



Victoria Government Gazette

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No. G 50 Thursday 11 December 2003

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GENERAL

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The last Special Gazette was No. 232 dated 10 December 2003.

The last Periodical Gazette was No. 1 dated 12 June 2003.

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-

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
CHRISTMAS WEEK**

Please Note:

The Victoria Government Gazette for Christmas week (G52/03) will be published on **Wednesday 24 December 2003**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 19 December 2003.**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Monday 22 December 2003.**

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

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
NEW YEAR WEEK**

Please Note:

The Victoria Government Gazette for New Year week (G1/04) will be published on **Friday 2 January 2004**.

Copy deadlines:

Private Advertisements **9.30 am on Monday 29 December 2003.**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 30 December 2003.**

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

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership of Jon Steel and Scott McLaren trading under the business name of "Boland and Steel Amcal Pharmacy, Proprietors Jon Steel and Scott McLaren" was dissolved with effect on and from close of business on 30 June 2003 by the retirement of Scott McLaren as partner.

NOTICE OF

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously subsisting between Helen Kolokithas and Gerasimos Kolokithas carrying on business of fish and chips, hamburgers, chickens, milk and drinks at Shop 8, 21 Hamilton Street, Gisborne, Victoria 3437 under the name or style of The Hot Spot or The Hot Spot Gisborne has been dissolved as and from 3 October 2003.

Dated 28 October 2003

HELEN KOLOKITHAS

Re: BEATRICE HOWARTH GILBERT, late of Trewint Nursing Home, 1312 Heatherton Road, Noble Park, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 September 2003, are required by the trustee, Equity Trustees Limited, in the Will called The Equity Trustees Executors and Agency Company Limited of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 12 February 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

AITKEN WALKER & STRACHAN, solicitors,
2nd Floor, 114 William Street, Melbourne 3000.

Re: NANCY ISABEL McCONNAN, late of Unit 1, 210 Domain Road, South Yarra, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 July 2003, are required by the trustee, Equity Trustees Limited (in the Will

called The Equity Trustees Executors and Agency Company Limited), of Level 2, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 12 February 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

AITKEN WALKER & STRACHAN, solicitors,
2nd Floor, 114 William Street, Melbourne 3000.

Re: Estate of WILLIAM THOMAS ROSE, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of WILLIAM THOMAS ROSE, late Unit 5, Berwick Retirement Village, 12-25 Parkhill Drive, Berwick, retired, deceased, who died on 5 September 2003, are to send particulars of their claim to the executors care of the undermentioned solicitors by 15 February 2004 after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

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

JEAN ISABEL KELLY, late of 34 Church Street, Grovedale, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 5 October 2003, are required by the executors of the Will, Christopher Charles Kelly and Jean Kelly, to send particulars to them care of Birdsey, Dedman & Bartlett of 166A Ryrie Street, Geelong, solicitors, by 26 February 2004 after which date they may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated 8 December 2003

BIRDSEY, DEDMAN & BARTLETT,
solicitors,
166A Ryrie Street, Geelong.

Re: NIKOLAI SUTKOWOJ, late of 993 Heatherton Road, Springvale, Victoria, electrical engineer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 August 2003, are required by the trustee, Michael Protopopov of 52 Fenton Court, Keysborough, Victoria, minister of religion, to send particulars to the trustee by 25 February 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

BORCHARD & MOORE, solicitors,
44 Douglas Street, Noble Park 3174.

Re: Estate of LEONARD IAN ROACH, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of LEONARD IAN ROACH, of 4 Kooyongkoot Road, Hawthorn, in the State of Victoria, share broker, who died on 22 April 2003, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 12 February 2004 after which date the personal representative/s will distribute the assets having regard only to the claims of which they then had notice.

BRUCE M. COOK & ASSOCIATES,
barristers & solicitors,
Level 19, AMP Tower,
535 Bourke Street, Melbourne, Vic. 3000.

Re: Estate of LORNA MARY FOWLE, deceased.

Creditors, next-of-kin and other persons having claims against the estate of LORNA MARY FOWLE, late of 4 Rostill Court, Toorak, in the State of Victoria, gentlewoman, deceased, who died on 26 July 2003, are required to send particulars of their claims to the executor, ANZ Executors & Trustee Company Ltd of Level 21, 530 Collins Street, Melbourne C/- of the undermentioned solicitors by 21 February 2004 after which date the executor will distribute the assets having regard only to the claims of which he then has had notice.

C. J. SOUTHALL, solicitor,
191 Greville Street, Prahran.

Re: ROBERT GORDON RICHARDSON, late of 31 Grandview Street, Glenroy, Victoria, retired fitter and turner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 September 2003, are required by the trustee, Joseph Raymond Walsh of 60 Lincoln

Avenue, North Coburg, Victoria, pensioner, to send particulars to the trustee within 60 days from the date of publication, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO & CO., solicitors,
209 Glenroy Road, Glenroy 3046.

PHYLLIS GERALDINE OSMAN, late of 391 Maroondah Highway, Croydon, retired personal assistant, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 September 2003, are required by the personal representative, Barry James Box of 3 Jumping Creek Road, Wonga Park, to send particulars to him care of the undermentioned solicitors by 19 February 2004 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

ELLINGHAUS WEILL, solicitors,
79-81 Franklin Street, Melbourne 3000.

Re: LEO CLARENCE PHYLAND, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 September 2003, are required by the trustees, Ursula Maureen Phyland and Michael Thomas Phyland, to send particulars to them by 19 February 2004 after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

GARDEN & GREEN, solicitors,
4 McCallum Street, Swan Hill 3585.

Creditors, next-of-kin and other persons having claims against the estate of JOAN WILCOX, late of 10 Gowrie Street, East Bentleigh, Victoria, widow, who died on 20 November 2002, are required by the executors of her estate, Malcolm Frederick Wilcox of Wallaby Lane, Wedderburn, Victoria, gentleman and Gayle Margaret Roads of Unit 1, 110 Beaconsfield Parade, Albert Park, Victoria, teacher, to send particulars of their claims to them care of the undersigned by 12 February 2004 after which date they may convey or distribute the estate having regard only to the claims of which they then have notice.

GILBERT BELL & CO., lawyers,
Level 9, 459 Collins Street, Melbourne.

DONALD ROY CHEESEMAN, late of 320 Higgs Road, Drouin, retired farmer, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 June 2003, are required by the trustees, Dulcie Mairilyn Cheeseman, Colin James Cheeseman and Barbara Mary Jenkins, to send particulars of their claims to the care of the undersigned solicitors by 17 February 2004 after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

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

MICHAEL FRANK HERMAN, late of "Yarra Grange Estate", Maroondah Highway, Coldstream in Victoria, grazier, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 June 2003, are required by the executors, Trust Company of Australia Limited of 151 Rathdowne Street, Carlton South, Victoria and Josephine Everitt-Savage of 29 Moores Road, Eildon, Victoria, to send particulars to them care of the undermentioned solicitor by 8 February 2004 after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

HARRY M. HEARN, solicitor,
443 Little Collins Street, Melbourne.

Re: SHIRLEY MARY CUMMINS, late of 2 Mill Street, Wahgunyah, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 July 2002, are required by the trustee, Robert Joseph Cummins of 1009 Quay West, 26 Southbank Avenue, Southbank, Victoria, salesman, the son, to send particulars to the trustee by 18 February 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

HENDERSON & BALL, solicitors,
722 High Street, East Kew 3102.

Creditors, next-of-kin and others having claims in respect of the Will of RONALD ALFRED NELSON, late of 33 Collett Street, Kensington, Victoria, retired, deceased, who

died on 1 November 2003, are requested to send particulars of their claims to the executor, Marguerite Joyce Nelson, care of the undermentioned legal practitioner by 12 February 2004 after which date she will distribute the assets having regard only as to the claims of which she 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 MARIE ANITA CARRODUS, late of 5 Boronia Crescent, Traralgon, Victoria, youth social worker, deceased, who died on 1 October 2003, are to send their claims to the trustees, Phillip Carrodus of 7 Lauderdale Road, Hazelwood North and Helen Joske of 135 Seymour Street, Traralgon, Victoria, care of the belowmentioned solicitors by 9 February 2004 after which date they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

LITTLETON HACKFORD, solicitors,
Law Chambers,
115-119 Hotham Street, Traralgon, Vic. 3844.

In the Will of EDNA MAY DAVIS, late of Fern Tree Gardens, 30 Forest Road, Ferntree Gully, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 19 July 2003, are required by the executor, David Lucas, of 26 Station Street, Ferntree Gully, Victoria, to send particulars of their claim to him care of the undermentioned solicitors, Lucas Neale, by 11 February 2004 after which date he will distribute the assets having regard only to the claims of which he then has notice.

LUCAS NEALE, solicitors,
26 Station Street, Ferntree Gully 3156.

Re: JEAN COLLIER ARMSTRONG, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased (also known as Jean C. Armstrong), late of 15 Murray Street, Newcomb, Victoria, who died on 27 September 2003, are to send particulars of their claims to the executor, Martin John O'Dell Armstrong, care of the undermentioned solicitors by 20 February 2004 after which date the executor will distribute the assets having regard

only to the claims of which the executor then has notice.

McKEAN & PARK, lawyers & consultants,
405 Little Bourke Street, Melbourne.

Re: IVY GLADYS DILWORTH, late of
1135 Frankston-Dandenong Road, Carrum
Downs, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having
claims in respect of the estate of the deceased,
who died on 5 September 2003, are required by
the trustee, David Ronald Davis of 40-42 Scott
Street, Dandenong, Victoria, solicitor, to send
particulars to the trustee by 11 February 2004
after which date the trustee may convey or
distribute the assets, having regard only to the
claims of which the trustee has notice.

MACPHERSON + KELLEY, solicitors,
40-42 Scott Street, Dandenong 3175.

Re: MARJORIE READ, late of 7 Parslow
Street, Malvern, Victoria, widow, deceased.

Creditors, next-of-kin and others having
claims in respect of the estate of the deceased,
who died on 3 July 2003, are required by the
trustees, Joan Lynette Read of 7 Parslow Street,
Malvern, Victoria, support officer, daughter and
Donald Lyston Chisholm of 51 Asling Street,
Brighton, Victoria, solicitor, to send particulars
to the trustees by 9 February 2004 after which
date the trustees may convey or distribute the
assets, having regard only to the claims of which
the trustees have notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

ELIZABETH ROSEMARY SARGANT,
late of 7 Wattle Drive, Frankston, Victoria,
gentlewoman, deceased.

Creditors, next-of-kin and others having
claims in respect of the estate of the deceased,
who died on 16 November 2003, are required by
the executor, ANZ Executors & Trustee Company
Limited (ACN 006 132 332) of 530 Collins
Street, Melbourne, Victoria, to send particulars
to it by 11 February 2004 after which date it may
convey or distribute the assets having regard
only to the claims of which it then has notice.

MILLS OAKLEY, lawyers,
121 William Street, Melbourne.

MINNIE EVELYN JOWETT, late of
St George's Hospital, 283 Cotham Road, Kew,
Victoria, home duties, deceased. Creditors,
next-of-kin and others having claims in respect
of the estate of the deceased, who died on
17 September 2003, are required by the
executors, Kevin George Jowett of 15 Fletchers
Lane, Mt Egerton, Victoria, Maureen Joan
Jowett of 4 Dayman Street, Elizabeth Park,
South Australia and Graeme Francis Jowett of
16 Rae Street, Lower Templestowe, Victoria, to
send particulars to them (care of the undersigned)
by 11 February 2004 after which date the
executors may convey or distribute the assets
having regard only to the claims of which they
then have notice.

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

Re: LLOYD CLELAND REYNOLDS, late
of 4 Elgin Avenue, Armadale, Victoria, retired
gentleman, deceased. Creditors, next-of-kin and
others having claims in respect of the estate of
the deceased, who died on 27 September 2003,
are required by the trustee, Robert Gordon
King of 97 Kooyong Road, Armadale, Victoria,
solicitor, to send particulars to the trustee by
15 February 2004 after which date the trustee
may convey or distribute the assets, having
regard only to the claims of which the trustee
has notice.

ROBERT KING, solicitor,
97 Kooyong Road, Armadale 3143.

KENNETH THOMAS LONIE, late of
21 Pimelia Court, Frankston, Victoria, finance
consultant, deceased.

Creditors, next-of-kin and others having
claims in respect of the estate of the deceased,
who died on 17 November 2003, are required by
ANZ Executors & Trustee Company Limited,
ACN 006 132 332, one of the executors of the
Will of the deceased, to send particulars of their
claims to the executor at Level 21, 530 Collins
Street, Melbourne, Victoria, by 11 February 2004
after which date the executor may convey or
distribute the assets having regard only to the
claims of which they then have notice.

RUSSELL KENNEDY, solicitors,
Level 11, 469 La Trobe Street, Melbourne 3000.

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when first became Payable</i>
BIRDSEY, DEDMAN & BARTLETT			
	\$		
Rodger Allan Gorman, C/- Victorian Legal Conveyancers, Suite 1, 70 Lincoln Road, Essendon	200.00	Cheque	01/10/98
03288 CONTACT: BRENDA SAWYER, PHONE: (03) 5222 3655.			

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 first became Payable</i>
STEPHEN SHIPP—SOLICITOR			
	\$		
Paul Calvi, C/- Erhan Karabardak, solicitor of Abbott, Stillman & Wilson, Level 4, 575 Bourke Street, Melbourne,	346.50	Cheque	16/06/00
03290 CONTACT: STEPHEN SHIPP, PHONE: (03) 9773 0499.			

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 first became Payable</i>
SUMMIT SERVICES			
	\$		
Lenore Dawn Parsons, 1522 David Low Way, Yaroomba, Qld	247.85	Cheque	11/07/02
Darryl Mitchell, 9 Challinor Drive, Albany Creek, Qld	187.43	"	05/02/02
03287 CONTACT: THARANGA DE SILVA, PHONE: (03) 9618 4418.			

PROCLAMATIONS

**Water Legislation (Essential Services
Commission and Other Amendments)
Act 2003**

PROCLAMATION OF COMMENCEMENT

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 2(3) of the **Water Legislation (Essential Services Commission and Other Amendments) Act 2003** fix 1 January 2004 as the day on which the remaining provisions of that Act (except for sections 5, 6 and 9) come into operation.

Given under my hand and the seal of
Victoria on 9 December 2003.

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

JOHN THWAITES
Minister for Water

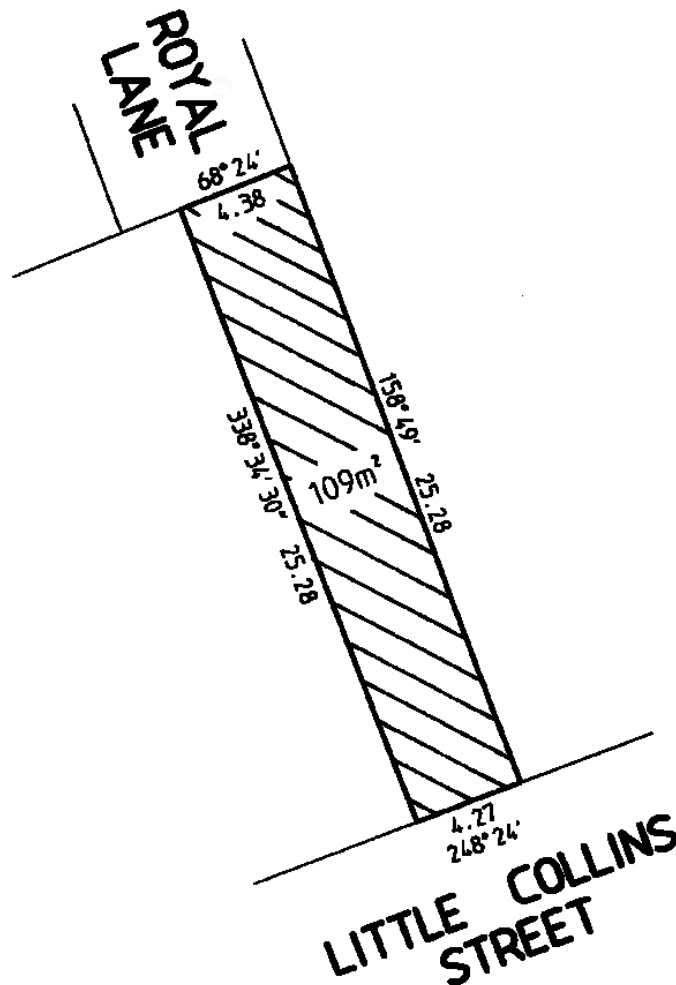
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

CITY OF MELBOURNE

Discontinuance of Portion of Road

Pursuant to Section 206 (1) and Clause 3(a) of Schedule 10 of the **Local Government Act 1989**, Melbourne City Council declares as discontinued that portion of the road known as Royal Lane (Corporation Lane No. 434) ("the Road") abutting property at Nos. 218–242 Little Collins Street, Melbourne as shown hatched on the plan hereunder subject to:

- (a) a planning permit for the proposed development at 218–242 Little Collins Street, Melbourne, being issued;
- (b) the rededication of the Road on the land as a road and public highway pursuant to the **Subdivision Act 1988** to enable its continuing availability for use by pedestrian and vehicular traffic; and
- (c) compliance with the requirements of the relevant statutory service authorities.



Dated 9 December 2003

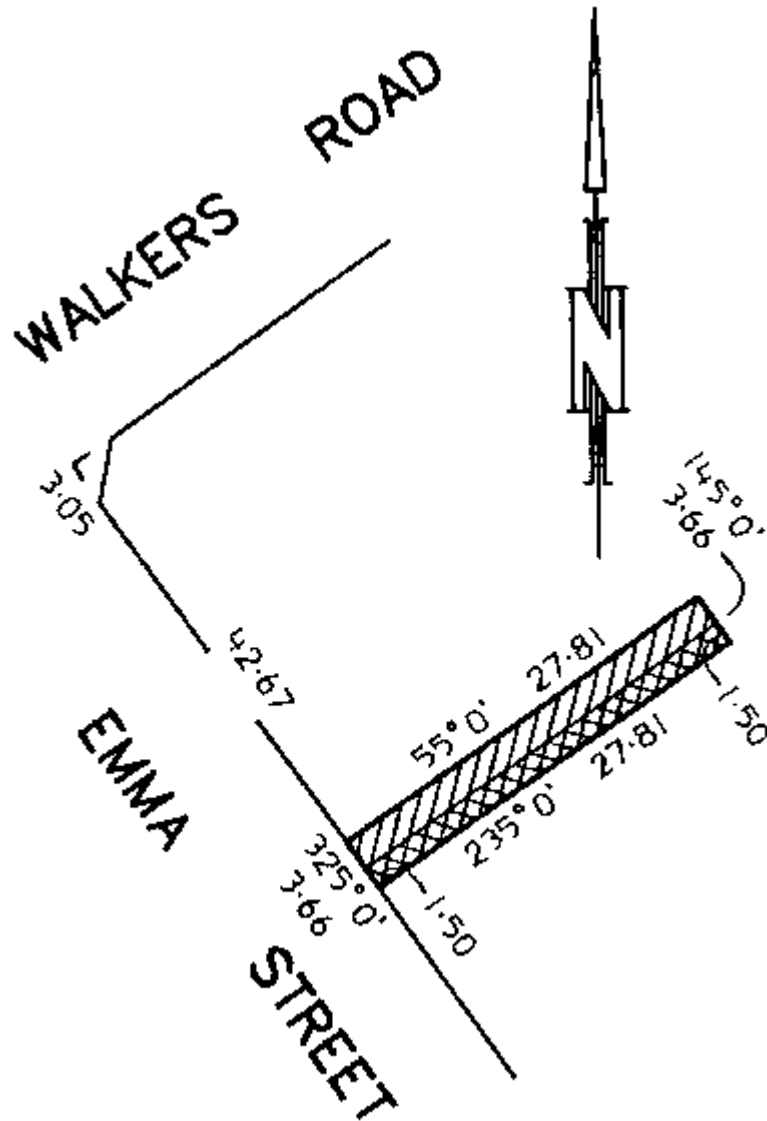
DAVID PITCHFORD
Chief Executive Officer

KINGSTON CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Kingston City Council has formed the opinion that the road adjacent to 1 and 1A Emma Street, Carrum, and shown by hatching and cross-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.

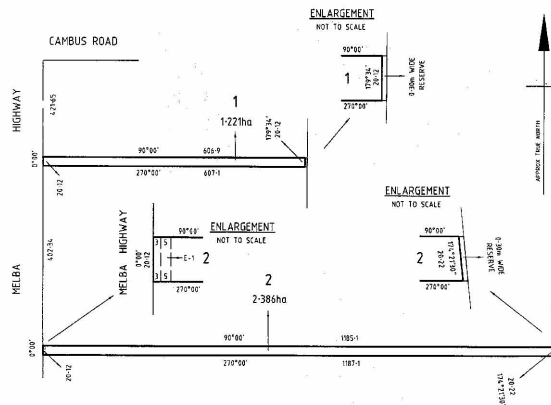
The section of the road shown cross-hatched is to be sold subject to the right, power or interest held by Kingston City Council in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



ROB SKINNER
Chief Executive Officer

YARRA RANGES SHIRE COUNCIL
Road Discontinuance

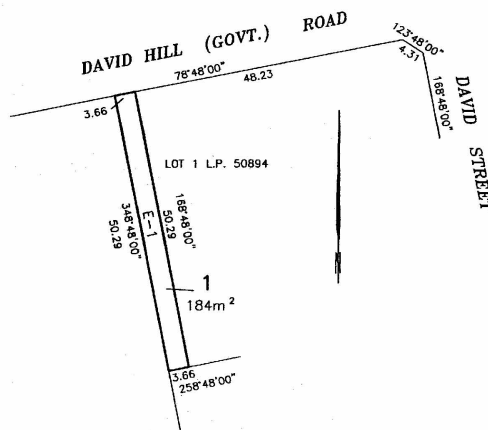
Under Section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989** the Yarra Ranges Shire Council (Council) at its meeting held on 11 November 2003 formed the opinion that Dudley Street and Alexander Road, Yering shown outlined in heavy lines on the plan below are not reasonably required as roads for public use and resolved to discontinue the roads, conditional on the creation of an easement of carriageway over part of Alexander Road (shown as E-1 on the plan below), and that the land from the roads be sold by private treaty to the abutting owner.



ROBERT HAUSER
 Chief Executive Officer

YARRA RANGES SHIRE COUNCIL
Road Discontinuance

Under Section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989** the Yarra Ranges Shire Council (Council) at its meeting held on 25 November 2003 formed the opinion that the Right of Way between 8 and 10 David Hill Road, Monbulk (adjacent to Lot 1 LP 50894) shown outlined in heavy lines on the plan below is not reasonably required as a road for public use and resolved to discontinue the road, and that the land from the road be sold by private treaty to the abutting owner.



ROBERT HAUSER
 Chief Executive Officer

PORT PHILLIP CITY COUNCIL

Naming of Lane

Notice is hereby given that, pursuant to Section 206 and Schedule 10(5) of the **Local Government Act 1989**, the Port Phillip City Council resolved, at a meeting held on 24 November 2003, to name the following lane:

- the lane off Vautier Street, Elwood, 'Horry Peacock Lane'.

Appropriate signage will be erected shortly. Any questions can be directed to the Council on telephone 9209 6701.

DAVID SPOKES
Chief Executive Officer



NAMING OF WALLABY RUN, GISBORNE

In 1999 Council undertook a public consultation process, inviting residents to forward submissions regarding the proposal to name two unnamed roads and rename one road off Station Street, Gisborne.

As a result of this consultation process, it was resolved that the unnamed government road off McKim Road and Oakwood Close be named Wallaby Run, Gisborne (please note this road will be extended to form part of the Jacksons Creek Estate Subdivision Stage 9 in due course).

BAYSIDE CITY COUNCIL

Meeting Procedures Local Law No. 1

Notice is hereby given that Bayside City Council proposes to revoke Local Law No. 1 "Meeting Procedures" made in August 2001 in its entirety and replace it with a new Local Law No. 1 titled "Meeting Procedures".

The following information about the proposed local law is provided in accordance with Section 119 of the **Local Government Act 1989**.

The purpose of this Local Law is to:

- a) provide a mechanism to facilitate the good government of the Municipal District of the City of Bayside through its formal meeting procedure to ensure effective and efficient Council decisions;

- b) provide mechanisms for the Council to ascertain the community's views and expectations;
- c) provide for the election of Mayor and Chairman of any Committees;
- d) regulate and control the procedures governing the conduct of meetings including:
 1. the notice required for meetings; and
 2. the keeping of minutes.
- e) regulate and control the use of Council's Seal;
- f) provide for the administration of the Council's powers and functions;
- g) provide generally for the peace, order and good government of the Municipal District;
- h) revoke Council's Meeting Procedures Local Law No. 1 made in August 2001.

General purport of the Proposed Local Law

The proposed local law, if made, will:

- establish a law which will govern order of business, rules of debate, meeting procedure, public access and conduct of meetings;
- regulate the use and control of Council's common seal, and create an offence for a person using the common seal without authority or using a replica of the common seal without authority;
- regulate the procedure for the election of the Mayor;
- regulate the procedure of Public Question Time at Ordinary Meetings of Council;
- regulate the time limit of people making a submission to Council;
- regulate the availability of agenda papers to members of the public prior to meetings;
- regulate the procedure for amending a Notice of Motion;
- regulate the procedure for petitioners speaking to petitions;
- regulate the hearing of submissions at Committee Meetings of Council only;
- allow Council to suspend Standing Orders for a maximum period of 30 minutes;
- regulate the procedure to ensure that no discussion prior to a motion being moved;

- regulate the procedure for Points of Order;
- create an offence for a person who interrupts a meeting or behaves in an unruly manner and who fails to come to order when called to do so; and
- revoke the existing Local Law No. 1 — Meeting Procedures made in August 2001 in its entirety.

Copies of the proposed Local Law may be inspected at or obtained from the Corporate Centre, Royal Avenue, Sandringham.

Any person may make a submission relating to the proposed local law.

Submissions received by the Council up until 2 February 2004 will be considered in accordance with Section 223 of the **Local Government Act 1989**. Any person requesting that he or she be heard in support of a written submission, is entitled to appear before a meeting of a Council Committee to be held on Wednesday 11 February 2004 at 6.30 pm, either personally or by a person acting on his or her behalf.

Submissions marked "Meeting Procedure Local Law" should be addressed to the Chief Executive, Bayside City Council, PO Box 27, Sandringham, Vic. 3191, or delivered to the Corporate Centre, Royal Avenue, Sandringham, so as to reach Council no later than 2 February 2004.

IAN WILSON
Chief Executive

SURF COAST SHIRE COUNCIL

Dogs on Beaches

Sandy Gully Beach—Aireys Inlet

At its 2 December council meeting, Surf Coast Shire Council resolved to adopt the following changes to dog controls on Sandy Gully Beach, Aireys Inlet:

1. For the period 1 December to 30 April, a partial restriction to apply to dogs on the Sandy Gully beach from the 105W marker extending 500 metres to the southwest and 200 metres to the northwest, between the hours of 9 am and 6 pm.
2. Dog owners utilising Sandy Gully to access other areas during the restricted time are permitted to do so providing dogs are on leashes at all times.

3. Signage to be erected at Sandy Gully in accordance with Local Law No. 5, Section 49, to indicate that penalties will apply to any person who is the owner, or who is in charge of any animal, and leaves, or causes to be left, on a road or in any public place, any part of the animal's excrement.

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for Planning Permit

Amendment C69

Application 2003633

The City of Ballarat has resolved to prepare an Amendment to the planning scheme to rezone land and, should the rezoning be successful, to issue a Planning Permit.

The land affected by the Amendment is: 9 Brewery Tap Road, Warrenheip (north-west corner of Brewery Tap Road and the Western Highway).

The land affected by the Planning Permit application is: 9 Brewery Tap Road, Warrenheip (north-west corner of Brewery Tap Road and the Western Highway).

The Amendment proposes to include the subject land within the Mixed Use Zone.

The application is for a Planning Permit for the use and development of the land for the display and servicing of agricultural machinery.

The person who requested the Amendment and the applicant for the permit is: Peter Stevens Motors.

You may inspect the Amendment and the application, and any documents that support the Amendment and application, and the explanatory report about the Amendment and application, at the office of the planning authority, City of Ballarat, Phoenix Office, 25 Armstrong Street South, Ballarat.

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

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority.

The closing date for submission is Monday 12 January 2004.

A submission should be addressed to: Chief Executive Officer, City of Ballarat, PO Box 655, Ballarat, Vic. 3353.

HEATH MARTIN
Manager Strategic Planning



Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for Planning Permit

Amendment C69

Planning Application No. P571/03

The land affected by the Amendment and the Planning Application comprises an area of 4,758 square metres that is located on the north-western corner of Station Street and High Street, Cranbourne, adjacent to the Cranbourne Railway Station car park, and is included in a Public Use Zone — Transport (PUZ4). The land is known as part of Lot 1 on Title Plan 562217Y (formerly known as part of Portion 10, Parish of Cranbourne), Station Street, Cranbourne, described on Certificate of Title Volume 01732, Folio 204.

The Amendment proposes to change the category of advertising controls applying to the subject land from 'Category 4 — Sensitive areas' to 'Category 2 — Office and industrial', by including the land in the schedule to the Public Use Zone (Clause 36.01).

The Planning Application is for the erection of twelve advertising signs on the subject land, in association with its approved use for motor vehicle sales, comprising:

- one freestanding floodlit/internally illuminated pylon sign (7 metres high by 3 metres wide);
- nine internally illuminated business identification signs; and
- two direction signs.

The person who requested the Amendment and the applicant for the permit is SJB Planning Pty Ltd, on behalf of Booran Holden Pty Ltd.

You may inspect the Amendment and the Planning Application; any documents that support the Amendment and the Planning Application; and the Explanatory Report about the Amendment; and the proposed permit, at the office of the planning authority: City of Casey, Customer Service Centre, Cranbourne Park Shopping Centre (opposite Post Office), Cranbourne, and at Department of Sustainability & Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

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

The Amendment, Planning Application and the proposed permit are also available for viewing, in Adobe Acrobat format, on the City of Casey website at: <http://www.casey.vic.gov.au/planningexhibition/section.asp>.

Any person who may be affected by the Amendment or by the granting of a permit may make a submission to the planning authority.

The closing date for submissions is 19 January 2004. A submission must be sent to: Planning Scheme Amendment Coordinator, City of Casey, PO Box 1000, Narre Warren, Vic. 3805.

Should you have any queries about this Amendment or the Planning Application, please contact Nick Moore on 9705 5589.

Dated 11 December 2003

ROBERT BAGGIO
Manager Planning

Planning and Environment Act 1987

COLAC OTWAY PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C26

The Colac Otway Shire Council has prepared Amendment C26 to the Colac Otway Planning Scheme.

The land affected by the Amendment is described as a landlocked parcel some 2800 square metres in area and located approximately 100 metres north of Marriners Lookout Road and 50 metres west of the Great Ocean Road, immediately west of existing residential lots fronting the Great Ocean Road and adjacent to the existing Pisces Pump Station, Apollo Bay, Colac Otway Shire.

The Amendment proposes to designate the site within a "Public Acquisition Overlay" (PAO2).

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Colac Otway Shire, 2-6 Rae Street, Colac, Vic. 3250; at the Colac Otway Shire, Apollo Bay office, 69-71 Nelson Street, Apollo Bay, Vic. 3323; at the Department of Sustainability & Environment, South West Region Office, 180 Fyans Street, South Geelong 3219; and at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000.

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

Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is Monday 16 February 2004. A submission must be sent to The Colac Otway Shire, PO Box 283, Colac 3250.

ROB SMALL
Chief Executive Officer

Planning and Environment Act 1987
COLAC OTWAY PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C31

The Colac Otway Shire Council has prepared Amendment C31 to the Colac Otway Planning Scheme.

The land affected by the Amendment is land comprising the northern portion of Lot 1 PS436552P, Barham Valley Road, Apollo Bay (Volume 7934, Folio 057) and is located approximately 2 kilometres south west of the Apollo Bay Township.

The Amendment proposes to designate the land to be within a "Public Acquisition Overlay" (PAO2), so that negotiations can proceed for the accommodation of an off-stream water storage facility. It is ultimately proposed to rezone the land from Environmental Rural Zone to "Public Use Zone 1 — Service & Utility".

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Colac Otway Shire, 2-6 Rae Street, Colac, Vic. 3250; at the Colac Otway Shire, Apollo Bay office, 69-71 Nelson Street, Apollo Bay, Vic. 3323; at the Department of Sustainability & Environment, South West Region Office, 180 Fyans Street, South Geelong 3219; and at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000.

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

Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is Monday 16 February 2004. A submission must be sent to The Colac Otway Shire, PO Box 283, Colac 3250.

ROB SMALL
Chief Executive Officer



Planning and Environment Act 1987
GLENELG PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment C10

The Glenelg Shire Council has prepared Amendment C10 to the Glenelg Planning Scheme.

The land affected by the Amendment is part of Portland Golf Club, Part of Crown Allotment 42A, Crown Allotments 79, 84A & 84B, Section D, adjacent to Madeira Packet Road, Township of Portland.

The Amendment proposes to:

- rezone the land from Special Use Zone 2 (SUZ2) to Residential 1 Zone (R1Z);
- include a revision of the List of Amendments to the Planning Scheme to include Amendment C10.

A copy of the Amendment can be inspected free of charge during office hours at: Glenelg Shire Council, Customer Service Centre, Cliff Street, Portland, Vic. 3305; the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000; and Department of Sustainability and Environment Regional Office, 180 Fyans Street, South Geelong, Vic. 3220.

Submissions about the Amendment must be sent to the: Town Planning Department, Glenelg Shire Council, PO Box 152, Portland, Vic. 3305 by 5 pm on Friday 30 January 2004.

Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

Notice of Amendment

Amendment C50

Who is the Planning Authority?

Moonee Valley City Council has prepared Amendment C50 to the Moonee Valley Planning Scheme. Moonee Valley City Council is the Planning Authority for this Amendment.

What the amendment does:

The Amendment affects all land in the City of Moonee Valley and proposes to:

- introduce a new local planning policy “Multi-Storey Residential Buildings Policy” into the Local Planning Policy Framework of the Moonee Valley Planning Scheme;
- make changes to the Municipal Strategic Statement specifically at
 - Clause 21.01 — to update the list of Local Planning Policies.
 - Clause 21.02 and Clause 21.06 — to update resident profiles and update a key issue to include current population data from the 2001 Census of Population and Housing.
 - Clause 21.06 Residential Land Use, Clause 21.08 Moonee Ponds Activity Centre, and Clause 21.21 Mount Alexander Road — to include the following statement under Planning Scheme Strategies: “Apply the Multi-Storey Residential Buildings Policy and Design Guidelines for Multi-Storey Residential Buildings” and add to the list

of reference documents “Design Guidelines for Multi-Storey Residential Buildings”.

- replace the existing Clause 43.02 Design and Development Overlay Schedule 3 to “Mount Alexander Road North Urban Design Area” with a new Schedule 3.

Why the Amendment is required

The Amendment is required to introduce a new local policy Multi-Storey Buildings Policy into the Moonee Valley Planning Scheme and to make changes to the Scheme to effect and achieve consistency with the new policy. The new policy will provide guidance for Council when assessing development applications for buildings over three storeys and recognise the Design Guidelines for Multi-Storey Residential Buildings as a reference document to the Planning Scheme.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during the office hours at the following places: Moonee Valley Council Offices, 9 Kellaway Avenue, Moonee Ponds 3039; and Department of Sustainability & Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Submissions about the Amendment must be sent to: Rebecca Jenkins, Senior Strategic Policy Officer, City of Moonee Valley, PO Box 126, Moonee Ponds 3039 by Friday 30 January 2004.

PETER BLACK
Chief Executive

Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

Notice of Amendment to a Planning Scheme

Amendment C52

The City of Moonee Valley has prepared Amendment C52 to the Moonee Valley Planning Scheme.

The Amendment applies to land at 4–14 Burrowes Street, Ascot Vale and 282 Mt Alexander Road, Travencore.

Specifically, the Amendment proposes to:

- rezone the land at 4–14 Burrowes Street, from an Industrial 3 Zone to a Residential 1 Zone;

- apply the Environmental Audit Overlay to the land at 4–14 Burrowes Street;
- rezone the land at 282 Mt Alexander Road, Travencore from a Public Use 4 (Transport) Zone to a Business 2 Zone; and
- delete the land at 282 Mt Alexander Road from the Heritage Overlay of the Moonee Valley Planning Scheme.

A copy of the Amendment may be inspected at the following locations during office hours: City of Moonee Valley, Civic Centre, Kellaway Avenue, Moonee Ponds 3039; and Department of Sustainability & Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Submissions about the Amendment must be sent to: Attention: Catherine Hunichen, Senior Strategic Planner, City of Moonee Valley, PO Box 126, Moonee Ponds 3039 by 22 January 2004.

PETER BLACK
Chief Executive

Planning and Environment Act 1987

WODONGA PLANNING SCHEME

Notice of Amendment to a Planning Scheme Amendment C26

The Wodonga Rural City Council has prepared Amendment C26 to the Wodonga Planning Scheme.

The Amendment affects a 5 hectare parcel of land, described as being part of lot 2 on Plan of Subdivision No. 200234, located on the west side of Castle Creek Road, Wodonga. The Amendment proposes map changes to the Wodonga Planning scheme, to rezone the land from a Rural Zone to a Residential 1 Zone. The rezoning will enable the land to be developed as part of the adjacent Whenby Grange residential estate.

The Amendment can be inspected at: the City of Wodonga Offices, Hovell Street, Wodonga; Regional Office, Department of Sustainability & Environment, 35 Sydney Road, Benalla; and Department of Sustainability & Environment, Planning Information Centre, Nauru House, 80 Collins Street, Melbourne.

Submissions in writing in respect of the Amendment must be sent to the City of Wodonga, PO Box 923, Wodonga, Vic. 3689 by Friday 16 January 2004.

PETER MARSHALL
Chief Executive Officer

Planning and Environment Act 1987

YARRA RANGES PLANNING SCHEME

Notice of Preparation of Amendment Amendment C37

The Yarra Ranges Shire Council has prepared Amendment C37 to the Yarra Ranges Planning Scheme.

The land affected by the Amendment is No. 2 Beenak Road, Wandin North.

The Amendment proposes to introduce a site specific provision into the Schedule to Clause 52.03 to provide discretion to permit the existing building on the land to be converted to use as a shop.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Shire of Yarra Ranges Service Centres: Lilydale, Anderson Street, Lilydale; Monbulk, 94 Main Street, Monbulk; Healesville, 276 Maroondah Highway, Healesville; Upwey, 40 Main Street, Upwey; Yarra Junction, Warburton Highway/Hoddle Street, Yarra Junction; and Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

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

Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is 31 January 2004. A submission must be sent to the Manager, Planning Services, at the Shire of Yarra Ranges, PO Box 105, Lilydale 3140.

GRAHAM WHITT
Manager Planning Services

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, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 13 February 2004 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.

BRUCE, Raymond Desmond, late of 62 Kooyong Road, Armadale, retired and who died on 21 August 2003.

GAY, Enid Jean, late of Grace McKellar Centre, 45–95 Ballarat Road, North Geelong, pensioner and who died on 1 October 2003.

GERASYMENKO, Javdokia, also known as Levdochia Gerasymenko, late of Ukrainian Elderly Peoples Home, 344 Taylors Road, Delahey, pensioner and who died on 14 August 2003.

HAMER-MATHEW, Harold Arthur Wellesley, late of 1 Lewellin Grove, Carrum, Victoria 3197, truck driver and who died on 1 November 2003.

KASZEWICZ, Helena, late of Riverlea Residential Aged Care Facility, 57 Intervale Drive, Avondale Heights, retired and who died on 1 October 2003.

MELBRAATEN, Jeanne, late of 59 Dickens Street, Elwood, pensioner and who died on 17 November 2003.

MULLAVEY, Thomas Alfred, late of Golden Gate Lodge, Western Highway, Ararat, pensioner and who died on 30 August 2003.

Dated 5 December 2003

LAURIE TAYLOR
Estate Manager
State Trustees Limited

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, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 18 February 2004 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.

CORNISH, Ellen Agnes, late of 25 Collins Street, Geelong West, home duties and who died on 2 November 2003.

GREENSTEIN, Doris Deborah, late of Unit 3, 13 Park Avenue, Glen Huntly, retired and who died on 22 October 2003.

JONES, Gwen Louisa, late of 132 Brockley Street, Wodonga, retired and who died on 26 August 2003.

MASON, Mabel Louisa, late of 77 Dalton Street, Eltham, Victoria 3095 and who died on 22 August 1987.

McCAFFREY, Theresa Irene, late of 5 Mather Close, Croydon, and who died on 2 November 2003.

RIMINGTON, Merle Jessie, late of 41 Kernan Street, Strathmore, Victoria 3041, retired and who died on 13 October 2003.

WHITE, Winifred Edith, formerly of Unit 1, No. 584 Nepean Highway, Bonbeach, but late of Chelsea Private Nursing Home, 256 Station Street, Edithvale, pensioner, and who died on 8 October 2003.

Dated 10 December 2003

LAURIE TAYLOR
Estate Manager
State Trustees Limited

EXEMPTION

Application No. A446/2003

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act), by the Wimmera Hopkins Catchment Management Authority (the applicant). The application for exemption is to enable the applicant to advertise for and appoint an Aboriginal person for the position of Indigenous Landcare Facilitator.

Upon reading the material submitted in support of the application, including the affidavit of Max Skeen, 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 appoint an Aboriginal person for the position of Indigenous Landcare Facilitator.

In granting this exemption the Tribunal noted:

- the position has been created by the applicant with the co-operation of the Wimmera Aboriginal community;
- it is a new position which will assist and promote Aboriginal community participation and input to new initiatives designed and developed by Aboriginal people while addressing key cultural and community concerns;
- core components of the position and key selection criteria require experience and understanding of Aboriginal communities

and respect for traditional culture and values and sound communication and organisation skills to ensure improved communication and understanding between Aboriginal communities and potential partners in natural resource management;

- it is the opinion of the Aboriginal community and the applicant that an Aboriginal person possessing the qualities set out above would be most suitable for the position;
- in the event that an Aboriginal person is determined suitable for the position but does not receive the highest ranking, the applicant should be able to offer the position to the Aboriginal person deemed suitable because:
 - ▶ the Aboriginal community will have greater confidence in and empathy with the Aboriginal facilitator;
 - ▶ communication and relationships will be quickly established along with a greater acceptance and engagement of community people in activities and outcomes;
 - ▶ this position provides the important opportunity for employment and capacity building within the Aboriginal community.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and appoint an Aboriginal person for the position of Indigenous Landcare Facilitator.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 11 December 2006.

Dated 1 December 2003

Mrs A. COGHLAN
Deputy President

EXEMPTION

Application No. A419/2003

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Gateways Support Services Inc. for exemption from Sections 13, 14, 100 and 195 of that Act. The application for exemption is to enable the applicant to engage in the specified conduct.

In this exemption—

‘the specified conduct’ means to advertise for or employ only—

- (A) Men; and
- (B) Women whom the applicant considers, after taking into account the age and physical characteristics of those toward whom challenging behaviours of a sexual nature of the clients in the specified group are usually directed, do not have those characteristics.

‘the specified groups’ means the group of clients of the service who currently live at 5 Titian Court, Grovedale, and includes that group if they are relocated from time to time to any other house used by the service.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms R. Malone and for the Reasons for Decision given by the Tribunal on 5 December 2003, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 14, 100 and 195 of the Act to engage in the specified conduct.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 10 December 2006.

Dated 5 December 2003

C. McKENZIE
Deputy President

Associations Incorporation Act 1981

SUB-SECTION 36E(1)

Notice is hereby given that the incorporation of the associations mentioned below are cancelled in accordance with section 36E(1) of the **Associations Incorporation Act 1981**.

Albion Occasional Care Inc., Ampersand Australia Counselling Inc., Australian Endurance Swimming & Sports Association Inc., Burmese Australian Friendship Association Inc., Czech Pensioners Association Inc., East Melbourne Accommodation Association Inc., Euroa District

Tennis Association Inc., Framlingham Tennis Club Inc., Freeway Route Action Group F.R.A.G. Inc., Grovedale Netball Club Inc., Hellenic Cultural Renaissance Organisation Inc., Highton Aerobics Club Inc., International Lawyers for Human Rights Inc., Learning for All Inc., Leo & Tina Giglia Ministries Inc., Lowther Hall Hockey Club Inc., Mayse Dowling Inc., Nyah New Years Day Sports Committee Inc., Outer Eastern Region Parent Support Group Inc., Parwon Sports Aviation Club Inc., R.R.A. Inc., Save Point Gellibrand Action Group Inc., South Barwon Christian Centre Inc., Springwood Community Inc., Swan Hill Glaucoma Support Group Inc., The Bolinda & District Youth Club Inc., The New Years Eve Gala Committee Inc., The Phap An Buddhist Centre Inc., The Quambatook Cricket Club Inc., Tunstall Square Calisthenics Club Inc., U3a Yarrowonga—Mulwala Inc., Victims of Crime Assistance League Inc., Victorian 2WD Mud Racing Association Inc., Voices to the World Inc., Warrandyte Landcare Group Inc.

Dated 11 December 2003

ANDREW LEVENS
Deputy Registrar
of Incorporated Associations
PO Box 4567
Melbourne, Vic. 3001

Children's Services Act 1996

NOTICE OF EXEMPTION

Under Section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Community Services hereby declares that the proprietor of the Rainbow Kindergarten Licence No. 10246 ("the service") is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

- (1) the number of staff members as set out in regulation 24 are caring for or educating the children; and
- (2) the staff members must include a staff member who holds a primary teaching qualification.

Note: An early childhood qualified teacher will monitor the delivery of a preschool program.

This exemption remains in force until 19 December 2003.

Dated 26 November 2003

Hon. SHERRYL GARBUTT MP
Minister for Community Services

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 in the State of Victoria, hereby declare 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 commence at 0100 hours on Monday 15 December 2003 and end at 0100 on 1 May 2004 (unless varied) in the following municipality: Baw Baw Shire Council.

GARY MORGAN
Chief Fire Officer
Department of Sustainability
and Environment
Delegated Officer,
pursuant to section 11,

Conservation Forests and Land Act 1987



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1889 in the category described as a Heritage Place/Archaeological Place:

Gisborne Mains Homestead Site, Calder Freeway, Gisborne, Macedon Ranges Shire Council.

EXTENT:

- All the land marked L1 on the Diagram 1889 held by the Executive Director.
- All of the buildings and structures marked as follows on Diagram 1889 held by the Executive Director:
 - B1 Homestead
 - B2 Wash House
 - B3 Underground Water Tank
 - B4 Cobbled Driveway
- All the plantings within the land marked L1 on Diagram 1889 held by the Executive Director including:
 - Amaryllis belladonna* (Belladonna Lily)
 - Arbutus unedo* (Irish Strawberry Tree)
 - Brachychiton discolor* (Lacebark)
 - Brachychiton populnea* (Kurrajong) x2
 - Buxus sempervirens* (English Box) hedge
 - Crataegus monogyna* (English Hawthorn) hedge
 - Cupressus macrocarpa* (Monterey Cypress) rows
 - Cupressus torulosa* (Bhutan Cypress)
 - Nerium oleander* (Oleander)
 - Pinus pinea* (Stone Pine)
 - Schinus areira* (Pepper Tree)
 - Trachycarpus fortunei* (Chinese Windmill Palm) x2.

Dated 11 December 2003

RAY TONKIN
Executive Director



Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1828 in the category described as a Heritage Place:

Road Over Rail Bridge, Gisborne–Kilmore Road, Riddells Creek, Macedon Ranges Shire Council.

EXTENT:

- All the road bridge, including masonry abutments as marked B1 on plan H1828 held by the Executive Director.
- All the land within the road reserve to a distance of 13 metres from the centre of the bridge as marked L1 on plan H1828 held by the Executive Director.

Dated 11 December 2003

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2052 in the category described as a Heritage Place:

Burnley Gardens, Swan Street, Richmond, Yarra City Council.

EXTENT:

- All the buildings marked as follows on Diagram 2052 held by the Executive Director:
 - B1 Administration Building
 - B2 Milking Shed (former)
 - B3 Summer House (c 1911–14)
- All of the trees marked as follows on Diagram 2052 held by the Executive Director:
 - T1 *Eucalyptus cladocalyx*
 - T2 & T3 *Ulmus procera*
 - T4 *Sequoia sempervirens*
 - T5 *Quercus suber*
 - T6 *Agathis robusta*
 - T7 *Quercus robur*
- All of the land marked L1 on Diagram 2052 held by the Executive Director.

Dated 11 December 2003

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1887 in the category described as a Heritage Place, Archaeological Place:

Treasury Gardens, Spring Street & Wellington Parade, Melbourne, Melbourne City Council.

EXTENT:

- All of the buildings, structures and statuary marked as follows on Diagram 1887 held by the Executive Director:
 - B1 Sir William Clarke statue
 - B2 Robert Burns statue
 - B3 Stone hitching post
 - B4 John F Kennedy memorial, plaque and flagpole (including associated slate paving and walls)
 - B5 Toilet
 - B6 Bills water trough
- All of the paths, including stone edging and *Hedera helix* borders, archaeological remnants of paths, and the lake (including fountains and waterfall) shown on Diagram 1887 held by the Executive Director.
- All the avenues, rows and individual mature trees of the following species:

Ficus macrophylla, *Cedrus deodara*, *Ulmus procera*, *Populus alba*, *Ulmus x hollandica*, *Ulmus x hollandica* (small-leaved form), *Ficus rubiginosa*, *Platanus x acerifolia*, *Quercus robur*, *Agonis flexuosa*, *Phoenix canariensis*, *Washingtonia robusta*, *Butia capitata*, *Chamaerops humili*, *Eucalyptus camaldulensis*, *Araucaria heterophylla*, *Brachychiton x roseus*, and *Grevillea hilliana*.
- All of the land known as Treasury Gardens and gazetted as Crown Reserve Rs 3888, comprising Crown Allotment 5, Section 5, Parish of Melbourne North, County of Bourke, marked L1 on Diagram 1887 held by the Executive Director.

Dated 11 December 2003

RAY TONKIN
Executive Director

Subordinate Legislation Act 1994

FIREARMS (HANDGUNS)
REGULATIONS 2003

Notice of Decision under Section 12

The proposed Firearms (Handguns) Regulations 2003 and Regulatory Impact Statement have been advertised for public comment and a number of submissions were received.

Following consideration of the submissions, I now give notice of my intention to proceed with the making of the proposed Regulations, subject to some amendments.

ANDRÉ HAERMMEYER
Minister for Police
and Emergency Services

Victorian Institute of Teaching Act 2001
VICTORIAN INSTITUTE OF TEACHING

Schedule of Registration Fees 2004

In accordance with the **Victorian Institute of Teaching Act 2001**, the following fees have been fixed for the registration of teachers in 2004.

The fees are fixed for a period of twelve months.

Annual Registration Fee	\$60
Late fee additional 20%	\$12
Registration Application Fees	
Applicants with Victorian Qualifications	\$35
Applicants with Interstate or Overseas Qualifications	\$55

Explanation of fees:

Ongoing teachers pay an annual fee of \$60 for 2004.

New applicants with Victorian qualifications pay a one-off \$35 application fee, as well as the annual fee of \$60. This is a total for 2004 of \$95.

New applicants with qualifications gained interstate or overseas pay a one-off \$55 application fee, as well as the annual fee of \$60. This is a total for 2004 of \$115.

Late fees MAY apply where annual registration fees are late in being paid.

Enquiries:

Contact the Victorian Institute of Teaching on 1300 888 067. Email: vit@edumail.vic.gov.au

**Water Act 1989**
**GOULBURN VALLEY REGION
WATER AUTHORITY**
By-Law 509

Notice is hereby given that the above By-Law received Ministerial Approval on 8 December 2003.

The By-Law regulates the use by the community of water from Goulburn Valley Region Water Authority's reticulated water supply system during periods of water shortage.

This By-Law shall be substituted for By-Law No. 503.

A copy of By-Law 509 is available for inspection free of charge at Goulburn Valley Water's Office situated at 104-110 Fryers Street, Shepparton during normal office hours 8.30 am to 4.30 pm Monday to Friday.

By Order.

PETER QUINN
Corporate Secretary

**Water Act 1989**
**GOULBURN VALLEY REGION
WATER AUTHORITY**
By-Law 508

Notice is hereby given that Water Conservation By-Law No. 508 received Ministerial Approval on 8 December 2003.

The By-Law aims to encourage Goulburn Valley Water customers and the wider community to conserve water and use water wisely by adopting the water use practices set out in Water Conservation By-Law No. 508.

Effective from 1 January 2004 —

**PRIVATE GARDENS/PUBLIC GARDENS/
SPORTS GROUNDS**

1. Sprinklers, microsprays, drip systems and any other method of watering or irrigation connected to the water supply system must

not be used to water private gardens, public gardens or sports grounds between the hours of 10.00 am and 5.00 pm.

2. Hand held hoses, watering cans or buckets may be used at any time.

VEHICLES — CLEANING

1. Vehicles must not be cleaned with water except by hand washing with a bucket or use of a trigger device.
2. No limitations apply to automatic car washing systems operated as a commercial enterprise.

**PAVED AREAS (FOOTPATHS AND
OTHER SIMILAR SURFACES)**

Paved areas must not be cleaned unless:

1. cleaning is required as a result of construction, building or like activities, accident, fire, health hazard, storm or other emergency; or
2. by bucket or by use of a water efficient pressure boosted jet hose fitted with a trigger device.

**CONSTRUCTION INDUSTRY —
USE OF WATER**

Water must not be used in construction, building or like activities except:

1. by means of hoses (including pressure boosted jet hoses) fitted with a trigger device;
2. construction equipment which relies on a water supply for its safe and efficient operation, provided such equipment is operating within specifications and in a manner to the satisfaction of the Authority;
3. buckets or other like container filled directly from a tap;
4. water used in the normal course for initial testing or flushing of pipes or other infrastructure;
5. with the written consent of the Authority.

A copy of By-Law 508 is available for inspection free of charge at Goulburn Valley Water's Office situated at 104-110 Fryers Street, Shepparton during normal office hours 8.30 am to 4.30 pm Monday to Friday.

By Order.

PETER QUINN
Corporate Secretary

Water Act 1989
BULK ENTITLEMENT (LANDSBOROUGH–NAVARRE)
CONVERSION ORDER 2003

I, John Thwaites, as Minister administering the **Water Act 1989**, make the following Order—

1. CITATION

This Order may be cited as the Bulk Entitlement (Landsborough–Navarre) Conversion Order 2003.

2. EMPOWERING PROVISIONS

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

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order—

“**Act**” means the **Water Act 1989**;

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

“**Authority**” means the Central Highlands Region Water Authority;

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

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

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

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

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

“**system**” means the 136 ML on-stream Landsborough Reservoir on Franks Gully plus water race intercepting run-off from an adjoining 0.9 km² catchment and pumped diversion from a weir on Malakoff Creek to Landsborough Reservoir. Supply from Landsborough Reservoir to the townships of Landsborough–Navarre is via a gravity pipeline. Supplementary supply is available from a drought relief bore;

“**waterway**” means Franks Gully;

“**year**” means the 12 months commencing 1 July.

5. CONVERSION TO A BULK ENTITLEMENT

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

6. BULK ENTITLEMENT

- 6.1 The Authority may take up to 60 ML of water from the system in any year, at a rate not exceeding 0.86 ML/day from Landsborough Reservoir.
- 6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—
- (a) temporarily or permanently;
 - (b) in whole or in part;
 - (c) for any purpose, including an in-stream use of water.
- 6.3 The Minister may vary the maximum rate of extraction specified under sub-clause 6.1 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act.

7. SHARE OF FLOW

- 7.1 The Authority may store all of the inflow to Landsborough Reservoir when it is below full supply levels, except for any flow being transferred by the holder of—
- (a) any other bulk entitlement or licence held by another person, or
 - (b) any licence—
- to a transferee pursuant to the Act.
- 7.2 Pumped diversion from Malakoff Creek is permitted when flow over the weir has a depth greater than 20 mm and the volume stored in Landsborough Reservoir is less than 60% of capacity. The diversion rate from Malakoff Creek must not exceed 1.1 ML/day.
- 7.3 The flow sharing arrangement set out in sub-clauses 7.1 and 7.2 apply unless changes recommended as part of a stream flow management plan are accepted by the Authority and approved by the Minister. The Authority will participate in good faith in developing the stream flow management plan and negotiating any changes to flow sharing arrangements. Any change approved as part of this process would require amendment of this bulk entitlement.

8. SHARE OF CAPACITY

The Authority is entitled to all water at any time stored in the Landsborough Reservoir up to full capacity of 136 ML at full supply level of 282.29 metres Australian Height Datum but may not use or transfer any more than its annual entitlement in any year.

9. MAKING ALLOWANCES

- 9.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the system, allowance must be made for—
- (a) any losses from the waterway, or other waterway, downstream of the system; and
 - (b) the time taken by the flow to reach that point from the system.
- 9.2 If the Authority proposes to take water under this entitlement from a point other than the system, it must first—
- (a) propose to the Minister—
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 9.1; and
 - (ii) details of the proposed location and amount of the extraction; and
 - (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
 - (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.
- 9.3 The Minister may—
- (a) approve all or any means proposed under sub-clause 9.2; or

- (b) require the Authority to amend all or any means proposed; and
 - (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.
- 9.4 The Authority must—
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 9.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.
- 10. ENVIRONMENTAL OBLIGATIONS**
- 10.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—
- (a) impacts on the bed and banks of waterways in the vicinity of the system works;
 - (b) operational practices to remove silt from works in the system;
 - (c) operational practices to manage the water quality in system works on a waterway;
 - (d) operational rules for the controlled releases from works to a waterway; and
 - (e) operational rules for management of flood flows through the system.
- 10.2 The Minister may—
- (a) approve the program proposed under sub-clause 10.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 10.3 The Authority must at its cost—
- (a) implement the approved program;
 - (b) keep a record of all work undertaken under paragraph (a).
- 11. METERING PROGRAM**
- 11.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—
- (a) the amount of water taken by the Authority under this bulk entitlement; and
 - (b) the amount of water entering the system from a supplementary bore supply; and
 - (c) the amount of water in Landsborough Reservoir;
- for the purpose of assessing whether or not the Authority complies with this bulk entitlement.
- 11.2 The Minister may—
- (a) approve the program proposed under sub-clause 11.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and

- (ii) to propose an amended program to the Minister.
- 11.3 The Authority must at its cost, and in accordance with any guidelines issued from time to time by the Minister—
 - (a) implement the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition, ensure that metering equipment is periodically recalibrated and, where rating curves are used to calculate flows, ensure that these curves are regularly checked and updated; and
 - (c) keep a record of all work undertaken under paragraph (b).
- 12. REPORTING REQUIREMENTS**
- 12.1 The Authority may be required to report on all or any of the following matters, as provided in this clause—
 - (a) the daily amount of water taken under this bulk entitlement;
 - (b) the daily amount of water entering the system from the supplementary bore;
 - (c) the water level and amount of water stored in Landsborough Reservoir;
 - (d) the annual amount of water taken under this bulk entitlement;
 - (e) the approval, amendment and implementation of programs under clauses 10 and 11;
 - (f) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (g) any bulk entitlement or licence temporarily or permanently transferred to the Authority with respect to the Landsborough–Navarre Water Supply System;
 - (h) any amendment to this bulk entitlement;
 - (i) any new bulk entitlement granted to the Authority with respect to the Landsborough–Navarre Water Supply System;
 - (j) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (k) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 12.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 12.1—
 - (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister’s written request.
- 12.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 12.1, except—
 - (a) paragraphs (a), (b) and (c) of sub-clause 12.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (j) of sub-clause 12.1.
- 12.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 12.1.
- 12.5 Any report under sub-clause 12.4 must be made—
 - (a) in such form as may be agreed between the Authority and the Resource Manager; and
 - (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (c) of sub-clause 12.1; or

- (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (d) to (k) of sub-clause 12.1.

13. WATER RESOURCE MANAGEMENT COSTS

13.1 Subject to sub-clause 14.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

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

13.2 The proportion of the costs referred to in sub-clause 13.1 is to be determined by the Resource Manager under sub-clause 14.3.

14. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

14.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 13 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

14.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 13.1.

14.3 The Resource Manager must, by 1 February in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 13.1.

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

15. DUTY TO MAKE PAYMENTS

Any amount payable by the Authority under clause 13 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

16. DATA

16.1 Subject to clause 13, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.

16.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 11.1 and 12.1 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

17. DISPUTE RESOLUTION

17.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

17.2 The independent expert will be either—

- (a) a person agreed on by the parties to the difference or dispute; or

- (b) if those parties cannot agree, a person nominated by the Minister.
- 17.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.
- 17.4 (a) The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- (b) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.
- (c) The Minister must consider any recommendation made under paragraph 17.4(b) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.
- 17.5 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.
- 17.6 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 2003

JOHN THWAITES,
Minister administering the **Water Act 1989**

Note: An Explanatory Note accompanies this Order.

Water Act 1989

BULK ENTITLEMENT (AVOCA) CONVERSION ORDER 2003

I, John Thwaites, as Minister administering the **Water Act 1989**, make the following Order—

- 1. CITATION**
This Order may be cited as the Bulk Entitlement (Avoca) Conversion Order 2003.
- 2. EMPOWERING PROVISIONS**
This Order is made under sections 43 and 47 of the **Water Act 1989**.
- 3. COMMENCEMENT**
This Order comes into operation on the day it is published in the Government Gazette.
- 4. DEFINITIONS**
In this Order—
 - “**Act**” means the **Water Act 1989**;
 - “**annual entitlement**” means the total amount of water which the Authority may take from the system in any year;
 - “**Authority**” means the Central Highlands Region Water Authority;
 - “**Avoca Basin Water Accounts**” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Avoca Basin, with the terms of their bulk entitlements or licences;
 - “**entitlement holder**” means a person holding a bulk entitlement under the Act;
 - “**licence**” means any licence granted under Part 4 of the Act;
 - “**Resource Manager**” means any person appointed by the Minister to do all or any of the following—
 - (a) prepare the Avoca Basin Water Accounts; and

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

“system” means the Sugarloaf Reservoir, and associated catch drains on Number One Creek, the Lead Reservoir and associated catch drains on an unnamed creek, and the pipeline between Sugarloaf Reservoir and Lead Reservoir. Supplementary supply is available from Bung Bong bore a licensed drought relief bore;

“Victorian Storage Operator” means the person appointed by the Minister to be responsible for water storage and supply costs in the Murray Basin;

“waterway” means Sugarloaf Creek;

“year” means the 12 months commencing 1 July.

5. **CONVERSION TO A BULK ENTITLEMENT**

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

6. **BULK ENTITLEMENT**

6.1 The Authority may take up to 233 ML of water from the system in any year, at a rate not exceeding 0.84 ML/day from Sugarloaf Reservoir.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

6.3 The Minister may vary the maximum rate of extraction specified under sub-clause 6.1 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act.

7. **SHARE OF FLOW**

7.1 The Authority may store all of the inflow to the Sugarloaf Reservoir and the Lead Reservoir when they are below their respective full supply levels, except for any flow being transferred by the holder of—

- (a) any other bulk entitlement or licence held by another person, or
- (b) any licence—

to a transferee pursuant to the Act.

7.2 The flow sharing arrangement set out in sub-clause 7.1 applies, unless changes recommended as part of a stream flow management plan are accepted by the Authority and approved by the Minister. The Authority will participate in good faith in developing the stream flow management plan and negotiating any changes to flow sharing arrangements. Any change approved as part of this process would require amendment of this bulk entitlement.

8. SHARE OF CAPACITY

8.1 The Authority is entitled to—

- (a) all water at any time stored in the Sugarloaf Reservoir and the Lead Reservoir; and
- (b) the full capacity of the Sugarloaf Reservoir, up to 363 ML at full supply level of 298.8 metres Australian Height Datum, and
- (c) the full capacity of the Lead Reservoir, up to 118 ML at full supply level of 282.9 metres Australian Height Datum—

but may not use or transfer any more than its annual entitlement in any year.

9. MAKING ALLOWANCES

9.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the system, allowance must be made for—

- (a) any losses from the waterway, or other waterway, downstream of the system; and
- (b) the time taken by the flow to reach that point from the system.

9.2 If the Authority proposes to take water under this entitlement from a point other than the system, it must first—

- (a) propose to the Minister—
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 9.1; and
 - (ii) details of the proposed location and amount of the extraction; and
- (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
- (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.

9.3 The Minister may—

- (a) approve all or any means proposed under sub-clause 9.2; or
- (b) require the Authority to amend all or any means proposed; and
- (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.

9.4 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 9.3; and
- (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

10. ENVIRONMENTAL OBLIGATIONS

10.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—

- (a) impacts on the bed and banks of waterways in the vicinity of the system works;
- (b) operational practices to remove silt from works in the system;
- (c) operational practices to manage the water quality in system works on a waterway;
- (d) operational rules for the controlled releases from works to a waterway; and
- (e) operational rules for management of flood flows through the system.

- 10.2 The Minister may—
- (a) approve the program proposed under sub-clause 10.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 10.3 The Authority must at its cost—
- (a) implement the approved program;
 - (b) keep a record of all work undertaken under paragraph (a).
- 11. METERING PROGRAM**
- 11.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—
- (a) the amount of water taken by the Authority under this bulk entitlement; and
 - (b) the amount of water entering the system from Bung Bong bore; and
 - (c) the amount of water in Sugarloaf Reservoir and Lead Reservoir;
- for the purpose of assessing whether or not the Authority complies with this bulk entitlement .
- 11.2 The Minister may—
- (a) approve the program proposed under sub-clause 11.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 11.3 The Authority must at its cost, and in accordance with any guidelines issued from time to time by the Minister—
- (a) implement the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition, ensure that metering equipment is periodically recalibrated and, where rating curves are used to calculate flows, ensure that these curves are regularly checked and updated; and
 - (c) keep a record of all work undertaken under paragraph (b).
- 12. REPORTING REQUIREMENTS**
- 12.1 The Authority may be required to report on all or any of the following matters, as provided in this clause—
- (a) the daily amount of water taken under this bulk entitlement;
 - (b) the daily amount of water entering the system from Bung Bong bore;
 - (c) the water level and amount of water stored in both Sugarloaf Reservoir and Lead Reservoir;
 - (d) the annual amount of water taken under this bulk entitlement;
 - (e) the approval, amendment and implementation of programs under clauses 10 and 11;
 - (f) any temporary or permanent transfer of all or part of this bulk entitlement;

- (g) any bulk entitlement or licence temporarily or permanently transferred to the Authority with respect to the Avoca Water Supply System;
 - (h) any amendment to this bulk entitlement;
 - (i) any new bulk entitlement granted to the Authority with respect to the Avoca Water Supply System;
 - (j) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (k) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 12.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 12.1—
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister’s written request.
- 12.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 12.1, except—
- (a) paragraphs (a), (b) and (c) of sub-clause 12.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (j) of sub-clause 12.1.
- 12.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 12.1.
- 12.5 Any report under sub-clause 12.4 must be made—
- (a) in such form as may be agreed between the Authority and the Resource Manager; and
 - (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (c) of sub-clause 12.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (d) to (k) of sub-clause 12.1.
- 13. WATER RESOURCE MANAGEMENT COSTS**
- 13.1 Subject to sub-clause 14.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—
- (a) prepare the Avoca Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Avoca Basin comply with the conditions of their bulk entitlements; and
 - (c) direct the release of any water set aside for maintaining water quality in the Avoca Basin; and
 - (d) investigate and mediate disputes between entitlement holders in the Avoca Basin; and
 - (e) investigate and deal with significant unauthorised uses of water in the Avoca Basin; and
 - (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.
- 13.2 The proportion of the costs referred to in sub-clause 13.1 is to be determined by the Resource Manager under sub-clause 14.3.

14. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

- 14.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 13 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.
- 14.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 13.1.
- 14.3 The Resource Manager must, by 1 February in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 13.1.
- 14.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

15. SALINITY MANAGEMENT COSTS

The Authority must pay to the Victorian Storage Operator, a portion of the cost of salinity mitigation schemes along the River Murray operated by Victoria, commensurate with the extent to which the Authority and its customers contribute to the need for these schemes.

16. DUTY TO MAKE PAYMENTS

Any amount payable by the Authority under clause 13 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

17. DATA

- 17.1 Subject to clause 13, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.
- 17.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 11.1 and 12.1 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

18. DISPUTE RESOLUTION

- 18.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.
- 18.2 The independent expert will be either—
- (a) a person agreed on by the parties to the difference or dispute; or
 - (b) if those parties cannot agree, a person nominated by the Minister.
- 18.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.
- 18.4
- (a) The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
 - (b) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.
 - (c) The Minister must consider any recommendation made under paragraph 18.4(b) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.
- 18.5 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

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

Dated 21 November 2003

JOHN THWAITES,
Minister administering the **Water Act 1989**

Note: An Explanatory Note accompanies this Order.

Water Act 1989

BULK ENTITLEMENT (AMPHITHEATRE) CONVERSION ORDER 2003

I, John Thwaites, as Minister administering the **Water Act 1989**, make the following Order—

1. CITATION

This Order may be cited as the Bulk Entitlement (Amphitheatre) Conversion Order 2003.

2. EMPOWERING PROVISIONS

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

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order—

“**Act**” means the **Water Act 1989**;

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

“**Authority**” means the Central Highlands Region Water Authority;

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

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

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

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

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

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

“**water supply system**” means the Amphitheatre Reservoir and diversion pipeline directly to the Amphitheatre town supply;

“**Victorian Storage Operator**” means the person appointed by the Minister to be responsible for water storage and supply costs in the Murray Basin;

“**waterway**” means the Forest Creek;

“**year**” means the 12 months commencing 1 July.

5. **CONVERSION TO A BULK ENTITLEMENT**

All of the Authority’s entitlement to take water from the waterway at the Amphitheatre Reservoir for the supply of water to the Amphitheatre is converted to a bulk entitlement on the conditions set out in this Order.

6. **BULK ENTITLEMENT**

6.1 The Authority may take up to 25 ML of water from the waterway in any year, at a maximum rate not exceeding 1.5 ML/day.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

6.3 The Minister may vary the maximum rate of extraction specified under sub-clause 6.1 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act.

7. **SHARE OF FLOW**

7.1 The Authority is empowered to store all of the inflow to the Amphitheatre Reservoir when it is below its full supply level, except for any flow of water in the waterway which is being transferred by the holder of—

- (a) any other bulk entitlement or licence held by another person; or
- (b) any licence—

to a transferee pursuant to the Act.

7.2 The flow sharing arrangement set out in sub-clause 7.1, applies unless changes recommended as part of a stream flow management plan are accepted by the Authority and approved by the Minister. The Authority will participate in good faith in developing the stream flow management plan and negotiating any changes to flow sharing arrangements. Any change approved as part of this process would require amendment of this bulk entitlement.

8. **SHARE OF CAPACITY**

The Authority is entitled to—

- (a) all water at any time stored in the Amphitheatre Reservoir; and
- (b) the full capacity of the Amphitheatre Reservoir, up to 67 ML at full supply level of 319.13 metres Australian Height Datum—

but may not use or transfer any more than its annual entitlement in any year.

9. **MAKING ALLOWANCES**

9.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the Amphitheatre Reservoir, allowance must be made for—

- (a) any losses of water incurred between that point and the Amphitheatre Reservoir; and
- (b) the time taken by the flow to reach that point from the Amphitheatre Reservoir.

9.2 If the Authority proposes to take water under this entitlement from a point other than the Amphitheatre Reservoir, it must first—

- (a) propose to the Minister—
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 9.1; and
 - (ii) details of the proposed location and amount of the extraction; and
 - (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
 - (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.
- 9.3 The Minister may—
- (a) approve all or any means proposed under sub-clause 9.2; or
 - (b) require the Authority to amend all or any means proposed; and
 - (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.
- 9.4 The Authority must—
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 9.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.
- 10. ENVIRONMENTAL OBLIGATIONS**
- 10.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—
- (a) impacts on the bed and banks of the waterway in the vicinity of works;
 - (b) operational practices to remove silt from works;
 - (c) operational practices to manage the water quality in works on the waterway;
 - (d) operational rules for the controlled releases from works to the waterway; and
 - (e) operational rules for management of flood flows through works on the waterway.
- 10.2 The Minister may—
- (a) approve the program proposed under sub-clause 10.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 10.3 The Authority must at its cost—
- (a) implement the approved program;
 - (b) keep a record of all work undertaken under paragraph 10.3(a).
- 11. METERING PROGRAM**
- 11.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—
- (a) the amount of water taken by the Authority under this bulk entitlement; and
 - (b) the amount of water in the Amphitheatre Reservoir
- for the purpose of assessing whether or not the Authority complies with this bulk entitlement.

- 11.2 The metering program prepared under sub-clause 11.1 must include details of any agreement between the Authority and any other person for measuring and calculating of in-stream flows.
- 11.3 The Minister may—
- (a) approve the program proposed under sub-clause 11.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 11.4 The Authority must, at its cost, and in accordance with any guidelines issued from time to time by the Minister—
- (a) implement and maintain the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition, ensure that metering equipment is periodically re-calibrated and, where rating curves are used to calculate flows, ensure that these curves are regularly checked and updated; and
 - (c) keep a record of all work undertaken under paragraph 11.4(b).
- 12. REPORTING REQUIREMENTS**
- 12.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:
- (a) the daily amount of water taken under this bulk entitlement;
 - (b) the water level and amount of water stored in the Amphitheatre Reservoir;
 - (c) the annual amount of water taken under this bulk entitlement;
 - (d) the approval, amendment and implementation of programs under clauses 10 and 11;
 - (e) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (f) any bulk entitlement or licence temporarily or permanently transferred to the Authority with respect to the Amphitheatre water supply system;
 - (g) any amendment to this bulk entitlement;
 - (h) any new bulk entitlement granted to the Authority with respect to the Amphitheatre water supply system;
 - (i) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (j) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 12.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 12.1—
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister's written request.
- 12.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 12.1, except -
- (a) paragraphs (a) and (b) of sub-clause 12.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (i) of sub-clause 12.1.

- 12.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 12.1.
- 12.5 Any report under sub-clause 12.4 must be made—
- (a) in such form as may be agreed between the Authority and the Resource Manager; and
 - (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) and (b) of sub-clause 12.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (c) to (j) of sub-clause 12.1.

13. WATER RESOURCE MANAGEMENT COSTS

- 13.1 Subject to sub-clause 14.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—
- (a) prepare the Avoca River Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Avoca River Basin comply with the conditions of their bulk entitlements; and
 - (c) direct the release of any water set aside for maintaining water quality in the Avoca River Basin; and
 - (d) investigate and mediate disputes between entitlement holders in the Avoca River Basin; and
 - (e) investigate and deal with significant unauthorised uses of water in the Avoca River Basin; and
 - (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.
- 13.2 The proportion of the costs referred to in sub-clause 13.1 is to be determined by the Resource Manager under sub-clause 14.3.

14. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

- 14.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 13 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.
- 14.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 13.1.
- 14.3 The Resource Manager must, by 1 February in any year, determine for the Authority, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 13.1.
- 14.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

15. SALINITY MANAGEMENT COSTS

The Authority must pay to the Victorian Storage Operator, a portion of the cost of salinity mitigation schemes along the River Murray operated by Victoria, commensurate with the extent to which the Authority and its customers contribute to the need for these schemes.

16. DUTY TO MAKE PAYMENTS

Any amount payable by the Authority under clause 13 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

17. DATA

- 17.1 Subject to sub-clause 11.4, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.
- 17.2 The Authority must make available data collected for the purpose of the metering program and reporting under sub-clauses 11.1 and 12.1 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

18. DISPUTE RESOLUTION

- 18.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.
- 18.2 The independent expert will be either—
- (a) a person agreed on by the parties to the difference or dispute; or
 - (b) if those parties cannot agree, a person nominated by the Minister.
- 18.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.
- 18.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- 18.5 (a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.
- (b) The Minister must consider any recommendation made under paragraph 18.5(a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.
- 18.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.
- 18.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 2003

JOHN THWAITES,
Minister administering the **Water Act 1989**

Note: An Explanatory Note accompanies this Order.

Water Act 1989**BULK ENTITLEMENT (REDBANK) CONVERSION ORDER 2003**

I, John Thwaites, as Minister administering the **Water Act 1989**, make the following Order—

1. CITATION

This Order may be cited as the Bulk Entitlement (Redbank) Conversion Order 2003.

2. EMPOWERING PROVISIONS

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

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order—

“**Act**” means the **Water Act 1989**;

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

“**Authority**” means the Central Highlands Region Water Authority;

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

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

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

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

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

“**system**” means the 132 ML on-stream Redbank Reservoir on Redbank Creek, south west of the township of Redbank and a 100 mm gravity pipeline to the township. Supplementary supply is available from a licensed drought relief bore;

“**Victorian Storage Operator**” means the person appointed by the Minister to be responsible for water storage and supply costs in the Murray Basin;

“**waterway**” means Redbank Creek;

“**year**” means the 12 months commencing 1 July.

5. CONVERSION TO A BULK ENTITLEMENT

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

6. BULK ENTITLEMENT

- 6.1 The Authority may take up to 20 ML of water from the system in any year, at a rate not exceeding 0.7 ML/day.
- 6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—
 - (a) temporarily or permanently;
 - (b) in whole or in part;
 - (c) for any purpose, including an in-stream use of water.
- 6.3 The Minister may vary the maximum rate of extraction specified under sub-clause 6.1 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act.

7. SHARE OF FLOW

- 7.1 The Authority may store all of the inflow to the Redbank Reservoir when it is below full supply levels, except for any flow being transferred by the holder of—
- (a) any other bulk entitlement or licence held by another person, or
 - (b) any licence—
- to a transferee pursuant to the Act.
- 7.2 The flow sharing arrangement set out in sub-clause 7.1 applies unless changes recommended as part of a stream flow management plan are accepted by the Authority and approved by the Minister. The Authority will participate in good faith in developing the stream flow management plan and negotiating any changes to flow sharing arrangements. Any change approved as part of this process would require amendment of this bulk entitlement.

8. SHARE OF CAPACITY

The Authority is entitled to all water at any time stored in the Redbank Reservoir up to full capacity of 132 ML at full supply level of 236.0 metres Australian Height Datum but may not use or transfer any more than its annual entitlement in any year.

9. MAKING ALLOWANCES

- 9.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the system, allowance must be made for—
- (a) any losses from the waterway, or other waterway, downstream of the system; and
 - (b) the time taken by the flow to reach that point from the system.
- 9.2 If the Authority proposes to take water under this entitlement from a point other than the system, it must first—
- (a) propose to the Minister—
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 9.1; and
 - (ii) details of the proposed location and amount of the extraction; and
 - (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
 - (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.
- 9.3 The Minister may—
- (a) approve all or any means proposed under sub-clause 9.2; or
 - (b) require the Authority to amend all or any means proposed; and
 - (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.
- 9.4 The Authority must—
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 9.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

10. ENVIRONMENTAL OBLIGATIONS

- 10.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—
- (a) impacts on the bed and banks of waterways in the vicinity of the system works;
 - (b) operational practices to remove silt from works in the system;
 - (c) operational practices to manage the water quality in system works on a waterway;
 - (d) operational rules for the controlled releases from works to a waterway; and
 - (e) operational rules for management of flood flows through the system.
- 10.2 The Minister may—
- (a) approve the program proposed under sub-clause 10.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 10.3 The Authority must at its cost—
- (a) implement the approved program;
 - (b) keep a record of all work undertaken under paragraph (a).

11. METERING PROGRAM

- 11.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—
- (a) the amount of water taken by the Authority under this bulk entitlement; and
 - (b) the amount of water entering the system from a supplementary bore supply; and
 - (c) the amount of water in Redbank Reservoir;
- for the purpose of assessing whether or not the Authority complies with this bulk entitlement.
- 11.2 The Minister may—
- (a) approve the program proposed under sub-clause 11.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 11.3 The Authority must at its cost, and in accordance with any guidelines issued from time to time by the Minister—
- (a) implement the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition, ensure that metering equipment is periodically recalibrated and, where rating curves are used to calculate flows, ensure that these curves are regularly checked and updated; and
 - (c) keep a record of all work undertaken under paragraph (b).

12. REPORTING REQUIREMENTS

- 12.1 The Authority may be required to report on all or any of the following matters, as provided in this clause—
- (a) the daily amount of water taken under this bulk entitlement;
 - (b) the daily amount of water entering the system from the supplementary bore;
 - (c) the water level and amount of water stored in Redbank Reservoir;
 - (d) the annual amount of water taken under this bulk entitlement;
 - (e) the approval, amendment and implementation of programs under clauses 10 and 11;
 - (f) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (g) any bulk entitlement or licence temporarily or permanently transferred to the Authority with respect to the Redbank Water Supply System;
 - (h) any amendment to this bulk entitlement;
 - (i) any new bulk entitlement granted to the Authority with respect to the Redbank Water Supply System;
 - (j) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (k) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 12.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 12.1—
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister's written request.
- 12.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 12.1, except—
- (a) paragraphs (a), (b) and (c) of sub-clause 12.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (j) of sub-clause 12.1.
- 12.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 12.1.
- 12.5 Any report under sub-clause 12.4 must be made—
- (a) in such form as may be agreed between the Authority and the Resource Manager; and
 - (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (c) of sub-clause 12.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (d) to (k) of sub-clause 12.1.
- 13. WATER RESOURCE MANAGEMENT COSTS**
- 13.1 Subject to sub-clause 14.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—
- (a) prepare the Avoca Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Avoca Basin comply with the conditions of their bulk entitlements; and
 - (c) direct the release of any water set aside for maintaining water quality in the Avoca Basin; and

- (d) investigate and mediate disputes between entitlement holders in the Avoca Basin; and
 - (e) investigate and deal with significant unauthorised uses of water in the Avoca Basin; and
 - (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.
- 13.2 The proportion of the costs referred to in sub-clause 13.1 is to be determined by the Resource Manager under sub-clause 14.3.
- 14. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS**
- 14.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 13 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.
- 14.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 13.1.
- 14.3 The Resource Manager must, by 1 February in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 13.1.
- 14.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.
- 15. SALINITY MANAGEMENT COSTS**
- The Authority must pay to the Victorian Storage Operator, a portion of the cost of salinity mitigation schemes along the River Murray operated by Victoria, commensurate with the extent to which the Authority and its customers contribute to the need for these schemes.
- 16. DUTY TO MAKE PAYMENTS**
- Any amount payable by the Authority under clause 13 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.
- 17. DATA**
- 17.1 Subject to clause 13, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.
- 17.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 11 and 12 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.
- 18. DISPUTE RESOLUTION**
- 18.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.
- 18.2 The independent expert will be either—
- (a) a person agreed on by the parties to the difference or dispute; or
 - (b) if those parties cannot agree, a person nominated by the Minister.
- 18.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

- 18.4 (a) The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- (b) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.
- (c) The Minister must consider any recommendation made under paragraph 18.4(b) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.
- 18.5 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.
- 18.6 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 2003

JOHN THWAITES,
Minister administering the **Water Act 1989**

Note: An Explanatory Note accompanies this Order.

Agricultural Industry Development Act 1990

I, Bob Cameron, Minister for Agriculture, direct on 23 January 2004, that a poll of commercial wine grape producers in Greater Victoria be held on the question of whether the proposed Greater Victoria Wine Grape Industry Development Order should be made.

GREATER VICTORIA WINE GRAPE INDUSTRY DEVELOPMENT ORDER 2004

Citation

1. This Order may be cited as the Greater Victoria Wine Grape Industry Development Order 2004.

Order made under the *Agricultural Industry Development Act 1990*

2. This Order is made under Part 2 of the **Agricultural Industry Development Act 1990**.

Purpose of Order

3. The purpose of this Order is to set up a Committee to collect and administer charges applied to wine grape producers for defined industry functions.

Definitions

4. In this Order:
- ‘**Act**’ means the **Agricultural Industry Development Act 1990**;
 - ‘**Committee**’ means the Greater Victoria Wine Grape Industry Development Committee;
 - ‘**Greater Victoria**’ means the production area covered by this Order;
 - ‘**Minister**’ means the Minister administering the Act;
 - ‘**Production area**’ means all of Victoria excluding the areas within:
 - (a) the Rural Cities of Mildura and Swan Hill; and
 - (b) the Shire of Gannawarra;
 - ‘**Wine grape producer**’ means a person, including a partnership, share farming agreement, syndicate or company, who grows or produces wine grapes on an area greater than 0.4 hectares in the production area for production of wine or delivery to wineries;
 - ‘**Wine grapes**’ means any variety of grapes grown in the production area and used or intended to be used for processing into wine, must or wine spirit;

‘Wineries’ means all wineries, which accept wine grapes from producers in the production area, for use in wine, must or wine spirit production.

Term of Order

5. This Order commences on the day of the date of its publication in the Government Gazette and remains in force for four years from that date.

Establishment of the Committee

6. There will be a ‘Greater Victoria Wine Grape Industry Development Committee’.

Members

7. The Committee must consist of members appointed by the Minister, being —
- (a) one voting producer member from the Gippsland, Western (including that part of the North West Zone not included in the Murray Valley Wine Grape Industry Development Order (Victoria) 2003), Central, Port Phillip and North East zones for every 10,000 tonnes, or part thereof, of grapes produced in the zone; and
 - (b) two voting non-producer members appointed from a panel of at least four persons nominated, who possess specialist expertise appropriate to the needs of the wine grape industry in the fields of marketing, industry development or business administration; and
 - (c) one voting member nominated by the Secretary of the Department of Primary Industries who possesses appropriate marketing, policy or industry experience.
8. The Victorian Wine Industry Association or any other relevant body that, in the opinion of the Minister, has replaced that body must seek nominations for Committee membership from wine grape producers in all wine grape production areas covered by this Order and provide recommendations to the Minister on nominees for appointment as producer and non-producer members. The nominees will not be required to be in any way affiliated with the VWIA.

Chairperson

9. The members of the Committee must elect a voting member of the Committee to be Chairperson of the Committee for a period of 12 months.

Functions of the Committee

10. The Committee functions are to:
- a) support work to control pests and diseases within the State of Victoria;
 - b) support region-specific viticultural research and extension, where alternative funding is not available, for the development of improved vineyard management practices; and
 - c) obtain, analyse and disseminate industry statistics relevant to the market for wine grapes grown in the production area.

Powers of the Committee

11. The Committee may:
- (a) impose a charge on all wine grape producers for services it provides;
 - (b) delegate any of its functions or powers (other than the power of delegation) to an employee of the Committee; and
 - (c) exempt by written notice, either conditionally or unconditionally, a person or class of persons from compliance with some or all of the requirements of this Order.

Plan of Operation

12. In developing the plan of operations required under section 45 of the Act, the Committee must have regard to any plans or priorities which have been adopted by the Victorian Wine Industry Association.

Charge Imposed by Committee

13. A charge is payable by wine grape producers at the point and time of delivery of wine grapes to a winery for wine production and is collected by the winery by arrangement with and on behalf of the Committee.
14. The first charge imposed by the Committee will apply to all wine grapes supplied to wineries in the 2003/04 financial year and will be at a uniform rate of \$3.00 per tonne.
15. The charge is payable to the Committee prior to 30 June each year.
16. The charge imposed by the Committee must not at any time during the term of the Order exceed the uniform rate of \$5.00 per tonne of wine grapes.

Voting

17. Voting at the 2004 poll and at any subsequent polls on the question of continuation of this Order shall be on the basis of one vote for each wine grape producer.
18. For the purpose of voting at a future poll on the question of the continuation of this Order, a wine grape grower producing wine grapes on an area greater than 0.4 hectares in the preceding year, or having a contract to supply wine grapes from an area greater than 0.4 hectares to a winery in the following vintage, is eligible to vote.
19. Voting at general meetings in accordance with section 49 of the Act shall be on the following weighted-voting basis specified below:

**Total wine grape production area
per wine grape producer****Votes per producer**

Between 0.4 and 10 hectares	1
Between 10 and 15 hectares	2
Between 15 and 20 hectares	3
Between 20 and 25 hectares	4
25 hectares or more	5

Meetings

20. The Committee must hold at least one general meeting of wine grape producers in each financial year.

Financial Year

21. The financial year of the Committee is the period from 1 July to 30 June.

Penalty for Contravening the Order

22. A wine grape producer who fails to comply with the requirements of Clause 15 relating to the payment of a charge imposed by the Committee contravenes this Order and is liable to a penalty not exceeding 20 penalty units.

Submissions on the proposed Order are invited from persons ineligible to vote in the poll or other persons. Submissions should reach Stuart Holland, Senior Policy Analyst Agriculture, Department of Primary Industries, PO Box 500, East Melbourne 3002 by 23 January 2004.

BOB CAMERON, MP
Minister for Agriculture

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 the 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>
Andre Justin Ho	18/194 Alma Road, East St Kilda 3183	Optimus Recovery	Level 3, 140 Queen Street, Melbourne 3000	Commercial Sub-Agents Licence
Brioney Lee Koutsintas	26 Latham Street, Werribee 3030	Receivables Ltd	363 King Street, Melbourne 3000	Commercial Sub-Agents Licence
Marco Rossi	27 Aylmer Street, North Balwyn 3104	Receivables Ltd	Level 2, 55 King Street, Melbourne 3001	Commercial Sub-Agents Licence
Felix Lipkin	83 Alma Street, East Malvern, Victoria	Receivables Ltd	363 King Street, Melbourne 3001	Commercial Sub-Agents Licence
Kim Leong Yeap	52 Gateshead Drive, Wantirna South 3152	Receivables Ltd	Level 2, 55 King Street, Melbourne 3000	Commercial Sub-Agents Licence
Robert Graham Prowd	Lot 10, Tylden Road, Tylden 3444	Shield Mercantile P/L	169 Queen Street, Melbourne 3000	Commercial Sub-Agents Licence
Mark Christopher Sanga	14 Rigby Street, Carrum 3179	V.C.B. National Services	49 Craine Street, South Melbourne, Victoria	Commercial Sub-Agents Licence

Dated at Melbourne 8 December 2003

GRAEME J. HORSBURGH
Principal Registrar
Magistrates' Court of Victoria

Veterinary Practice Act 1997

DETERMINATION OF FEES

Under Section 86 of the **Veterinary Practice Act 1997**, I, Leigh Ross Coghlan, President of the Veterinary Practitioners Registration Board of Victoria, determine that the prescribed fees for the provisions of the **Veterinary Practice Act 1997** shall be in accordance with this Schedule for the period 1 January 2004–31 December 2004.

SCHEDULE

<i>PROVISION</i>	<i>FEE (\$)</i>
Registration—Section 6:	
General Registration	315.00
Registration under Mutual Recognition	315.00
Registration under Trans Tasman Mutual Recognition	315.00
Registration—Section 7:	
Specific Registration	315.00
Registration—Section 7A:	
Non-practising (Retired)	35.00
Non-practising (General)	110.00
Specialist Endorsement—Section 8:	400.00
Renewal of Registration—Section 12:	
Annual General Renewal	220.00
Late General Renewal	330.00
Specialist Annual Renewal	320.00
Late Specialist Renewal	430.00
Restoration to the Register—Section 13:	
General Restoration	380.00
Specialist Restoration	480.00
Copies/Extracts of the Register—Section 16(5):	
Full copy (first purchase)	1,200.00
Subscriber annual update	318.00
Partial copy	600.00
Multiple extracts (maximum)	130.00
Single extracts (each)	22.00
Other fees:	
Letters of professional standing	38.00
Replacement Certificate of Registration	50.00
Copy annual renewal certificate	20.00
Handbook (soft cover version plus GST)	50.00
Guidelines (each plus GST)	10.00

Dated 3 December 2003

LR COGHLAN BVSc
President

Veterinary Practitioners Registration Board of Victoria

AGREEMENT FOR THE EXHIBITION STREET EXTENSION PROJECT

Notice under Schedule 1 of the Agreement for the Exhibition Street Extension Project between the Crown in right of the State of Victoria and City Link Extension Pty Limited (the "ESEP Deed").

City Link Extension Pty Limited (ABN 40 082 058 615) ("Cleppo") gives notice of the following Charge Tolls for the Exhibition Street Extension:

Charge Tolls (\$/vehicle)

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Exhibition Street Extension	0.83	1.33	1.58	0.41

Cleppo intends that these Charge Tolls will first apply in the quarter ending 31 March 2004.

Capitalised terms in this notice that are defined in the ESEP Deed have the same meaning as given by the ESEP Deed.

P G B O'SHEA
Company Secretary
City Link Extension Pty Limited
ABN 40 082 058 615

G R PHILLIPS
Director
City Link Extension Pty Limited
ABN 40 082 058 615

AGREEMENT FOR THE MELBOURNE CITY LINK AND
AGREEMENT FOR THE EXHIBITION STREET EXTENSION PROJECT

Notice under Schedule 4 of the Agreement for Integrating and Facilitating the Project and the Exhibition Street Extension Project between the Crown in right of the State of Victoria, CityLink Melbourne Limited, Transurban Infrastructure Management Limited and City Link Extension Pty Limited (the "IFA") (as substituted for (and as if incorporated in lieu of) Schedule 3 of the Agreement for the Melbourne City Link between the Crown in right of the State of Victoria, CityLink Melbourne Limited and Transurban Infrastructure Management Limited (the "Concession Deed") and Schedule 1 of the Agreement for the Exhibition Street Extension Project between the Crown in right of the State of Victoria and City Link Extension Pty Limited ("the ESEP Deed")).

CityLink Melbourne Limited (ABN 65 070 810 678) (for itself and as agent of City Link Extension Pty Limited (ABN 40 082 058 615)) ("CityLink Melbourne") gives notice of the following Charge Tolls, Maximum Charge Tolls, Day Tolls, Taxi Tolls and Taxi Day Tolls for the Melbourne City Link and the Exhibition Street Extension:

Schedule of Charge Tolls and Maximum Charge Tolls**Charge Tolls (\$/vehicle)**

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road	1.33	2.12	2.52	0.66
Western Link Section 1, between Racecourse Road and Dynon Road	1.33	2.12	2.52	0.66
Western Link Section 2, between Footscray Road and West Gate Freeway	1.66	2.66	3.15	0.83
Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:				
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade	1.66	2.66	3.15	0.83
Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street	2.99	4.78	5.67	1.49
Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:				
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade	1.33	2.12	2.52	0.66
Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street	1.33	2.12	2.52	0.66
Southern Link Section 1, between Glenferrie Road and Burnley Street	1.33	2.12	2.52	0.66
Southern Link Section 5, between Burnley Street and Glenferrie Road	1.33	2.12	2.52	0.66
Exhibition Street Extension	0.83	1.33	1.58	0.41

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Southern Link Section 1, between Punt Road and Swan Street Intersection, other than: (a) that part of Southern Link Section 1: (i) between Punt Road and the exit to Boulton Parade; and (ii) comprising Boulton Parade; and (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road	0.83	1.33	1.58	0.41
Southern Link Section 5, between Swan Street Intersection and Punt Road	0.83	1.33	1.58	0.41

Notes:

1. When travelling on Southern Link Section 1 between Burnley Street and Punt Road and then onto Batman Avenue, the Tollable Sections may be combined for the purposes of levying Tolls.
2. When travelling on Southern Link Section 1 and into the Domain Tunnel, the Tollable Sections may be combined for the purposes of levying Tolls.
3. A reference in the description of a Tollable Section to a part of the Southern Link between a particular street or road and Burnley Street, includes that part of the Southern Link between that particular street or road and where Burnley Street would cross the Southern Link if Burnley Street continued in a straight southerly direction from its southernmost extremity.
4. In this table:
“Boulton Parade” includes the off-ramp connecting the rest of the Southern Link to Boulton Parade;
“Burnley Tunnel” means the eastbound tunnel between Sturt Street and Burnley Street;
“Domain Tunnel” means the westbound tunnel between Punt Road and Sturt Street; and
“Swan Street Intersection” means the intersection between Swan Street and Batman Avenue.

Maximum Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Total Link occurs between 6.00 am and 8.00 pm	4.98	6.64	6.64	2.49
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Total Link occurs between 8.00 pm and 6.00 am	4.98	4.98	4.98	2.49

Day Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Day Toll	9.55	15.25	18.10	4.75

Taxi Tolls (\$/Taxi)

Trip	Taxi Toll
Trips involving use of any or all of the Tollable Sections which comprise the Western Link* and no other Tollable Sections	2.20
Trips involving use of any or all of the Tollable Sections which comprise the Southern Link** and/or Exhibition Street Extension*** and no other Tollable Sections	2.20
Trips involving use of Tollable Sections which comprise both the Western Link* and either or both of the Southern Link** and the Exhibition Street Extension***	3.85

* The Western Link comprises the following three Tollable Sections:

1. Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road.
2. Western Link Section 1, between Racecourse Road and Dynon Road.
3. Western Link Section 2, between Footscray Road and West Gate Freeway.

** The Southern Link comprises the following eight Tollable Sections:

1. Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:

- (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
2. Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:
- (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
3. Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street.
4. Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.
5. Southern Link Section 1, between Glenferrie Road and Burnley Street.
6. Southern Link Section 5, between Burnley Street and Glenferrie Road.
7. Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:
- (a) that part of Southern Link Section 1:
 - (i) between Punt Road and the exit to Boulton Parade; and
 - (ii) comprising Boulton Parade; and
 - (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road.
8. Southern Link Section 5, between Swan Street Intersection and Punt Road.
- *** The Exhibition Street Extension comprises the following Tollable Section:

- 1. Exhibition Street Extension.

Taxi Day Tolls (\$/Taxi)

Taxi	Taxi Day Toll
Metropolitan Taxi	7.70
A Taxi not being a Metropolitan Taxi	5.50

CityLink Melbourne intends that each Charge Toll, Maximum Charge Toll, Day Toll, Taxi Toll and Taxi Day Toll specified above will first apply in the quarter ending 31 March 2004.

Capitalised terms in this notice that are defined in:

- (a) the Concession Deed have, subject to paragraph (b), that meaning in this notice;
- (b) the ESEP Deed have that meaning in this notice, but only to the extent that the provision applies to the ESEP Deed,

subject to the provisions of the IFA.

P G B O'SHEA
 Company Secretary
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

G R PHILLIPS
 Director
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

AGREEMENT FOR THE MELBOURNE CITY LINK

Notice under Schedule 3 of the Agreement for the Melbourne City Link between the Crown in right of the State of Victoria, CityLink Melbourne Limited and Transurban Infrastructure Management Limited (the "Concession Deed").

CityLink Melbourne Limited (ABN 65 070 810 678) ("CityLink Melbourne") gives notice of the following Charge Tolls, Maximum Charge Tolls, Day Tolls, Taxi Tolls and Taxi Day Tolls for the Melbourne City Link:

Charge Tolls (\$/vehicle)

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road	1.33	2.12	2.52	0.66
Western Link Section 1, between Racecourse Road and Dynon Road	1.33	2.12	2.52	0.66
Western Link Section 2, between Footscray Road and West Gate Freeway	1.66	2.66	3.15	0.83
Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:				
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade	1.66	2.66	3.15	0.83
Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street	2.99	4.78	5.67	1.49
Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:				
(a) between Punt Road and the exit to Boulton Parade; and				
(b) comprising Boulton Parade	1.33	2.12	2.52	0.66
Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street	1.33	2.12	2.52	0.66
Southern Link Section 1, between Glenferrie Road and Burnley Street	1.33	2.12	2.52	0.66
Southern Link Section 5, between Burnley Street and Glenferrie Road	1.33	2.12	2.52	0.66

Category of Vehicle Tollable Section	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Southern Link Section 1, between Punt Road and Swan Street Intersection, other than: (a) that part of Southern Link Section 1: (i) between Punt Road and the exit to Boulton Parade; and (ii) comprising Boulton Parade; and (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road	0.83	1.33	1.58	0.41
Southern Link Section 5, between Swan Street Intersection and Punt Road	0.83	1.33	1.58	0.41

Notes:

1. When travelling on Southern Link Section 1 between Burnley Street and Punt Road and then onto Batman Avenue, the Tollable Sections may be combined for the purposes of levying Tolls.
2. When travelling on Southern Link Section 1 and into the Domain Tunnel, the Tollable Sections may be combined for the purposes of levying Tolls.
3. A reference in the description of a Tollable Section to a part of the Southern Link between a particular street or road and Burnley Street, includes that part of the Southern Link between that particular street or road and where Burnley Street would cross the Southern Link if Burnley Street continued in a straight southerly direction from its southernmost extremity.
4. In this table:
“Boulton Parade” includes the off-ramp connecting the rest of the Southern Link to Boulton Parade;
“Burnley Tunnel” means the eastbound tunnel between Sturt Street and Burnley Street;
“Domain Tunnel” means the westbound tunnel between Punt Road and Sturt Street; and
“Swan Street Intersection” means the intersection between Swan Street and Batman Avenue.

Maximum Charge Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Link occurs between 6.00 am and 8.00 pm	4.98	6.64	6.64	2.49
Trips where the passage of the Vehicle on the last Tollable Section comprising the Trip before exiting the Link occurs between 8.00 pm and 6.00 am	4.98	4.98	4.98	2.49

Day Tolls (\$/vehicle)

Category of Vehicle	Car	Light Commercial Vehicle	Heavy Commercial Vehicle	Motor Cycle
Day Toll	9.55	15.25	18.10	4.75

Taxi Tolls (\$/Taxi)

Trip	Taxi Toll
Trips involving use of any or all of the Tollable Sections which comprise the Western Link* and no other Tollable Sections	2.20
Trips involving use of any or all of the Tollable Sections which comprise the Southern Link** and no other Tollable Sections	2.20
Trips involving use of Tollable Sections which comprise both the Western Link* and the Southern Link**	3.85

* The Western Link comprises the following three Tollable Sections:

1. Tullamarine Freeway Upgrade, between Moreland Road and Brunswick Road.
2. Western Link Section 1, between Racecourse Road and Dynon Road.
3. Western Link Section 2, between Footscray Road and West Gate Freeway.

** The Southern Link comprises the following eight Tollable Sections:

1. Domain Tunnel and that part of the Southern Link leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.

2. Southern Link Section 1, between Burnley Street and Punt Road and including that part of Southern Link Section 1:
 - (a) between Punt Road and the exit to Boulton Parade; and
 - (b) comprising Boulton Parade.
3. Southern Link Section 5, between Punt Road and Burnley Street other than that part of the Southern Link leading out of the Burnley Tunnel between the eastern portal of that Tunnel and Burnley Street.
4. Burnley Tunnel and that part of the Southern Link leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.
5. Southern Link Section 1, between Glenferrie Road and Burnley Street.
6. Southern Link Section 5, between Burnley Street and Glenferrie Road.
7. Southern Link Section 1, between Punt Road and Swan Street Intersection, other than:
 - (a) that part of Southern Link Section 1:
 - (i) between Punt Road and the exit to Boulton Parade; and
 - (ii) comprising Boulton Parade; and
 - (b) that part of the Southern Link leading into the Domain Tunnel between the eastern portal of that Tunnel and Punt Road.
8. Southern Link Section 5, between Swan Street Intersection and Punt Road.

Taxi Day Tolls (\$/Taxi)

Taxi	Taxi Day Toll
Metropolitan Taxi	7.70
A Taxi not being a Metropolitan Taxi	5.50

CityLink Melbourne intends that each Charge Toll, Maximum Charge Toll, Day Toll, Taxi Toll and Taxi Day Toll specified above will first apply in the quarter ending 31 March 2004.

Capitalised terms in this notice that are defined in the Concession Deed have the same meaning as given by the Concession Deed.

P G B O'SHEA
 Company Secretary
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

G R PHILLIPS
 Director
 CityLink Melbourne Limited
 (ABN 65 070 810 678)

Planning and Environment Act 1987**BAYSIDE PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C29 Part 1

The Minister for Planning has approved Amendment C29 Part 1 to the Bayside Planning Scheme.

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

The Amendment removes interim heritage controls from 9 properties throughout the City of Bayside and from the Foreshore, Brighton (Bathing Boxes). The Amendment also corrects a mapping error to apply permanent heritage controls to the Brighton Bathing Boxes at Dendy Street, Brighton (Nos. 1 to 90).

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Bayside City Council, Corporate Centre, Royal Avenue, Sandringham.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987**EAST GIPPSLAND PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C21

The Minister for Planning has approved Amendment C21 to the East Gippsland Planning Scheme.

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

The Amendment rezones land at 6 Wellington Street, Paynesville from Public Park & Recreation Zone to Business 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza,

Nauru House, 80 Collins Street, Melbourne and at the offices of the East Gippsland Shire Council, 273 Main Street, Bairnsdale.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987**MOIRA PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C15

The Minister for Planning has approved Amendment C15 to the Moira Planning Scheme.

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

The Amendment rezones land at Crown Allotments 1, 2, 3 and 4 bounded by Benalla Road, McLeod Street, Sharp Street and South Road, Yarrowonga from Public Purpose—Local Government (PUZ6) to Industrial 3 (IN3Z).

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; at the Department of Sustainability and Environment, North East Region, 35 Sydney Road, Benalla and at the offices of the Moira Shire Council, 44 Station Street, Cobram.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987**MORNINGTON PENINSULA
PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C47 (Part 1)

The Minister for Planning has approved Amendment C47 (Part 1) to the Mornington Peninsula Planning Scheme.

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

The Amendment deletes the Design and Development Overlay (Schedule 2) from applying to land at 3060, 3070, 3078 and 3080 Frankston–Flinders Road, Balnarring and applies the Design and Development Overlay (Schedule 1) to the same land.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Mornington Peninsula Shire Council, Rosebud Office, Besgrove Street, Rosebud; Mornington Office, Queen Street, Mornington; and Hastings Office, Marine Parade, Hastings.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987

MORNINGTON PENINSULA
PLANNING SCHEME

Notice of Approval of Amendment
Amendment C63

The Minister for Planning has approved Amendment C63 to the Mornington Peninsula Planning Scheme.

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

The Amendment introduces a specific sites and exclusions provision to allow for the temporary use and development of land on the McCrae foreshore for the Rosebud & District Life Saving Club.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Mornington Peninsula Shire

Council, Rosebud Office, Besgrove Street, Rosebud; Mornington Office, Queen Street, Mornington; and the Hastings Office, Marine Parade, Hastings.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment
Amendment C35

The Minister for Planning has approved Amendment C35 to the Port Phillip Planning Scheme.

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

The Amendment makes changes to the advertising requirements at Section 5.0 of Schedule 2 to the Comprehensive Development Zone by placing part of the subject site in a Category 3 advertising signage control of Clause 52.05 and includes Map 1 to Schedule 2 to the Comprehensive Development Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the City of Port Phillip at the following locations:

- South Melbourne Town Hall—Reception, 208–220 Bank Street, South Melbourne 3205.
- St Kilda Town Hall—Reception, corner of Carlisle Street and Brighton Road, St Kilda 3182.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987UPPER YARRA VALLEY AND
DANDENONG RANGES
REGIONAL STRATEGY PLANNotice of Approval of Amendment
Amendment 116

The Minister for Planning and each House of the Parliament of Victoria have approved Amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan.

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

The Amendment alters Policy 3.01 — Regional Overview, Policy 3.02 — Township Policy Areas, Policy 4.01 — Regional Overview, and Policy 4.03 — Landscape Living Policy Areas, of the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan. The Amendment introduces a reference to *Melbourne 2030* and the application of the Urban Growth Boundary, and clarifies its relationship to Township Policy Areas and Landscape Living Policy Areas.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Yarra Ranges Shire Council, Anderson Street, Lilydale.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

The notice of approval of Amendment 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan published on 24 November 2003 in Victoria Government Gazette S220 at page 5 was incorrect and of no effect.

Planning and Environment Act 1987

VICTORIA PLANNING PROVISIONS

Notice of Approval of Amendment
Amendment VC20

The Minister for Planning has approved Amendment VC20 to the Victoria Planning Provisions.

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

The Amendment amends the incorporated document, “Melbourne City Link Project —Advertising Sign Locations, August 1998” and reference to it in Clause 45.07 to remove a sign prohibition on land at the south west corner of Lorimer and Montague Streets, South Melbourne, City of Melbourne, extending south to the West Gate Freeway west-bound on-ramp.

The Amendment makes relevant corresponding changes to the Boroondara, Melbourne, Moonee Valley, Moreland, Port Phillip, Stonnington and Yarra Planning Schemes.

A copy of the Amendment can be inspected, free of charge, during office hours, at: Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000; Department of Sustainability and Environment, Port Phillip Region—Burwood, Level 2, 12 Lakeside Drive, East Burwood 3151; Department of Sustainability and Environment, Port Phillip Region—Sunshine, Ground Level, 499 Ballarat Road, Sunshine 3020; Department of Sustainability and Environment, North East Region, 35 Sydney Road, Benalla 3672; Department of Sustainability and Environment, Gippsland Region, 71 Hotham Street, Traralgon 3844; Department of Sustainability and Environment, North West Region, 1 Taylor Street, Epsom 3551; Department of Sustainability and Environment, South West Region—Geelong, 180 Fyans Street, South Geelong 3220; Department of Sustainability and Environment, South West Region—Ballarat, 88 Learmonth Road, Wendouree 3355; all municipal council offices in Victoria.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987

WARRNAMBOOL PLANNING SCHEME

Notice of Approval of Amendment

Amendment C33

The Minister for Planning has approved Amendment C33 to the Warrnambool Planning Scheme.

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

The Amendment rezones land known as part 30 Caramut Road, Warrnambool from Industrial 3 Zone to Residential 1 Zone and applies the Design and Development Overlay Schedule 4 and Environmental Audit Overlay to the land.

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

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; the Department of Sustainability and Environment, South West Region offices, 402–406 Mair Street, Ballarat and at the offices of the Yarriambiack Shire Council, Lyle Street, Warracknabeal.

PAUL JEROME
General Manager
Planning, Land Services and
Environmental Regulation
Department of Sustainability
and Environment

Planning and Environment Act 1987

YARRIAMBIACK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C2

The Minister for Planning has approved Amendment C2 to the Yarriambiack Planning Scheme.

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

The Amendment introduces a Public Acquisition Overlay into the Planning Scheme and includes land in Cemetery Road, Hopetoun (Part CA 30, Parish of Goyura) and land in Coutts Road, Minyip (Part CAs 149 & 150, Parish of Nullan) in the overlay. The Grampians Water Authority is identified as the acquiring authority for the purpose of waste water treatment facilities.

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978

INCORPORATION OF COMMITTEES OF MANAGEMENT AND APPOINTMENT OF CHAIRMEN

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

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

SCHEDULE

Column 1 Reserve details	Column 2 Corporate name	Column 3 Chairman
Clematis Park Flora and Fauna Reserve —Crown allotment 1A, Section B, Township of Emerald, Parish of Gembrook temporarily reserved for Public Purposes (Preservation of Native Flora and Fauna) by Order in Council of 30 October 1974 (vide Government Gazette of 6 November 1974—page 3892) [Rs 6565].	Clematis Park Native Flora and Fauna Reserve Committee of Management Incorporated	Lance WALKER
Bagshot Public Recreation Reserves —The lands in the Parish of Bagshot temporarily reserved for Public Recreation by Orders in Council of 6 June 1922 and 11 June 2003 (vide Government Gazettes of 14 June 1922—page 1518 and 12 June 2003—page 1370 respectively) [Rs 1705 and 0611823].	Bagshot Recreation Reserve Incorporated	Kelvin John PITSON
Mt. Bute Public Hall and Recreation Reserves —The lands in the Parish of Galla temporarily reserved for Public Hall and Public Recreation by Orders in Council of 15 April 1947 and 13 May 1986 (vide Government Gazettes of 16 April 1947—page 2162 and 28 May 1986—page 1546 respectively) [Rs 5950 & Rs 12989].	Mt. Bute Public Hall Committee Incorporated	Alan John EVERETT
Mossiface Public Hall Reserve —The land in the Parish of Tambo temporarily reserved for Public Hall by Order in Council of 1 December 1953 (vide Government Gazette of 9 December 1953—page 6007) [Rs 7168].	Mossiface and Wiseleigh Memorial Hall Committee Incorporated	Paul Anthony ZURBO-BROWN

Column 1 Reserve details	Column 2 Corporate name	Column 3 Chairman
Minyip Public Recreation Reserve —The land in the Parish of Nullan temporarily reserved for Public Recreation by Order in Council of 18 January 1909 (vide Government Gazette of 27 January 1909—page 785) [Rs 870].	Minyip Racecourse Committee of Management Incorporated	Bruce Alan MIDGLEY
Dimboola Community Centre Reserve —Crown allotment 10, Section 9, Township of Dimboola temporarily reserved for Public purposes (Community Centre) by Order in Council of 16 November 1976 (vide Government Gazette of 24 November 1976—page 3392) [Rs 10234].	Dimboola Community Centre Reserve Committee Incorporated	Jill Elizabeth WALSGOTT
Tanjil South Recreation Reserve —The land in the Parish of Tanjil temporarily reserved for Public Recreation by Orders in Council of 3 November 1965 (vide Government Gazette of 10 November 1965—page 3452) [Rs 8317].	Tanjil South Recreation Reserve Committee Incorporated	Keith L. KNIGHT
Yinnar Recreation Reserve — The land in the Parish of Yinnar temporarily reserved for Public Recreation by Order in Council of 12 August 1958 (vide Government Gazette of 20 August 1958—page 2927) [Rs 5022].	Yinnar Recreation Reserve Committee of Management Incorporated	Peter QUIGLEY
Newstead Racecourse Reserve — The land in the Township of Newstead permanently reserved for a Racecourse and other purposes of Public Recreation by Order in Council of 16 July 1888 (vide Government Gazette of 20 July 1888—page 2364) [Rs 1030].	Newstead Racecourse Reserve Committee of Management Incorporated	Stewart John OLNEY
Hard Hill Tourist Reserve — Crown allotment 4K, Section 12, Parish of Wedderburne temporarily reserved for Public purposes (Tourism at Hard Hill purposes) by Order in Council of 28 November 1978 (vide Government Gazette of 6 December 1978—page 3788) and Crown allotment 4Q, Section 12, Parish of Wedderburne temporarily reserved for a Public purposes (Tourism) by Order in Council of 19 December 2000 (vide Government Gazette of 21 December 2000—page 3057) [Rs 10658].	Hard Hill Board of Management Incorporated	Trevor David BAILEY

Column 1 Reserve details	Column 2 Corporate name	Column 3 Chairman
<p>Myamyn Public Hall, Sportsground and Showgrounds Reserves—Crown allotment 2D, Section 7, Parish of Myamyn temporarily reserved for Public Hall by Order in Council of 29 May 1984 (vide Government Gazette of 6 June 1984—page 1801) and Crown allotment 4G, Section 6, Parish of Myamyn temporarily reserved for Public Purposes (Sportsground and Showgrounds) by Order in Council of 30 July 1996 (vide Government Gazette of 1 August 1996—page 2006) [Rs 12667, Rs 43084].</p>	<p>Myamyn Public Hall, Sports and Showgrounds Reserve Committee Incorporated</p>	<p>Neil Linden CAMERON</p>
<p>Wando Vale Public Hall Reserves—The lands in the Township of Wando Vale, Parish of Wando temporarily reserved for Public Hall by Orders in Council of 22 July 1902 and 22 November 1949 (vide Government Gazettes of 30 July 1902—page 3300 and 30 November 1949—page 6595 respectively) [Rs 5839].</p>	<p>Wando Vale Hall Reserve Incorporated</p>	<p>Garry Russell CARLIN</p>
<p>Warracknabeal Show Yards Reserves—The land in the Township of Warracknabeal permanently reserved as a site for Show Yards by Order in Council of 2 April 1889 and the remaining lands in the Township of Warracknabeal temporarily reserved as sites for Show Yards by Orders in Council of 26 February 1889, 8 September 1892 and 2 May 1922 [Rs 11].</p>	<p>Warracknabeal Show Yards Committee Incorporated</p>	<p>Bruce Robert HEIN</p>
<p>Gundowring Public Recreation and Public Hall Reserve—The land in the Parish of Gundowring permanently reserved for Public Recreation and Public Hall by Order in Council of 24 January 1967 (vide Government Gazette of 1 February 1967—page 266) [Rs 7188].</p>	<p>Gundowring Recreation and Hall Committee Incorporated</p>	<p>Leo Ronald MULL</p>
<p>Mt. Eccles Mechanics' Institute Reserve—Crown Allotment 90H, Parish of Allambee permanently reserved for Mechanics' Institute and Free Library by Order in Council of 17 April 1917 (vide Government Gazette of 25 April 1917—page 1319) [Rs 1478].</p>	<p>Mt. Eccles Mechanics' Institute Reserve Incorporated</p>	<p>Kevin James BRISLIN</p>

Column 1 Reserve details	Column 2 Corporate name	Column 3 Chairman
<p>Trafalgar Recreation Reserve —The lands in the Parish of Yarragon temporarily reserved for Public Recreation by Orders in Council of 15 September 1890 and 8 August 1955 (vide Government Gazettes of 19 September 1890—page 3800 and 17 August 1955—page 4463 respectively) [Rs 671].</p>	Trafalgar Recreation Reserve Incorporated	Peter J. WILLIAMS
<p>Powelltown Public Hall Reserve —The land in the Township of Powelltown, Parish of Beenak temporarily reserved for a Public Hall by Order in Council of 20 October 1964 (vide Government Gazette of 28 October 1964—page 3344) [Rs 8376].</p>	Powelltown Public Hall Reserve Incorporated	Kimberley FRIEDRICH
<p>Concongella Public Hall Reserve —The land in the Parish of Stawell temporarily reserved for a Public Hall by Order in Council of 16 August 1960 (vide Government Gazette of 24 August 1960—page 2870) [Rs 7965].</p>	Concongella Public Hall Committee Incorporated	Thelma SPICER

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

Dated 9 December 2003

Responsible Minister
MARY DELAHUNTY
Minister for Planning

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

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

BALLARAT—The temporary reservation by Order in Council of 7 June 1988 of an area of 18.66 hectares of land being Crown Allotments 32 and 33, Section 1, Parish of Ballarat as a site for Public Recreation, revoked as to part by Order in Council of 11 April 2000 so far only as the portion containing a total area of 1.653 hectares shown as Crown Allotments 2006, 2007, 2008 and 2013, Parish of Ballarat on Original Plan No. 121920 lodged in the Central Plan Office. (Rs 11386).

MILDURA—The temporary reservation by Order in Council of 1 August 1972 of an area of 607 square metres of land being part of Portion 2, Parish of Mildura as a site for Public purposes (Departmental Residence). (Rs 9623).

MILDURA—The temporary reservation by Order in Council of 22 August 1978 of an area of 805 square metres of land being Crown Allotment 5, Section 17, Block E, Parish of Mildura as a site for Public Purposes (Departmental Residence). (Rs 10464).

MILDURA—The temporary reservation by Order in Council of 8 September 1981 of an area of 640 square metres of land being Crown Allotment 2, Section 32, Block F, Parish of Mildura as a site for a Departmental Residence. (Rs 11433)

MILDURA—The temporary reservation by Order in Council of 15 September 1981 of an area of 640 square metres of land being Crown Allotment 1, Section 32, Block F, Parish of Mildura as a site for a Departmental Residence. (Rs 11432).

NI NI—The temporary reservation by Order in Council of 20 November 1882 of an area of 66.019 hectares of land in the Parish of Ni Ni (formerly being part of Crown Allotment 45) as a site for Conservation of Water, revoked as to part by various Orders, so far as the balance remaining containing 22.490 hectares, more or less. (Rs 5810).

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

Dated 9 December 2003

Responsible Minister
MARY DELAHUNTY
Minister for Planning

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

REVOCATION OF TEMPORARY RESERVATIONS

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

BERWICK—The temporary reservation by Order in Council of 20 February 1865 of an area of 3569 square metres of land being Crown Allotment 2, Section 19, Township of Berwick, Parish of Berwick as a site for Common School purposes, in addition to the site permanently reserved thereto in October 1863. (Rs 6819).

BERWICK—The temporary reservation by Order in Council of 16 April 1866 of an area of 2117 square metres of land being Crown Allotment 1, Section 19, Township of Berwick, Parish of Berwick as a site for Common School purposes, as an addition to the site temporarily reserved at that place by Order of 20 February 1865. (Rs 6819).

GOORAMBAT—The temporary reservation by Order in Council of 5 January 1869 of an area of 6.981 hectares, more or less, of land in the Parish of Goorambat (formerly part of Crown Allotment 64A) as a site for Watering purposes. (09L7-5686).

WEERANGOURT—The temporary reservation by Order in Council of 16 January 1905 of an area of 10.276 hectares, of land in Section 14, Parish of Weerangourt (formerly Crown Allotment 4B) as a site for a Night-soil depot. (Rs 43067).

WODONGA—The temporary reservation by Order in Council of 26 January 1874 of an area of 30.351 hectares, more or less, of land in the Township of Wodonga, (formerly Parish of Belvoir) as a site for Camping purposes, revoked as to part by various Orders, so far as the balance remaining. (Rs 2122).

YOUANMITE—The temporary reservation as well as the withholding from sale, leasing or licensing by Order in Council of 15 November 1880 of an area of 14.21 hectares of land in Section B, Parish of Youanmite (formerly being Crown Allotment 15A) as a site for Affording access to Water, revoked as to part by Order in Council of 30 March 1971 so far as the balance remaining containing 12.19 hectares, more or less. (Rs 3464).

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

Dated 9 December 2003

Responsible Minister
MARY DELAHUNTY
Minister for Planning

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

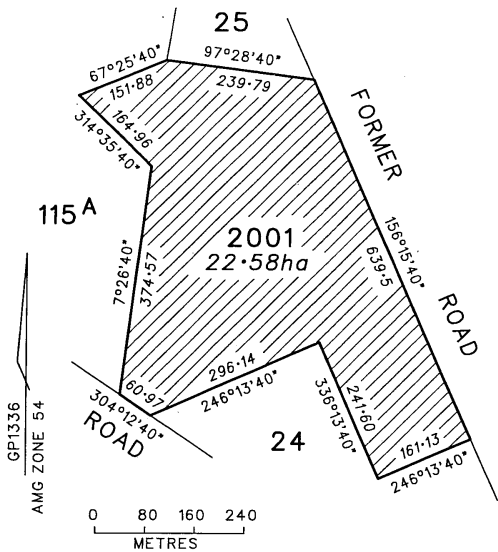
Crown Land (Reserves) Act 1978

TEMPORARY RESERVATION OF CROWN LANDS

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

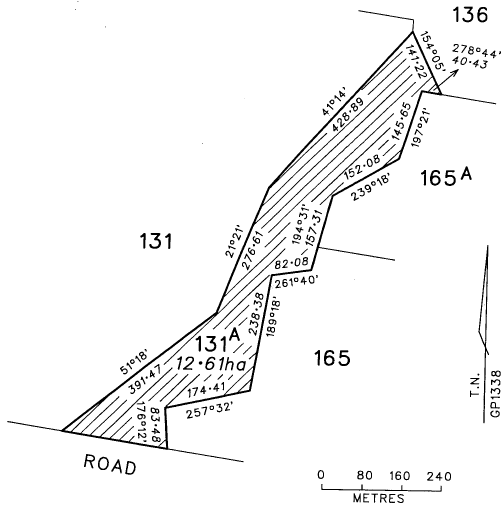
MUNICIPAL DISTRICT OF THE HORSHAM RURAL CITY COUNCIL

ARAPILES—Management of wildlife and the preservation of wildlife habitat, 22.58 hectares, being Crown Allotment 2001, Parish of Arapiles as indicated by hatching on plan hereunder. (GP1336)—(02L4-1408).



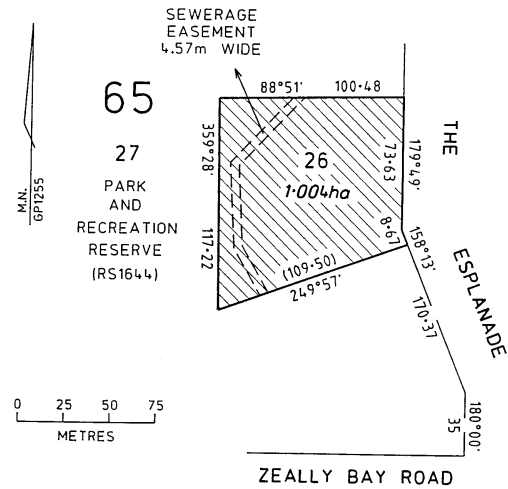
MUNICIPAL DISTRICT OF THE HINDMARSH SHIRE COUNCIL

DIMBOOLA—Conservation of an area of natural interest, 12.61 hectares being Crown Allotment 131A, Parish of Dimboola as indicated by hatching on plan hereunder. (GP1338)—(02L4-4977).



MUNICIPAL DISTRICT OF THE SURF COAST SHIRE COUNCIL

PUEBLA—Public purposes, 1.004 hectares, being Crown Allotment 26, Section 65, Parish of Puebla as indicated by hatching on plan hereunder. (GP1255)—(07/00258).



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

Dated 9 December 2003

Responsible Minister
MARY DELAHUNTY
Minister for Planning

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

VICTORIA

State Aid to Religion Abolition Act 1871

ACT NO. 391/1871—SECOND SCHEDULE

A statement of trusts having been submitted by the head or authorised representative of the Roman Catholic Church in the Diocese of Sandhurst under the provisions of the "Act to provide for the abolition of State Aid to Religion" for allowance by the Governor in Council, the same was allowed by him on the ninth day of December 2003 and the following is the form in which such statement of trusts has been allowed.

STATEMENT OF TRUSTS

DESCRIPTION OF LAND—

Site for Roman Catholic Church purposes temporarily reserved by Order in Council of 12 December 1864 being:—

4047 square metres, Parish of Strathfieldsaye being Allotment 1G, Section 7.

Commencing at the north-western angle of Allotment 1E, Section 7; bounded thence by a

road bearing 0° 00' 50.29 metres, thence by Allotment 1F bearing 90° 00' 80.47 metres and bearing 180° 00' 50.29 metres, and thence by Allotment 1E bearing 270° 00' 80.47 metres to the point of commencement.

NAME OF TRUSTEES

The Roman Catholic Trusts Corporation for the Diocese of Sandhurst.

POWERS OF DISPOSITION

Such powers of disposition including powers of sale, lease or mortgage as are contained in the **Roman Catholic Trusts Act 1907**.

PURPOSES TOWARDS WHICH PROCEEDS OF DISPOSITION ARE TO BE APPLIED—

To such Roman Catholic Church purposes as shall be approved by the Trustees.

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

Dated 9 December 2003

Responsible Minister
MARY DELAHUNTY
Minister for Planning

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

Land Act 1958

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

Order in Council

The Governor in Council, pursuant to sections 99A(1)(a) & 99A(2) of the **Land Act 1958**, approves the sale by private treaty of Crown Allotment 6J of 59, Parish of Melbourne South and located at the corner of Thackray and Woolboard Roads, Port Melbourne.

Dated 9 December 2003

Responsible Minister
JOHN LENDERS MP
Minister for Finance

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

Land Act 1958

CLOSURE OF UNUSED ROAD

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipality in which the road is situated and the owners of land adjoining the road closes the following unused road:

MUNICIPAL DISTRICT OF THE TOWONG SHIRE COUNCIL

TOWONG—The road in the Parish of Towong shown as Crown Allotment 2003, Section 6 on Title Plan No. TP 812346W lodged in the Land Registry. (P370150).

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

Dated 9 December 2003

Responsible Minister
MARY DELAHUNTY
Minister for Planning

SUDHA KASYNATHAN
Acting Clerk of the Executive Council

APPOINTMENTS

FORESTS (TIMBER PROMOTION COUNCIL) REGULATIONS 1992

Appointment of Deputies of Members of the Timber Promotion Council

Order in Council

The Governor in Council, pursuant to Regulations 8(3) and 9(1) of the Forests (Timber Promotion Council) Regulations 1992 appoints the following as deputies of members of the Timber Promotion Council from the date of the Order to 31 January 2004:

Walter Richard Brooks as deputy for Barry O'Shea

Brian Martin Walsh as deputy for Glenne Drover

Nicholas John Murray as deputy for Graeme Gooding

Yorick Michael Stuart Piper as deputy for Michael O'Connor

Gary Robert Featherston as deputy for Peter Rutherford

The terms and conditions of the appointments are set out in the Schedule to this Order.

Dated 9 December 2003

Responsible Minister

JOHN THWAITES

Minister for Environment

SUDHA KASYNATHAN

Acting Clerk of the Executive Council

FORESTS (TIMBER PROMOTION COUNCIL) REGULATIONS 1992

Appointment of Deputies of Members of the Timber Promotion Council

1. Appointment Arrangements

The appointments are part-time.

2. Period of Appointment

In accordance with Regulation 9(1) the appointments are from the date of the Order to 31 January 2004.

3. Duties and Responsibilities

The functions of the Timber Promotion Council are contained in Regulation 11.

4. Termination Arrangements

Regulation 8(4) provides that the Governor in Council may, at any time, revoke the appointment of the Chairperson, a member or a deputy of a member.

Regulation 9(2) provides that a member may resign from the Council in writing to the Governor in Council.

5. Payment Provisions

Regulation 16(a) and (b) prescribes the sitting fees for the Chairperson, members or deputy of a member of the Council respectively.

6. Superannuation Obligations

Superannuation contributions will be paid by the employer in accordance with the Commonwealth's **Superannuation Guarantee Act 1992**.

7. Travel and Personal Expenses Arrangements

Regulation 16(c) prescribes the travelling and other expenses and allowances.

8. Leave Arrangements

There are no leave provisions for this part-time Statutory position.

9. Prior Service

Not applicable.

**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:

144. *Statutory Rule:* Magistrates' Court Civil Procedure (Amendment No. 10) Rules 2003
Authorising Act: Magistrates' Court Act 1989
Date of making: 1 December 2003
145. *Statutory Rule:* Fisheries (Recreational Fees and Levies) Regulations 2003
Authorising Act: Fisheries Act 1995
Date of making: 9 December 2003
146. *Statutory Rule:* Electricity Safety (Equipment) (Amendment) Regulations 2003
Authorising Act: Electricity Safety Act 1998
Date of making: 9 December 2003

**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:

143. *Statutory Rule:* Marine (Fees) Regulations 2003
Authorising Act: Marine Act 1988
Date first obtainable: 9 December 2003
Code B
144. *Statutory Rule:* Magistrates' Court Civil Procedure (Amendment No. 10) Rules 2003
Authorising Act: Magistrates' Court Act 1989
Date first obtainable: 11 December 2003
Code A

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