



Victoria Government Gazette

No. G 11 Thursday 14 March 2002

GENERAL

GENERAL AND PERIODICAL GAZETTE

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

Advertising Rates and Payment

All prices include GST

Private Notices

Payment must be received in advance with advertisement details.

33 cents per word – Full page \$198.00.

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

\$1.65 – Gazette \$3.52 – Certified copy of Gazette \$3.85

(all prices include postage). *Cheques should be made payable to The Craftsman Press Pty. Ltd.*

Government and Outer Budget Sector Agencies Notices

Not required to prepay.

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

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

Costs can be calculated on the following basis:

Per Line	Typeset
Single column	\$1.71
Double column	\$3.41
Full Page	\$71.28

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Copy Deadline for General Gazette

9.30 a.m. Monday – (Private Notices)

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

Advertisers should note:

- Late copy received at The Craftsman Press Pty. Ltd. after deadlines will be placed in the following issue of VGG, irrespective of any date/s mentioned in the copy (unless otherwise advised).
- Late withdrawal of advertisements (after client approval, before printing) will incur 50 per cent of the full advertising rate to cover typesetting, layout and proofreading costs.
- Proofs will be supplied only when requested or at the direction of the Gazette Officer.
- No additions or amendments to material for publications will be accepted by telephone.
- Orders in Council may be lodged prior to receiving assent with the Governor's or Clerk's signature. They will only be published once approved and signed.
- Accounts over 90 days will be issued with a letter of demand.
- Government and Outer Budget Sector Agencies please note: *See style requirements on back page.*

SPECIAL GAZETTES

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

Advertising Rates and Payment

Private Notices

Full Page \$396.00

Payment must be received in advance with notice details.

Government and Outer Budget Sector Agencies Notices

	Typeset
Full Page	\$96.25

Note:

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

SUBSCRIPTIONS AND RETAIL SALES

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

The *Victoria Government Gazette*

General and Special – \$187.00 each year

General, Special and Periodical – \$249.70 each year

Periodical – \$124.30 each year

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All payments should be made payable to The Craftsman Press Pty. Ltd.

Subscription enquiries:

The Craftsman Press Pty. Ltd.
125 Highbury Road, Burwood Vic 3125
Telephone: (03) 9926 1233

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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
EASTER HOLIDAYS**

Please Note:

The Victoria Government Gazette for Easter week will be published on Thursday 4 April 2002.

Copy deadlines:

Private Advertisements **9.30am on Thursday 28 March 2002.**

Government and Outer

Budget Sector Agencies Notices **9.30am on Tuesday 2 April 2002.**

Where urgent gazettal is required after hours, arrangements should be made with the Government Gazette Officer on 0419 327 321.

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS


A Three-day course
Melbourne

Investigation Methods™

Are you an auditor, by-laws officer, compliance officer, council inspector, equal opportunity officer, workplace inspector, internal fraud investigator or a person employed in a similar or supervisory or supportive role?
Are you required to investigate incidents, alleged or suspected breaches of legislation, policies, codes or procedures?
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Now in its 14th year, this course has a national reputation as a highly relevant professional development program which generates significant returns on investment for participants and their organisations. Persons who complete this course together with relevant work or industry experience will be considered for credit in the external graduate certificate courses in investigation offered by Charles Sturt University.


Dates: Wednesday 10 to Friday 12 April 2002 - 9.00am to 4.00pm
Venue: The Downtowner On Lygon Hotel, 66 Lygon Street, Carlton
Cost: \$1100 (includes GST, handbook, morning & afternoon refreshments & certificate of attendance)

For further information and registration contact: EDS Secretariat, Conference Co-ordinators on Telephone: 02 6292 9000 - Facsimile: 02 6292 9002 - Email: conference@netinfo.com.au Website: www.eds.tc



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Education Design Systems Pty Limited
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International Standards AS/NZS ISO9001:2000



Excellence In Professional Development

PHYLLIS MARJORIE FOSTER KNOX, late of Suite 1, Broadmead, 27 Wattle Road, Hawthorn, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 August 2001, are required by Barry Stuart Andrews of 14 Vincent Street, Glen Iris, Victoria and Kenneth William Thompson of 64 Claremont Avenue, Malvern, Victoria, the executors of the will of the said deceased, to send particulars to them care of John Francis Chamberlin at Cornwall Stodart, Level 10, 114 William Street, Melbourne by 23 May 2002 after which date the said executors may convey or distribute the assets having regard only to the claims of which they shall then have notice.

Dated 1 March 2002

CORNWALL STODART, lawyers,
10th Floor, 114 William Street, Melbourne.

Re: PAOLINA DEL GIUDICE, in the Will called Paolina Del Giudice, late of 14 Lannings

Crescent, Seville, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 December 2001, are required by the trustees, Carmella Scaringi of 49 Bailey Road, Mount Evelyn, Victoria, daughter and Mario Di Nardo of 2 Florence Street, Ringwood, Victoria, brother, to send particulars to the trustees by 16 May 2002 after which date the trustees may convey or distribute the assets having regard only to the claims of which the trustees have notice.

EALES & MACKENZIE, solicitors,
142 Main Street, Lilydale 3140.

Re: PATRICK CORNELIUS BAKER, late of 6 Fulford Court, Swan Hill, Victoria, retired farmer, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 November 2001, are required by the trustees, Lyle Patrick Baker, Angela Mary Seager and John Patrick Baker, to send particulars to them care of the

undermentioned solicitors by 15 May 2002 after which date the trustees may convey or distribute the assets, having regard only to the claims of which they have notice.

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

Re: RUBY HELENA BAILEY, late of "Carinya" Nursing Home, McClelland Street, Sea Lake, Victoria, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 July 2001, are required by the trustee, Larry Haden Bailey, to send particulars to him care of the undermentioned solicitors by 15 May 2002 after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Re: GARRY IAN McNIVEN, late of 3 Allan Street, Nyah West, Victoria, butcher, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 31 December 2001, are required by the trustees, Elaine Betty McNiven, to send particulars to them care of the undermentioned solicitors by 15 May 2002 after which date the trustees may convey or distribute the assets, having regard only to the claims of which they have notice.

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

Re: JUNE MARGARET ROWLING, late of Lakeside Drive, Lake Boga, Victoria, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 November 2001, are required by the trustees, Graeme William Rowling and Gary Dennis Rowling, to send particulars to them care of the undermentioned solicitors by 15 May 2002 after which date the trustee may convey or distribute the asset, having regard only to the claims of which they have notice.

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

Creditors, next-of-kin and others having claims in respect of the will of FILAMENA ARCERI, late of 41 Curzon Street, North Melbourne, Victoria, widow, deceased, who died on 23 January 2002, are requested to send particulars of their claims to the executor, Antonino Arceri, care of the undermentioned legal practitioner by 15 May 2002 after which date he will distribute the assets having regard only as to the claims of which he then has notice.

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

Creditors, next-of-kin and others having claims in respect of the estate of GWENDOLINE FLORENCE EVELYN FLOOD, late of Seahaven Community Centre, 119 Cashin Street, Inverloch, Victoria, retired, deceased, who died on 27 November 2001, are to send particulars of their claims to William John Marx, in the care of Lynch & MacDonald by 16 May 2002 after which date they will distribute the assets having regard only to the claims of which they then have notice.

Messrs. LYNCH & MacDONALD, solicitors,
412 Toorak Road, Toorak, Vic. 3142.

Creditors, next-of-kin and others having claims in respect of the estate of EILEEN HELENA PINCINI, late of Flat 96, 131 Lonsdale Street, Melbourne, home duties, deceased, who died on 15 April 2001, are to send particulars of their claims to Lawrence William Pincini, in the care of Lynch & MacDonald by 15 May 2002 after which date they will distribute the assets having regard only to the claims of which they then have notice.

Messrs. LYNCH & MacDONALD, solicitors,
Suite 6, 412 Toorak Road, Toorak.

EVA BEATRICE DAVIS, late of Unit 134, Baxter Village, Robinsons Road, Baxter, Victoria, clerical work/sales, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 October 2001, are required by the executor, Allan Bruce Davis, 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 executor may convey or distribute the assets having regard only to the claims of which he then has notice.

LYTTLETONS, solicitors
53 Marcus Road, Dingley.

Re: NANCY FRANCES JESSIE MORRIS, late of 9 Aberfeldie Street, Essendon, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 October 2001, are required by the trustee, Edwin George Morris, to send particulars to the trustee care of Mahons with Yuncken & Yuncken, PO Box 584, Blackburn 3130 by 17 May 2002 after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee has notice.

MAHON WITH YUNCKEN & YUNCKEN, solicitors
178 Whitehorse Road, Blackburn 3130.
RS2012078.

EVELYN RETA BARLOW, late of 59A Westgate Street, Oakleigh, Victoria. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 October 2001, are required by Perpetual Trustees Victoria Limited, ACN 004 027 258 of 360 Collins Street, Melbourne, Victoria to send particulars of their claims to the said company by 15 May 2002 after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice.

MYRTLE EVANS, late of Sandstrom Nursing Home, 44 Whatley Crescent, Mt Lawley, Western Australia, formerly of 21 Fairview Street, Hawthorn, Victoria. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 October 2001, are required by Perpetual Trustees Victoria Limited, ACN 004 027 258 of 360 Collins Street, Melbourne, Victoria, (the other executor Henry Hamilton Evans having predeceased the deceased) to send particulars of their claims to the said company by 15 May 2002 after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice.

JOAN McNALLY, late of Oak Towers, 139 Atherton Road, Oakleigh, Victoria, formerly of 60 Collins Street, Mentone, Victoria. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 October 2001, are required by Perpetual Trustees Consolidated Limited, ACN 004 029 841 of 360 Collins Street, Melbourne, Victoria, to send particulars of their claims to the said company by 15 May 2002 after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice.

LEILA PHYLLIS ROBERTSON, late of Newcomb Nursing Home, 117 Helms Street, Newcomb, Victoria, formerly of Palmerston Court Aged Care Hostel, corner Palmerston and East Streets, Drysdale, Victoria. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 October 2001, are required by Perpetual Trustees Victoria Limited, ACN 004 027 258 of 360 Collins Street, Melbourne, Victoria (with leave reserved to Nonie Joan Robertson, the other executor appointed in the will to come in and prove the same), to send particulars of their claims to the said company by 15 May 2002 after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice.

MOHD SIDIQ SHAMSULLAH, late of 20 Mary Street, Windsor, in the State of Victoria, sheetmetal worker. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 January 2001, Melbourne, Victoria, are required by the executrix, Grace Shamsullah of 11 Chapel Street, St Kilda, to send particulars to them sixty days after the date hereof which date the trustees may convey or distribute the assets having regard to the claims of which they then have notice.

PRIOR & PRIOR, solicitors
335A Centre Road, Bentleigh.

JEAN-PAUL YVES STEINER, late of Unit 4H, 657-659 Chapel Street, South Yarra, Victoria, restaurateur, deceased. Creditors, next-of-kin and others having claims in respect

of the estate of the deceased, who died on 6 October 2001, are required by the executrix, Claudine Renee Jeanne Jeorgette Adametz of Unit 1, 14 Hygeia Parade, Ringwood, Victoria, to send particulars to her (care of the undersigned) by 14 May 2002 after which date the executrix may convey or distribute the assets having regard only to the claims of which she then has notice.

RENNICK & GAYNOR, solicitors,
431 Riversdale Road, Hawthorn East.

particulars to it by 21 May 2002 after which date the executor may convey or distribute the assets having regard only to the claims of which it then has notice.

Creditors, next-of-kin or others having claims in respect of the estate of GLADYS THELMA ALLEN, late of 8 The Avenue, Surrey Hills, Victoria, home duties, deceased, who died on 12 June 2001, are to send particulars of their claim to the executor care of the undermentioned solicitors by 16 May 2002 after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

RIGBY COOKE, solicitors,
469 La Trobe Street, Melbourne 3000.

Re: WILFRED GEORGE GANGE, late of Foxhow Road, Berrybank, farmer, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 November 2001, are required by the deceased's personal representative, Barry Raymond White, to send particulars to him care of the undermentioned solicitors by 21 May 2002 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

SEWELLS LARKINS McCARTHY, lawyers,
119 Murray Street, Colac.

MARJORIE JESSIE CASEY (also known as Marjorie Newbury Casey), formerly of 7/633 Inkerman Road, North Caulfield but latterly of Flat 9, 87 Seymour Road, Elsternwick, Victoria, retired accountant, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 September 2001, are required by the Trust Company of Australia Limited of 151 Rathdowne Street, South Carlton, Victoria, the executor, to send

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>
ANZ NOMINEES LIMITED			
	\$		
Swiss Hanover Ltd, P.O. Box 13087 Scottsdale, AZ 85267 USA	37,731.98	Cheque	22/08/00
02009 CONTACT: BROCK HAGAN, PHONE: (03) 9273 2607.			

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>
LYSAGHT EMPLOYEES MORTALITY BENEFITS CLUB			
	\$		
Buckley, Roy, 12 Chandos Place, Langwarrin	120.18	Cheque	16/01/01
Chalmer, Michael, 19 Wondland Avenue, Hastings	120.18	"	"
Craven, Kevin, 24 Curacoa Drive, Hastings	120.18	"	"
Diaper, Lawrence, 41 Leon Avenue, Rosebud	120.18	"	"
Graham, Marjorie, 66 Belar Avenue, Frankston	120.18	"	"
Hestermann, Bernd, 12 Meribil Close, Mt Eliza	120.18	"	"
Hocking, Russell, 17 Moona Avenue, Mornington	120.18	"	"
Kirkpatrick, Russell, 10 Milewa Avenue, Mornington	120.18	"	"
Kruck, Brian, 49 Campbell Street, Frankston	120.18	"	"
MacDonald, James, 25 Baden Powell Drive, Frankston	120.18	"	"
McSpadden, Allen, 31 Gold Links Road, Frankston	120.18	"	"
Merkle, Wilhelm, 44 Kirkwood Avenue, Seaford	120.18	"	"
Moore, Frederick, Stanleys Road, Balnarring	120.18	"	"
Morris, Stanley, 256 Stony Point Road, Crib Point	120.18	"	"
Pain, Charles, 89 Eramosa Road, East Somerville	120.18	"	"
Parker, Brian, 18 Pettit Street, Crib Point	120.18	"	"
Petherick, George, 15 Silver Street, Frankston	120.18	"	"
Pizzilli, Mario, 34 Golconda Avenue, Frankston	120.18	"	"
Ricardo, Sidney, 172 Hodgins Road, Hastings	120.18	"	"
Schneid, Dorothy, 46 Morton Crescent, Bittern	120.18	"	"
Thompson, Susan, 50 Throssell Street, Bittern	120.18	"	"

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Timmer, Alexander, 53 Seaford Road, Seaford	120.18	”	”
Voigt, Helmut, 124 Balnarring Road, Balnarring	120.18	”	”
White, Ian, 1/126 Anthony Street, Langwarrin	120.18	”	”
White, W. J., Belvedere Road, Somers	120.18	”	”

02008

CONTACT: MRS J. JESSULAT, PHONE: (03) 9781 3155.

PROCLAMATIONS

**Co-operative Schemes
(Administrative Actions) Act 2001**

PROCLAMATION OF
RELEVANT STATE ACT

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 4(2) of the **Co-operative Schemes (Administrative Actions) Act 2001**, declare that the **Classification (Publications, Films and Computer Games) (Enforcement) Act 1995** is a relevant State Act for the purposes of the **Co-operative Schemes (Administrative Actions) Act 2001**.

Given under my hand and the seal of
Victoria on 13 March 2002.

(L.S.) JOHN LANDY
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

**GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES
NOTICES**

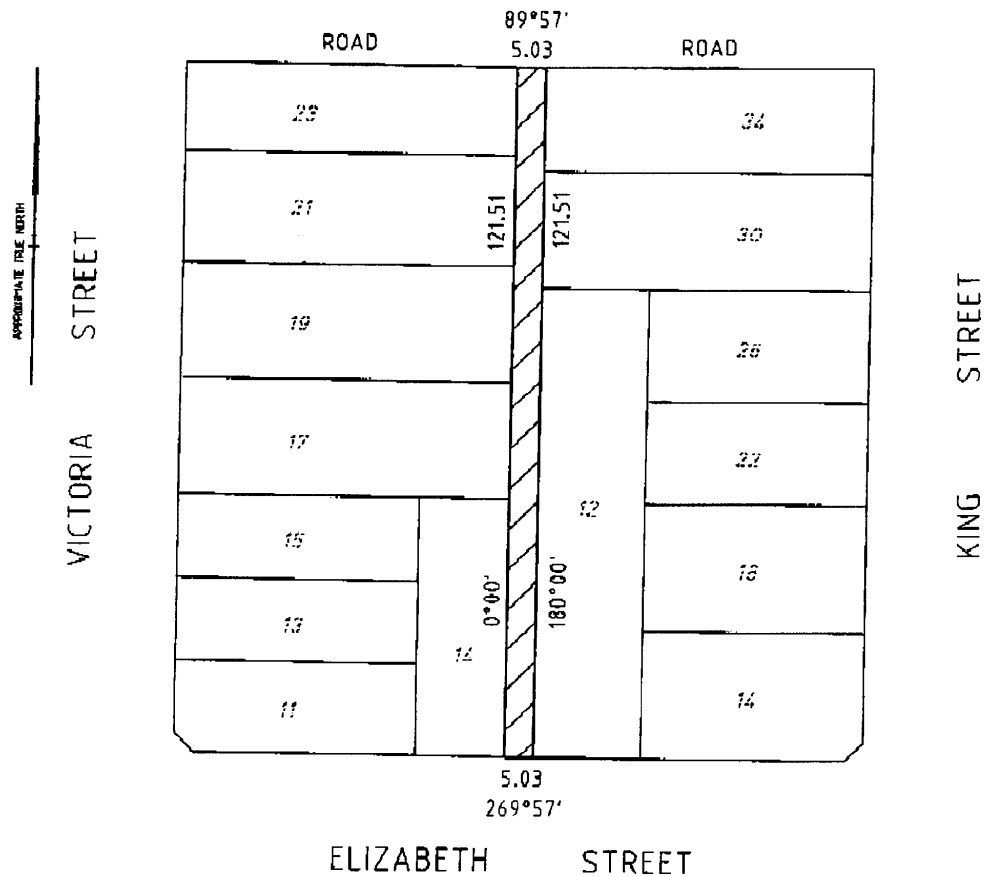


**MORNINGTON
PENINSULA**
Shire Council

DISCONTINUANCE OF LANE ADJACENT TO 12 ELIZABETH STREET, HASTINGS

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council has formed the opinion that the lane adjacent to 12 Elizabeth Street and at the rear of 21 & 23 Victoria Street, Hastings, as shown hatched on the plan below, is not reasonably required as a road for public use.

Council has resolved to discontinue the road and sell the land from the road to the adjoining owner by private treaty, subject to any right, power or interest held by Mornington Peninsula Shire Council and South East Water in connection with any drains, sewers, pipes, wires or cables under the control of these authorities in or near the road.



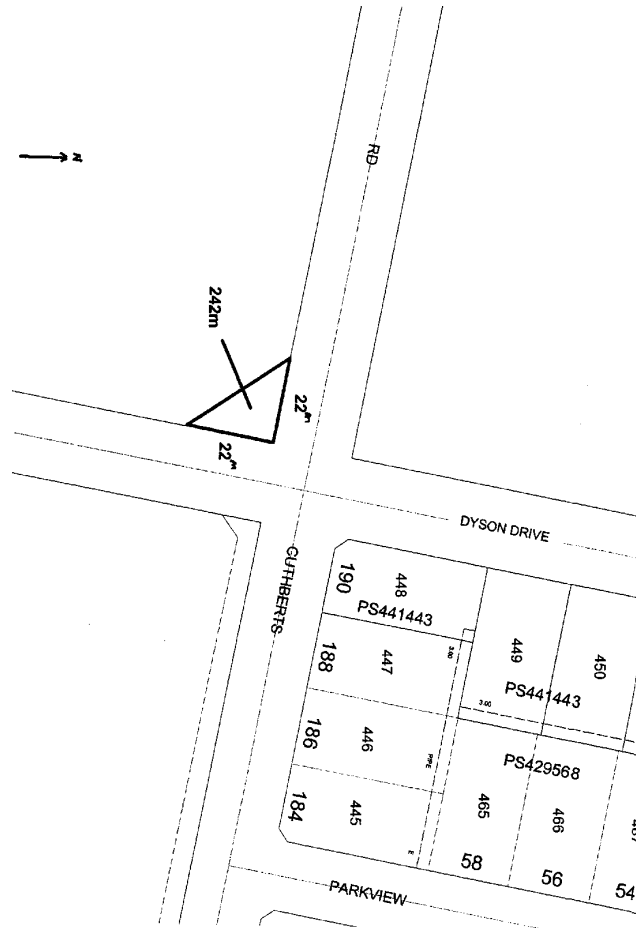
MICHAEL KENNEDY
Chief Executive Officer

BALLARAT CITY COUNCIL
Land Acquisition and Compensation Act 1986
 Land Acquisition and Compensation Regulations 1998
 Form 7
 Notice of Acquisition

Compulsory Acquisition of Interest in Land

Ballarat City Council declares that by this notice it acquires the following interest in the land described as part of Certificate of Title Volume 10093, Folio 036 being more particularly an area of 242m² on the north eastern corner of the property as more particularly delineated on the attached plan.

Interest acquired: that of William James Byrne and all other interests.
Published with the authority of Ballarat City Council.



Dated 12 March 2002

For and on behalf of
 Ballarat City Council
 JOHN McLEAN
 Chief Executive



LODDON SHIRE COUNCIL
Public Holidays Act 1993

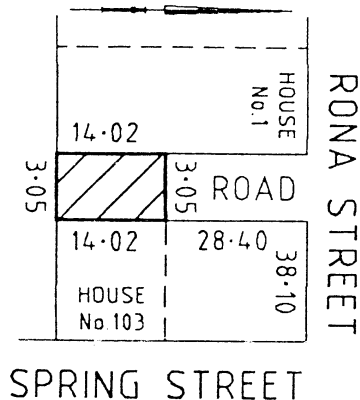
Pursuant to Section 7(1)(b) of the **Public Holidays Act 1993**, the Loddon Shire Council at its Ordinary Meeting held on 25 February 2002 resolved to declare a Public Holiday throughout the municipality on Tuesday 5 November 2002 (Melbourne Cup Day).

CRAIG W. NIEMANN
Chief Executive Officer

DAREBIN CITY COUNCIL
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Darebin City Council at its meeting held on 18 February 2002, formed the opinion that the section of road at the rear of 103 Spring Street and adjacent to 1 Rona Street, Reservoir, 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 sold subject to the right, power or interest held by the Darebin City Council, in the road in connection with any drains or pipes under the control of that authority in or near the road.

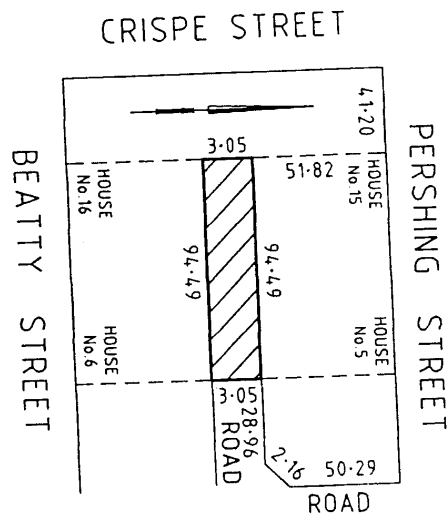


PHILLIP SHANAHAN
Chief Executive Officer

DAREBIN CITY COUNCIL
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Darebin City Council at its meeting held on 18 February 2002, formed the opinion that the road at the rear of 5 to 15 Pershing Street and 6 to 16 Beatty Street, Reservoir, 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.

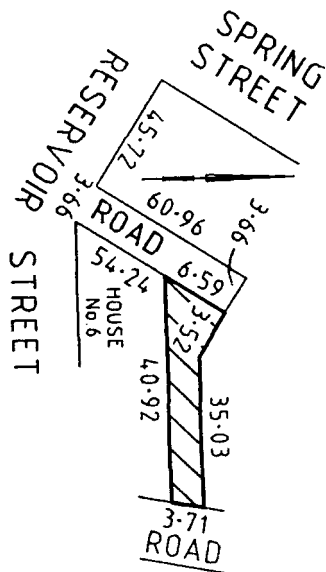
The road is to be sold subject to the right, power or interest held by Yarra Valley Water Limited, in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



PHILLIP SHANAHAN
Chief Executive Officer

DAREBIN CITY COUNCIL
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Darebin City Council at its meeting held on 18 February 2002, formed the opinion that the road at the rear of 2 to 6 Reservoir Street, Reservoir, 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.



PHILLIP SHANAHAN
Chief Executive Officer



Pursuant to Section 7(1)(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 10 October 2002 to mark the Warracknabeal Agricultural & Pastoral Society Show.

Tuesday 5 November 2002 to mark Melbourne Cup Race Meeting.

Rupanyup

Wednesday 9 October 2002 (Full Day) to mark Rupanyup Agricultural & Pastoral Society Show.

Murtoa

Friday 4 October 2002 to mark Murtoa Agricultural & Pastoral Society Show.

Friday 5 July 2002 to mark Murtoa Cup Race Meeting.

Minyip

Thursday 8 October 2002 to mark Minyip Agricultural & Pastoral Society Show.

Friday 5 July 2002 to mark Murtoa Cup Race Meeting.

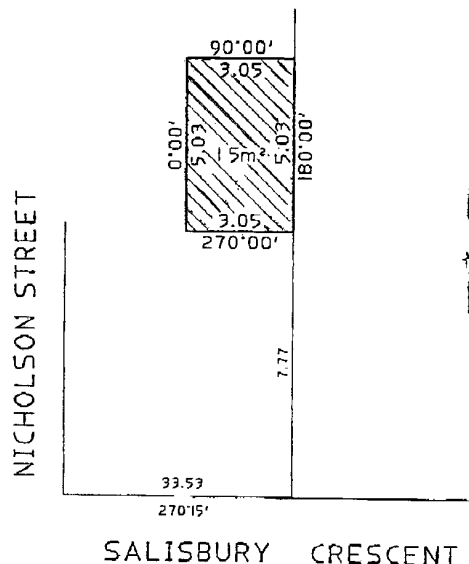
Hopetoun

Tuesday 5 November 2002 (Full Day) to mark Hopetoun Agricultural & Pastoral Society Show.

YARRA CITY COUNCIL

Road Discontinuance

At its meeting on 12 February 2002 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989** Yarra City Council resolved to discontinue the road shown hatched on the plan below.



Mr STEVE DUNN
Acting Chief Executive Officer

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Amendment

Amendment C33

The Cardinia Shire Council has prepared Amendment C33 to the Cardinia Planning Scheme.

The Amendment affects land known as the Bunyip Main Race from Dickie Road, Officer, just north of Payne Road and terminates at the point where the Bunyip Main Race crosses Cannibal Creek to the east of Maryknoll. The

Amendment applies to a 21.5 km section of the channel that is freehold land and is made of 78 separate titles.

The contiguous section of the race between Dickie Road and Thewlis Road has been identified as an important open space link on a regional basis and will be transferred to Council for that function. Further, a contiguous section of the race between Dore Road and Morrision Road has also been identified for retention as an open space link. These two sections are proposed to be rezoned from Public Use Zone to Public Park and Recreation Zone.

Land on the west side of Army Road (Part Lot 1, LP32094, PartCA5B, Part CA5H, Parish of Nar Nar Goon, Army Road, Pakenham), just north of Lilliput Lane next to Council's existing reserve will supplement the existing reserve and be rezoned from Public Use Zone to Public Conservation and Recreation Zone.

Six separate titles have been identified for the development purposes for a dwelling. These lots will be rezoned from Public Use Zone to either a Rural Zone or an Environmental Rural Zone. A Section 173 Agreement will be required to be entered into for the protection of the environmental qualities of the land for a number of the development sites as identified below. The following titles have been identified for development:

- CA198 PT, Parish of Pakenham, Thewlis Road, Pakenham;
- CA 199 Part, Parish of Pakenham, Thewlis Road, Pakenham.
- CA48, Parish of Pakenham, Thewlis Road, Pakenham;
- Part CA 134B, Parish of Nar Nar Goon, Bessie Creek Road, Nar Nar Goon;
- Lot 4, PS6186, Croft Road, Nar Nar Goon North;
- Lot 14, PS6186, Croft Road, Nar Nar Goon North.

The balance of the Bunyip main Race between Thewlis Road and Cannibal Creek is proposed to be rezoned from a Public Use Zone to the underlying zone which is either Rural Zone, Environmental Rural Zone, or Rural Living Zone. A Section 173 Agreement will be required to be entered into by abutting landowners to ensure that the land is consolidated with the landowners existing title,

with the exception of the development sites and land to be transferred to Cardinia Shire Council.

The Amendment can be inspected at: Cardinia Shire Council, Municipal Offices, Henty Way, Pakenham and Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

Any person who is affected by the Amendment may make a submission in writing about the Amendment. Please note that under the Freedom of Information Act any submission received is available for viewing by any member of the public.

Submissions must be sent to: Strategic Planner, Cardinia Shire Council, PO Box 7, Pakenham, Vic. 3810 by 18 April 2002.

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

Notice of Amendment

Amendment C35

Notice of an Application for a Planning Permit

Planning Permit D8/02

The Amendment affects land at 679-685 High Street, Preston. The site is approximately 7,686 square metres, on the west side of High Street, and generally north of Cambrian Avenue. It extends west to William Street. The site is occupied by warehouse and office development and associated car parking spaces.

The Amendment proposes to change the Darebin Planning Scheme by rezoning the land from Industrial 3 Zone and Residential 1 Zone to Business 3 Zone and to include the land in an Environmental Audit Overlay.

The planning permit application seeks approval for the development of the land for office use and the waiver of car parking.

The Amendment and permit can be inspected at: Urban Development, City of Darebin, 1st Floor, 274 Gower Street, Preston, Vic. 3072 and Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000.

Any person or agency who may be effected by the Amendment can make a submission to the City of Darebin. Submissions/objections about the Amendment/application for planning

permit must be sent to City of Darebin, PO Box 91, Preston, Vic. 3072, by the close of business on 15 April 2002.

Please contact Anita Doilibi on 9230 4419 with any questions.

JOHN VAN AS
Manager Urban Development

Planning and Environment Act 1987
MELBOURNE PLANNING SCHEME

Notice of Amendment
Amendment C56

The City of Melbourne has prepared Amendment C56 to the Melbourne Planning Scheme.

The Amendment applies to land in East Melbourne. A heritage assessment of mainly post Victorian architecture within East Melbourne has been completed through a project titled East Melbourne Upgraded Buildings Project. The project identified twenty six buildings as having individual heritage significance.

The Amendment proposes to:

- add twenty six buildings to the Incorporated Document Heritage Places Inventory 2000 and amend the title of the Incorporated Document to Heritage Places Inventory 2002.

This Amendment is available for public inspection, free of charge, during office hours at the following places: City of Melbourne, Development Planning, 6th Floor, Council House, 200 Little Collins Street, Melbourne; Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and East Melbourne Library, 122 George Street, East Melbourne.

Any person who is affected by the Amendment may make a submission in writing about the Amendment. Submissions must be sent to John Noonan, Group Manager, Development and Statutory Services, City of Melbourne, GPO Box 1603M, Melbourne 3001 by 5.00 p.m. Friday 19 April 2002.

Planning and Environment Act 1987
MURRINDINDI PLANNING SCHEME

Notice of Amendment
Amendment C7

Murrindindi Shire Council has prepared Amendment C7 to the Murrindindi Planning Scheme.

The Amendment affects the Long Gully Road area, south of Flowerdale, and the Torbreck Street area, south of Taggerty, and makes general changes to the planning scheme.

The Amendment:

- applies the Restructure Overlay to the Torbreck Street area;
- introduces restructure plans for the Torbreck Street and Long Gully Road areas into the Restructure Overlay schedule;
- introduces guidelines and requirements into the Restructure Overlay schedule to apply general provisions to all five restructure plan areas in the schedule, and specific provisions for the Long Gully Road and Torbreck Street areas;
- changes the local planning policy framework (Clause 21.09, Other townships strategies) to include the need for and application of restructure plans in the two areas affected by this Amendment.

A copy of the Amendment, supporting documents and explanatory report can be inspected, free of charge, during office hours, at: the Alexandra, Yea or Kinglake offices of the planning authority, Murrindindi Shire Council; Department of Infrastructure regional office, 50–52 Clarke Street, Benalla and Department of Infrastructure head office, Nauru House, 80 Collins Street, Melbourne.

Any person who may be affected by the Amendment may make a submission to the planning authority. The closing date for submissions is 19 April 2002. Submissions about the Amendment must be sent to DD Hogan, Chief Executive Officer, Murrindindi Shire Council, PO Box 138, Alexandra 3714 by 19 April 2002.

DD HOGAN
Chief Executive Officer
Murrindindi Shire Council

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, ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 19 May 2002 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.

CLEMENTS, Beryl May, late of Airlie Special Accommodation Home, 33 Upper Heidelberg Road, Ivanhoe, pensioner, who died on 1 January 2002.

DUNN, Mabel Isabel, late of 9 Merrimu Street, Murrumbidgee, pensioner, who died 28 December 2001.

FORDHAM, Irene Adelaide Sincere, late of Emily Lenny Private Nursing Home, 46 Victoria Street, Coburg, retired, who died on 12 December 2001.

GLEESON, Margaret, late of Emily Lenny Private Nursing Home, 46 Victoria Street, Coburg, pensioner, who died on 23 October 2001.

GORNALL, Henry George, late of Mahogany Lodge, 26 Service Lodge Street, Hampton, retired, who died on 8 November 2001.

HOLMBERG, Albert George, late of 23 Black Street, Brighton, retired, who died on 17 November 2001.

HOWE, Francis Michael, formerly of 36 Lucerne Crescent, Alphington, but late of Lonsdale House Private Nursing Home, 88 Cunningham Street, who died on 2 March 2002.

JOHNSTON, Marjorie Jean, late of 55 Spray Street, Rosebud, pensioner, who died on 15 December 2001.

McKINNEY, GODFREY GRAHAM, late of Anzac Hostel, 21 Downes Street, Brighton, pensioner, who died on 1 January 2002.

OWEN, Millicent Nora, formerly of 12 Regworth Court, Highett, but late of Room 206 St Johns Retirement Village, 45 Park Lane, Somerville, who died on 31 January 2002.

SWENSON, Leslie Neil, late of Prague House Ltd, 52 Sackville Street, Kew, retired engineer, who died on 29 July 2000.

WALTERS, Doris Irene, late of Waverley Aged Care, 29–33 Chesterville Road, Glen Waverley, pensioner, who died on 7 December 2001.

Dated at Melbourne, 7 March 2002

CATHY VANDERFEEN
Manager, Estate Management
State Trustees Limited

EXEMPTION

Application No. A30 of 2002

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Gordan Institute of Tafe for exemption from Sections 37, 42, 100 and 195 of that Act. The application for exemption is to enable the applicant to advertise and conduct, for men only, a short course for playing the didgeridoo.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms Golden and Ms Travis and for the Reasons for Decision given by the Tribunal on 5 March 2002, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 37, 42, 100 and 195 of the Act to enable the applicant to advertise and conduct, for men only, a short course for playing the didgeridoo.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 37, 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise and conduct, for men only, a short course for playing the didgeridoo.

This exemption is subject to the condition that, in conjunction with the course, the applicant must conduct a seminar, open to both men and women, concerning aboriginal laws and traditions relating to the didgeridoo, the art of playing the didgeridoo and its place in aboriginal culture.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 13 March 2003.

Dated 5 March 2002

CATE McKENZIE
Deputy President

EXEMPTION

Application No. A70 of 2002

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by The Richmond Fellowship of Victoria. The application for exemption is to enable the applicant to advertise for and employ a male residential support worker on the staff team at McPherson Community.

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 a male residential support worker on the staff team at McPherson Community.

In granting this exemption the Tribunal noted:

- McPherson Community is a residential rehabilitation program for men and women whose purpose is to support people with both psychiatric and intellectual disabilities to live more independently in the environment of their choice.
- Each client is allocated a “keyworker” who can provide one to one support.
- There are three keyworker positions, two of which are occupied by women. The third position is about to become vacant.
- The vacancy needs to be filled by a male to ensure a role model balance, to provide appropriate personal care when required and to cope with certain severe challenging behaviours.

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 a male residential support worker on the staff team at McPherson Community.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 17 March 2005.

Dated 8 March 2002

Mrs A. COGHLAN
Deputy President

Children and Young Persons Act 1989

REVOCATION AND APPOINTMENT OF HONORARY PROBATION OFFICERS

I, Dr T. P. Keating (Regional Director) of Hume Region of the Department of Human Services, under Section 34(4) of the **Children and Young Persons Act 1989** appoint the undermentioned persons as Honorary Probation Officers for the Childrens Court in the State of Victoria for the period ending December 2004.

1. Margaret Airlie Black, 5/6 Ledger Ct, Benalla 3672; 2. Freda Victoria Ould, 1 Rebbrecht Crt, Benalla 3672; 3. Daryl Robert Sloan, 7 Abernathy Street, Shepparton 3630; 4. Peter Berenyi, RMB 1200, Mansfield 3722; 5. Elisabeth Isabel Belt, 24 Burke Street, Wangaratta 3677; 6. Marilyn Rose Clydesdale, “Warrawong” RMB 4175, Wodonga 3691; 7. Allan Joseph Findlay, RMB 5812, Myrtleford 3737; 8. Kathy Maree Oats, 3 O’Keefe Street, Wangaratta 3677; 9. Joyce Elston, 115 Binney Street, Euroa 3666.

Dated 1 March 2002

Dr T. P. KEATING,
Regional Director,
DHS Hume Region

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 18 March 2002:

Loddon Shire Council (Northern Part): That part north of a line commencing on the western boundary of the shire travelling easterly along the Borung–Charlton Road to Borung, then along the Borung–Hurstwood Road to the Loddon River, then generally southerly along the Loddon River to the Bridgewater–Serpentine

Road, then along Foleys Road to the Loddon Valley Highway, then northerly to Rothackers Road, then continue east along Rothackers Road and Tandarra–Serpentine Road, then south along Thompsons Road then east along Tandarra–Elmore Road and Steads Road to the Shire's eastern boundary.

Gannawarra Shire Council, Rural City of Mildura.

R. SEIFFERT
Chief Executive Officer

Education Act 1958

NOTICE OF MAKING OF ORDER UNDER SECTION 13

An Order of the Minister for Education and Training was made on 11 March 2002 under Sections 13(4) and 13(11) of the **Education Act 1958** amending the constituting Order of Victorian College for the Deaf Council in respect of the membership of the school council.

LYNNE KOSKY
Minister for Education and Training

Forests Act 1958, No. 6254

DECLARATION OF THE PROHIBITED PERIOD

In pursuance of the powers conferred by section 3 sub-section (2) of the **Forests Act 1958**, I, Gary Morgan, delegated officer for the Minister for Environment and Conservation in the State of Victoria, hereby vary the declaration of the Prohibited Period for all land within the Fire Protected Area (other than State forest, National park and protected public land) within the municipalities nominated for the period specified in the schedule below:

SCHEDULE 1

The Prohibited Period shall end at 0100 hours on Monday 18 March 2002 in the following municipalities: East Gippsland Shire Council, Latrobe Shire Council, Wellington Shire Council.

GARY MORGAN
Chief Fire Officer
Department of Natural Resources
and Environment
Delegated Officer, pursuant to section 11,
Conservation Forests and Land Act 1987

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

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

Name of Officer	Position of Officer
John Thomas HARKIN	243363
Susan Jean HIDES	213002
George Thomas MILLER	222273
Michael James JEFFERS	507950
Richard James RUBIRA	523593
Andrew Keith CAMERON	507768
Hugh Warwick Chorley MILLAR	507473

Dated 28 February 2002

JOHN WILLIAM GALVIN
Manager Animal Health Operations

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

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

Name of Officer	Position of Officer
Terri Lynne ALLEN	135768
Bruce Parker ANDERSON	211120
Rodney Terrence BADMAN	202028
Tracey Leigh BRADLEY	443766

Christopher BUTTON	217717
Noel John CAMPBELL	207939
Jeffrey Glen CAVE	508498
Robin James CONDRON	213590
Robert Douglas CRAWFORD	207859
Poitr Andrzej FABIJANSKI	217808
Ian Richard HOLMES	208670
Tristan Finlay JUBB	533735
Alison Margaret LEE	1353
Katrina Ann RAINSFORD	220019
Sally Elizabeth RIDGE	219031
Michael John TERRY	213024

Dated 28 February 2002

JOHN WILLIAM GALVIN
Manager Animal Health Operations

STATE OF VICTORIA

Petroleum (Submerged Lands) Act 1982

Notice of Grant of Renewal of Retention Lease

The renewal of a retention lease numbered VIC/RL1(V) has been granted to Bridge Oil Exploration Pty Ltd, Level 29, 91 Williams Street, Adelaide, SA 5001 and Basin Oil Pty Ltd, Level 29, 44 St Georges Terrace, Perth, WA 6000, in the adjacent area to the State of Victoria –

Block No. 1913 (Part), 1914 (Part), 1985 (Part) and 1986 (Part) of the Melbourne Sheet SJ55.

Dated 4 March 2002

CANDY BROAD
Minister for Energy
and Resources

Mineral Resources Development Act 1990

EXEMPTION FROM EXPLORATION
LICENCE OR MINING LICENCE

I, Richard Aldous, Executive Director Energy and Minerals, pursuant to Section 7 of the **Mineral Resources Development Act 1990** and under delegation by the Minister for Energy and Resources –

1. HEREBY EXEMPT all that Crown land situated within the boundaries of exploration licence application 4647 that has been excised from the application, from being subject to an exploration licence or mining licence.
2. Subject to paragraph 3, this exemption applies until the expiration of 2 years after the grant of the licence (if the licence is granted), or until the expiration of 28 days after the application lapses or is withdrawn or refused.
3. This exemption is REVOKED in respect of any land that ceases to lie within the boundaries of the application or licence, at the expiration of 28 days after the said land ceases to lie within the boundaries of the application or licence.

Dated 8 March 2002

RICHARD ALDOUS
Executive Director
Energy and Minerals

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 17 April 2002.

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 11 April 2002.

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.

G. J. Sinnott, Wedderburn. Application to license one commercial passenger vehicle to be purchased in respect of any vehicle that meets the standards approved by the Victorian Taxi Directorate to operate as a hire car from 83 Wilson Street, Wedderburn.

N. Konstantopoulos, Glen Iris. Application to license two (2) commercial passenger vehicles to be purchased in respect of 1948–1951 Jaguar sedans each with seating capacity for 4 passengers to operate a service from 399 Burke Road, Glen Iris for the carriage of passengers for wedding parties.

S. Vasilakis, Brunswick. Application to license one commercial passenger vehicle to be purchased in respect of a 1965 Ford Convertible with seating capacity for 4 passengers to operate a service from 2A Weston Street, Brunswick for the carriage of passengers for wedding parties.

Dated 11 March 2002.

ROBERT STONEHAN
Manager – Operations
Victorian Taxi Directorate

Private Agents Act 1966

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

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

Any person desiring to object to any of such applications must:—

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

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Gloria Kiri	2/10 Albert Avenue, Oakleigh	Trace Detective	3 Claremont Avenue Malvern	Sub-Agent	2.4.02
Colin Ronald Veenendaal	28 Highland Avenue, Mitcham	Robert Stack & Associates P/L	9 Indra Road, Blackburn South	Sub-Agent	2.4.02
Peter William Henrichsen	45 Grey Street, East Melbourne	Debt Default Register	23 Victoria Street, Collingwood	Commercial Agent	5.4.02
Hugh William Mirams	324 Montague Street, Albert Park	Receivable Management Ltd	55 King Street, Melbourne	Sub-Agent	5.4.02
Kirsten Leigh Cherrie	10/29 Schutt Street, Newport	Receivable Management Ltd	55 King Street, Melbourne	Sub-Agent	5.4.02

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Christina Casse	1 Sandalwood Drive, Narre Warren	Receivable Management Ltd	55 King Street, Melbourne	Sub-Agent	5.4.02
Melinda Jane Cotton	13 Smith Street, Noble Park	Receivable Management Ltd	55 King Street, Melbourne	Sub-Agent	5.4.02
FTracey Vanessa Wilkie	85 Argyle Street, Fawkner	Receivable Management Ltd	55 King Street, Melbourne	Sub-Agent	5.4.02
Kirsten Leigh Cooper	18 Arundel Court, Hoppers Crossing	Receivable Management Ltd	55 King Street, Melbourne	Sub-Agent	5.4.02

Dated at Melbourne 8 March 2002

LISA MILANO
Registrar of the Magistrates' Court

Flora and Fauna Guarantee Act 1988

The **Flora and Fauna Guarantee Act 1988** enables members of the public to nominate species, communities and potentially threatening processes for listing under the Act. Nominations under the Act are considered by a Scientific Advisory Committee, which makes recommendations to the Minister.

The Committee has made a number of final and preliminary recommendations. A Recommendation Report has been prepared for each final and preliminary recommendation. Copies of the reports can be obtained from the Head Office and major country offices of the Department of Natural Resources and Environment. The **Flora and Fauna Guarantee Act 1988** and the Flora and Fauna Guarantee Regulations 1991 can be viewed at these offices.

Submissions supplying evidence that confirm or contradict the preliminary recommendations will be accepted until 19 April 2002. Please note that the Scientific Advisory Committee considers only nature conservation issues.

There is no public comment period for final recommendations. Submissions marked CONFIDENTIAL should be sent to:

Scientific Advisory Committee, c/o Flora and Fauna Statewide Programs, Dept. Natural Resources and Environment, 4/250 Victoria Pde. (PO Box 500), East Melbourne 3002.

For inquiries regarding the **Flora and Fauna Guarantee Act 1988** please contact Martin O'Brien (03) 9412 4567. For information on specific items please contact Parks Flora & Fauna staff at NRE offices.

MARTIN O'BRIEN Executive Officer, Scientific Advisory Committee

FINAL RECOMMENDATIONS OF THE SCIENTIFIC ADVISORY COMMITTEE

The Scientific Advisory Committee has made a final recommendation on the evidence available, in accordance with Section 15 of the Act, that the nominations for listing of the following items be supported or not supported in accordance with Section 11 of the **Flora and Fauna Guarantee Act 1988**.

Items supported for listing		Criterion/ criteria satisfied	
548	<i>Acanthiza iredalei hedleyi</i>	Slender-billed Thornbill	1.2.1
580	<i>Allocharopa erskinensis</i>	land snail species	1.2.1
588	<i>Anoetangium bellii</i>	Kiwi Cave-moss	1.2, 1.2.1
558	<i>Antechinus minimus</i>	Swamp Antechinus	1.1, 1.2, 1.2.1
566	<i>Arachnocampa</i> species	'Mt Buffalo Glow-worm'	1.2.1
589	<i>Bartramia bogongia</i>	Bogong Apple-moss	1.2, 1.2.1
562	<i>Calidris tenuirostris</i>	Great Knot	1.1, 1.2.1
590	<i>Campyllum polygamum</i>	Shore Feather-moss	1.2.1
554	<i>Coracina maxima</i>	Ground Cuckoo-Shrike	1.1.2, 1.2.1
582	<i>Dermochelys coriacea</i>	Leathery Turtle	1.2.1
581	<i>Geminoropa scindocataracta</i>	land snail species	1.2.1
563	<i>Heteroscelus brevipes</i>	Grey-tailed Tattler	1.1, 1.2.1
593	<i>Isoetes pusilla</i>	Small Quillwort	1.2, 1.2.1
585	<i>Lerista muelleri</i>	Mueller's Skink	1.2, 1.2.1
553	<i>Macropus robustus robustus</i>	Eastern Wallaroo	1.2.1
586	<i>Morethia adelaidensis</i>	Samphire Skink	1.1, 1.2, 1.2.1
579	<i>Nymphoides spinulosperma</i>	Marbled Marshwort	1.2.1
583	<i>Pedinophyllum monoicum</i>	Southern Pedinophyllum	1.2, 1.2.1
561	<i>Potorous tridactylus tridactylus</i>	Long-nosed Potoroo	1.1, 1.2, 1.2.1
547	<i>Pyrrholaemus brunneus</i>	Redthroat	1.2, 1.2.1
591	<i>Riccardia eriocaula</i>	Feather-fan Riccardia	1.2, 1.2.1
592	<i>Riella spiculata</i>	Spiny-spore Riella	1.2.1
543	<i>Rostratula benghalensis</i>	Painted Snipe	1.2.1
564	<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheathtail Bat	1.2.1
577	<i>Uperoleia rugosa</i>	Rugose Toadlet	1.2.1
573	<i>Utricularia monanthos</i>	Tasmanian Bladderwort	1.2, 1.2.1
557	Victorian Mallee bird community.		2.1.1, 2.1.2, 2.2, 2.2.2
514	The spread of <i>Phytophthora cinnamomi</i> from infected sites into parks and reserves, including roadsides, under the control of a state or local government authority.		5.1.1
560	Threats to native flora and fauna arising from the use by the feral honeybee <i>Apis mellifera</i> of nesting hollows and floral resources.		5.1, 5.1.1

The reason that the nominations are supported is that the items satisfy at least one primary criterion of the set of criteria maintained under Section 11 of the Act and stated in Schedule 1 of the Flora and Fauna Guarantee Regulations 1991.

Items not supported for listing

587	<i>Arctocephalus pusillus doriferus</i>	Australian Fur Seal	Rejected
575	<i>Physeter macrocephalus</i>	Sperm Whale	Rejected
524	Coastal Saltmarsh Community		Rejected

The reason that the nominations are not supported is the items do not satisfy at least one primary criterion of the set of criteria maintained under Section 11 of the Act.

PRELIMINARY RECOMMENDATIONS OF THE SCIENTIFIC ADVISORY COMMITTEE

The Scientific Advisory Committee has made preliminary recommendations on the evidence available, in accordance with Section 14 of the Act, that the nominations for listing of the following items be supported in accordance with Section 11 of the **Flora and Fauna Guarantee Act 1988**.

Items supported for listing

		Criterion/ criteria satisfied
578	<i>Calamanthus pyrrhopygius</i> <i>pyrrhopygius</i>	Chestnut-rumped Heathwren 1.1, 1.2.1
595	<i>Cullen discolor</i>	Grey Scurf-pea 1.2.1
596	<i>Cullen pallidum</i>	Woolly Scurf-pea 1.2.1
597	<i>Chorizandra sphaerocephala</i>	Roundhead Bristle-sedge 1.2.1
598	<i>Cyperus gracilis</i>	Slender Flat-sedge 1.2.1
599	<i>Dampiera galbraithiana</i>	Licola Dampiera 1.2.1
584	<i>Diomedea cauta</i>	Shy Albatross 1.1, 1.2.1
559	<i>Diomedea epomophora</i>	Southern Royal Albatross 1.2.1
544	<i>Diomedea exulans</i>	Wandering Albatross 1.1, 1.2.1
550	<i>Geopelia cuneata</i>	Diamond Dove 1.2.1
600	<i>Hibiscus brachysiphonius</i>	Low Hibiscus 1.2.1
576	<i>Lepilaena patentifolia</i>	Spreading Water-mat 1.2.1
551	<i>Phoebetria palpebrata</i>	Light-mantled Albatross 1.2.1
594	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox 1.2.1
601	<i>Rhodanthe stricta</i>	Slender Sunray 1.2.1
602	<i>Schoenoplectus dissachanthus</i>	Blunt Club-sedge 1.2.1
604	<i>Swainsona adenophylla</i>	Violet Swainson-pea 1.2, 1.2.1
605	<i>Swainsona greyana</i>	Hairy Darling-pea 1.2.1
606	<i>Swainsona luteola</i>	Dwarf Darling-pea 1.2.1
556	<i>Thalassarche bulleri</i>	Buller's Albatross 1.2.1
545	<i>Thalassarche carteri</i>	Indian Yellow-nosed Albatross 1.1, 1.2.1
546	<i>Thalassarche chrysostoma</i>	Grey-headed Albatross 1.2.1
552	<i>Turnix pyrrhothorax</i>	Red-chested Button-quail 1.1.2, 1.2.1

The reason that the nominations are supported is that the items satisfy at least one primary criterion of the set of criteria maintained under Section 11 of the Act and stated in Schedule 1 of the Flora and Fauna Guarantee Regulations 1991.

Preparation of Action Statements

Under Section 19 of the **Flora and Fauna Guarantee Act 1988**, the Secretary to the Department of Natural Resources and Environment is required to prepare an Action Statement for each listed item. Action Statements set out what has been done and what is intended to be done to conserve or manage that item.

Groups or individuals wishing to comment on a particular action statement at the draft stage, if and when the above items are listed by the Governor in Council on the recommendation of the Minister, should express their interest to:

ROBERT BEGG, Manager, Flora and Fauna Statewide Programs,
Dept. Natural Resources and Environment, PO Box 500, East Melbourne 3002

Land Acquisition and Compensation Act 1986

FORM 7

S.21

Reg.16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads), declares that by this notice it acquires the following interest in the land described as being part of Crown Portion 16, and part of Lot 1 on Plan of Subdivision 421096L, Parish of Wollert, comprising 32.98 hectares and being land described in Certificate of Title Volume 9781, Folio 850, and Certificate of Title Volume 10482, Folio 170 shown as Parcels 42 and 46 on Roads Corporation Survey Plan 20183.

Interest Acquired: That of Clifton Brick Manufacturers Pty Ltd and all other interests.

Published with the authority of VicRoads.

The Survey plan referred to in this notice may be viewed without charge at the office of Property Services Department, VicRoads, 4th Floor, North Building, 60 Denmark Street, Kew during the hours 9.00 am to 4.00 pm.

Dated 14 March 2002

For and on behalf of VicRoads:

GERRY TURNER,

Manager – Property Services Department.

Gas Industry Act 2001

RETAIL GAS MARKET RULES

The Essential Services Commission has determined to approve the “Retail Gas Market Rules” under section 65 of the **Gas Industry Act 2001**. In accordance with the requirements of VENCorp’s “Scheme for Development and Implementation of Retail Gas Market Rules” the “Retail Gas Market Rules” incorporating the rules as first approved on 5 October 2001 and amendments approved on 17 January 2002 are published hereunder.

RETAIL GAS MARKET RULES

Version 1

22 January 2002

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ATTACHMENT 1 - DEFINITIONS**ATTACHMENT 2 - INTERPRETATION****ATTACHMENT 3 - APPROVED VALIDATION METHODOLOGY****ATTACHMENT 4 - APPROVED ESTIMATION METHODOLOGY****ATTACHMENT 5 - APPROVED SUBSTITUTION METHODOLOGY****ATTACHMENT 6 - NET SYSTEM PROFILE METHODOLOGY****CHAPTER 1 – GENERAL****1.1 General****1.1.1 Interpretation**

- (a) Words and phrases in these *Rules* which appear in italics have the meanings given to them in Attachment 1, unless an intention to the contrary appears.
- (b) These *Rules* must be interpreted according to the principles of interpretation set out in Attachment 2, unless an intention to the contrary appears.

1.1.2 Purpose

The purpose of these *Rules* is to set out provisions relating to, among other things:

- (a) the collection of data from certain *meters* and the use of estimated or substituted data where appropriate;
- (b) the calculation of *energy consumption* on the basis of that data;

- (c) the recording and storage of metering and energy data;
- (d) the provision of metering and energy data to certain *Market Participants* and (where applicable) *VENCorp*;
- (e) the preparation of profiles and the application of profiles to data relating to *basic meters*;
- (f) the provision by *Distributors* to *Market Participants* and *VENCorp* of information relating to *distribution supply points* (including information required to enable a *Market Participant* to become registered as the new *FRO* for a *supply point*); and
- (g) the process by which a *Market Participant* may become registered as the new *FRO* for a *supply point*.

1.1.3 Application

- (a) The provisions of these Rules come into effect on the following dates:
 - (i) this Chapter, clauses 2.1.2, 2.2.1(a), 2.2.1(b), 2.2.2(a), 2.2.2(b), 2.3.1, 2.8.1(a), 2.8.1(b) and 3.5 come into effect on the date on which these Rules are approved by the *ORG*;
 - (ii) the remaining provisions of Chapter 2 (other than clauses 2.8.1(c), 2.8.1(d), 2.8.2, 2.8.3, 2.8.4(b), 2.8.4(c) and 2.8.4(d)) and clause 3.1.1 come into effect on the *transition date*;
 - (iii) clauses 2.8.4 (b), 2.8.4 (c) and 2.8.4 (d) come into effect on 1 July 2002 or a later date to be determined by the *ORG*, and
 - (iv) the remaining provisions of these Rules come into effect on the *FRC* date.
- (b) If a provision of these Rules is inconsistent with the *Distribution Code*, the *Retail Code* or the *MSOR*, the *Distribution Code*, the *Retail Code* or the *MSOR* (as the case may be) will prevail to the extent of the inconsistency.
- (c) Unless expressly provided otherwise, the provisions of Chapter 2 of these Rules do not apply to *interval meters*.
- (d) These Rules apply in respect of *transmission supply points* and *distribution supply points* on the gas transmission system and the gas distribution system (as those terms are defined in the *GIA*).
- (e) Nothing in these Rules has the effect of enabling a *customer* to transfer to a new *Retailer* on a date prior to the date on which that *customer* is able to do so in accordance with the *GIA*.

1.2 Gas Interface Protocol

1.2.1 Development

In accordance with the *Transition Implementation Plan*, *VENCorp* must (after consulting with *Market Participants*, *Distributors* and *Transmission Pipeline Owners*) establish a protocol (*Gas Interface Protocol*) which governs the manner and form in which information is to be provided, notice given, notices or documents delivered and requests made as contemplated by these Rules.

1.2.2 Amendment

The *Gas Interface Protocol* may only be amended by *VENCorp* after undertaking such consultation in relation to the proposed amendment as is required in accordance with a consultative process approved for that purpose by the *ORG*. Such amendments will only come into effect on the date of their publication on *VENCorp's* website or such later date as is specified by *VENCorp* on its website in relation to those amendments.

1.2.3 Publication

VENCorp must publish the *Gas Interface Protocol*, as amended from time to time, on its website.

1.2.4 Effect

VENCorp and each *Market Participant*, *Distributor* and *Transmission Pipeline Owner* must comply with, and is bound by, the *Gas Interface Protocol* in respect of the provision of information, giving of notice, delivery of notices or documents and making of requests, and the receipt of information, notice, notices, documents or requests, as contemplated by these *Rules*.

1.3 Rule Changes**1.3.1 Amending the Rules**

An amendment to these *Rules* may be initiated at any time by *VENCorp* or by a person affected by these *Rules* proposing an amendment to *VENCorp* in accordance with clause 1.3.2.

1.3.2 Change proposals by person other than VENCORP

- (a) A person affected by these *Rules* other than *VENCorp* may propose an amendment to the *Rules* by submitting the proposal to *VENCorp*.
- (b) A submission made under clause 1.3.2(a) must:
 - (i) be in writing;
 - (ii) include the name and address of the person proposing the amendment;
 - (iii) include details of the proposed amendment and of the reasons why the amendment is necessary or desirable; and
 - (iv) include sufficient additional information to permit a proper consideration of the proposed amendment by *VENCorp* in accordance with clause 1.3.3.
- (c) A submission made under clause 1.3.2(a) may include a draft of the proposed amendment.

1.3.3 VENCORP's consideration of proposed Rule change

- (a) In considering whether to approve an amendment to these *Rules*, whether the amendment has been initiated by *VENCorp* itself or proposed by another person, *VENCorp*:
 - (i) must take into account any information that *VENCorp* reasonably considers to be relevant to its consideration of the proposed amendment;
 - (ii) must undertake such consultation in relation to the proposed amendment as is required by a consultation process approved for that purpose by the *ORG*, or, if no such process has been approved by the *ORG*, must consult with persons who *VENCorp* reasonably considers will be likely to be affected by the proposed amendment; and
 - (iii) may seek such information and views from any person in relation to the proposed amendment it considers desirable and practicable in the circumstances, having regard to the nature of the proposed amendment.
- (b) *VENCorp* must not approve an amendment to these *Rules* unless it is satisfied that the amendment is:
 - (i) consistent with the principles contained in any Order made under section 48MH of the *GIA*;
 - (ii) feasible;
 - (iii) not unreasonably costly to implement; and
 - (iv) consistent with the performance by *VENCorp* of its functions under the *GIA*.

1.3.4 VENCORP decision on Rule change proposed by other person

- (a) *VENCorp* must make a decision to approve or reject an amendment proposed in accordance with clause 1.3.2 as soon as practicable but in any event within 60 days of receiving a proposal for an amendment unless:

- (i) *VENCorp* reasonably considers that it has insufficient information to enable it to make a decision, in which case *VENCorp* may request the person who proposed the amendment to provide that further information and the 60 day period within which *VENCorp* is otherwise required to make a decision is then to be extended by the number of days in the period commencing on the day of *VENCorp's* request for further information to and including the day on which *VENCorp* received that information; or
 - (ii) *VENCorp* reasonably considers that due to the nature of the proposed amendment and the supporting information to be assessed in making a decision, it is not practicable for *VENCorp* to make a decision within 60 days, in which case *VENCorp* may extend the period within which it must make a decision under this clause 1.3.4 by a further period of 30 days.
- (b) If *VENCorp* decides to reject an amendment proposed in accordance with clause 1.3.2:
- (i) it must give notice of its decision to the person or persons who proposed the amendment; and
 - (ii) that decision is final.

1.3.5 Submission to the ORG

If an amendment to these *Rules* is approved by *VENCorp*, the amendment must then be submitted to the *ORG* by *VENCorp* as soon as practicable for consideration by the *ORG* in accordance with section 48MN of the *GIA*.

1.3.6 Implementation of Rule Change

- (a) If the *ORG* has approved an amendment to these *Rules* in accordance with section 48MN of the *GIA*, *VENCorp* must publish details of the amendment on its website as soon as practicable and in any event within 10 *business days* of receiving notification of the *ORG's* approval.
- (b) A notice of an amendment to these *Rules* published by *VENCorp* under clause 1.3.6(a) must specify the date on which the amendment is to take effect, as determined by *VENCorp* under clause 1.3.6(c).
- (c) *VENCorp* must allow a reasonable period between the date it publishes details of an amendment under clause 1.3.6(a) and the date the amendment becomes effective to allow persons affected by that amendment to undertake any system development or other work required to enable such persons to comply with the obligations imposed on them as a result of the amendment.

1.4 Confidentiality

1.4.1 Confidentiality

- (a) *VENCorp* and each *Market Participant*, *Distributor* and *Transmission Pipeline Owner* must keep confidential any information provided to it pursuant to these *Rules* (*confidential information*).
- (b) A person referred to in clause 1.4.1 (the *Recipient*):
 - (i) must not disclose *confidential information* to any person except as permitted by these *Rules*;
 - (ii) must only use or reproduce *confidential information* for the purpose for which it was disclosed or another purpose contemplated by these *Rules*; and
 - (iii) must not permit unauthorised persons to have access to *confidential information*.

- (c) Each *Recipient* must use all reasonable endeavours:
 - (i) to prevent unauthorised access to *confidential information* which is in the possession or control of that *Recipient*; and
 - (ii) to ensure that any person to whom it discloses *confidential information* observes the provisions of this clause 1.4 in relation to that information.
- (d) Without limiting the provisions of clauses 1.4.1(a), 1.4.1(b) and 1.4.1(c), each *Recipient* which is a *Distributor* must not disclose *confidential information* relating to a *Retailer* which is not a *related body corporate* of that *Distributor* to a *Retailer* which is a *related body corporate* of the *Distributor*.

1.4.2 Exceptions

This clause 1.4 does not prevent:

- (a) the disclosure, use or reproduction of information if the relevant information is at the time generally publicly available other than as a result of breach of confidence by the *Recipient* who wishes to disclose, use or reproduce the information or any person to whom the *Recipient* has disclosed the information;
- (b) the disclosure of information by a *Recipient* or by persons to whom the *Recipient* has disclosed that information to:
 - (i) an employee or officer of the *Recipient* or a *related body corporate* of the *Recipient* (other than, in respect of the information referred to in clause 1.4.1(d), the *Retailer* that is the *related body corporate* of a *Distributor*); or
 - (ii) a legal or other professional advisor, auditor or other consultant of the *Recipient*,
which requires the information for the purposes of these *Rules*, or for the purpose of advising the *Recipient* in relation to these *Rules*;
- (c) the disclosure, use or reproduction of information with the consent of the person or persons who provided the relevant information under these *Rules*;
- (d) the disclosure, use or reproduction of information to the extent required by law or by a lawful requirement of:
 - (i) any *government authority* having jurisdiction over a *Recipient* or its *related bodies corporate*; or
 - (ii) any stock exchange having jurisdiction over a *Recipient* or its *related bodies corporate*;
- (e) the disclosure, use or reproduction of information if required in connection with legal proceedings, arbitration, expert determination or other dispute resolution mechanism relating to these *Rules*, or for the purpose of advising a person in relation thereto;
- (f) the disclosure, use or reproduction of information which is trivial in nature;
- (g) the disclosure of information which is required to protect the safety of personnel or equipment;
- (h) the disclosure, use or reproduction of information by or on behalf of a *Recipient* to the extent reasonably required in connection with the *Recipient's* financing arrangements, investment in a *Recipient* or a disposal of a *Recipient's* assets;
- (i) the disclosure of information to the *ORG* or any other regulatory authority having jurisdiction of a *Recipient*, pursuant to these *Rules* or otherwise;
- (j) the disclosure, use or reproduction of information of an historical nature in connection with the preparation and giving of reports under these *Rules*; or

- (k) the disclosure, use or reproduction of information as an unidentifiable component of an aggregate sum.

1.4.3 Conditions

In the case of a disclosure under clause 1.4.2(b), 1.4.2(e) or 1.4.2(h) prior to making the disclosure the *Recipient* who wishes to make the disclosure must inform the proposed recipient of the information that is *confidential information* and must take appropriate precautions to ensure that the recipient keeps the information confidential in accordance with the provisions of this clause 1.4 and does not use the information for any purpose other than that permitted under clause 1.4.1.

1.4.4 Indemnity to VENCORP

Each *Market Participant*, *Distributor* and *Transmission Pipeline Owner* indemnifies *VENCORP* against any claim, action, damage, loss, liability, expense or outgoing which *VENCORP* pays, suffers, incurs or is liable for in respect of any breach by that person or any officer, agent or employee of that person of this clause 1.4.

1.4.5 Survival

Notwithstanding any other provision of these *Rules*, a person must continue to comply with this clause 1.4 for three years after it has otherwise ceased to be subject to these *Rules*.

1.4.6 VENCORP information

VENCORP must develop and, to the extent practicable, implement a policy:

- (a) to protect information which it acquires pursuant to these *Rules* from use or access which is contrary to the provisions of these *Rules*; and
- (b) to protect information which is commercially sensitive from use or access by members of the board of directors of *VENCORP* who are officers, directors or employees of a *Market Participant*, *Distributor* and *Transmission Pipeline Owner*.

1.5 Dispute resolution

1.5.1 Application

- (a) The dispute resolution procedures set out in this clause 1.5 apply to all disputes that may arise between any of *VENCORP*, a *Market Participant*, a *Distributor* or a *Transmission Pipeline Owner* as to the application or interpretation of these *Rules*.
- (b) Subject to clause 1.5.1(c), where a dispute of a kind set out in clause 1.5.1(a) arises, the parties concerned must comply with the procedures set out in clauses 1.5.3 to 1.5.11 before pursuing any other dispute resolution mechanism, including but not limited to court action in relation to the dispute.
- (c) If the parties to a dispute cannot agree that:
 - (i) the matter in dispute is one to which clause 1.5.1(a) applies; and
 - (ii) the matter in dispute would more appropriately be dealt with in accordance with the dispute resolution procedures under another regulatory instrument to which one or both parties are subject,a party may apply in writing to the *ORG* for a decision as to which dispute resolution procedures apply to the dispute and must give notice of that application to the other party.
- (d) If the *ORG* receives an application under clause 1.5.1(c), the *ORG* must decide, within 10 *business days* of receiving the application, whether the dispute would more appropriately be dealt with under dispute resolution procedures applicable under an applicable regulatory instrument other than these *Rules* and in making its decision, the *ORG* must:
 - (i) decide whether the matter in dispute is relevant to any other applicable regulatory instrument; and

- (ii) if the matter in dispute is, in the reasonable opinion of the *ORG*, relevant to another applicable regulatory instrument, direct the parties to comply with the dispute resolution procedures under that regulatory instrument.
- (e) If the *ORG* receives an application under clause 1.5.1(c), but does not make a decision under clause 1.5.1(d) within 10 *business days* of receiving the application, the determination of whether the dispute is one to which this clause 1.5 applies is to be made in accordance with the dispute resolution procedures set out in this clause 1.5.
- (f) The parties must comply with a decision of the *ORG* under clause 1.5.1(d) and the decision of the *ORG* is final.

1.5.2 Appointment of Adviser and panel group

- (a) *VENCorp* must ensure that the person appointed from time to time to be the *Adviser* under clause 7.2.2 of the *MSOR*:
 - (i) is appointed on terms and conditions that include appointment for the purposes of the dispute resolution procedures set out in this clause 1.5; and
 - (ii) is not a *Market Participant*, *Distributor* or *Transmission Pipeline Owner*; and
 - (iii) in the reasonable opinion of *VENCorp*, does not have a current material association with a *Market Participant*, *Distributor*, *Transmission Pipeline Owner* or *VENCorp*.
- (b) If the *Adviser* appointed under clause 7.2.2 of the *MSOR* does not, in the reasonable opinion of *VENCorp*, continue to meet the requirement of clause 1.5.2(a)(iii), *VENCorp* may terminate the appointment of the *Adviser* and appoint a new *Adviser*.
- (c) *VENCorp* must ensure that the persons appointed by *VENCorp*, in consultation with the *Adviser*, under clause 7.2.2(e) of the *MSOR* are appointed on terms and conditions that include appointment for the purposes of the dispute resolution procedures set out in this clause 1.5.

1.5.3 Dispute resolution process

- (a) Any of the parties involved in a dispute of a kind set out in clause 1.5.1(a) may refer the dispute to the *Adviser* in accordance with clause 1.5.3(b).
- (b) If a party wishes to refer a dispute to the *Adviser*, that party must notify the *Adviser* and all other parties to the dispute of which the party is aware:
 - (i) of the existence of a dispute; and
 - (ii) setting out a brief history of the dispute including:
 - (A) the names of the parties to the dispute;
 - (B) the grounds of the dispute; and
 - (C) the results of any previous dispute resolution processes undertaken pursuant to these *Rules* in respect of the dispute.
- (c) If the *Adviser* receives notice of a dispute, the *Adviser* must notify all other relevant parties of the dispute and may request from those other parties their own short written history of the dispute or any relevant associated written comments and if the *Adviser* requests such information from a party to the dispute, that information must be provided by that party within two *business days*.
- (d) If a matter has been referred to the *Adviser* under clause 1.5.1(a), then before taking any action to resolve the dispute, the *Adviser* must be reasonably satisfied that the dispute is one to which clause 1.5.1(a) applies and must advise the parties in writing of its decision.

- (e) If the *Adviser* is not satisfied that the dispute is one to which clause 1.5.1(a) applies, the procedures set out in clause 1.5.3(f) do not apply to the dispute.
- (f) If the *Adviser* is satisfied that the dispute is one to which clause 1.5.1(a) applies, the *Adviser* must:
 - (i) appoint a *dispute resolution panel* in accordance with clause 1.5.4; and
 - (ii) refer the dispute for resolution by the *dispute resolution panel* appointed under clause 1.5.4,
within five *business days* of receiving any information from the parties to the dispute under clause 1.5.3(c) or, if no such information has been requested, within five *business days* of the party referring the dispute to the *Adviser* under clause 1.5.3(b).
- (g) Subject to all time limits specified in clause 1.5.3, nothing in this clause 1.5 precludes the *Adviser* from facilitating resolution of the dispute by agreement between the parties to the satisfaction of the parties without appointing or involving a *dispute resolution panel*.

1.5.4 The dispute resolution panel

- (a) Where the *Adviser* refers a dispute for resolution by a *dispute resolution panel* under clause 1.5.3(f), the *Adviser* must:
 - (i) establish a *dispute resolution panel* consisting of three people chosen by the *Adviser* as appropriate in the particular circumstances of the dispute from the group of persons referred to in clause 1.5.2(c) unless the *Adviser* reasonably considers the monetary amount to which the dispute relates is less than \$100,000 in which case the *Adviser* may decide to appoint one person to constitute the *dispute resolution panel* from the group of persons referred to in clause 1.5.2(c);
 - (ii) be satisfied that the persons chosen to comprise the *dispute resolution panel* do not have any interests which could conflict with an impartial resolution of the dispute; and
 - (iii) nominate one of the members of the *dispute resolution panel* to be the chairperson.
- (b) A person who has previously served on a *dispute resolution panel* is not precluded from being appointed to another *dispute resolution panel* established in accordance with clause 1.5.4(a).
- (c) When a matter is referred to a dispute resolution panel, the *dispute resolution panel* must select the form of, and procedures to apply to, the dispute resolution process which:
 - (i) the *dispute resolution panel* considers appropriate in the circumstances; and
 - (ii) accord with the following principles:
 - (A) is simple, quick and inexpensive;
 - (B) takes account of the skills and knowledge required for the relevant dispute;
 - (C) observes the rules of natural justice; and
 - (D) encourages resolution of disputes without formal legal representation or reliance on legal procedures.
- (d) The dispute resolution process will take place at a venue determined by the *dispute resolution panel* in consultation with the parties and may include a party's premises or any other premises.

- (e) Subject to clause 1.5.8(c) the parties must comply with any procedural requirements imposed by the *dispute resolution panel* in the determination of the dispute including a requirement to exchange submissions, documents and information.
- (f) Subject to clause 1.5.4(g), the *dispute resolution panel* must ensure that the dispute resolution process is completed and that the *dispute resolution panel* gives notice of its determination of the dispute as soon as practicable but in any event within 20 *business days* of the dispute being referred to the *dispute resolution panel* (or such longer period as the *Adviser* may permit following a request by the *dispute resolution panel* for an extension of time).
- (g) Within 10 *business days* of receiving notification from the *dispute resolution panel* of their determination of the dispute, the parties must provide written notice to the *dispute resolution panel* describing all action taken in accordance with the resolution or determination of the *dispute resolution panel*.

1.5.5 Legal representation

Legal representation before the *dispute resolution panel* may be permitted by the *dispute resolution panel* where the *dispute resolution panel* considers it appropriate or desirable.

1.5.6 Cost of dispute resolution

The reasonable costs of the parties to the dispute may be allocated by the *dispute resolution panel* for payment by one or more parties as part of any determination.

1.5.7 Effect of resolution

A determination of the *dispute resolution panel* is binding on the parties to the dispute and the parties must comply with the determination as if it were an obligation under these *Rules*.

1.5.8 Recording and publication

- (a) When a *dispute resolution panel* resolves a dispute, the chairperson of the *dispute resolution panel* must send written details of the resolution of the dispute to the *Adviser* as soon as practicable.
- (b) The *Adviser* must produce a summary of the resolution of each dispute without identifying the parties, and forward these to *VENCorp* and the parties to the dispute.
- (c) Claims for confidentiality of information disclosed in the dispute resolution process must be dealt with in accordance with the provisions relating to use of information in clause 1.4.
- (d) At least twice in each year, *VENCorp* must make available to all persons referred to in clauses 1.5.1(a) the results of dispute resolutions under this clause 1.5 which have occurred since the previous results were made available under this clause 1.5.8(d), including the relevant determinations of the *dispute resolution panel*.

1.5.9 Questions of law

The parties to a dispute may refer any question of law which may arise in respect of the resolution of a dispute for determination by a court of competent jurisdiction.

1.5.10 Limitation of liability

To the extent permitted by law, the *Adviser*, the *dispute resolution panel* and its members are not to be liable for any loss or damage suffered or incurred by any person as a consequence of any act or omission of the *Adviser* or the *dispute resolution panel* unless the *Adviser*, the *dispute resolution panel*, or its members, as the case may be, acted otherwise than in good faith under this clause 1.5.

1.5.11 Indemnity

Notwithstanding clause 1.5.10, if the *Adviser* or a member of the *dispute resolution panel* is liable to pay any amount for loss or damage suffered or incurred by a person referred to in clauses 1.5.1(a) or any other person as a consequence of any act or omission of the *Adviser* or a member of the *dispute resolution panel*, *VENCorp* must indemnify that person:

- (a) for the full amount; and
- (b) for any costs and expenses incurred by that person in defending related proceedings,

unless the liability arose out of conduct involving a lack of good faith.

1.6 Review**1.6.1 Review by ORG**

During the six month period commencing on the second anniversary of the *FRC date*, the *ORG* will undertake a review of:

- (a) the exclusive provision of *meters* by *Distributors*;
- (b) the exclusive *reading* of *basic meters* and management of data from *basic meters* by *Distributors*;
- (c) the exclusive *reading* of *interval meters* and management of data from *interval meters* by *VENCorp*; and
- (d) the exclusive preparation of profiles and application of profiles to data from *basic meters* by *VENCorp*.

1.6.2 Implementation

VENCorp must:

- (a) seek to amend these Rules in accordance with clause 1.3; and
- (b) seek to amend the *MSOR* in accordance with the procedure set out in Chapter 8 of the *MSOR*,

in order to implement any changes to these *Rules* or the *MSOR* (as the case may be) that are necessitated by any changes to the arrangements referred to in clause 1.6.1 which arise as a result of the review by the *ORG* referred to in that clause.

CHAPTER 2 – TRADING RULES**2.1 Meter Data Database****2.1.1 Creation, Maintenance and Administration**

- (a) Each *Distributor* must create, maintain and administer a database in relation to all of the *distribution supply points* that are located in the *distribution area* of that *Distributor*, such database to include the following information in respect of each such *distribution supply point* and the *meter* that relates to that *distribution supply point*:
- (i) the *MIRN*;
 - (ii) the *meter number*;
 - (iii) each *actual meter reading* made during the *data retention period*, and the date on which that *reading* was undertaken;
 - (iv) each *estimated meter reading* made during the *data retention period*, the date to which that *estimated meter reading* pertains and details of the *approved estimation methodology* applied to obtain that *estimated meter reading* (each *estimated meter reading* must be identified as such and, where an *estimated meter reading* is a *customer-own read*, the *estimated meter reading* must also be identified as a *customer-own read*);
 - (v) each *substituted meter reading* made during the *data retention period*, the date to which that *substituted meter reading* pertains and details of the *approved substitution methodology* applied to obtain that *substituted meter reading* (each *substituted meter reading* must be identified as such);
 - (vi) in respect of each *meter reading* included in the *meter data database*:
 - (A) the *flow* during the period since the immediately preceding *validated meter reading* which is included in the *meter data database*;
 - (B) the *average heating value* for that period as calculated in accordance with these *Rules*;
 - (C) the *pressure correction factor* to be applied in respect of that *flow*; and
 - (D) the *consumed energy* during that period; and
 - (vii) except to the extent it pertains to a time that is more than seven years previously, such information as is provided by a *Retailer* to the *Distributor* under clause 2.1.2.
- (b) The obligations set out in clauses 2.1.1(a)(iii), (iv), (v) and (vi) relate to *validated meter readings*. A *Distributor* may, but is not required to, include in the *meter data database meter readings* that are not *validated meter readings* (each non-validated *meter reading* must be identified as such).

2.1.2 Provision of Information for Meter Data Database by Retailers

- (a) In accordance with the *Transition Implementation Plan*, each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of a *Distributor* must provide to that *Distributor* such information as the *Retailer* has in respect of the *meter* relating to that *distribution supply point* which:
- (i) substantially corresponds with that referred to in clauses 2.1.1(a)(iii) to (vi) or is otherwise identified in the *Transition Implementation Plan*;
 - (ii) is stored in electronic form by that *Retailer*; and
 - (iii) pertains to the period which commences two years prior to the *transition date* and expires on the *transition date*.

- (b) Each *Distributor* must use its best endeavours to ensure that the information provided to it in accordance with clause 2.1.2(a) which is required to be included in its *meter data database* is included in its *meter data database* by the *transition date*.

2.1.3 Updating of Meter Data Database

Except as otherwise provided in clause 2.1.2 or clause 2.9 in relation to the period within which such information must be included in the *meter data database*, each *Distributor* must use its best endeavours to ensure that the information required to be included in its *meter data database* is included in that *meter data database* by 5.00 pm on the first *business day* following the day on which that information is obtained or calculated by the *Distributor*.

2.1.4 Use of Data

VENCorp must use the information provided to *VENCorp* from the *meter data database* of each *Distributor* for *settlement* purposes.

2.1.5 Provision of Meter Reading Information

- (a) Except as otherwise provided in clause 2.9 in relation to the period within which such information must be provided, a *Distributor* must provide to the *FRO* for a *distribution supply point* that is located in the *distribution area* of the *Distributor* the following information in respect of the meter relating to the *distribution supply point* (identified by reference to the *MIRN* for that *distribution supply point*):
- (i) where the *Distributor* has read the meter in accordance with the applicable *meter reading schedule* and the *actual meter reading* is a *validated meter reading*, the *Distributor* must use its best endeavours to provide the *FRO* with the following information:
 - (A) the day on which the meter was read; and
 - (B) the *validated meter reading* for that meter,by 5.00 pm on the first *business day* following the day on which the meter was read;
 - (ii) where the *Distributor* has read the meter in accordance with the applicable *meter reading schedule* but the *actual meter reading* is not a *validated meter reading*, the *Distributor* must:
 - (A) undertake an *estimated meter reading* as at the *scheduled read date* in accordance with clause 2.4; and
 - (B) use its best endeavours to provide the *FRO* with the following information:
 - (1) the *scheduled read date*;
 - (2) the *estimated meter reading* (identified as such) for that meter;
 - (3) the details of the *approved estimation methodology* applied to obtain that *estimated meter reading*; and
 - (4) the reason for the *actual meter reading* not being a *validated meter reading*,by 5.00 pm on the first *business day* following the day on which the meter was read;
 - (iii) where the *Distributor* has been unable to read the meter in accordance with the applicable *meter reading schedule*, the *Distributor* must:
 - (A) undertake an *estimated meter reading* as at the *scheduled read date* in accordance with clause 2.4; and

- (B) use its best endeavours to provide the *FRO* with the following information:
- (1) the *scheduled read date*;
 - (2) the *estimated meter reading* (identified as such) for that *meter*;
 - (3) the details of the *approved estimation methodology* applied to obtain that *estimated meter reading*; and
 - (4) the reason for the *Distributor* not being able to *read the meter*,
- by 5.00 pm on the first *business day* following the *scheduled read date* for that *meter*;
- (iv) where the *Distributor* has undertaken a *special read* of the *meter* that was requested by the *Retailer* who is the *FRO* for the *distribution supply point* to which that *meter* relates, and the *actual meter reading* is a *validated meter reading*, the *Distributor* must use its best endeavours to provide the *Retailer* with the following information:
- (A) the day on which the *meter* was read; and
 - (B) the *validated meter reading* for that *meter*,
- by 5.00 pm on the first *business day* following the day on which the *meter* was read;
- (v) where:
- (A) the *Distributor* has undertaken a *special read* of the *meter*, but the *actual meter reading* is not a *validated meter reading*; or
 - (B) the *Distributor* has been unable to *read the meter* on a *special read date*,
- the *Distributor* must use its best endeavours to notify the *Retailer* who requested the *special read* of that fact (and the reason for it), and to specify the next day on which a *special read* of that *meter* can be undertaken by the *Distributor*, by 5.00 pm on the first *business day* following the *special read date**;
- (vi) where details of a *customer-own read* are provided by the *customer* in writing to the *Distributor*, the *Distributor* must use its best endeavours to provide those details to the *FRO* by 5.00 pm on the first *business day* following the day on which the *Distributor* received those details and must identify the details as relating to a *customer-own read*; and
- (vii) where the *Distributor* has substituted a *meter reading* in accordance with clause 2.5, the *Distributor* must use its best endeavours to provide the *FRO* with the following information:
- (A) the date to which the *substituted meter reading* pertains;
 - (B) the *substituted meter reading* (identified as such) for that *meter*; and
 - (C) details of the *approved substitution methodology* applied to obtain that *substituted meter reading*,
- by 5.00 pm on the first *business day* following the day on which the *substituted meter reading* was calculated.

* For the avoidance of doubt, nothing in clause 2.1.5(a)(v) shall be construed as requiring the *Distributor* to attempt to *read the meter* on the day specified by it pursuant to that clause unless the relevant *Retailer* subsequently nominates that day for that purpose in a *special read request* made pursuant to clause 2.2.4(b) in which case clause 2.4.3 will apply.

- (b) Where, pursuant to clause 4.2 or 4.6, *VENCorp* has delivered to a *Distributor* a *transfer request notification* or an *alternative transfer date notification*, the *Distributor* must provide to *VENCorp* the following information in respect of the *meter* relating to the *distribution supply point* to which the relevant *transfer request* relates (identified by reference to the *MIRN* for that *distribution supply point*):
- (i) where the *Distributor* has read the *meter* during the *allowable period* (if any) in relation to the relevant *proposed transfer date*, or the *permitted prospective period* (if any) in relation to the relevant *transfer request*, and the *meter reading* is a *validated meter reading* (other than an *estimated meter reading*), the *Distributor* must use its best endeavours to provide to *VENCorp* the following information:
 - (A) the dates of that *validated meter reading* and the immediately preceding *validated meter reading*; and
 - (B) the *consumed energy* for the period between the dates referred to in clause 2.1.5(b)(i)(A),
by midnight on the first *business day* following the day on which the *meter* was read; and
 - (ii) where the *Distributor* has read the *meter* on the *retrospective transfer date* (if any) nominated in the relevant *transfer request* and the *meter reading* is a *validated meter reading* (other than an *estimated meter reading*), the *Distributor* must use its best endeavours to provide to *VENCorp*:
 - (A) the dates of that *validated meter reading* and the immediately preceding *validated meter reading*; and
 - (B) the *consumed energy* for the period between the dates referred to in clause 2.1.5(b)(ii)(A),
by midnight on the first *business day* following the day on which the *transfer request notification* relating to the *transfer request* was delivered to it.
- (c) Where, pursuant to clause 4.8, *VENCorp* delivers a *registration notice* in respect of a *distribution supply point* to the *Distributor* in whose *distribution area* that *distribution supply point* is located, that *Distributor* must use its best endeavours to:
- (i) provide to the *Market Participant* that has been registered as the *FRO* for the *distribution supply point* the *validated meter reading* referred to in clause 2.1.5(b)(i) or 2.1.5(b)(ii) (whether that reading was obtained from a *special read* of the *meter* or as a result of a read conducted in accordance with a *meter reading schedule*); and
 - (ii) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date*, provide to the person who was the *FRO* for that *distribution supply point* immediately prior to the registration of the new *FRO* for that *distribution supply point* the *validated meter reading* referred to in clause 2.1.5(b)(i) (where that reading was obtained from a *special read* of the *meter*),
by 5.00 pm on the first *business day* following the day on which the *Distributor* receives the *registration notice*.
- (d) Subject to clause 2.1.5(e), a *Distributor* must use its best endeavours to provide to the *FRO* for a *distribution supply point* that is located in the *distribution area* of the *Distributor* such information from its *meter data database* in respect of that *distribution supply point* and the *meter* relating to that *distribution supply point*

(being information referred to in clause 2.1.1(a) other than information in relation to any *special read* requested by a person other than the *FRO* for that *distribution supply point*) as the *FRO* requests as follows:

- (i) if the request pertains to a time that is not more than two years prior to the day on which the request is delivered to the *Distributor*, by 5.00 pm on the fifth *business day* following the day on which the request is delivered to the *Distributor*;
 - (ii) if the request pertains to a time that is between two and seven years prior to the day on which the request is delivered to the *Distributor*, by 5.00 pm on the 10th *business day* following the day on which the request is delivered to the *Distributor*; and
 - (iii) in either case, that information must be identified to the *FRO* by reference to the *MIRN* for the relevant *distribution supply point*.
- (e) The *FRO* for a *distribution supply point* may only request information from a *Distributor* pursuant to clause 2.1.5(d) that relates to a period during which that *FRO* was registered as the *FRO* for that *distribution supply point* in *VENCorp's* meter register.
- (f) A *Distributor* must use its best endeavours to provide to *VENCorp* such information from its *meter data database* in respect of a *distribution supply point* and the *meter* relating to that *distribution supply point* (being information referred to in clause 2.1.1(a)) as *VENCorp* requests as follows:
- (i) if the request pertains to a time that is not more than two years prior to the day on which the request is delivered to the *Distributor*, by 5.00 pm on the fifth *business day* following the day on which the request is delivered to the *Distributor*;
 - (ii) if the request pertains to a time that is between two and seven years prior to the day on which the request is delivered to the *Distributor*, by 5.00 pm on the 10th *business day* following the day on which the request is delivered to the *Distributor*; and
 - (iii) in either case, that information must be identified to *VENCorp* by reference to the *MIRN* for the relevant *distribution supply point*.

2.2 Meter Reading

2.2.1 Meter Reading Schedule

- (a) In accordance with the *Transition Implementation Plan*, each *Retailer* who is the *FRO* for *distribution supply points* which are located in the *distribution area* of a *Distributor* must provide that *Distributor* with the *meter reading schedule* adopted by that *Retailer* in respect of those *distribution supply points* for the year ending on either the 30 June or the 31 December which occurs after the *transition date* (such schedule setting out the order and date of those *meter* readings).
- (b) In accordance with the *Transition Implementation Plan*, each *Distributor* must provide to each *Retailer* who has supplied it with a schedule referred to in clause 2.2.1(a) a schedule setting out the date on which it proposes to *read* all its *meters* during the period commencing on the *transition date* and expiring on either the following 30 June or the following 31 December. This schedule must provide for all such *meters* to be *read* at intervals of approximately one month (in the case of *meters* that were *read* monthly by the relevant *Retailer*) or two months (in the case of *meters* that were *read* bimonthly by the relevant *Retailer*) (with the first reading to be undertaken approximately one month or two months (as the case may be) after the last reading undertaken prior to the *transition date*). As far as practicable, this schedule must provide for those *meters* to be *read* on the dates on which those *meters* would have been *read* in accordance with the schedules provided under clause 2.2.1(a).

- (c) Not less than two months prior to each 30 June (where the period to which the then current *meter reading schedule* relates expires on 30 June) or each 31 December (where the period to which the then current *meter reading schedule* relates expires on 31 December), each *Distributor* must provide to each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of that *Distributor* a schedule setting out the date on which it proposes to *read* all its *meters* during the 12 months following that 30 June or 31 December (as the case may be). This schedule must provide for all such *meters* to be *read* at intervals of approximately one month (where the *meters* are on a monthly reading cycle) or two months (where the *meters* are on a bimonthly reading cycle) (with the first reading to be undertaken approximately one month or two months (as the case may be) after the last reading undertaken prior to that date).
- (d) A *Retailer* may at any time request a *Distributor* to change a date in a *meter reading schedule* where that change pertains to a *meter* that relates to a *distribution supply point* which is located in the *distribution area* of that *Distributor* and in respect of which the *Retailer* is the *FRO*. However, the *Distributor* is not required to make the requested change.
- (e) A *Distributor* must notify the *Retailer* who is the *FRO* for a *distribution supply point* in the *distribution area* of that *Distributor* of any changes the *Distributor* proposes to make to a date in a *meter reading schedule*, in respect of the reading of the *meter* relating to that *distribution supply point*, as far as practicable at least two months prior to that change being made and the *Distributor* must consult with that *Retailer* prior to making that change.
- (f) A *Distributor* must use its best endeavours to *read meters* in accordance with the applicable *meter reading schedule* or as otherwise agreed with the *Retailer* who is the *FRO* for the *distribution supply point* to which the relevant *meters* relate.
- (g) If, in respect of a particular day, a *Distributor* is unable to *read the meters* comprising a discrete route in accordance with a *meter reading schedule*, the *Distributor* must use its best endeavours to notify that failure to each *Retailer* who is a *FRO* for a *distribution supply point* to which such a *meter* relates by 5.00 pm on the next *business day*.

2.2.2 Site Access Information

- (a) In accordance with the *Transition Implementation Plan*, each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of a *Distributor* must provide that *Distributor* with the most recent *site access information* (if any) that the *Retailer* has in relation to the *meter* that relates to that *distribution supply point*. That information must be identified to the *Distributor* by reference to the *MIRN* for the *distribution supply point* to which the *meter* relates.
- (b) Each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of a *Distributor* must use its best endeavours to provide that *Distributor* with details of any changes to any *site access information* in relation to the *meter* that relates to that *distribution supply point* by 5.00 pm on the first *business day* following the day on which the *Retailer* receives those details. Those details must be identified to the *Distributor* by reference to the *MIRN* for the *distribution supply point* to which the *meter* relates.

2.2.3 Customer provided Meter Readings

If, following the failure by a *Distributor* to *read a meter*, the *customer* of a *Retailer* provides the *Retailer* with details of a *customer-own read*, the *Retailer* must use its best endeavours to provide those details to the *Distributor* by 5.00 pm on the first *business day* following the day on which it receives those details from the *customer*.

2.2.4 Special Reads

- (a) A *Retailer* may request a *Distributor* to undertake a *special read* of a *meter* relating to a *distribution supply point* which is located in the *distribution area* of the *Distributor* by delivering a *special read request* to the *Distributor*. The *special read request* must nominate, as the day on which the *special read* is to be undertaken, a *business day* that is not less than two *business days* after the day on which the *special read request* is given to the *Distributor*.
- (b) The *Distributor* must use its best endeavours to undertake the *special read* on the *special read date*.

2.2.5 Disconnection Reads

Where a *Retailer* reads a *meter* relating to a *distribution supply point* which is located in the *distribution area* of a *Distributor* in the course of plugging or disconnecting that meter:

- (a) the *Retailer* must use its best endeavours to notify the *Distributor* that it has plugged or disconnected that *meter*, and to provide the *Distributor* with the following information:
 - (i) the day on which the *meter* was read; and
 - (ii) the *meter reading*,by 5.00 pm on the first *business day* following the day on which the *meter* was read; and
- (b) the *Distributor* must include:
 - (i) the information that the *meter* has been plugged or disconnected in its *MIRN database*; and
 - (ii) the *meter reading* (identified as a disconnection reading) in its *meter data database*.

2.3 Validation of Meter Readings

2.3.1 Approved Validation Methodology

- (a) A *Distributor* must validate a *meter reading* for the purposes of these *Rules* and must validate this *meter reading* in accordance with an *approved validation methodology*.
- (b) Prior to requesting the approval by the *ORG* of a validation methodology as an *approved validation methodology*, the *Distributor* must consult with each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of that *Distributor*.

2.3.2 Validation of Meter Readings

A *Distributor* must ensure that *meter readings* are validated in accordance with an *approved validation methodology* before the *meter reading*, or information calculated on the basis of the *meter reading*, is provided to a *FRO* or *VENCorp*.

2.4 Estimated Meter Readings

2.4.1 Approved Estimation Methodology

- (a) If a *Distributor* is required to undertake an *estimated meter reading* for the purposes of these *Rules*, the *Distributor* must undertake that *estimated meter reading* in accordance with an *approved estimation methodology*.
- (b) Prior to requesting the approval by the *ORG* of an estimation methodology as an *approved estimation methodology*, the *Distributor* must consult with each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of that *Distributor*.

2.4.2 Changes to Estimates

- (a) The *Retailer* who is the *FRO* for a *distribution supply point* to which a *meter* relates may, at any time, request a *Distributor* who has undertaken an *estimated*

meter reading in relation to that *meter* for the purposes of these *Rules* to change that estimate. The *Distributor* may change that estimate if it reasonably considers the revised estimate to be more accurate.

- (b) If a *Distributor* changes an *estimated meter reading*, then the *Distributor* must use its best endeavours:
- (i) to recalculate any *flow* and *consumed energy* calculated using the previous *estimated meter reading*;
 - (ii) to include the new *estimated meter reading*, *flow* and *consumed energy* in its *meter data database*;
 - (iii) to provide the new *estimated meter reading*, *flow* and *consumed energy* to the *FRO* for the *distribution supply point* by 5.00 pm on the first *business day* following the day on which that *estimated meter reading* is changed; and
 - (iv) to provide the new *consumed energy* to *VENCorp* by midnight on the first *business day* following the day on which that *estimated meter reading* is changed.

2.4.3 Subsequent Actual Meter Reading

If a *Distributor* subsequently reads a *meter* in relation to which it has undertaken an *estimated meter reading* and the *actual meter reading* is a *validated meter reading* the *Distributor* must use its best endeavours:

- (a) to recalculate any *flow* and *consumed energy* calculated using the previous *estimated meter reading*;
- (b) to include the *actual meter reading* and the new *flow* and *consumed energy* in its *meter data database*;
- (c) to provide the *actual meter reading* and the new *flow* and *consumed energy* to the *FRO* for the *distribution supply point* by 5.00 pm on the first *business day* following the day on which the *meter* was read; and
- (d) to provide the new *consumed energy* to *VENCorp* by midnight on the first *business day* following the day on which the *meter* was read.

2.5 Substituted Meter Readings

2.5.1 Approved Substitution Methodology

- (a) A *Distributor* must only undertake a *substituted meter reading* in accordance with, and in the circumstances specified in, an *approved substitution methodology*. The *approved substitution methodology* must specify the criteria which must be satisfied before that methodology may be applied.
- (b) Prior to requesting the approval by the *ORG* of a substitution methodology as an *approved substitution methodology*, the *Distributor* must consult with each *Retailer* who is the *FRO* for a *distribution supply point* which is located in the *distribution area* of that *Distributor*.

2.5.2 Changes to substitutes

- (a) The *Retailer* who is the *FRO* for a *distribution supply point* to which a *meter* relates may, at any time, request a *Distributor* who has undertaken a *substituted meter reading* in relation to that *meter* for the purposes of these *Rules* to change that substitute. The *Distributor* may change that substitute if it reasonably considers the revised substitute to be more accurate.
- (b) If a *Distributor* changes a *substituted meter reading*, then the *Distributor* must use its best endeavours:
 - (i) to recalculate any *flow* and *consumed energy* calculated using a previous *substituted meter reading*;

- (ii) to include the new *substituted meter reading, flow and consumed energy* in its *meter data database*;
- (iii) to provide the new *substituted meter reading, flow and consumed energy* to the *FRO* for the *distribution supply point* by 5.00 pm on the first *business day* following the day on which that *substituted meter reading* is changed; and
- (iv) to provide the new *consumed energy* to *VENCorp* by midnight on the first *business day* following the day on which that *substituted meter reading* is changed.

2.6 Calculation and Provision of Energy Data

2.6.1 Calculation of Energy Data

- (a) Where a *Distributor* has obtained or made a *validated meter reading* (the *reference reading*), the *Distributor* must calculate the *consumed energy* in relation to that *meter* during the period (the *reading period*) commencing on the date of the immediately preceding *validated meter reading* which is included in its *meter data database* in respect of that *meter* (the *base reading*) and expiring on the date of the *reference reading* as follows:
 - (i) the *Distributor* must calculate the flow during that *reading period* on the basis of the *reference reading* and the *base reading*;
 - (ii) where the *meter* is calibrated in imperial units the *Distributor* must convert the *flow* to metric units;
 - (iii) the *Distributor* must apply the applicable *pressure correction factor* to that *flow*; and
 - (iv) the *Distributor* must apply the *average heating value* for the *reading period* to the pressure corrected *flow* so as to obtain the energy deemed to be consumed (*consumed energy*) in relation to that *meter* during that *reading period*.

The *average heating value* for a *reading period* is to be calculated by the *Distributor* as the average, over the *reading period*, of the average daily flow weighted heating values published by *VENCorp* on the *market information bulletin board*. Where the average daily flow weighted heating value for a day is not available, the *Distributor* may use the average daily flow weighted heating value for the previous day.

2.6.2 Provision of Energy Data

- (a) Except as otherwise provided in clause 2.9 in relation to the period within which such information must be provided, a *Distributor* must use its best endeavours to provide to the *FRO* for the *distribution supply point* to which a *meter* relates (unless the *reference reading* was obtained from a *special read* of the *meter* requested by a person other than the *FRO* for that *distribution supply point*):
 - (i) the *MIRN* for the *distribution supply point*;
 - (ii) the *meter number* for the *meter*;
 - (iii) the *flow* used to calculate the *consumed energy*, together with:
 - (A) the *reference reading* and the *base reading* used to calculate the flow (identified as being *actual meter readings, estimated meter readings* or *substituted meter readings* as the case may be); and
 - (B) the dates on which those *meter readings* were obtained or made;
 - (iv) the *pressure correction factor* and the *average heating value* used to calculate the *consumed energy*; and

- (v) the *consumed energy*,
by 5.00pm on the first *business day* after:
 - (vi) the day on which the *meter* was read; or
 - (vii) where the *Distributor* has been unable to read the *meter* in accordance with a *meter reading schedule*, the *scheduled read date*.
- (b) Except as otherwise provided in clause 2.9 in relation to the period within which such information must be provided, a *Distributor* must also use its best endeavours to provide to *VENCorp* in relation to each *distribution supply point* which is a *second tier supply point*:
 - (i) the *MIRN* for the *distribution supply point*;
 - (ii) the *consumed energy*;
 - (iii) the dates on which the *reference reading* and *base reading* for the *consumed energy* were obtained or made; and
 - (iv) information as to whether the readings used to calculate the *flow* are *actual meter readings*, *estimated meter readings* or *substituted meter readings*,
by midnight on the first *business day* after:
 - (v) the day on which the *meter* was read; or
 - (vi) where the *Distributor* has been unable to read the *meter* in accordance with a *meter reading schedule*, the *scheduled read date*.
- (c) Where, pursuant to clause 4.8, *VENCorp* delivers a *registration notice* in respect of a *distribution supply point* to the *Distributor* in whose *distribution area* that *distribution supply point* is located, that *Distributor* must use its best endeavours to:
 - (i) provide to the *Market Participant* that has been registered as the *FRO* for the *distribution supply point* the information referred to in clause 2.6.2(a) in respect of the *validated meter reading* referred to in clause 2.1.5(b)(i) or 2.1.5(b)(ii), which *validated meter reading* is the *reference reading* for the purposes of this clause 2.6.2 (whether that reading was obtained from a *special read* of the meter or as a result of a read conducted in accordance with a *meter reading schedule*); and
 - (ii) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date*, provide to the person who was the *FRO* for that *distribution supply point* immediately prior to the registration of the new *FRO* for that *distribution supply point* the information referred to in clause 2.6.2(a) in respect of the *validated meter reading* referred to in clause 2.1.5(b)(i), which *validated meter reading* is the *reference reading* for the purposes of this clause 2.6.2 (where that reading was obtained from a *special read* of the meter),
by 5.00 pm on the first *business day* following the day on which the *Distributor* receives the *registration notice*.
- (d) Where, pursuant to clause 2.1.5, the *Distributor* has provided:
 - (i) to the *FRO* for a *distribution supply point* any of the information referred to in clause 2.6.2(a); or
 - (ii) to *VENCorp* any of the information referred to in clause 2.6.2(b),
the *Distributor* will have satisfied its obligations under clause 2.6.2(a) or 2.6.2(b) (as applicable) with respect to the information provided under clause 2.1.5.

2.6.3 Energy Data required by VENC Corp

- (a) At the end of each two month period, the first period expiring approximately two months after the *transition date*, VENC Corp must use its best endeavours to review all information received by it from each *Distributor* pursuant to Chapter 2 of these *Rules* in respect of *meters* relating to *second tier supply points* for the purpose of determining whether it has been provided with all of the information which *Distributors* are required to provide to it in respect of those *meters* pursuant to Chapter 2 of these *Rules*.
- (b) If that review reveals that a *Distributor* has not provided to VENC Corp all of the information which the *Distributor* is required to provide pursuant to Chapter 2 of these *Rules* in respect of such *meters*, VENC Corp must notify the *Distributor* as soon as practicable and the *Distributor* must use its best endeavours to provide the relevant information to VENC Corp by 5.00 pm on the first *business day* following the day on which VENC Corp gives that notice to the *Distributor*.

2.7 Data Change**2.7.1 Request for Verification**

The *FRO* for a *distribution supply point* which is located in the *distribution area* of a *Distributor* may request the *Distributor* to verify specified information provided by the *Distributor* to it pursuant to these *Rules* in relation to a *meter* relating to that *distribution supply point*.

2.7.2 Distributor to Verify Information

- (a) The *Distributor* must, as soon as reasonably practicable, verify that specified information in any manner it considers appropriate (including by way of a *special read*) and must use its best endeavours to provide the results of that verification (together with details of the method by which that specified information was verified) to the *FRO* who requested the verification by 5.00 pm on the first *business day* following the day on which the verification is concluded.
- (b) If the verification reveals that the specified information is materially incorrect, then the *Distributor* must use its best endeavours:
 - (i) to make such changes to the information included in its *meter data database* as are necessary to correct that information;
 - (ii) to provide the new information the subject of a change under clause 2.7.2(b)(i) to the *FRO* who requested the verification by 5.00 pm on the first *business day* following the day on which the verification is concluded; and
 - (iii) to provide the information the subject of a change under clause 2.7.2(b)(i), and which is required by VENC Corp under these *Rules*, to VENC Corp by midnight on the first *business day* following the day on which the verification is concluded.

2.8 Profiling**2.8.1 Data for Profiling**

- (a) In accordance with the *Transition Implementation Plan*, each *FRO* for a *distribution supply point* which is located in the *distribution area* of a *Distributor* must provide to that *Distributor* the *customer characterisation* for each such *distribution supply point*:
 - (i) which, at that time, is in existence; or
 - (ii) in relation to which, at that time, the *FRO* has requested the *Distributor* to install a *meter*.

- (b) Where a *FRO* requests a *Distributor* to install a *meter* after the date (if any) on which it provides the information referred to in clause 2.8.1(a), the *FRO* must provide to the *Distributor*, at the time of that request, a *customer characterisation* for the *distribution supply point* to which that *meter* will relate.
- (c) Where:
 - (i) pursuant to clause 4.8, *VENCorp* delivers a *registration notice* in respect of a *distribution supply point* to the *Distributor* in whose *distribution area* the *distribution supply point* is located; and
 - (ii) the *distribution supply point* is a *second tier supply point*,
the *Distributor* must use its best endeavours to provide to *VENCorp* a *base load* and a *temperature sensitivity factor* for that *distribution supply point* by midnight on the second *business day* following the day on which the *Distributor* receives the *registration notice*.
- (d) Each *Distributor* must use its best endeavours to provide to *VENCorp* a new *base load* and a new *temperature sensitivity factor* for each *distribution supply point* in its *distribution area* that is a *second tier supply point* by midnight on the *business day* before 28 February and 31 October of each year.
- (e) For the purposes of clauses 2.8.1(c) and 2.8.1(d), the *base load* and the *temperature sensitivity factor* for a *distribution supply point* must be determined by the *Distributor* as follows:
 - (i) where there is 12 months of consumption history for that *distribution supply point*, in accordance with clause 2.5 of Attachment 6; or
 - (ii) where there is not 12 months of consumption history for that *distribution supply point*, in accordance with clause 2.2.3 of Attachment 4.

2.8.2 Profile Preparation and Application

VENCorp must apply the *net system load profile methodology* to apportion into *trading intervals*, for *settlement* purposes, the *consumed energy* in relation to each *meter* that relates to a *second tier supply point*.

2.8.3 Provision of Information to FROs

- (a) By midnight on the third *business day* after the relevant *trading interval*, *VENCorp* must provide to each *FRO* for a *distribution supply point* the aggregate of the *consumed energy* in relation to each *meter* that relates to a *second tier supply point* and in respect of which it is the *FRO*, which *consumed energy* has been apportioned into that *trading interval* by the application of the *net system load profile methodology*.
- (b) *VENCorp* must:
 - (i) recalculate the aggregate of the *consumed energy* referred to in clause 2.8.3(a) in accordance with clause 2.4.2 of Attachment 6; and
 - (ii) provide that aggregate to the relevant *FRO* by midnight on the first *business day* after its calculation.

2.8.4 Publication of Information on Market Information Bulletin Board

- (a) *VENCorp* must use its best endeavours to calculate an *effective degree day* for each day of the calendar year in accordance with clause 3 of Attachment 6 and must publish the *effective degree day* for each day on the *market information bulletin board* by midnight on the first *business day* following the day to which the *effective degree day* relates.
- (b) *VENCorp* must publish the *NSL* for each *distribution area* for each day of each month on the *market information bulletin board* by midnight on the third *business day* following the day to which the *NSL* relates.

- (c) *VENCorp* must:
- (i) recalculate the *NSL* for each *distribution area* in accordance with clause 1.2.3 of Attachment 6; and
 - (ii) publish the recalculated *NSL* for each *distribution area* for each day of each month on the *market information bulletin board* by midnight on the first *business day* after its calculation.
- (d) *VENCorp* must make available to *Retailers* the *NSL* for each *distribution area* for each day of the previous three years.

2.9 Meter Management

2.9.1 Basic meter installation

- (a) If a *Retailer* who is the *FRO* for a *distribution supply point* that is located in the *distribution area* of a *Distributor* requests the *Distributor* to install a *basic meter* for a *supply point*, the *Distributor* must install that *basic meter* as soon as reasonably practicable and in such a manner as to comply with the requirements of the *Distribution Code* and any applicable laws. Where the *FRO* requests a replacement meter (including by reason of there being a fault, malfunction or defect in relation to the existing *basic meter* or the existing *basic meter* having been damaged or destroyed), the *Distributor* must install the replacement *basic meter* as soon as reasonably practicable after it has satisfied itself that the in situ meter is no longer compliant with the requirements of the *Distribution Code* and any applicable laws
- (b) Notwithstanding clause 2.9.1(a), a *Distributor* is not required to install a new *basic meter* unless all requirements of applicable laws and regulatory instruments that are required to be satisfied before such a *basic meter* can be installed have been satisfied.
- (c) The *Distributor* must comply with clause 2.9.2(a)(i) in relation to the *meter* (if any) which the new *basic meter* replaces.
- (d) The *Distributor* must read the new *basic meter* on the date of its installation.
- (e) Where a new *basic meter* has been installed by a *Distributor*, the *Distributor* must use its best endeavours:
- (i) to include the relevant details relating to the new *basic meter* in its *installation database*, its *MIRN database* and its *meter data database*;
 - (ii) to provide details of the *MIRN* for the *distribution supply point* to which the *meter* relates, together with the *actual meter readings* obtained under clauses 2.9.1(c) and 2.9.1(d) (or, where appropriate, a *substituted meter reading*) and, where the *FRO* is the *Retailer* in respect of the *distribution supply point*, such other information for customer account establishment and billing purposes as is specified in the *Gas Interface Protocol*, to the *FRO* for that *distribution supply point*; and
 - (iii) where the *distribution supply point* is new and is a *second tier supply point*, to provide to *VENCorp* all the relevant details which are required for the purposes of updating the *VENCorp meter register*,
- by 5.00 pm on the fifth *business day* after the day on which the new *basic meter* is installed.

2.9.2 Removal of basic meters

- (a) Where a *Distributor* removes a *basic meter* relating to a *distribution supply point* that is located in the *distribution area* of that *Distributor*, the *Distributor* must:
- (i) on the date of removing the *basic meter*, read that *meter*; and
 - (ii) use its best endeavours:

- (A) to include the relevant details relating to the *basic meter* in its *installation database*, its *MIRN database* and its *meter data database* (and to make such changes to the details included in those databases as are necessitated by the removal of that *basic meter*); and
- (B) to provide the *actual meter reading* obtained under clause 2.9.2(a)(i) (or, where appropriate, a *substituted meter reading*) to the *FRO* for that *distribution supply point*; and
- (C) to provide the information referred to in clause 2.6.2(b) in respect of the *meter reading* referred to in clause 2.9.2(a)(ii)(B) (which *meter reading* is the *reference reading* for the purposes of clause 2.6.2) to *VENCorp*,

by 5.00 pm on the fifth *business day* following the day on which the *meter* is read.

2.9.3 Basic meter upgrade

- (a) If a *Retailer* who is the *FRO* for a *distribution supply point* that is located in the *distribution area* of a *Distributor* requests the *Distributor* to upgrade a *basic meter* by installing a *data logger*, the *Distributor* must use its *best endeavours* to install that *data logger* (and commission any associated data reading infrastructure in cooperation with *VENCorp*) within 20 *business days* after the day on which that request is delivered to the *Distributor* and in such a manner as to comply with the requirements of the *Distribution Code*, the *MSOR* and any applicable laws.
- (b) Where a *basic meter* has been upgraded by a *Distributor*, the *Distributor* must use its best endeavours:
 - (i) to include the relevant details relating to the *meter* in its *installation database*, its *MIRN database* and its *meter data database*; and
 - (ii) to provide to *VENCorp* all the relevant details relating to the *meter* which are required for the purposes of updating the *VENCorp meter register* and recording that *meter* as an *interval meter* in the *VENCorp meter register*,by 5.00 pm on the fifth *business day* following the day on which the *basic meter* is upgraded.

2.9.4 Time Expired Meters

If a *Distributor* identifies a class of *basic meters* that is required to be replaced on the basis of having reached the life expectancy of that class of meter, the *Distributor* must:

- (a) notify each *FRO* for a *distribution supply point* to which a *meter* which is a member of that class relates of its intention to replace all *meters* in that class;
- (b) ensure that the meters to be replaced will be replaced by *meters* which comply with the requirements of the *Distribution Code* and any applicable laws; and
- (c) remove the *meters* requiring replacement and install the replacement *meters* in accordance with clauses 2.9.2 and 2.9.1 (as if the *Retailer* had requested the installation of the replacement *meter*) respectively.

2.9.5 Decommissioning of distribution supply points

If a *Distributor* decommissions a *distribution supply point* which is located in the *distribution area* of that *Distributor*, the *Distributor* must use its best endeavours to notify the *FRO* for that *distribution supply point*, as well as (where that *distribution supply point* is a *second tier supply point*) *VENCorp*, of the date of the decommissioning of that *distribution supply point* by 5.00 pm on the fifth *business day* following the day on which the *distribution supply point* is decommissioned.

2.9.6 Deregistration of distribution supply points

If a *Distributor* deregisters a *distribution supply point* which is located in the *distribution area* of that *Distributor*, the *Distributor* must use its best endeavours to notify both the *FRO* for that *distribution supply point* and *VENCorp*, by 5.00 pm on the first *business day* following the day on which the *distribution supply point* is deregistered, of the date of the deregistration of that *distribution supply point*.

CHAPTER 3 - MIRN DISCOVERY RULES**3.1 MIRN database****3.1.1 Creation, maintenance and administration of MIRN database by Distributors**

Each *Distributor* must create, maintain and administer a database in relation to all of the *distribution supply points* that are located in the *distribution area* of that *Distributor*, such database to include the following information in respect of each such *distribution supply point* and the *meter* that relates to that *distribution supply point*:

- (a) the *discovery address* and any other site address information specified in the *Gas Interface Protocol*;
- (b) the *MIRN*;
- (c) the *meter number*;
- (d) the *pressure correction factor*;
- (e) if the *meter* that relates to that *distribution supply point* is a *basic meter*:
 - (i) the *customer characterisation*;
 - (ii) the date to which the most recent *validated meter reading* for that *meter* (other than an *estimated meter reading*) pertains;
 - (iii) the next date on which that *meter* is to be read in accordance with the applicable *meter reading schedule*; and
 - (iv) the next known date (if any) on which a *special read* is to occur in relation to that *meter*;
- (f) if the *meter* that relates to that *distribution supply point* is an *interval meter*, the type of communication equipment (if any) used by that *meter*;
- (g) the *transmission zone* in which that *distribution supply point* is located;
- (h) the *distribution zone* in which that *distribution supply point* is located;
- (i) the *heating value zone* in which that *distribution supply point* is located;
- (j) the *distribution tariff* to which that *distribution supply point* is assigned;
- (k) whether the *meter* that relates to that *distribution supply point* has been plugged or disconnected;
- (l) any charges for *excluded services* that apply in relation to that *distribution supply point*, including (without limitation):
 - (i) any charges for operating and maintaining that *distribution supply point*, the *meter* which relates to that *distribution supply point* or equipment and installations associated with that *meter*; and
 - (ii) any *local capacity charges* that apply in relation to that *distribution supply point*, together with the date of expiry of the period in respect of which those charges apply; and
- (m) any other charges charged by the *Distributor* that apply in relation to that *distribution supply point*, the *meter* which relates to that *distribution supply point* or the equipment and installations associated with that *meter*, together with the date of expiry of the period in respect of which those charges apply.

3.1.2 Updating MIRN Database

Except as otherwise provided in clause 2.9 in relation to the period within which such information must be provided, each *Distributor* must use its best endeavours to ensure that the information required to be included in its *MIRN database* is included in the *MIRN database* by midnight on the first *business day* following the day on which that information is obtained or calculated by the *Distributor*.

3.2 MIRN discovery request

3.2.1 Request

Subject to clause 3.2.2(a), any *Market Participant* or *VENCorp* may deliver a *MIRN discovery request* in relation to a *distribution supply point* to a *Distributor*. A *MIRN discovery request* must include at least the *MIRN* or the *discovery address* for the *distribution supply point* to which the *MIRN discovery request* relates.

3.2.2 Explicit Informed Consent

- (a) A *Market Participant* must not deliver a *MIRN discovery request* in relation to a *distribution supply point* to a *Distributor* unless:
 - (i) the *Market Participant* has received the *explicit informed consent* of the *subject customer* to the provision by the *Distributor* to that *Market Participant* of the information referred to in clause 3.1.1 in respect of that *distribution supply point*; or
 - (ii) the *Market Participant* is the *subject customer* in relation to that *distribution supply point*.
- (b) A *Market Participant* who delivers a *MIRN discovery request* in relation to a *distribution supply point* to a *Distributor* is taken to have represented to the *Distributor* that either:
 - (i) the *Market Participant* has received the *explicit informed consent* of the *subject customer* to the provision by the *Distributor* to that *Market Participant* of the information referred to in clause 3.1.1 in respect of that *distribution supply point*; or
 - (ii) the *Market Participant* is the *subject customer* in relation to that *distribution supply point*.
- (c) *VENCorp* is not required to obtain the *explicit informed consent* of the *subject customer* in relation to a *distribution supply point* to the provision by the *Distributor* to *VENCorp* of the information relating to that *distribution supply point* which is referred to in clause 3.1.1.

3.3 Response to MIRN discovery request

3.3.1 Street/Suburb Combination Listing

- (a) Each *Distributor* must make available in an electronic form, which can be remotely accessed and electronically searched by all *Market Participants* and *VENCorp*, a listing (which complies with clause 3.3.1(b)) of every *street/suburb combination* that is recorded in the *MIRN database* of that *Distributor*.
- (b) The entry relating to each *street/suburb combination* in the listing referred to in clause 3.3.1(a) must exactly replicate the *discovery address* (other than the street number or its equivalent) as it is recorded in the *MIRN database* of the relevant *Distributor*, including without limitation:
 - (i) any abbreviations contained in the corresponding entry in the *MIRN database* (eg. St, Str, Ave, Rd);
 - (ii) any capital and lower case letters contained in the corresponding entry in the *MIRN database* (eg. Alberts road, foley Street);

- (iii) any spaces contained in the corresponding entry in the *MIRN database* (eg. Riley Street, Riley Street, Beau maris, Beaumaris); and
- (iv) any misspellings contained in the corresponding entry in the *MIRN database* (eg. Beaumorris, Beau-maris),

provided however that the listing is not required to include an entry which, if it were so included, would exactly replicate an existing entry in that listing.

- (c) The relevant *Distributor* must ensure that:
 - (i) at least once every calendar month, the information required to be included in the listing referred to in clause 3.3.1(a) is updated, so that the listing contains the details of every *street/suburb combination* in respect of which a *discovery address* is recorded in the *MIRN database* of that *Distributor*; and
 - (ii) the listing referred to in clause 3.3.1(a) specifies the most recent date on which it was so updated.
- (d) If a *Retailer* or a *Distributor* becomes aware of a change to the details of a *discovery address*:
 - (i) the *Retailer* must use its best endeavours to provide the changed details to the *Distributor* in whose *distribution area* the *distribution supply point* for that *discovery address* is located; and
 - (ii) the *Distributor* must use its best endeavours to provide the changed details to the *Retailer* who is the *FRO* for the *distribution supply point* for that *discovery address*,

as soon as practicable after becoming aware of the change.

3.3.2 Distributor Response

- (a) Provided that the *discovery address* or the *MIRN* (if any) specified in the *MIRN discovery request* exactly replicates (in the sense that term is used in clause 3.3.1(b)) a *discovery address*, or corresponds with a *MIRN*, contained in the *MIRN database* of the relevant *Distributor*, the *Distributor* must use its best endeavours to provide to the *Market Participant* or *VENCorp* (as the case may be), within the time periods set out below, the following information in respect of the *distribution supply point* to which that *discovery address* or *MIRN* relates (such information being identified by reference to that *discovery address* or *MIRN*):
 - (i) by midnight on the first *business day* following the day on which the *MIRN discovery request* is delivered to the *Distributor*:
 - (A) the current information set out in clauses 3.1.1(a) to (k); and
 - (B) either:
 - (1) the current information set out in clauses 3.1.1(l) and (m); or
 - (2) a statement as to whether or not there are any charges of the kind referred to in clauses 3.1.1(l) and (m); and
 - (ii) by midnight on the second *business day* following the day on which the *MIRN discovery request* is delivered to the *Distributor*, the current information set out in clauses 3.1.1(l) and (m) where that information has not already been provided pursuant to clause 3.3.2(a)(i)(B)(1).
- (b) Notwithstanding clause 3.3.2(a), if:
 - (i) the *discovery address* specified in a *MIRN discovery request* exactly replicates a *discovery address* contained in the *MIRN database* of the relevant *Distributor*; but

- (ii) more than one *MIRN* is identified in relation to the *distribution supply point* to which the *discovery address* relates,
the *Distributor* must use its best endeavours to notify the *Market Participant* or *VENCorp* (as the case may be) of that fact by midnight on the first *business day* following the day on which the *MIRN discovery request* is delivered to the *Distributor*, that notification being accompanied by a request for such further information as the *Distributor* considers desirable to identify the *distribution supply point* to which the *MIRN discovery request* is intended to relate.
- (c) On delivery of the information referred to in clause 3.3.2(b) by the *Market Participant* or *VENCorp* to the *Distributor*, the provisions of this clause 3.3.2 apply to the *Distributor* as if the *MIRN discovery request* had been delivered to the *Distributor* at that time and had contained that information.
- (d) If the *discovery address* or the *MIRN* (if any) specified in a *MIRN discovery request* does not exactly replicate (in the sense that term is used in clause 3.3.1(b)) a *discovery address*, or correspond with a *MIRN*, contained in the *MIRN database* of the relevant *Distributor*, the *Distributor* must use its best endeavours to notify the *Market Participant* or *VENCorp* (as the case may be) of that fact by midnight on the first *business day* following the day on which the *MIRN discovery request* is delivered to the *Distributor*.

3.4 Assistance in searching

- (a) If, pursuant to clause 3.3.2(d), a *Market Participant* or *VENCorp* is notified that the *discovery address* or *MIRN* relating to the *distribution supply point* in respect of which a *MIRN discovery request* has been made cannot be found in the *MIRN database* of the relevant *Distributor*, the *Market Participant* or *VENCorp* (as the case may be) may request that the *Distributor* assist in the location of that *discovery address* or *MIRN* in that *MIRN database*, in which case the *Distributor* must use its best endeavours to provide that assistance:
 - (i) where the request for assistance is made before midday on a day that is a *business day* – by 5.00 pm on that business day; and
 - (ii) where the request for assistance is made on or after midday on a day that is a *business day*, or is made on a day that is not a *business day* – by 5.00 pm on the first *business day* following the day on which the request is made.
- (b) For the avoidance of doubt, clause 3.4(a) only requires the *Distributor* to use its best endeavours to assist the *Market Participant* or *VENCorp* to obtain the *discovery address* or *MIRN* relating to the relevant *distribution supply point*, for the purposes of enabling the *Market Participant* or *VENCorp* to make a further *MIRN discovery request* in relation to that *distribution supply point*.

3.5 MIRN allocation

3.5.1 Allocation to distribution supply points

- (a) *VENCorp* must allocate to each *Distributor* a set of numbers which are available for use as metering installation registration numbers for *distribution supply points* which are located in the *distribution area* of that *Distributor*.
- (b) *VENCorp* may from time to time allocate a further set of numbers to a *Distributor* for the purpose set out in clause 3.5.1(a).
- (c) Each number allocated by *VENCorp* pursuant to clauses 3.5.1(a) or (b) must be unique and must not be allocated by *VENCorp* to any other *Distributor* or assigned by *VENCorp* to a *transmission supply point* pursuant to clause 3.5.2(b).
- (d) In accordance with the *Transition Implementation Plan*, each *Distributor* must assign a number, selected from the numbers allocated to it by *VENCorp* pursuant

to clauses 3.5.1(a) and (b), to each *distribution supply point* which is located in the *distribution area* of that *Distributor*. The assignment referred to in this clause must be effected by the relevant *Distributor* recording that number in its *MIRN database* as the *MIRN* for the relevant *distribution supply point*.

- (e) Each number assigned to a *distribution supply point* by a *Distributor* pursuant to clause 3.5.1(d) must be unique and must not be allocated by that *Distributor* to any other *distribution supply point*.
- (f) In accordance with the *Transition Implementation Plan*, but only to the extent it has been allocated sufficient numbers pursuant to clauses 3.5.1(a) and (b), each *Distributor* must:
 - (i) assign those numbers, pursuant to clauses 3.5.1(d) and (e), to each relevant *distribution supply point* that is in existence as at that time;
 - (ii) notify *VENCorp* of the *MIRN* for each such *distribution supply point* which is a *second tier supply point*; and
 - (iii) notify the *FRO* for each such *distribution supply point* which is located in the *distribution area* of that *Distributor* of the *MIRN* for that *distribution supply point*.
- (g) To the extent it has been allocated sufficient numbers pursuant to clauses 3.5.1(a) and (b), each *Distributor* must:
 - (i) assign one of those numbers, pursuant to clauses 3.5.1(d) and (e), to each *distribution supply point* that comes into existence after the time referred to in clause 3.5.1(f)(i); and
 - (ii) by midnight on the first *business day* after the day on which that *distribution supply point* comes into existence, notify the prospective *FRO* for that *distribution supply point* of the *MIRN* for that *distribution supply point*.

3.5.2 Allocation to transmission supply points

- (a) *VENCorp* must allocate to itself a set of numbers which are available for use as metering installation registration numbers for *transmission supply points*.
- (b) *VENCorp* may from time to time allocate a further set of numbers to itself for the purpose set out in clause 3.5.2(a).
- (c) Each number allocated by *VENCorp* pursuant to clauses 3.5.2(a) or (b) must be unique and must not be allocated by *VENCorp* to a *Distributor* pursuant to clauses 3.5.1(a) or (b).
- (d) In accordance with the *Transition Implementation Plan*, *VENCorp* must assign a number, selected from the numbers allocated to it pursuant to clauses 3.5.2(a) or (b), to each *transmission supply point*. The assignment referred to in this clause must be effected by *VENCorp* recording that number in the *VENCorp meter register* as the *MIRN* for the relevant *transmission supply point*.
- (e) Each number assigned to a *transmission supply point* by *VENCorp* pursuant to clause 3.5.2(d) must be unique and must not be allocated by *VENCorp* to any other *transmission supply point*.
- (f) In accordance with the *Transition Implementation Plan*, *VENCorp* must:
 - (i) pursuant to clauses 3.5.2(d) and (e), assign the numbers allocated to it as described in clauses 3.5.2(a) and (b) to each *transmission supply point* that is in existence as at that time; and
 - (ii) notify the *FRO* for each such *transmission supply point* of the *MIRN* for that *transmission supply point*.

- (g) *VENCorp* must:
- (i) pursuant to clauses 3.5.2(d) and (e), assign one of the numbers allocated to it as described in clauses 3.5.2(a) and (b) to each *transmission supply point* that comes into existence after the time referred to in clause 3.5.2(f);
 - (ii) by midnight on the first *business day* after the day on which that *transmission supply point* comes into existence, notify the *FRO* for that *transmission supply point* of the *MIRN* for that *transmission supply point*; and
 - (iii) by midnight on the first *business day* after the day on which that *transmission supply point* comes into existence, notify the *Transmission Pipeline Owner* of the *MIRN* for that *transmission supply point*.

CHAPTER 4 - CUSTOMER TRANSFER RULES

4.1 Initiation of transfer

4.1.1 Transfer Request

- (a) Subject to this clause 4.1, a prospective *FRO* must deliver a *transfer request* in relation to any *supply point* to *VENCorp* if the prospective *FRO* is not the host retailer for that *supply point*. A *transfer request* must include the following information in respect of the *supply point* to which that *transfer request* relates:
- (i) the *MIRN*;
 - (ii) the *proposed transfer date* (see clause 4.1.2);
 - (iii) where the *proposed transfer date* is a *prospective transfer date*, a statement (if such is the case) that it is intended that the person will purchase gas that is delivered at that *supply point* from the *Market Participant* following the registration of that *Market Participant* in the *VENCorp meter register* as the *FRO* for that *supply point* (a *customer no-change statement*); and
 - (iv) where the *proposed transfer date* is a *retrospective transfer date*, the *proposed registration end date* (if any).
- (b) A *transfer request* must also contain the name of the *Market Participant* who delivered the *transfer request* to *VENCorp*.
- (c) A *Market Participant* must not deliver a *transfer request* in relation to a *supply point* to *VENCorp* where that *Market Participant* is suspended from participating in the market pursuant to the *MSOR*.

4.1.2 Proposed Transfer Date

- (a) Where a *transfer request* nominates a *prospective transfer date* as the *proposed transfer date*, that *prospective transfer date* must be:
- (i) if the *supply point* to which the *transfer request* relates is a *distribution supply point* and the *meter* relating to the *supply point* is a *basic meter* – a *business day* which falls during the *permitted prospective period* for that *transfer request*; or
 - (ii) if the *meter* relating to the *supply point* to which a *transfer request* relates is an *interval meter* – a day (which may be a day other than a *business day*) which falls during the *permitted prospective period* for that *transfer request*.
- (b) Where a *transfer request* nominates a *retrospective transfer date* as the *proposed transfer date*, that *retrospective transfer date* must be:
- (i) if the *supply point* to which the *transfer request* relates is a *distribution supply point* and the *meter* relating to the *supply point* is a *basic meter* –

a *business day* which falls within the *permitted retrospective period* for that *transfer request* and to which a *validated meter reading* (other than an *estimated meter reading*) pertains; or

- (ii) if the *meter* relating to the *supply point* to which a *transfer request* relates is an *interval meter* – a day (which may be a day other than a *business day*) which falls within the *permitted retrospective period* for that *transfer request* and on which the *meter* was read.

4.1.3 Retrospective Transfers

A *Market Participant* must not deliver a *transfer request* in relation to a *supply point* to *VENCorp* where the *proposed transfer date* in relation to that *transfer request* is a *retrospective transfer date* unless:

- (a) that *Market Participant*:
 - (i) is a *Market Participant* as at the day on which the *transfer request* is delivered to *VENCorp*; and
 - (ii) was a *Market Participant* at all such times during the *permitted retrospective period* for the *transfer request* when, if that person were to be registered in the *VENCorp meter register* as the *FRO* for the *supply point* with effect from the *retrospective transfer date* to the *registration end date* (if any), it would have been the *FRO* for that *supply point*; and
- (b) the *retrospectively affected FRO* in relation to that *transfer request* is a *Market Participant* as at the day on which the *transfer request* is delivered to *VENCorp*.

4.1.4 Explicit Informed Consent

- (a) A *Market Participant* must not deliver a *transfer request* in relation to a *supply point* to *VENCorp* which nominates a *prospective transfer date* as the *proposed transfer date* unless:
 - (i) the *Market Participant* has received the *explicit informed consent* of the *subject customer* to the registration of that *Market Participant* in the *VENCorp meter register* as the *FRO* for that *supply point* with effect from any time during the *permitted prospective period* in relation to the *transfer request*; or
 - (ii) the *Market Participant* is the *subject customer* in relation to that *supply point*.
- (b) A *Market Participant* who delivers a *transfer request* in relation to a *supply point* to *VENCorp* which nominates a *prospective transfer date* as the *proposed transfer date* is taken to have represented to *VENCorp* that either:
 - (i) the *Market Participant* has received the *explicit informed consent* of the *subject customer* to the registration of that *Market Participant* in the *VENCorp meter register* as the *FRO* for that *supply point* with effect from any time during the *permitted prospective period* in relation to the *transfer request*; or
 - (ii) the *Market Participant* is the *subject customer* in relation to that *supply point*.

4.1.5 Notification of Existing Transfer Request

Where:

- (a) a *Market Participant* delivers a *transfer request* in relation to a *supply point* to *VENCorp*;
- (b) a *transfer request* in relation to that *supply point* has already been delivered to *VENCorp* (whether by that or any other *Market Participant*); and

- (c) the *transfer request* referred to in clause 4.1.5(b) (the *existing transfer request*) is being processed by *VENCorp* but the *Market Participant* who delivered the *existing transfer request* to *VENCorp* has not yet been registered in the *VENCorp* meter register as the *FRO* for the *supply point* to which the *existing transfer request* relates,

then *VENCorp* must not process the *transfer request* referred to in clause 4.1.5(a) and must, by midnight on the first *business day* following the day on which that *transfer request* was delivered to *VENCorp*, deliver a notice stating this fact to the *Market Participant* who delivered that *transfer request*.

4.2 Notification of transfer

4.2.1 Notification by *VENCorp*

Provided that clauses 4.1.1 to 4.1.3 and 4.1.5 have been complied with in relation to the *transfer request*, *VENCorp* must, by midnight on the first *business day* following the day on which the *transfer request* was delivered to it, deliver notice of the *transfer request* (a *transfer request notification*) to:

- (a) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date*, the *FRO* for the *supply point* to which the *transfer request* relates;
- (b) where the *proposed transfer date* nominated in the *transfer request* is a *retrospective transfer date*, the *retrospectively affected FRO* in relation to the *transfer request*;
- (c) if that *supply point* is a distribution supply point – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and
- (d) if that *supply point* is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located.

4.2.2 Transfer Request Notification Information

A *transfer request notification* in relation to a *transfer request* must include the following information:

- (a) the *MIRN* for the *supply point* to which the *transfer request* relates;
- (b) the *proposed transfer date* nominated in the *transfer request*;
- (c) whether the *transfer request* contains a *customer no-change statement*;
- (d) where the *proposed transfer date* nominated in the *transfer request* is a *retrospective transfer date*:
- (i) the name of the *Market Participant* who delivered the *transfer request* to *VENCorp*; and
- (ii) the proposed *registration end date* (if any);
- (e) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date* and the *supply point* is a *distribution supply point*, and only in the case of the *transfer request notification* which is delivered to the *Distributor* in whose *distribution area* that *distribution supply point* is located, the name of the *Market Participant* who delivered the *transfer request* to *VENCorp*; and
- (f) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date* and the *supply point* is a *transmission supply point*, and only in the case of the *transfer request notification* which is delivered to the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which the *transmission supply point* is located, the name of the *Market Participant* who delivered the *transfer request* to *VENCorp* .

4.3 Objections to Transfer**4.3.1 Objection Notice**

- (a) Where:
- (i) the *proposed transfer date* nominated in a *transfer request* is a *prospective transfer date* and *VENCorp*, pursuant to clause 4.2.1(a), delivers a *transfer request notification* in relation to that *transfer request* to the *FRO* for the *supply point* to which the *transfer request* relates; or
 - (ii) the *proposed transfer date* nominated in a *transfer request* is a *retrospective transfer date* and *VENCorp*, pursuant to clause 4.2.1(b), delivers a *transfer request notification* in relation to that *transfer request* to the *retrospectively affected FRO* in relation to that *transfer request*,
- the *FRO* or the *retrospectively affected FRO* (as the case may be) may deliver to *VENCorp* a notice objecting to the *transfer request* (an *objection notice*) at any time before (but not after) midnight on the fifth *business day* after the day on which *VENCorp* delivered the *transfer request notification* to the *FRO* or the *retrospectively affected FRO* (as the case may be).
- (b) An *objection notice* in relation to a *transfer request* must include the following information:
- (i) the *MIRN* for the *supply point* to which the *transfer request* relates; and
 - (ii) the name of the *FRO* or the *retrospectively affected FRO* (as the case may be) who delivered the *objection notice* to *VENCorp*.
- (c) If the *proposed transfer date* nominated in a *transfer request* is a *prospective transfer date*, a *FRO* may only deliver an *objection notice* in relation to that *transfer request* to *VENCorp* where:
- (i) the *transfer request* contains a *customer no-change statement*; and
 - (ii) at the time the *objection notice* is delivered to *VENCorp*, an *aged debt* is owing to that *FRO* by the person who is then purchasing gas at the *supply point* to which the *transfer request* relates.

4.3.2 Withdrawal of Objection Notice

- (a) A *FRO* or a *retrospectively affected FRO* who delivers an *objection notice* in relation to a *transfer request* to *VENCorp* may withdraw that *objection notice* by delivering to *VENCorp* a notice of withdrawal (an *objection withdrawal notice*) at any time before midnight on the 20th *business day* after the day on which the *FRO* or the *retrospectively affected FRO* delivered that *objection notice* to *VENCorp*.
- (b) If the *proposed transfer date* nominated in a *transfer request* is a *retrospective transfer date*, a *retrospectively affected FRO* who delivers an *objection notice* in relation to that *transfer request* to *VENCorp* must withdraw that *objection notice* before midnight on the first *business day* after the day (if any) on which the *retrospectively affected FRO* agrees with the *Market Participant* who delivered the *transfer request* to *VENCorp* to withdraw that *objection notice*.
- (c) If the *proposed transfer date* nominated in a *transfer request* is a *prospective transfer date*, a *FRO* who delivers an *objection notice* in relation to that *transfer request* to *VENCorp* must withdraw that *objection notice* where the *aged debt* referred to in clause 4.3.1(c)(ii) is discharged in full, or assigned to another person with the consent of the *FRO*, before midnight on the 19th *business day* after the day on which the *FRO* delivered the *objection notice* to *VENCorp*, such withdrawal being effected by the *FRO* delivering to *VENCorp* an *objection withdrawal notice* before midnight on the first *business day* after that *aged debt* has been paid in full.

- (d) An *objection withdrawal notice* in relation to a *transfer request* must include the *MIRN* for the *supply point* to which the *transfer request* relates.

4.3.3 Notification by VENC Corp

- (a) VENC Corp must, by midnight on the first *business day* after the day on which an *objection notice*, or an *objection withdrawal notice*, in relation to a *transfer request* is delivered to it, deliver notice of the objection (an *objection notification*) or notice of withdrawal of the objection (an *objection withdrawal notification*), as the case may be, to:
 - (i) the *Market Participant* who delivered the *transfer request* to VENC Corp;
 - (ii) if the *supply point* to which the *transfer request* relates is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and
 - (iii) if the *supply point* to which the *transfer request* relates is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located.
- (b) An *objection notification*, and an *objection withdrawal notification*, in relation to an *objection notice* must include the following information:
 - (i) the *MIRN* for the *supply point* to which the *transfer request* relates; and
 - (ii) the name of the *FRO* or *retrospectively affected FRO* (as the case may be) who delivered the *objection notice* to VENC Corp.

4.3.4 Termination of Transfer Process

If:

- (a) an *objection notice* in relation to a *transfer request* has been delivered to VENC Corp by:
 - (i) a *FRO* pursuant to clause 4.3.1 (where the *proposed transfer date* in relation to the *transfer request* is a *prospective transfer date*); or
 - (ii) a *retrospectively affected FRO* pursuant to clauses 4.3.1(a) and (b) (where the *proposed transfer date* in relation to the *transfer request* is a *retrospective transfer date*); and
- (b) by midnight on the 20th *business day* after the day on which that *objection notice* was delivered to VENC Corp, that *FRO* or *retrospectively affected FRO* (as the case may be) has not delivered to VENC Corp an *objection withdrawal notice* in relation to that *transfer request* pursuant to clause 4.3.2,

then VENC Corp must:

- (c) cease processing that *transfer request*; and
- (d) by midnight on the 21st *business day* after the day on which that *objection notice* was delivered to VENC Corp, deliver a notice that VENC Corp will not further process that *transfer request* to:
 - (i) the *Market Participant* who delivered the *transfer request* to VENC Corp;
 - (ii) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date*, the *FRO* for the *supply point* to which the *transfer request* relates;
 - (iii) where the *proposed transfer date* nominated in the *transfer request* is a *retrospective transfer date*, the *retrospectively affected FRO* in relation to the *transfer request*;
 - (iv) if the *supply point* to which the *transfer request* relates is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and

- (v) if the *supply point* to which the *transfer request* relates is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located.

4.4 Potential Problems with Transfer

4.4.1 Notification of potential problems

- (a) Any person who has received a *transfer request notification* in relation to a *transfer request* pursuant to clause 4.2 may deliver to *VENCorp*, at any time before that *Market Participant* is registered by *VENCorp* in the *VENCorp meter register* as the *FRO* for the *supply point* to which that *transfer request* relates, a notice describing a potential problem in respect of that *transfer request*.
- (b) A notice delivered by a person pursuant to clause 4.4.1(a) does not constitute an *objection notice* for the purposes of clause 4.3.1.

4.4.2 Notification by VENCorp

VENCorp must, by midnight on the first *business day* after the day on which a notice described in clause 4.4.1 is delivered to it, forward that notice to the *Market Participant* who delivered to *VENCorp* the *transfer request* to which that notice relates.

4.5 Withdrawal of transfer request

4.5.1 Transfer Withdrawal Notice

- (a) A *Market Participant* who delivers a *transfer request* to *VENCorp*:
 - (i) may deliver a notice withdrawing that *transfer request* (a *transfer withdrawal notice*) to *VENCorp* at any time before (but not after) the registration of that *Market Participant* in the *VENCorp meter register* as the *FRO* for the *supply point* to which the *transfer request* relates; and
 - (ii) must immediately withdraw that *transfer request* where it ceases to be a *Market Participant* at any time before the registration of that *Market Participant* in the *VENCorp meter register* as the *FRO* for the *supply point* to which the *transfer request* relates, such *withdrawal* being effected by that person immediately delivering a *transfer withdrawal notice* to *VENCorp*.
- (b) A *transfer withdrawal notice* in relation to a *transfer request* must include the *MIRN* for the *supply point* to which the *transfer request* relates.

4.5.2 Termination of Transfer Process

VENCorp must cease processing a *transfer request* if the *Market Participant* who delivered that *transfer request* delivers to *VENCorp*, pursuant to clause 4.5.1, a *transfer withdrawal notice* in relation to that *transfer request*.

4.5.3 Notification by VENCorp

VENCorp must, by midnight on the first *business day* after the day on which a *transfer withdrawal notice* in relation to a *transfer request* is delivered to it, deliver notice of the withdrawal of the *transfer request*, together with a notice that *VENCorp* will not further process that *transfer request*, to:

- (a) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date*, the *FRO* for the *supply point* to which the *transfer request* relates;
- (b) where the *proposed transfer date* nominated in the *transfer request* is a *retrospective transfer date*, the *retrospectively affected FRO* in relation to the *transfer request*;
- (c) if that *supply point* is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and

- (d) if that *supply point* is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located.

4.6 Registration of prospective transfer

4.6.1 Registration

Where:

- (a) a *Market Participant* has delivered to *VENCorp* a *transfer request* in relation to a *supply point* which complies with clause 4.1.1;
- (b) the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date* which complies with clause 4.1.2(a);
- (c) where the *transfer request* contains a *customer no-change statement*, the *FRO* for the *supply point* to which the *transfer request* relates:
 - (i) has not delivered to *VENCorp*, by midnight on the fifth *business day* after the day on which *VENCorp* delivered to it the *transfer request notification* in relation to the *transfer request*, an *objection notice* in relation to the *transfer request* pursuant to clause 4.3.1; or
 - (ii) has delivered such an *objection notice* but has subsequently delivered to *VENCorp* an *objection withdrawal notice* in relation to the *transfer request* pursuant to clause 4.3.2; and
- (d) if the *supply point* to which the *transfer request* relates is a *distribution supply point* and the *meter* which relates to that *supply point* is a *basic meter*, the following information has been delivered to *VENCorp*, prior to the expiration of the *data provision period*, by the *Distributor* in whose *distribution area* the *supply point* is located:
 - (i) the day to which a *validated meter reading* (other than an *estimated meter reading*) referred to in clause 2.1.5(b) pertains, such day being within the *allowable period* in relation to that *proposed transfer date*, and
 - (ii) the information referred to in clause 2.6.2(b) in relation to that *validated meter reading* (which *validated meter reading* is the *reference reading* for the purposes of clause 2.6.2),
 then, unless the *Market Participant* who delivered the *transfer request* to *VENCorp*:
 - (e) is no longer a *Market Participant*; or
 - (f) has delivered to *VENCorp* a *transfer withdrawal notice* in relation to the *transfer request* pursuant to clause 4.5.1,

VENCorp must, as soon as is practicable, register that *Market Participant* in the *VENCorp meter register* as the *FRO* for the *supply point* to which that *transfer request* relates.

4.6.2 Read Failure

- (a) If:
 - (i) the conditions described in clause 4.6.1(a) to (c) have been satisfied in respect of a *transfer request*; but
 - (ii) by the expiration of the *data provision period*, *VENCorp* has not been notified, in accordance with clause 4.6.1(d), of the information specified in that clause,
 then *VENCorp* must, by midnight on the first *business day* after the expiration of the *data provision period*, deliver a notice stating this fact (a *read failure notice*) to:
 - (iii) the *Market Participant* who delivered the *transfer request* to *VENCorp*;

- (iv) the *FRO* for the *supply point* to which the *transfer request* relates;
 - (v) if that *supply point* is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and
 - (vi) if that *supply point* is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located.
- (b) A *read failure notice* in relation to a *transfer request* must include the following information:
- (i) the *MIRN* for the *supply point* to which the *transfer request* relates; and
 - (ii) the information that has not been provided or obtained as required pursuant to clause 4.6.1(d).

4.6.3 Alternative Transfer Date

- (a) Where *VENCorp* delivers a *read failure notice* under clause 4.6.2 to the *Market Participant* who delivered to *VENCorp* the *transfer request* to which the *read failure notice* relates, that *Market Participant* may deliver to *VENCorp*, at any time before (but not after) midnight on the tenth *business day* after the day on which *VENCorp* delivered the *read failure notice* to that *Market Participant* a notice (an *alternative transfer date notice*) which nominates a new *prospective transfer date* in relation to that *transfer request*, such *prospective transfer date* being a *business day*:
- (i) which is on or after the *prospective transfer date* nominated in the *transfer request*; and
 - (ii) which falls during the *permitted prospective period* in relation to the *transfer request*.
- (b) An *alternative transfer date notice* in relation to a *transfer request* must include the following information:
- (i) the *MIRN* for the *supply point* to which the *transfer request* relates; and
 - (ii) the proposed new *prospective transfer date* in relation to the *transfer request*.
- (c) If the *Market Participant* referred to in clause 4.6.3(a) delivers an *alternative transfer date notice* to *VENCorp* pursuant to that clause, then *VENCorp* must, by midnight on the first *business day* after the day on which the *Market Participant* delivered the *alternative transfer notice* to *VENCorp*, deliver notice of the *alternative transfer date notice* (an *alternative transfer date notification*) to:
- (i) the *FRO* for the *supply point* to which the relevant *transfer request* relates;
 - (ii) if that *supply point* is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and
 - (iii) if that *supply point* is a *transmission delivery point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located.
- (d) An *alternative transfer date notification* in relation to an *alternative transfer date notice* must include the following information:
- (i) the *MIRN* for the *supply point* to which the relevant *transfer request* relates; and
 - (ii) the proposed new *prospective transfer date* in relation to the *transfer request*.
- (e) Where a *Market Participant* delivers to *VENCorp* an *alternative transfer date notice* in relation to a *transfer request* pursuant to clauses 4.6.3(a) and 4.6.3(b), the provisions of this clause 4.6 and of clause 2.1.5(b) will apply as if the *proposed*

transfer date specified in the *transfer request* to which the *alternative transfer date notice* relates was the *prospective transfer date* which is nominated in the *alternative transfer date notice*.

4.6.4 Termination of Transfer Process

If:

- (a) pursuant to clause 4.6.2, *VENCorp* has delivered a *read failure notice* in relation to a *transfer request* to the *Market Participant* who delivered that *transfer request* to *VENCorp*; and
- (b) that *Market Participant* does not deliver an *alternative transfer date notice* to *VENCorp* pursuant to clause 4.6.3,

then *VENCorp* must cease processing the relevant *transfer request* and must, by midnight on the 11th *business day* after the day on which *VENCorp* delivered the *read failure notice* to that *Market Participant*, deliver a notice to:

- (c) that *Market Participant*;
- (d) the *FRO* for the *supply point* to which the *transfer request* relates;
- (e) if that *supply point* is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and
- (f) if that *supply point* is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which that *transmission supply point* is located,

which states that *VENCorp* will not further process that *transfer request*.

4.6.5 Registration Date

- (a) Where, pursuant to clause 4.6.1, *VENCorp* registers a *Market Participant* in the *VENCorp meter register* as the *FRO* for a *supply point*, that registration will be deemed to take effect:
 - (i) where the *meter* that relates to that *supply point* is a *basic meter*, at 9.00 am on the day to which the *validated meter reading* pertains as described in clause 4.6.1(d)*; or
 - (ii) where the *meter* that relates to that *supply point* is an *interval meter*, at 9.00 am on the *prospective transfer date*.
- (b) *VENCorp* must record both the date on which such registration takes place and the date on which such registration is deemed to take effect in the *VENCorp meter register*.

4.7 Registration of retrospective transfer

4.7.1 Registration Requirements

Where:

- (a) a *Market Participant* has delivered to *VENCorp* a *transfer request* in relation to a *supply point* which complies with clause 4.1.1;
- (b) the *proposed transfer date* nominated in that *transfer request* is a *retrospective transfer date* which complies with clause 4.1.2(b);
- (c) clause 4.1.3 has been complied with in relation to the *transfer request*; and
- (d) the *retrospectively affected FRO* in relation to that *transfer request*:
 - (i) has not delivered to *VENCorp*, by midnight on the fifth *business day* after the day on which *VENCorp* delivered to it the *transfer request notification* in relation to the *transfer request*, an *objection notice* in relation to the *transfer request* pursuant to clauses 4.3.1(a) and (b); or

* Because the *meter* must be read on a day, or the *substituted meter reading* must pertain to a date, that is within the *allowable period* in relation to the *proposed transfer date*, it is possible for the new *FRO* for the *supply point* to be registered in the *VENCorp meter register* with effect from a day prior to the day on which the *transfer request* is delivered to *VENCorp* (ie. where the *proposed transfer date* is less than four *business days* after the day on which the *transfer request* was delivered to *VENCorp*).

- (ii) has delivered such an *objection notice* but has subsequently delivered to *VENCorp* an *objection withdrawal notice* in relation to the *transfer request* pursuant to clause 4.3.2,

then, unless the *Market Participant* who delivered the *transfer request* to *VENCorp* has also delivered to *VENCorp* a *transfer withdrawal notice* in relation to the *transfer request* pursuant to clause 4.5.1, *VENCorp* must as soon as is practicable, register the *Market Participant* who delivered the *transfer request* in the *VENCorp* meter register as the *FRO* for the *supply point* to which that *transfer request* relates with effect from the *retrospective transfer date* to the *registration end date* (if any).

4.7.2 Registration Date

- (a) Where, pursuant to clause 4.7.1, *VENCorp* registers the *Market Participant* who delivered the *transfer request* in the *VENCorp* meter register as the *FRO* for a *supply point*, that registration will be deemed to take effect at 9.00 am on the *retrospective transfer date* and will be deemed to cease to have effect at 9.00am on the day after the *registration end date* (if any).
- (b) *VENCorp* must record the date on which such registration takes place, the date on which such registration is deemed to take effect and the period of registration in the *VENCorp* meter register.

4.8 Registration notification

Where, pursuant to clauses 4.6.1 or 4.7.1 (as the case may be), *VENCorp* registers a *Market Participant* in the *VENCorp* meter register as the *FRO* for a *supply point*, *VENCorp* must, by midnight on the first *business day* after it registers that *Market Participant* in the *VENCorp* meter register as the *FRO* for that *supply point*, deliver notice of that registration, together with the date from which that registration is deemed to take effect (*registration notice*) to:

- (a) that *Market Participant*;
- (b) where the *proposed transfer date* nominated in the *transfer request* is a *prospective transfer date*, the person who was the *FRO* for that *supply point* immediately prior to the registration of that *Market Participant* as the *FRO* for that *supply point*;
- (c) where the *proposed transfer date* nominated in the *transfer request* is a *retrospective transfer date*, the *retrospectively affected FRO* in relation to the *transfer request*;
- (d) if that *supply point* is a *distribution supply point* – the *Distributor* in whose *distribution area* that *distribution supply point* is located; and
- (e) if that *supply point* is a *transmission supply point* – the *Transmission Pipeline Owner* who owns or leases that part of the *transmission system* on which the *transmission supply point* is located.

ATTACHMENT 1 - DEFINITIONS

Defined Term	Meaning
<i>actual meter reading</i>	Figures or other information shown on a meter register or instrument either read or collected directly or transmitted or transformed by electronic, radio, microwave, sonic or other means.
<i>Adviser</i>	The Adviser appointed by <i>VENCorp</i> under clause 7.2.2 of the <i>MSOR</i> and referred to in clause 1.5.2 of these <i>Rules</i> .
<i>aged debt</i>	In relation to a person at any time, an amount or amounts owed by that person to a <i>Market Participant</i> for the sale of gas by the <i>Market Participant</i> to that person where, at that time, the amount or the aggregate of those amounts: <ul style="list-style-type: none"> (a) exceeds \$100; and (b) has been due and payable for more than 40 <i>business days</i>.
<i>allowable period</i>	In relation to a <i>transfer request notification</i> lodged without a <i>customer no-change statement</i> , the period commencing on the 10th business day prior to the day on which the <i>transfer request notification</i> is lodged and expiring on the fourth <i>business day</i> after the <i>proposed transfer date</i> . Or In relation to a <i>transfer request notification</i> lodged with a <i>customer no-change statement</i> , the period commencing on the fourth <i>business day</i> prior to the <i>proposed transfer date</i> and expiring on the fourth <i>business day</i> after the <i>proposed transfer date</i> .
<i>alternative transfer date notice</i>	In relation to a <i>transfer request</i> , a notice delivered to <i>VENCorp</i> pursuant to clauses 4.6.3(a) and 4.6.3(b).
<i>alternative transfer date notification</i>	In relation to an <i>alternative transfer date notice</i> , a notice delivered by <i>VENCorp</i> pursuant to clauses 4.6.3(c) and 4.6.3(d).
<i>approved estimation methodology</i>	The estimation methodology contained in Attachment 4 or such other estimation methodology as is approved from time to time by the <i>ORG</i> on the request of a <i>Distributor</i> .
<i>approved substitution methodology</i>	The substitution methodology contained in Attachment 5 or such other substitution methodology as is approved from time to time by the <i>ORG</i> on the request of a <i>Distributor</i> .
<i>approved validation methodology</i>	The validation methodology contained in Attachment 3 or such other validation methodology as is approved from time to time by the <i>ORG</i> on the request of a <i>Distributor</i> .
<i>average heating value</i>	In relation to a <i>reading period</i> , has the meaning given to that term in clause 2.6.1(b).
<i>base load</i>	In relation to a <i>distribution supply point</i> , means the level of gas consumption at that <i>supply point</i> that is not affected by the weather.
<i>basic meter</i>	A <i>meter</i> without a <i>data logger</i> .
<i>base reading</i>	Has the meaning given to that term in clause 2.6.1(a).
<i>business day</i>	A day other than a Saturday, Sunday or a day which has been proclaimed to be a public holiday in the Melbourne metropolitan area

Defined Term	Meaning
<i>checksum</i>	In relation to a <i>MIRN</i> , a single digit used to validate the correct entry of a <i>MIRN</i> in a database entry field.
<i>confidential information</i>	Has the meaning given to that term in clause 1.4.1(a).
<i>consumed energy</i>	In relation to a period, the <i>flow</i> during that period converted to energy by application of the applicable <i>average heating value</i> (see clause 2.6.1(a)(iv)).
<i>custody transfer meter</i>	A <i>meter</i> that measures the transfer of gas between the <i>transmission system</i> and a <i>distribution pipeline</i> .
<i>customer</i>	A person who consumes gas at a <i>supply point</i> .
<i>customer characterisation</i>	In relation to a <i>customer</i> , whether the <i>customer</i> is: <ul style="list-style-type: none"> (a) metropolitan or non-metropolitan (where “metropolitan” refers to the Melbourne metropolitan area); and (b) business or residential.
<i>customer no-change statement</i>	In relation to a <i>transfer request</i> , a statement in the <i>transfer request</i> , pursuant to clause 4.1.1(a)(iii) that it is intended that the person who purchases gas at the relevant <i>supply point</i> as at the day on which the <i>transfer request</i> is delivered to <i>VENCorp</i> , will purchase gas that is delivered at that <i>supply point</i> from the <i>Market Participant</i> who delivered that <i>transfer request</i> to <i>VENCorp</i> following the registration of that <i>Market Participant</i> in the <i>VENCorp</i> meter register as the <i>FRO</i> for that <i>supply point</i> .
<i>customer-own read</i>	A <i>read</i> undertaken by a <i>customer</i> of a <i>Retailer</i> details of which are provided by the <i>customer</i> by telephone or in writing to the <i>Retailer</i> or in writing to the <i>Distributor</i> for the <i>distribution area</i> in which the <i>distribution supply point</i> to which the <i>meter</i> relates is located.
<i>data collection system</i>	All equipment and arrangements that lie between the <i>VENCorp metering database</i> and the point where the data collected by equipment and installations associated with a <i>meter</i> enters the public telecommunications network.
<i>data logger</i>	A device that collects and stores data relating to the volume, temperature and pressure of gas and is capable of either: <ul style="list-style-type: none"> (a) transferring recorded data to a portable reading device; or (b) being accessed electronically by <i>VENCorp</i> through the <i>data collection system</i>.
<i>data provision period</i>	Where the <i>proposed transfer date</i> nominated in a <i>transfer request</i> is a <i>prospective transfer date</i> , the period commencing on the first <i>business day</i> of the <i>allowable period</i> and expiring at midnight on the first <i>business day</i> after the <i>business day</i> on which the <i>allowable period</i> expires.
<i>data retention period</i>	In relation to a <i>meter</i> at a particular time, the period of seven years preceding that time or the period since the <i>transition date</i> (whichever is shorter).
<i>decommission</i>	In relation to a <i>distribution supply point</i> , take action to preclude gas being supplied at that <i>distribution supply point</i> (eg. by plugging or removing the meter relating to that <i>distribution supply point</i>).

Defined Term	Meaning
<i>deregister</i>	In relation to a <i>distribution supply point</i> , terminate the <i>MIRN</i> and remove it from the <i>MIRN database</i> of the <i>Distributor</i> in whose <i>distribution area</i> that <i>distribution supply point</i> is located (eg. following the dismantling of the <i>distribution supply point</i>).
<i>discovery address</i>	In relation to a <i>supply point</i> , the address of the premises (street number, street name, street identifier, suburb and city/town, or their equivalents) to which gas is supplied at that <i>supply point</i> .
<i>dispute resolution panel</i>	A panel of persons or a person appointed by the <i>Adviser</i> under clause 1.5.4(a) to resolve a dispute or disputes under or in connection with these <i>Rules</i> .
<i>distribution area</i>	In relation to a <i>Distributor</i> , has the meaning given to that term in the <i>Distribution Licence</i> held by that <i>Distributor</i> .
<i>Distribution Code</i>	The Gas Distribution System Code lodged with the <i>ORG</i> on or about 3 November 1997.
<i>Distribution Licence</i>	A licence to provide services by means of a distribution pipeline granted by the <i>ORG</i> under section 48E of the <i>GIA</i> .
<i>distribution pipeline</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>distribution supply point</i>	A point on a <i>distribution pipeline</i> at which gas is withdrawn from the <i>distribution pipeline</i> and delivered to a person who purchases that gas and consumes it at particular premises.
<i>distribution tariff</i>	“Distribution tariff” as that term is defined in the <i>Tariff Order</i> or (where the <i>Tariff Order</i> ceases to regulate such tariffs) any charge for the services that were the subject of that tariff.
<i>distribution zone</i>	In relation to a <i>distribution supply point</i> , the “distribution zone” (as defined in the <i>Tariff Order</i>) in which that <i>distribution supply point</i> is located or (where the <i>Tariff Order</i> ceases to provide for such zones) the zone (if any) in which that <i>distribution supply point</i> is located and which is designated for similar purposes to that zone.
<i>Distributor</i>	A person authorised to provide services by means of a <i>distribution pipeline</i> under a <i>Distribution Licence</i> issued by the <i>ORG</i> under the <i>GIA</i> .
<i>effective degree day</i>	Has the meaning given to that term in clause 3.1 of Attachment 6.
<i>estimated meter reading</i>	An estimate of an <i>actual meter reading</i> that is made under these <i>Rules</i> in accordance with an <i>approved estimation methodology</i> or a <i>customer-own read</i> .
<i>excluded services</i>	“Excluded services” as that term is defined in the <i>Tariff Order</i> or (where the <i>Tariff Order</i> ceases to regulate the charge for such services) any services of that kind the charge for which is regulated under or by virtue of a law or regulatory instrument.
<i>existing transfer request</i>	Has the meaning given to that term in clause 4.1.5(c).
<i>explicit informed consent</i>	Consent that satisfies the requirements for explicit informed consent as set out in guidelines issued from time to time by the <i>ORG</i> .
<i>flow</i>	The difference between a <i>validated meter reading</i> and the immediately preceding <i>validated meter reading</i> .
<i>FRC (Full Retail Contestability) date</i>	The date on which there ceases to be in effect an Order made under section 48GC of the <i>GIA</i> .

Defined Term	Meaning
<i>FRO (Financially Responsible Organisation)</i>	In relation to a <i>supply point</i> at any time, the person identified at that time in the <i>VENCorp meter register</i> as the <i>Market Participant</i> responsible for settling the account relating to that <i>supply point</i> .
<i>gas day</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>Gas Interface Protocol</i>	The protocol referred to in clause 1.2.
<i>GIA</i>	Gas Industry Act 1994 (Vic).
<i>host retailer</i>	The <i>Retailer</i> to whom residual energy is assigned in accordance with the <i>MSOR</i> for the purpose of <i>settlement</i> .
<i>heating value zone</i>	In relation to a <i>supply point</i> , the heating value zone (if any) which is determined by <i>VENCorp</i> as the heating value zone for that <i>supply point</i> .
<i>installation database</i>	In relation to a <i>Distributor</i> , the <i>database</i> which the <i>Distributor</i> is required to create, maintain and administer under clause 6 of the <i>Distribution Code</i> .
<i>interval meter</i>	A <i>meter</i> with a <i>data logger</i> .
<i>local capacity charge</i>	A charge for “distribution connection” services other than those that are “tariffed distribution services” (as those terms are defined in the <i>Tariff Order</i>) or (where the <i>Tariff Order</i> ceases to regulate the charge for such services) any charge for services of that kind.
<i>market information bulletin board</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>Market Participant Meter</i>	Has the meaning given to that term in the <i>MSOR</i> . A device which measures and records the volume of gas passing through it and includes associated equipment attached to the instrument to filter, control or regulate the flow of gas.
<i>meter data database</i>	A <i>database</i> created, maintained and administered by a <i>Distributor</i> pursuant to clause 2.1.1.
<i>meter number</i>	In respect of a <i>meter</i> , means a unique identification number allocated to the <i>meter</i> .
<i>meter reading</i>	An <i>actual meter reading</i> , <i>estimated meter reading</i> or <i>substituted meter reading</i> . A reference to a <i>meter reading</i> in respect of a particular date or reading period is to the reading that has most recently been included in the <i>meter data database</i> in respect of that date or <i>reading period</i> .
<i>meter reading schedule</i>	A schedule provided by a <i>Distributor</i> to <i>Retailers</i> pursuant to clauses 2.2.1(b) or (c).
<i>MIRN</i>	In relation to a <i>supply point</i> at any time, the meter installation registration number for that <i>supply point</i> as recorded at that time: (a) where the <i>supply point</i> is a <i>distribution supply point</i> , in the <i>MIRN database</i> of the <i>Distributor</i> in whose <i>distribution area</i> that <i>supply point</i> is located; and (b) where the <i>supply point</i> is a <i>transmission supply point</i> , in the <i>VENCorp meter register</i> , including the checksum for that <i>MIRN</i> .
<i>MIRN database</i>	A <i>database</i> created, maintained and administered by a <i>Distributor</i> pursuant to clause 3.1.

Defined Term	Meaning
<i>MIRN discovery request</i>	In relation to a <i>distribution supply point</i> , a request by a <i>Market Participant</i> or <i>VENCorp</i> to a <i>Distributor</i> for the information referred to in clause 3.1.1 in relation to a <i>distribution supply point</i> which is (or is purported to be) located in the <i>distribution area</i> of that <i>Distributor</i> (such <i>distribution supply point</i> being identified by reference to a <i>MIRN</i> or a <i>discovery address</i>).
<i>MSOR</i>	The Victorian Gas Industry Market and System Operations Rules published in the Government Gazette dated 4 February 1999.
<i>net system load profile methodology</i>	The methodology contained in Attachment 6.
<i>NSL</i>	Has the meaning given to that term in Attachment 6.
<i>objection notice</i>	In relation to a <i>transfer request</i> , a notice delivered to <i>VENCorp</i> pursuant to clause 4.3.1.
<i>objection notification</i>	In relation to an objection notice, a notice of that name delivered by <i>VENCorp</i> pursuant to clause 4.3.3.
<i>objection withdrawal notice</i>	In relation to a <i>transfer request</i> , a notice delivered to <i>VENCorp</i> pursuant to clause 4.3.2.
<i>objection withdrawal notification</i>	In relation to an <i>objection</i> notice, a notice of that name delivered to <i>VENCorp</i> pursuant to clause 4.3.3.
<i>ORG</i>	The Office of the Regulator-General established under the Office of the Regulator-General Act 1994 (Vic).
<i>permitted prospective period</i>	In relation to a <i>transfer request</i> , the period of 66 <i>business days</i> commencing on (and including) the day on which the <i>transfer request</i> is delivered to <i>VENCorp</i> .
<i>permitted retrospective period</i>	In relation to a <i>transfer request</i> , the period of 118 <i>business days</i> expiring immediately before the day on which the <i>transfer request</i> is delivered to <i>VENCorp</i> .
<i>pressure correction factor</i>	The value applied to reflect the difference in volume of gas at the pressure at which its volume is measured, and the volume of that gas at standard metric conditions.
<i>proposed transfer date</i>	In relation to a <i>transfer request</i> , the day nominated in that <i>transfer request</i> as the day with effect from which the <i>Market Participant</i> who delivers the <i>transfer request</i> to <i>VENCorp</i> is to be registered in the <i>VENCorp meter register</i> as the <i>FRO</i> for the supply point to which the <i>transfer request</i> relates.
<i>prospective transfer date</i>	In relation to a <i>transfer request</i> , a <i>day</i> which is on or after the day on which the <i>transfer request</i> is delivered to <i>VENCorp</i> .
<i>read</i>	The process of collecting figures or other information from a <i>meter</i> either directly or through being transmitted or transformed by electronic, radio, microwave, sonic or other means.
<i>read failure notice</i>	In relation to a <i>transfer request</i> , a notice delivered by <i>VENCorp</i> pursuant to clause 4.6.2.
<i>reading period</i>	The period (identified by reference to the date of its commencement and the date of its expiry) referred to in clause 2.6.1(a).
<i>Recipient</i>	Has the meaning given to that term in clause 1.4.1(b).
<i>reference reading</i>	Has the meaning given to that term in clause 2.6.1(a).

Defined Term	Meaning
<i>registration end date</i>	In relation to a <i>transfer request</i> which nominates a <i>retrospective transfer date</i> as the <i>proposed transfer date</i> , the last date that the <i>Market Participant</i> who delivered the <i>transfer request</i> wishes to be registered in the <i>VENCorp meter register</i> as the <i>FRO</i> for the <i>supply point</i> to which that <i>transfer request</i> relates.
<i>registration notice</i>	A notice delivered by <i>VENCorp</i> pursuant to clause 4.8.
<i>related body corporate</i>	In relation to a body corporate, a body corporate that is related to the first mentioned body in accordance with the Corporations Law.
<i>Retail Code</i>	The Retail Code issued by the <i>ORG</i> having an effective date of 1 September 2001 and/or any revisions, updates or replacements of that code after that date.
<i>Retail Licence</i>	A licence to sell gas granted by the <i>ORG</i> under section 48E of the <i>GIA</i> .
<i>Retailer</i>	A person authorised to sell gas under a <i>Retail Licence</i> issued by the <i>ORG</i> under the <i>GIA</i> .
<i>retrospective transfer date</i>	In relation to a <i>transfer request</i> , a <i>day</i> which is before the day on which the <i>transfer request</i> is delivered to <i>VENCorp</i> .
<i>retrospectively affected FRO</i>	In relation to a <i>transfer request</i> which nominates a <i>retrospective transfer date</i> as the <i>proposed transfer date</i> , the person whose period of registration in the <i>VENCorp meter register</i> as the <i>FRO</i> for the <i>supply point</i> to which the <i>transfer request</i> relates would be decreased or eliminated if the <i>Market Participant</i> who delivered the <i>transfer request</i> to <i>VENCorp</i> were to be registered in the <i>VENCorp meter register</i> as the <i>FRO</i> for that <i>supply point</i> with effect from the <i>retrospective transfer date</i> .
<i>Rules</i>	These Gas Market Retail Rules.
<i>scheduled read date</i>	In respect of a <i>meter</i> relating to a <i>distribution supply point</i> , a day specified in the applicable <i>meter reading schedule</i> as a day on which the <i>Distributor</i> is to read that <i>meter</i> .
<i>second tier supply point</i>	A <i>distribution supply point</i> the <i>FRO</i> in respect of which is a person other than the <i>host retailer</i> .
<i>settlement</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>site access information</i>	In relation to a <i>meter</i> , information and safety instructions that are relevant to locating and <i>reading</i> that <i>meter</i> .
<i>special read</i>	A <i>read</i> undertaken other than in accordance with a <i>meter reading schedule</i> .
<i>special read date</i>	The date nominated by a <i>Retailer</i> as the date on which a <i>Distributor</i> is to perform a <i>special read</i> .
<i>street/suburb combination</i>	In relation to a <i>MIRN discovery request</i> , the <i>discovery address</i> excluding the street number or its equivalent.
<i>special read request</i>	A request for a <i>special read</i> in the form prescribed by the relevant <i>Distributor</i> .
<i>subject customer</i>	In relation to a <i>supply point</i> , a person who purchases or proposes to purchase gas that is delivered at that <i>supply point</i> and who consumes or proposes to consume that gas at a particular premises.

Defined Term	Meaning
<i>substituted meter reading</i>	A reading that is substituted under these <i>Rules</i> for an <i>actual meter reading</i> in accordance with an <i>approved substitution methodology</i> .
<i>supply point</i>	A <i>transmission supply point</i> or a <i>distribution supply point</i> .
<i>Tariff Order</i>	The Victorian Gas Industry Tariff Order 1998 made by the Governor in Council under section 48A of the <i>GIA</i> .
<i>temperature sensitivity factor</i>	In relation to a <i>distribution supply point</i> , means the incremental gas consumption at that <i>supply point</i> that is the GJ per EDD calculated in accordance with Attachment 6.
<i>trading interval</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>transfer point</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>transfer request</i>	In relation to a <i>supply point</i> , a request by a <i>Market Participant</i> to <i>VENCorp</i> to register that <i>Market Participant</i> in the <i>VENCorp meter register</i> as the <i>FRO</i> for that <i>supply point</i> .
<i>transfer request notification</i>	In relation to a <i>transfer request</i> , a notice delivered by <i>VENCorp</i> pursuant to clause 4.2.
<i>transfer withdrawal notice</i>	In relation to a <i>transfer request</i> , a notice delivered to <i>VENCorp</i> pursuant to clause 4.5.1.
<i>transition date</i>	The date specified by the Minister for Energy and Resources by notice published in the Victorian Gazette as the date on which the responsibility for reading <i>basic meters</i> is transferred from <i>Retailers to Distributors</i> .
<i>Transition Implementation Plan</i>	The plan for the transitional implementation of these <i>Rules</i> and the provision of certain information under these <i>Rules</i> established by <i>VENCorp</i> in consultation with <i>Market Participants, Distributors and Transmission Pipeline Owners</i> and published on <i>VENCorp's</i> website.
<i>Transmission Pipeline Owner</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>transmission supply point</i>	A point on the <i>transmission system</i> at which gas is withdrawn from the <i>transmission system</i> and delivered to a person who purchases that gas and consumes it at a particular premises.
<i>transmission system</i>	Has the meaning given to that term in the <i>MSOR</i> .
<i>transmission tariff</i>	“Transmission tariff” as that term is defined in the <i>Tariff Order</i> or (where the <i>Tariff Order</i> ceases to regulate such tariffs) any charge for the services that were the subject of that tariff.
<i>transmission zone</i>	In relation to a <i>supply point</i> , the “transmission zone” (as defined in the <i>Tariff Order</i>) in which that <i>supply point</i> is located or (where the <i>Tariff Order</i> ceases to provide for such zones) the zone (if any) in which that <i>supply point</i> is located and which is designated for similar purposes to that zone.
<i>validated meter reading</i>	A <i>meter reading</i> that has been validated in accordance with an <i>approved validation methodology</i> .
<i>VENCorp</i>	The Gas Transmission System Operator established under the <i>GIA</i> .
<i>VENCorp meter register</i>	The metering register maintained by <i>VENCorp</i> pursuant to clause 4.4.21 of the <i>MSOR</i> .
<i>VENCorp metering database</i>	The metering database maintained by <i>VENCorp</i> pursuant to clause 4.4.20 of the <i>MSOR</i> .

ATTACHMENT 2 – INTERPRETATION

These principles of interpretation apply to these Rules:

- (a) the headings are inserted for convenience only and do not affect the interpretation of these *Rules*;
- (b) words importing the singular number include the plural number and words importing the plural number include the singular number;
- (c) words denoting one gender include any other gender;
- (d) if a word or phrase is defined, another grammatical form of that word or phrase has a corresponding meaning;
- (e) a reference to a person includes that person's executors, administrators, liquidators, successors and permitted assigns;
- (f) words denoting persons only include natural persons, bodies corporate, unincorporated associations, firms, governments and any governmental agencies;
- (g) references to chapters, paragraphs, clauses, sub-clauses, attachments and schedules are references to chapters, paragraphs, sub-clauses, attachments and schedules of these *Rules*;
- (h) a reference to any Act of Parliament or to any section or provisions thereof extends to and includes any statutory modification or re-enactment thereof or any statutory provision substituted therefor;
- (i) a reference to any agreement or document or regulatory instrument is a reference to that agreement or document or regulatory instrument as varied or amended from time to time and includes any schedules, annexures or attachments to that agreement or document or regulatory instrument;
- (j) references to time are references to Australian Eastern Standard Time;
- (k) if a period of time is specified in days from a given day or an act or event, it is to be calculated exclusive of that day or, if that day is not a *business day*, exclusive of the first *business day* following that day; and
- (l) in deciding whether a person has used best endeavours, regard must be had to all relevant factors including whether the person has acted in good faith and has done what is reasonably necessary in the circumstances.

ATTACHMENT 3 – APPROVED VALIDATION METHODOLOGY

A *Distributor* must apply at least the following validation tests to a *meter reading*:

- (a) is the *meter reading* value numeric and greater than or equal to zero;
- (b) is the *meter reading* value greater than or equal to the previous *meter reading* value (other than where there has been a full revolution of the meter index (step-down value));
- (c) in respect of an *actual meter reading*, does the *meter reading* value pass the high/low test (whose parameters are defined initially as $\pm 25\%$ around the point estimate for the reading period generated by both Type 1 and Type 2 Estimation methods set out in Attachment 4) conducted when the *meter reading* is undertaken;
- (d) is the date the *meter reading* occurred later than or the same as the date the immediately preceding *validated meter reading* occurred and;
- (e) does the meter reading value pass the Meter Capacity Test defined below:

Number of Dials	Meter Capacity per 60-day Billing Period
4	100GJ
5	500GJ
6	2,500GJ

ATTACHMENT 4 - APPROVED ESTIMATION METHODOLOGY**1. Application**

A *Distributor* must undertake an *estimated meter reading* in the circumstances described in clauses 2.1.5(a)(ii), 2.1.5(a)(iii) and 2.4.2(b) of these *Rules*.

2. Methodologies**2.1 Type 1 Estimation Methodology**

2.1.1 A *Distributor* must use this estimation methodology where the *distribution supply point* in respect of which the *estimated meter reading* is to be undertaken has at least 12 months' consumption history.

2.1.2 A *Distributor* must utilise the calculated daily *base load* and the calculated usage per *effective degree day* for the relevant *distribution supply point* as follows:

- (a) The *Distributor* must estimate the *consumed energy* for a *basic meter* based on the weather measured in *effective degree days* and the *base load* and *temperature sensitivity factor* as follows:

$$\text{Consumed energy} = (\text{BL} \times \text{P}) + (\text{TSF} \times \Sigma \text{EDD})$$

Where:

- *consumed energy* is the estimated *consumed energy* over the *reading period*;
- BL is the *base load*;
- P is the number of days in the *reading period*;
- TSF is the *temperature sensitivity factor*; and
- ΣEDD is the sum of the *effective degree days* over the *reading period*.

- (b) The *base load* is derived from the smallest *consumed energy* measured in a *reading period* during the summer period (defined as between 1 October and 31 March within the current 12 month period) according to the following formula:

$$\text{BL} = \text{SE} / \text{PSE}$$

Where:

- BL is the *base load*;
- SE is the smallest *consumed energy* during the summer period; and
- PSE is the number of days in the *reading period* during the summer period.

- (c) The *temperature sensitivity factor* applies a weather impact to the *base load* by reference to the *effective degree day* for each day in the *reading period*. The *temperature sensitivity factor* is derived from the difference between:

- (i) the largest *consumed energy* measured in a *reading period* during the winter period (between 1 April and 30 September within the current 12 month period); and
- (ii) the smallest *consumed energy* measured in a *reading period* during the summer period,

divided by the sum of the *effective degree days* for the *reading period* over which the largest *consumed energy* value was derived. This is represented by the following formula:

$$\text{TSF} = (\text{LE} - (\text{BL} \times \text{PLE})) / \Sigma \text{EDD} (\text{LE})$$

Where:

- TSF is the *temperature sensitivity factor*;
- LE is largest *consumed energy*;
- BL is the *base load*;
- PLE is the number of days in the *reading period* during the winter period; and
- Σ EDD (LE) is the sum of the *effective degree days* over the *reading period* during the winter period.

- (d) The *Distributor* must use the latest available *effective degree days* published by *VENCorp* under clause 2.8.4(a) of these *Rules*.

2.2 Type 2 Estimation Methodology

2.2.1 A *Distributor* must use this estimation methodology where a *distribution supply point* in respect of which the *estimated meter reading* is to be undertaken has less than 12 months' consumption history.

2.2.2 A *Distributor* must use the four categories of *customers* in accordance with the *customer characterisation* provided to the *Distributor* pursuant to clauses 2.8.1(a) and (b) of these *Rules* as follows:

	Melbourne metropolitan area	Non-Melbourne metropolitan area
Residential	R_1	R_2
Business	B_1	B_2

2.2.3 A *Distributor* must calculate the average base load and average *temperature sensitivity factor* for each *customer characterisation* as follows:

- (a) the average *base load* is:
- (i) the sum of the *base load* consumption for all *customers* within that *Distributor's distribution area* which have that *customer characterisation* and 12 months' or more consumption history; divided by
 - (ii) the number of *distribution supply points* within that *Distributor's distribution area* which have that *customer characterisation*; and
- (b) the average *temperature sensitivity factor* is:
- (i) the sum of *temperature sensitivity factors* for all *customers* within that *Distributor's distribution area* which have that *customer characterisation* and 12 months' or more consumption history; divided by
 - (ii) the number of *distribution supply points* within that *Distributor's distribution area* which have that *customer characterisation*.

2.2.4 A *Distributor* must determine the estimated usage for a *distribution supply point* by applying the relevant average *base load* and average *temperature sensitivity factor* (calculated pursuant to clause 2.2.3 of this Attachment) for that *distribution supply point* to each day occurring during the period to which the *estimated meter reading* relates. A *Distributor* must use the latest available *effective degree days* published by *VENCorp* under clause 2.8.4(a) of these *Rules*.

2.2.5 A *Distributor* must apply the applicable *average heating value* and *pressure correction factors* to the estimated *consumed energy* to determine the estimated *flow* for the period and the relevant *estimated meter reading*.

ATTACHMENT 5 – APPROVED SUBSTITUTION METHODOLOGY**1. Application**

A *Distributor* must undertake a *substituted meter reading* where:

- (a) a *basic meter* has failed or is shown to be defective; or
- (b) in other circumstances where there is no prospect of obtaining an *actual meter reading* or an accurate *actual meter reading* from that meter.

2. Methodologies**2.1 Type 1 Substitution Methodology**

2.1.1 A *Distributor* must use this substitution methodology where the *distribution supply point* in respect of which the *substituted meter reading* is to be undertaken has at least 12 months' consumption history.

2.1.2 A *Distributor* must utilise the calculated daily *base load* and the calculated usage per *effective degree day* for the relevant *distribution supply point* as follows:

- (a) The *Distributor* must estimate the *consumed energy* for a *basic meter* based on the weather measured in *effective degree days* and the *base load* and *temperature sensitivity factor* as follows:

$$\text{Consumed energy} = (\text{BL} \times \text{P}) + (\text{TSF} \times \Sigma \text{EDD})$$

Where:

- *consumed energy* is the estimated *consumed energy* over the *reading period*;
- BL is the *base load*;
- P is the number of days in the *reading period*;
- TSF is the *temperature sensitivity factor*; and
- ΣEDD is the sum of the *effective degree days* over the *reading period*.

- (b) The *base load* is derived from the smallest *consumed energy* measured in a *reading period* during the summer period (defined as between 1 October and 31 March within the current 12 month period) according to the following formula:

$$\text{BL} = \text{SE} / \text{PSE}$$

Where:

- BL is the *base load*;
- SE is the smallest *consumed energy* during the summer period; and
- PSE is the number of days in the *reading period* during the summer period.

- (c) The *temperature sensitivity factor* applies a weather impact to the *base load* by reference to the *effective degree day* for each day in the *reading period*. The *temperature sensitivity factor* is derived from the difference between:

- (i) the largest *consumed energy* measured in a *reading period* during the winter period (between 1 April and 30 September within the current 12 month period); and
- (ii) the smallest *consumed energy* measured in a *reading period* during the summer period,

divided by the sum of the *effective degree days* for the *reading period* over which the largest *consumed energy* value was derived. This is represented by the following formula:

$$\text{TSF} = (\text{LE} - (\text{BL} \times \text{PLE})) / \Sigma \text{EDD} (\text{LE})$$

Where:

- TSF is the *temperature sensitivity factor*;
- LE is *largest consumed energy*;
- BL is the *base load*;
- PLE is the number of days in the *reading period* during the winter period; and
- Σ EDD (LE) is the sum of the *effective degree days* over the *reading period* during the winter period.

- (d) The *Distributor* must use the latest available *effective degree days* published by *VENCorp* under clause 2.8.4(a) of these *Rules*.

2.2 Type 2 Substitution Methodology

- 2.2.1 A *Distributor* must use this substitution methodology where the *distribution supply point* in respect of which the *substituted meter reading* is to be undertaken has less than 12 months' consumption history.

- 2.2.2 A *Distributor* must use the four categories of *customers* in accordance with the *customer characterisation* provided to the *Distributor* pursuant to clause 2.8.1(a) and (b) as follows:

	Melbourne metropolitan area	Non-Melbourne metropolitan area
Residential	R₁	R₂
Business	B₁	B₂

- 2.2.3 A *Distributor* must calculate the average *base load* and average *temperature sensitivity factor* for each *customer characterisation* as follows:

- (a) the average *base load* means:
- (i) the sum of the *base load* consumption for all *customers* within that *Distributor's distribution area* which have that *customer characterisation* and 12 months' or more consumption history; divided by
 - (ii) the number of *distribution supply points* within that *Distributor's distribution area* which have that *customer characterisation*; and
- (b) the average *temperature sensitivity factor* means:
- (i) the sum of *temperature sensitivity factors* for all *customers* within that *Distributor's distribution area* which have that *customer characterisation* and 12 months' or more consumption history; divided by
 - (ii) the number of *distribution supply points* within that *Distributor's distribution area* which have that *customer characterisation*.

- 2.2.4 A *Distributor* must determine the substituted usage for a *distribution supply point* by applying the relevant average *base load* and average *temperature sensitivity factor* (calculated pursuant to clause 2.2.3 of this Attachment) for that *distribution supply point* to each day occurring during the period to which the *substituted meter reading* relates. A *Distributor* must use the latest available *effective degree days* published by *VENCorp* under clause 2.8.4(a) of these *Rules*.

- 2.2.5 A *Distributor* must apply the applicable average *heating value* and *pressure correction factor* to the substituted *consumed energy* to derive the substituted *flow* for the period and the relevant *substitute meter reading*.

ATTACHMENT 6 – NET SYSTEM PROFILE METHODOLOGY**1. Profile Preparation Service (PPS)****1.1 Calculation of the NSL**

1.1.1 *VENCorp* must calculate the net system load (*NSL*) for each *distribution area* in accordance with this clause 1.

1.1.2 For each *distribution area*, the *NSL* for each *trading interval* is derived from the total energy entering the *distribution area* (*ET*) less the total energy leaving the *distribution area* (*EL*) and less the sum of all *interval metered* energy withdrawn at a *distribution supply point* within the *distribution area* (*EI*) adjusted for distribution unaccounted for gas within the *distribution area* (*UAFG_D*). The *NSL* for a *trading interval* can be represented by the following formula:

$$NSL_{i, D} = ET_{i, D} - EL_{i, D} - \left(\frac{\sum EI_{i, D}}{(1-UAFG_D)} \right)$$

Where:

- $NSL_{i, D}$ is the *NSL* for *distribution area D* for *trading interval i*;
- $ET_{i, D}$ is the total energy entering *distribution area D* during *trading interval i*;
- $EL_{i, D}$ is the total energy leaving *distribution area D* during *trading interval i*;
- $EI_{i, D}$ is the *interval metered* energy withdrawn at a *distribution supply point* within *distribution area D* during *trading interval i*; and
- $UAFG_D$ is the relevant value assigned to:
 - (a) the *Distributor* on whose *distribution pipeline* the *distribution supply point* is located; and
 - (b) the quantity of gas withdrawn by a *Market Participant* at the *distribution supply point*,

in accordance with Part C of Schedule 1 of the *Distribution Code*.

1.2 Updating the NSL

1.2.1 The *NSL* is subject to changes as a result of revisions to either *custody transfer meter* data or *interval meter* data. Revisions to *custody transfer meter* data are less likely than revisions to *interval meter* data because most *interval meters* are read manually more than three *business days* after the relevant *gas day* (when prudential reporting is required).

1.2.2 The substitution rules developed by *VENCorp* under clause 4.4.24(b) of the *MSOR* will be applied to estimate missing *interval meter* data. That data will be replaced with actual values available at a later date in accordance with clause 1.2.3 of this Attachment.

1.2.3 *VENCorp* must calculate the *NSL* for each *distribution area* for each *gas day* using revised or additional information provided or available to it in accordance with the following timeframe:

- (a) for prudential reporting – no later than three *business days* after the *gas day*;
- (b) for preliminary settlement – no later than seven *business days* after the end of the month in which the *gas day* occurred; and
- (c) for final settlement – no later than 18 *business days* after the end of the month in which the *gas day* occurred.
- (d) for settlement revision – 118 *business days* after the end of the month in which the *gas day* occurred

2. Basic Meter Profiler (BMP)

2.1 Data for apportionment

The *consumed energy* data required by *VENCorp* for the purpose of applying the *NSL* is provided to *VENCorp* in accordance with clauses 2.6.2(b) and 2.6.3 of these *Rules*.

2.2 Load Apportionment Using the *NSL*

2.2.1 *VENCorp* must apply the *NSL* prepared in accordance with clause 1 to each *basic meter* for a *second tier supply point*, for which a *validated meter reading* is available, in accordance with this clause 2.2. The aim of applying the *NSL* is to apportion the *consumed energy* for each such *meter* to each *trading interval* in the *reading period*.

2.2.2 The load apportionment factor is the ratio of the *NSL* for the relevant *gas day* to the total *NSL* for the corresponding *reading period* as represented by the following formula:

$$\text{LAF}_d = \frac{\text{NSL}_d}{\Sigma \text{NSL}}$$

Where:

- LAF_d is the load apportionment factor for *gas day* *d*;
- NSL_d is the *NSL* for *gas day* *d*; and
- ΣNSL is the sum of the *NSL* for each *gas day* in the *reading period*.

2.2.3 The load apportionment factor for a *trading interval* is applied to the *consumed energy* for a *reading period* for a *basic meter* to estimate the *consumed energy* for a *gas day* for that *basic meter* as follows:

$$\text{Consumed energy}_{d,j} = \text{accumulated consumed energy}_j \times \text{LAF}_d$$

Where:

- *consumed energy* is the *consumed energy* for *basic meter* *j* for a *second tier supply point* for *gas day* *d*;
- *accumulated consumed energy* is the *consumed energy* for the *reading period* for *basic meter* *j*; and
- LAF_d is the load apportionment factor for *gas day* *d*.

2.2.4 If a *validated meter reading* is not available, the *consumed energy* for a *basic meter* for a *second tier supply point* will be calculated in accordance with clause 2.3 of this Attachment.

2.3 Calculating Daily Load when Meter Readings are not available

2.3.1 Where a *meter reading* is not available, *VENCorp* must estimate the *consumed energy* for a *basic meter* for a *second tier supply point* based on the weather measured in *effective degree days* and the *base load* and *temperature sensitivity factor* provided to *VENCorp* by *Distributors* under clauses 2.8.1(c) and 2.8.1(d) of these *Rules* as follows:

$$\text{Consumed energy}_{d,j} = \text{BL}_j + (\text{TSF}_j \times \text{EDD}_d)$$

Where:

- *consumed energy*_{*d,j*} is the estimated *consumed energy* for *basic meter* *j* for a *second tier supply point* on *gas day* *d*;
- BL_j is the *base load* for *basic meter* *j*;
- TSF_j is the *temperature sensitivity factor* for *basic meter* *j*; and
- EDD_d is the *effective degree days* for *gas day* *d*.

2.3.2 When a *validated meter reading* for the *basic meter* becomes available, the *consumed energy* based on the *validated meter reading* will supersede the *consumed energy* estimated in accordance with this clause 2.3.

2.4 Timeframe for BMP Calculations

- 2.4.1 The majority of *meter readings* for *basic meters* will not be available three *business days* after the *gas day* and hence the estimation method specified in clause 2.3 of this Attachment must be used by *VENCorp* to calculate *consumed energy* for each *gas day* for *basic meters* for *second tier supply points*.
- 2.4.2 *VENCorp* must calculate the aggregate *consumed energy* for each *second tier supply point* for each *gas day* using revised or additional information provided or available to it in accordance with the following timeframes:
- for prudential reporting – no later than three *business days* after the *gas day*;
 - for preliminary settlement – no later than seven *business days* after the end of the month in which the *gas day* occurred;
 - for final settlement – no later than 18 *business days* after the end of the month in which the *gas day* occurred; and
 - for settlement revision – 118 *business days* after the end of the month in which the *gas day* occurred.
- 2.4.3 *VENCorp* must use the most up to date *NSL* each time it performs the calculations referred to in clauses 2.2 and 2.4.2 of this Attachment.

2.5 Base Load & Temperature Sensitivity Factor

- 2.5.1 The *base load* is derived from the smallest *consumed energy* measured in a *reading period* during the summer period (defined as between 1 October and 31 March within the current 12 month period) according to the following formula:

$$BL = SE / PSE$$

Where:

- BL is the *base load*;
- SE is the smallest *consumed energy* during the summer period; and
- PSE is the number of days in the *reading period* during the summer period.

- 2.5.2 The *temperature sensitivity* factor applies a weather impact to the *base load* by reference to the *effective degree day* for each day in the *reading period*. The *temperature sensitivity factor* is derived from the difference between:

- the largest *consumed energy* measured in a *reading period* during the winter period (between 1 April and 30 September within the current 12 month period); and
- the smallest *consumed energy* measured in a *reading period* during the summer period,

divided by the sum of the *effective degree days* for the *reading period* over which the largest *consumed energy* value was derived. This is represented by the following formula:

$$TSF = (LE - (BL \times PLE)) / \Sigma EDD (LE)$$

Where:

- TSF is the *temperature sensitivity factor*;
- LE is largest *consumed energy*;
- BL is the *base load*;
- PLE is the number of days in the *reading period* during the winter period; and
- $\Sigma EDD (LE)$ is the sum of the *effective degree days* over the *reading period* during the winter period.

3. Effective Degree Days

3.1 Purpose of Effective Degree Day

Effective degree days are required for the calculation of the *temperature sensitivity* factor. The *effective degree day* is used to measure coldness which is directly related to gas demand for area heating. The *effective degree day* is a composite measure of weather coldness incorporating the effect of temperature, wind, sunshine and day of the year.

3.2 Calculation of Effective Degree Days

3.2.1 The *effective degree day* is calculated as follows:

$$\begin{aligned} \text{EDD} = & \text{DD (temperature effect)} \\ & + 0.038 \times \text{DD} \times \text{average wind (wind chill factor)} \\ & - 0.18 \times \text{sunshine hours (warming effect of sunshine)} \\ & + 2 \times \text{Cos} \left(\frac{2\pi(\text{day} - 200)}{365} \right) \text{ (seasonal factor)} \end{aligned}$$

Where:

- EDD is the *effective degree day*;
- DD is the degree day and is described in clause 3.2.2 of this Attachment;
- average wind is described in clause 3.2.3 of this Attachment;
- sunshine hours is described in clause 3.2.4 of this Attachment; and
- Cos is cosine and is described in clause 3.2.5 of this Attachment.

EDD will be 0 if the calculated value is negative.

3.2.2 The degree day is calculated as follows:

$$\begin{aligned} \text{DD} = & 18 - T \text{ if } T < 18 \\ & 0 \text{ if } T \geq 18 \end{aligned}$$

Where:

- DD is degree day;
- T is the average of 8 three-hourly Melbourne temperature readings (in degrees Celsius) from midnight to 9.00 pm inclusive as measured at the Weather Bureau Melbourne Station*[•]; and
- 18 degrees Celsius represents the threshold temperature for residential gas heating.

The colder the average temperature the higher the degree day and, accordingly, *effective degree day*.

3.2.3 The average wind is the average of the 8 three-hourly Melbourne wind (measured in knots) from midnight (day-1) to 9.00pm inclusive (day+0) as measured at the Bureau of Meteorology Moorabbin and the Laverton weather stations. Average wind is represented by the following formula:

$$\text{Average wind} = 0.604 \times \text{average (Moorabbin, Laverton) wind}$$

3.2.4 Sunshine hours is the number of hours of sunshine above a standard intensity as measured at the Bureau of Meteorology Laverton weather station for the same duration of time between midnight (day-1) to 9.00 pm inclusive (day+0).

* The *gas day* is defined as 9:00am day-0 to 9:00am day+0 so the effective degree day formula implies a 9 hour lag in demand to changes in ambient temperature.

- 3.2.5 The cosine term models seasonality in *customers'* response to different weather. Residential consumers more readily turn on the heaters or leave heaters on in winter than in other seasons (early spring, late autumn) for the same change in weather conditions. This change in customers' behaviour is captured in the cosine term in the *effective degree day* formula, which implies that for the same weather conditions heating demand is higher in winter than in the shoulder seasons or in summer.
-

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C23

The Minister for Planning has approved Amendment C23 to the Kingston Planning Scheme.

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

The Amendment removes the property known as 'Mayfield' at 282 Lower Dandenong Road, Mordialloc from the Schedule to the Heritage 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 Kingston City Council, Brindisi Street, Mentone.

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

Planning and Environment Act 1987

STONNINGTON PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C12 Part 2

(Entertainment Uses Policy for Toorak Village)

The Stonnington City Council resolved to abandon that part of Amendment C12 Part 2 to the Stonnington Planning Scheme that related to the inclusion of Toorak Village in the Entertainment Uses Policy.

The Amendment lapsed on 1 March 2002.

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

**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:

17. *Statutory Rule:* Victorian Civil and Administrative Tribunal (Fees) (Further Amendment) Regulations 2002
Authorising Act: Victorian Civil and Administrative Tribunal Act 1998
Date of making: 13 March 2002
18. *Statutory Rule:* Conservation, Forests and Lands (Infringement Notice) (Amendment) Regulations 2002
Authorising Act: Conservation, Forests and Land Act 1987
Date of making: 13 March 2002

**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:

13. *Statutory Rule:* Evidence (Affidavits and Statutory Declarations) (Amendment) Regulations 2002
Authorising Act: Evidence Act 1958
Date first obtainable: 14 March 2002
Code A
14. *Statutory Rule:* Reference Areas Advisory Committee Regulations 2002
Authorising Act: Reference Areas Act 1978
Date first obtainable: 14 March 2002
Code A
15. *Statutory Rule:* Health Services (Residential Services) Visitors Board Elections Regulations 2002
Authorising Act: Health Services Act 1988
Date first obtainable: 14 March 2002
Code B
16. *Statutory Rule:* Cancer (Reporting) Regulations 2002
Authorising Act: Cancer Act 1958
Date first obtainable: 14 March 2002
Code A

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