	40.00
Certificate of right of burial	5.00
Number plate or brick	15.00
Permission to erect a headstone or monument –	7.5% of cost with a minimum of \$10.00
Exhuming the remains of a body (when authorised)	860.00
Interment of ashes in a private grave	60.00
Search fee per request	\$20.00 plus \$15.00 per subsequent hour
	CLARENCE W. BOEHM, trustee
	M. L. WUNDERSITZ, trustee
	IVAN C. WERNER, trustee

Cemeteries Act 1958

SCALE OF FEES

By resolution of the Trust, the following fees will apply in the Swan Hill Public Cemetery from the date of approval by the Governor in Council. All other fees are rescinded to the extent to which they conflict with this scale.

LAWN A SECTION (Undenominational)	\$
Fee for first of two (2) interments – reserved gravesites only	979.00
Fee for each additional interment	693.00
Fee for cremated remains interred in an existing gravesite	88.00

LAWN B SECTION (Undenominational)	
Fee for first of two (2) interments	1,155.00
Fee for each additional interment	693.00
Fee for cremated remains interred in an existing gravesite	88.00
INFANT LAWN SECTION	
Fee for one (1) interment	385.00
PRIVATE GRAVES SECTION (Denominational and Undenominational)	
Fee for first of two (2) interments – reserved gravesites only, earthen with no monument	803.00
Fee for first of two (2) interments – reserved gravesites only, inside kerbing or railing and break seal	979.00
Fee for each additional interment – earthen and no monument	693.00
Fee for each additional interment inside kerbing or railing, and break seal	803.00
Fee for each additional interment inside kerbing or railing, with Trust to remove ledger only	979.00
Fee for cremated remains interred in an existing gravesite	88.00
CONCRETE LINED GRAVES SECTION	
Fee for first of two (2) interments	3,223.00
Fee for additional interment (Trust to remove ledger only – additional fee \$220.00)	627.00
Fee for additional interment old concrete block graves (Trust to remove ledger only – additional fee \$220.00)	803.00
MISCELLANEOUS FEES	
Fee for interment outside prescribed hours 10.00 a.m. to 4.00 p.m. weekdays or on Saturdays additional	275.00
Fee for Trust to remove and replace a ledger each additional	220.00
HAROLD S. HESLOP, trustee WILLIAM A. McCARTNEY, trustee ALAN M. COOKE, trustee	

Cemeteries Act 1958

SCALE OF FEES

By resolution of the Trust, the following fees will apply in the Taradale Public Cemetery from the date of approval by the Governor in Council. All other fees are rescinded to the extent to which they conflict with this scale.

- \$110 for a niche for ashes (Includes 10% GST)
- \$110 for a desk top monument (Includes 10% GST)
- \$22 to reserve a niche (Includes 10% GST)

OLIVE MAY PENNO, trustee
 GRAHAM MARK CHRISTIE, trustee
 ERIC CHARLES WEST, trustee

Cemeteries Act 1958**SCALE OF FEES**

By resolution of the Trust, the following fees will apply in the Traralgon Public Cemetery from the date of approval by the Governor in Council. All other fees are rescinded to the extent to which they conflict with this scale.

MONUMENTAL SECTION	Inc GST
	\$
Land 2.44 metres x 1.22 metres	279.00
Land 1.22 metres x 0.61 metres	87.00
Sinking to 2.0 metres	330.00
Re-opening Grave (Digging charge only. Private arrangements are to be made for removal of headstones, ledgers, etc)	330.00
EXTRA CHARGES	
Sinking on Saturdays	220.00
Sinking on Sundays or Public Holidays	275.00
Sinking & Re-opening after 3 p.m. Monday to Friday	220.00
Interment Fee	77.00
Digging Oversize Grave	44.00
MISCELLANEOUS CHARGES	
Certificate of Right of Burial	6.50
Annual Maintenance Charge	88.00
Interment of Cremated Remains	88.00
Sinking For Vault only	770.00
MONUMENTAL FEES	
On all monuments erected 10% of cost of materials (with minimum \$25.00)	
LAWN SECTION	
Land 2.44 metres x 1.22 metres	396.00
Sinking for each opening	330.00
Land 1.22 metres x 0.61 metres and including sinking for infant	125.00
(Optional) Plaque for each opening	275.00
EXTRA CHARGES	
Sinking on Saturdays	220.00
Sinking on Sundays or Public Holidays	275.00
Sinking after 3 p.m. Monday to Friday	220.00
Interment Fee	77.00
Digging Oversize Grave	44.00
MISCELLANEOUS CHARGES	
Certificate of Right of Burial	6.50
Interment of Cremated Remains	88.00
(Optional) Plaque for Interment of Cremated Remains	275.00

CREMATORIUM

Cremation – Adult	601.00
Cremation – Child 2 – 10 years	218.00
Cremation – Child 0 – 2 years	109.00
Cremation – Delivery only between 9 a.m. – 10 a.m. Monday to Friday	574.00
Cremation – Saturday	842.00
Collection or Postage of Cremated Remains – in Australia	63.00
– Overseas	87.00
Strewing of Ashes	58.00
Extra Ash Boxes – Per Box	6.50

OTHER CHARGES

Exhumation (if permitted)	1,203.00
Use of Chapel (if available)	164.00
Search of Records – \$15.00 minimum or \$30.00 per hour. With GST \$16.00 or \$ per hour 32.50	

Family Memorials

Description	Memorial Fee	Optional: Each – Plaque/ Flower Vase Fee
Tree – Individual 6 units	\$1,435.00	\$275.00
Tree – Sector: 2 units	\$ 625.00	\$275.00
Rose – Standard: 2 units	\$ 875.00	\$275.00
Rose – Shrub: 2 units	\$ 605.00	\$275.00
Shrub – ordinary: 2 units	\$ 605.00	275.00

Memorials Providing for One Plaque Only Per Location

Description	Memorial Fee	Optional: Each – Plaque/ Flower Vase Fee
Rose – Standard 1 unit	\$320.00	\$275.00
Rose – Shrub 1 unit	\$255.00	\$275.00
Shrub – Ordinary 1 unit	\$185.00	\$275.00
Wall Niche – Walls 5 – 6, 1 unit	\$280.00	\$200.00
Wall Niche – Walls 3 – 4, 1 unit	\$214.00	\$150.00

P. MURRAY, trustee

L. J. WOOF, trustee

J. A. MERRETT, trustee

Dated: 14 March 2001

Responsible Minister :
HON JOHN THWAITES MP
Minister for Health

HELEN DOYE
Clerk of the Executive Council

Land Act 1958

APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

Order in Council

The Governor in Council, pursuant to Sections 99A(1)(a) & 99A(2) of the **Land Act 1958**, approves the sale by private treaty of the Crown land described below.

Property Address: Duncan Street, Birchip.

Crown Description: Allotment 6^B, Section 2, Township of Birchip, Parish of Wirmbirchip.

Dated 14 March 2001

Responsible Minister:
LYNNE KOSKY MP
Minister for Finance

HELEN DOYE
Clerk of the Executive Council

Land Act 1958

APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

Order in Council

The Governor in Council, pursuant to Sections 99A(1)(a) & 99A(2) of the **Land Act 1958**, approves the sale by private treaty of the Crown land described below.

Property Address: Park Street, Rainbow.

Crown Description: Allotment 28, Section 9, Township of Rainbow.

Dated 14 March 2001

Responsible Minister:
LYNNE KOSKY MP
Minister for Finance

HELEN DOYE
Clerk of the Executive Council

Public Lotteries Act 2000

DECLARATION OF THE GOVERNOR IN
COUNCIL OF PARTICIPATING
JURISDICTIONS AND CORRESPONDING
LAWS

Order in Council

The Governor in Council, under section 59(1) of the **Public Lotteries Act 2000**, declares –

- (a) the State of Tasmania to be participating jurisdiction for the purposes of the **Public Lotteries Act 2000**; and
- (b) the **Gaming Control Act 1993** (Tas) to be a corresponding law for the purposes of the **Public Lotteries Act 2000**.

Dated 14 March 2001

Responsible Minister:
JOHN PANDAZOPOULOS MP
Minister for Gaming

HELEN DOYE
Clerk of the Executive Council

**SUBORDINATE LEGISLATION ACT 1994
NOTICE OF MAKING OF STATUTORY
RULES**

Notice is hereby given under Section 17 (2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rules:

20. *Statutory Rule:* Fisheries (Fees and Levies) Regulations 2001
Authorising Act: Fisheries Act 1995
Date of making: 14 March 2001
21. *Statutory Rule:* Accident Compensation Regulations 2001
Authorising Act: Accident Compensation Act 1985
Accident Compensation (WorkCover Insurance) Act 1993
Date of making: 14 March 2001

**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:

17. *Statutory Rule:* County Court (Chapter I Amendment No. 4) Rules 2001
Authorising Act: County Court Act 1958
Date first obtainable: 13 March 2001
Code A
18. *Statutory Rule:* Subordinate Legislation (Petroleum (Submerged Lands) (Fees) Regulations 1991 – Extension of Operation) Regulations 2001
Authorising Act: Subordinate Legislation Act 1994
Date first obtainable: 15 March 2001
Code A
19. *Statutory Rule:* Tobacco (Victorian Health Promotion Foundation) (Amendment) Regulations 2001
Authorising Act: Tobacco Act 1987
Date first obtainable: 15 March 2001
Code A

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ADVERTISERS PLEASE NOTE

As from 15 March 2001

The last Special Gazette was No. 24 dated 14 March 2001

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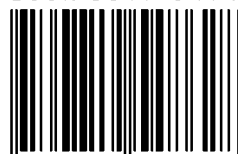
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