



Victoria Government Gazette

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No. G 2 Thursday 8 January 2004

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GENERAL

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As from 8 January 2004

The last Special Gazette was No. 255 dated 31 December 2003.

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

How To Submit Copy

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 - or contact our office on 9926 1233
between 8.30 am and 5.30 pm Monday to Friday
-

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
AUSTRALIA DAY HOLIDAY (Monday 26 January 2004)**

Please Note:

The Victoria Government Gazette for Australia Day week will be published on **Thursday 29 January 2004**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 23 January 2004.**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 27 January 2004.**

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 heretofore existing between Keith Harry Nance and Leon Fleischer, carrying on the business of pharmacists at Shops C14 and D15 Mornington Central Shopping Centre, corner Gordon and Barkly Streets, Mornington, Victoria, under the style of Terry White Chemists Mornington has been dissolved as from 4 August 2002.

Re: TERENCE GEORGE ELLIS, late of "Vincenpaul" Hostel, 13-25 Strabane Avenue, Box Hill North, gentleman, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 December 2003, are required by the executor to send particulars to the executor care of the undermentioned solicitors by 17 March 2004 after which date the executor may convey or distribute the assets, having regard only to the claims of which he has notice.

ARMSTRONG ROSS, solicitors,
1693A Burwood Highway, Belgrave 3160.

MERVETH SANDRA STOUT, late of 234 Albert Street, Sebastopol, gentlewoman, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 September 2002, are required by the trustee, Michael John Dunne of 38 Lydiard Street South, Ballarat, Victoria, solicitor, to send particulars to him care of BJT Legal of 38 Lydiard Street South, Ballarat, Victoria 3350 by 9 March 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

BJT LEGAL, solicitors,
38 Lydiard Street South, Ballarat.

Creditors, next-of-kin and others having claims in respect of the estate of BRUCE WILLIAM WALDEN, late of 255 Nicholson-Sarsfield Road, Nicholson, in the State of Victoria, retired, deceased, who died on 15 October 2003, are to send particulars of their claims to the administrators care of Engel & Partners Pty of 109 Main Street, Bairnsdale by

8 April 2004 after which date it will distribute the assets having regard only to the claims of which it then has notice.

ENGEL & PARTNERS PTY,
legal practitioners,
109 Main Street, Bairnsdale.

Creditors, next-of-kin and others having claims in respect of the estate of the late MARGARET BROUGH GREEN, late of Mt Martha Valley Lodge, 13 Country Club Drive, Safety Beach, in the State of Victoria, deceased, who died on 12 November 2003, are to send particulars of their claims to the executor, care of the undermentioned solicitors by 9 March 2004 after which date the executor will distribute the assets having regard only to the claims of which he then has notice.

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

Re: QUEENIE MAY JOHNSTON, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 November 2003, are required by the trustee, Joy May Johnston, to send particulars to the trustee by 7 March 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

PATRICIA IRENE TYRRELL, late of 20 Lyndhurst Crescent, Box Hill North, Victoria, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 March 2003, are required by John Patrick Tyrrell of 3/23 Orchard Road, Bayswater, Victoria, the administrator, to send particulars to him by 9 March 2004 after which date he may convey or distribute the assets having regard only to the claims of which he then has notice.

Creditors, next-of-kin and others having claims in respect of the estate of IAN RUSSELL LOVEL, late of 23 The Avenue, Hampton, retired, deceased, who died on 26 October 2003, are required by the executors, namely Neil Albert Lovel of 61 Corowa Road, Mulwala, New South Wales and Neville Denis Kelly of 300 Centre Road, Bentleigh, Victoria, to send particulars of such claims to the solicitors acting for the said executor, namely Kelly & Chapman, 300 Centre Road, Bentleigh, by 18 March 2004 after which date the said executor may convey or distribute the assets of the deceased, having regard only to claims of which they or their solicitors then have notice.

KELLY & CHAPMAN, solicitors,
300 Centre Road, Bentleigh.

FOEKO JOHANNES MEIHUIZEN, late of Eastern Districts Aged Care Home, 124 Maroondah Highway, Croydon, Victoria, but formerly of Unit 9, 6 Surrey Road, Croydon, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 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 7 March 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.

Re: WINIFRED LEON PAXTON, late of 26 Sandridge Avenue, Port Melbourne, Victoria, home duties. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 May 2003, are required by Dawn Edith Powell of 261 Ross Street, Port Melbourne, Victoria and Barbara Winifred Anderson of 9 Evans Street, Orbost, Victoria, the executors appointed in the Will to send particulars of any such claim to the solicitors referred to below so that such particulars are received by such solicitors on or prior to 12 March 2004 after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

MOSLEY & PALMER, solicitors,
P.O. Box 243, Orbost, 3888.

Re: WINIFRED MILDRED MEWBURN, late of 47 Rosella Street, Murrumbeena, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 September 2003, are required by Pearl Sarah Cornwell, the executor of the estate, to send particulars of their claims to the estate's lawyers Nevett Ford of 40 Armstrong Street North, Ballarat 3350 by 7 March 2004 after which date the executor may convey or distribute the assets having regard only to the claims of which the executor then has notice.

NEVETT FORD, lawyers,
40 Armstrong Street North, Ballarat.

Creditors, next-of-kin and others having claims in respect of the estate of DESMOND GARFIELD BALL, late of 47 Lansell Crescent, Camberwell, in the State of Victoria, pensioner, deceased, who died on 16 June 1975, are to send particulars of such claims to the executor, care of the undermentioned solicitors by 7 March 2004 after which date the executor will convey or distribute the assets having regard only to the claims of which the executor then has notice.

PIETRZAK, solicitors,
222 Latrobe Street, Melbourne.

Re: DOROTHY WESTWOOD McLIESH, late of Ripplebrook Aged Care, Inverness Street, Clarinda, Victoria, but formerly of 11 Oak Grove, North Brighton, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 October 2003, are required by the trustee, Nicholas John Roberts of 16 Bay Road, Mount Martha, Victoria, mediator, to send particulars to the trustee by 8 March 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

ROBERTS PARTNERS, solicitors,
216 Main Street, Mornington 3931.

Re: GIUSEPPE IACUONE, late of 16 Douglas Street, Ashwood, Victoria, linesman, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 June 2003, are required by the trustee, Angela Iacuone of 16 Douglas Street, Ashwood, Victoria, home duties,

the wife, to send particulars to the trustee by 10 March 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

RUSSO PELLICANO CARLEI, solicitors,
43 Atherton Road, Oakleigh 3166.

Creditors, next-of-kin and others having claims in respect of the estate of JOSEPH CARMEL CASSAR, deceased intestate, late of 4 Day Street, Sunshine, gentleman, who died on 8 October 2003, are to send particulars of their claims to the administrator, Peter Carmel Cassar, of 155 Hall Street, Ardeer, care of the undersigned solicitors by 12 March 2004 after which date he will convey or distribute the assets having regard only to the claims of which he then has notice.

SECOMBS, solicitors,
100 Paisley Street, Footscray.

Creditors, next-of-kin and others having claims against the estate of ELIZABETH MADELINE MULLIN, late of Central Park Nursing Home, 101 Punt Road, Windsor, Victoria, widow, deceased, who died on 20 September 2003, are required to send particulars of their claims to the executors care of the undermentioned solicitor by 15 March 2004 after which date the executors will proceed to distribute the assets having regard only to the claims of they shall then have had notice.

VERNA A. COOK, solicitor,
5/8 St Andrews Street, Brighton 3186.

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
PALMER CORPORATION LIMITED (NOW JAG (AUST.) PTY LTD)			
\$			
Arcaro Holdings Pty Ltd, 1/17 Southport Street, Leederville, WA	400.00	Cheque	09/03/01
Arcaro Holdings Pty Ltd, 1/17 Southport Street, Leederville, WA	120.00	"	10/12/99
Anthony Armstrong, 15 Ward Street, Ashburton	100.00	"	09/03/01
Robert Bath, 21 East 10th Street, New York 10003, USA	120.00	"	10/12/99
Robert Bath, 21 East 10th Street, New York 10003, USA	400.00	"	09/03/01
David Bartholomeusz, 34 Gresswell Road, Mont Park	100.00	"	"
Doris Emma Brodtmann, 2/5 Rowland Street, Mont Albert	100.00	"	"
Sherry Cassin, 600 Columbus, Apartment 12C, New York 10024, New York, USA	200.00	"	"
Russell Cherry, C/- B. Height, 30-31 Borrack Square, Altona North	112.50	"	"
Kevin Crehan, C/- Corporate Registry Services Pty Ltd, GPO Box 2975EE, Melbourne	2,500.00	"	"
Kevin Crehan, C/- Corporate Registry Services Pty Ltd, GPO Box 2975EE, Melbourne	750.00	"	10/12/99
Robert Daalmeyer, 25 Robertson Crescent, Laverton	200.00	"	09/03/01
Christopher William Dawson, 23 Alfred Crescent, North Fitzroy	300.00	"	"
Norm Day, 7 Cloris Avenue, Beaumaris	100.00	"	"
Carolyn Dunn, 2/4 Angler Street, Noosa Heads, Qld	150.00	"	"
Julie Ann Weldon Dunn, 5A East Street, Toowoomba, Qld	125.00	"	"
Duncan Paul Frost, 133 Weeden Drive, Vermont South	125.00	"	"
Graeme Gillies, 7 Richmond Street, Glenroy	100.00	"	"
Jonathan Charles Gray, 368 Rokeby Road, Subiaco, WA	150.00	"	10/12/99
Jonathan Charles Gray, 368 Rokeby Road, Subiaco, WA	500.00	"	09/03/01
Gavan Nicholas Hatfield, "Superannuation Fund A/c", 62 Perry Street, Collingwood	225.00	"	10/12/99
Gavan Nicholas Hatfield, "Superannuation Fund A/c", 62 Perry Street, Collingwood	750.00	"	09/03/01
Peter Hay, 4 Safari Street, Noosa Heads, Qld	100.00	"	"
Barry Height, 30-31 Borrack Square, Altona North	112.50	"	"
Karen Krohn, 7 Renwick Street, Glen Iris	100.00	"	"
Mardi Elizabeth Powell, 46 Batman Street, North Fitzroy	250.00	"	"
PPP Nominees Pty Ltd, Level 28, 80 Collins Street, Melbourne	100.00	"	"
Felicity Alexandra Rulikowski, 326 Albert Road, South Melbourne	200.00	"	"
Maryann Shearer, 211 Scotchmer Street, North Fitzroy	100.00	"	"

Pretina Shepherd, 3 Carron Road, Applecross, WA	100.00	”	”
Joanne Stoll, 2 Stanlake Rise, Lower Templestowe	100.00	”	”
Ian Douglas Waymouth, C/- Robert G. Lyon, 9A Yarram Street, Yarram	200.00	”	”
Margaret Weiss, C/- Gary Weiss, GPO Box 4298, Sydney, NSW	100.00	”	”
Janine Carolyn Wolf, 6 Farrer Court, Warranwood	100.00	”	”

03296

CONTACT: REBECCA WILEY, PHONE: (07) 3877 3235.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

MOONEE VALLEY CITY COUNCIL

Road Discontinuance

At its meeting on 10 November 2003 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Moonee Valley City Council resolved to discontinue the road located between 25 and 27 Napier Street, Essendon and shown hatched on the plan below, and to sell the land.



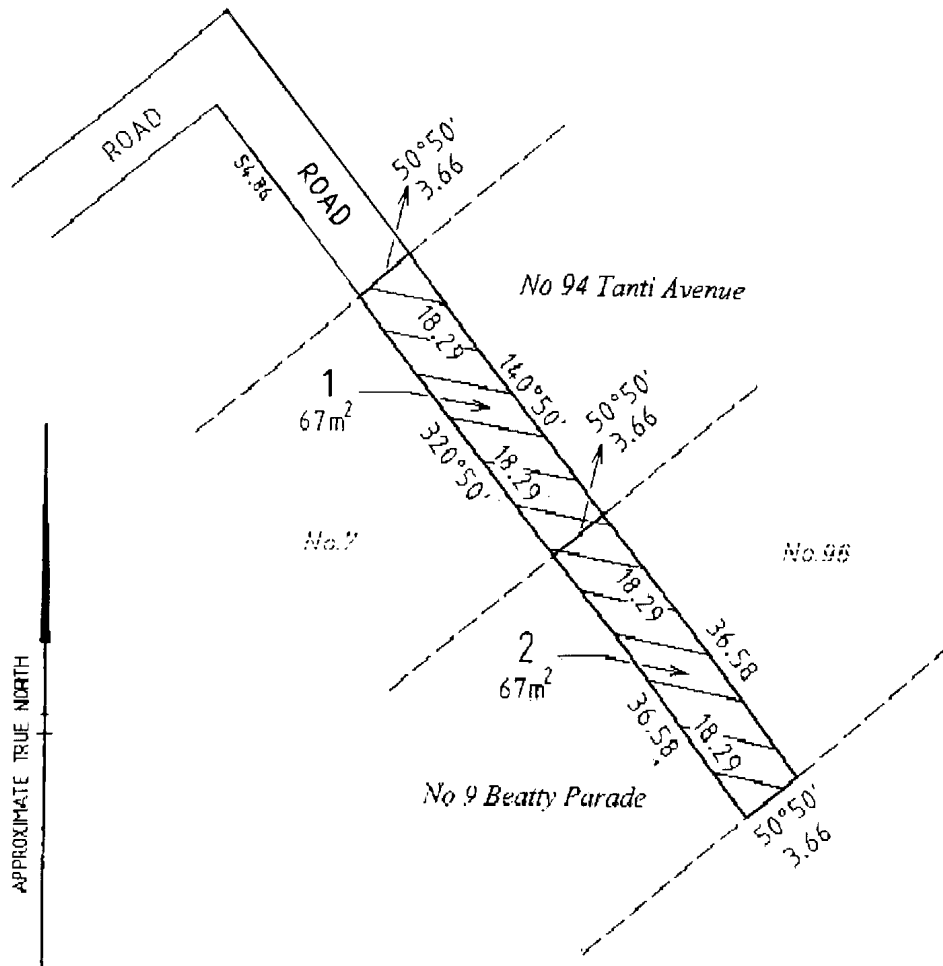
PETER BLACK
Chief Executive Officer



DISCONTINUANCE OF LANE AT REAR OF 9 BEATTY PARADE AND 94 TANTI AVENUE, MORNINGTON

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council has formed the opinion that the section of lane at the rear of Nos. 9 Beatty Parade and 94 Tanti Avenue, Mornington, as shown hatched on the plan below, is not reasonably required as a road for public use.

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

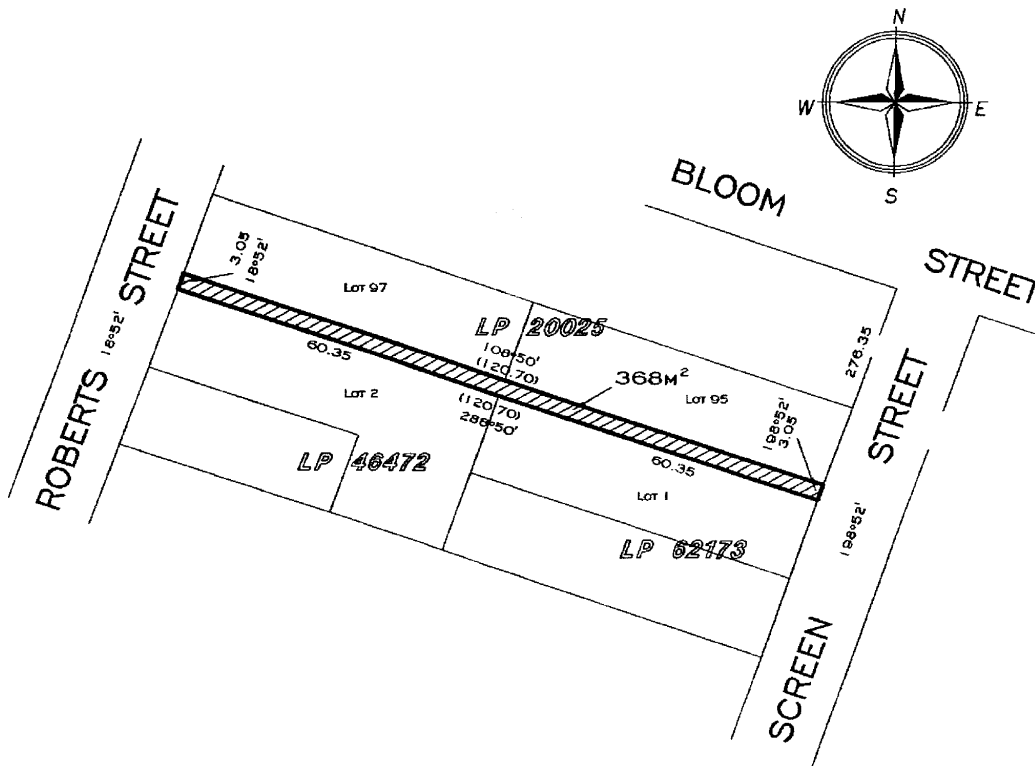


MICHAEL KENNEDY
Chief Executive Officer



DISCONTINUANCE OF RIGHT OF WAY BETWEEN ROBERTS AND SCREEN STREETS,
FRANKSTON

Notice is hereby given that the Frankston City Council at its ordinary meeting of 15 December 2003 being of the opinion that the Right of Way between Roberts and Screen Streets, Frankston, as shown hatched on Council Plan No. M685 below is not required for public use and having complied with the provisions of Clause 3 of Schedule 10 of the **Local Government Act 1989** (the Act) resolved that the said section of the Right of Way be discontinued and sold to the adjoining owners.



South East Water continue to have and possess the same power, authority or interest in or in relation to the land shown on the said plan, as it had or possessed prior to said discontinuance with respect to or in connection with any pipes laid in on or over such land for sewerage purposes.

GEORGE MODRICH
Acting Chief Executive Officer

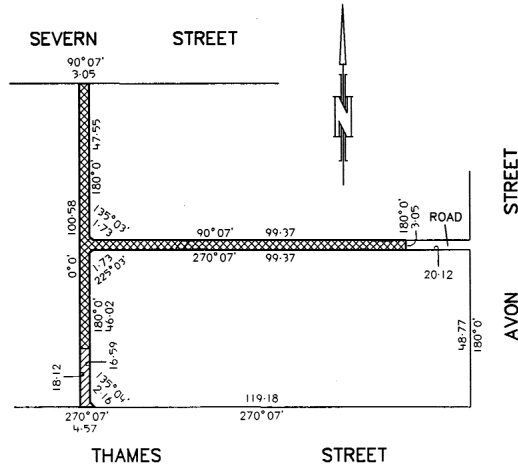
WHITEHORSE CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Whitehorse City Council has formed the opinion that the road bound by Severn Street, Thames Street, Avon Street and Elgar Road, Box Hill North, as shown hatched and cross-hatched 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 road shown cross-hatched is to be sold subject to the right, power or interest held by Yarra Valley Water Limited, in the road in connection with any sewers, drains, or pipes under the control of that authority in or near the road.



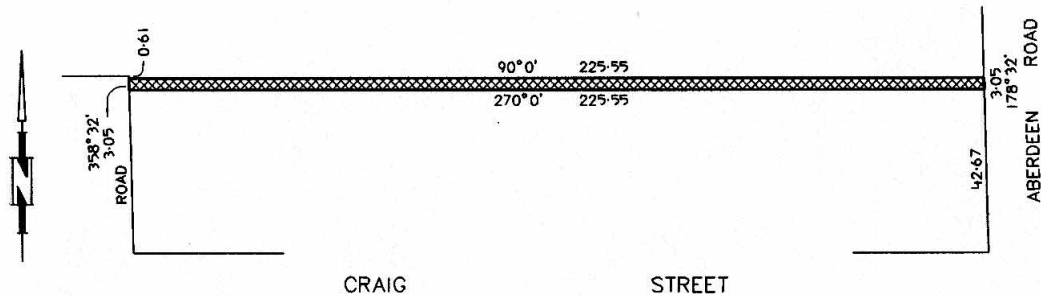
NOELENE DUFF
Chief Executive Officer

WHITEHORSE CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Whitehorse City Council has formed the opinion that the road at the rear of 1 to 27 Craig Street and 2 to 42 Canterbury Road and adjacent 2C Aberdeen Road, Blackburn South, as shown cross-hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road is to be sold subject to the right, power or interest held by Whitehorse City Council and Yarra Valley Water Limited, in the road in connection with any sewers, drains, or pipes under the control of those authorities in or near the road.



NOELENE DUFF
Chief Executive Officer

MOONEE VALLEY CITY COUNCIL

Notice of Adoption of New Meeting
Procedures

Local Law No. 6

Council at its meeting held on 18 November 2003, resolved to adopt its new Meeting Procedures Local Law No. 6.

The purpose of the Meeting Procedures Local Law is to regulate the:

- Convening and conduct of meetings of Council and Committees established by Council;
- Election of the Mayor; and
- The use of the Common Seal.

The general purport of the Meeting Procedures Local Law will be to:

- Repeal Meeting Procedures Local Law No. 5;
- Provide rules for:
 - Election of the Mayor;
 - Meeting procedures generally;
 - Council meeting procedures;
 - Committee meeting procedures;
 - Use of the Common Seal; and
 - Penalties for Offences against the Local Law.

This Local Law, will come into effect from the date of gazettal.

Copies of the new Local Law are available from the Moonee Valley Civic Centre, 9 Kellaway Avenue, Moonee Ponds.

PETER BLACK
Chief Executive

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Amendment C44

Notice of Amendment

The Cardinia Shire Council has prepared Amendment C44 to the Cardinia Planning Scheme.

The Amendment affects land bounded by the proposed Princes Freeway (Pakenham Bypass), Kooweerup Road, Greenhills Road and McGregor Road in Pakenham.

The Amendment proposes to rezone the land from a rural zone to an industrial 1 zone to allow the development of the land for an industrial business park.

The Amendment can be inspected at: Cardinia Shire Council, Municipal Office, Henty Way, Pakenham; Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; and Department of Sustainability and Environment, South East Metropolitan Regional Office, 12 Lakeside Drive, East Burwood.

Any person who is affected by the Amendment may make a submission in writing about the Amendment. Copies of submissions received will be made available for public inspection as required by the **Planning and Environment Act 1987**. Submissions must be sent to: Philip Walton, Manager Strategic Planning, Cardinia Shire Council, PO Box 7, Pakenham, Vic. 3810 by 9 February 2004.

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 15 March 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.

BERMINGHAM, Albert, late of Trinity Garden Aged Care, 34-42 Brooklyn Road, Melton South, Victoria 3338, retired and who died on 14 December 2003.

CAVEN, Leslie John, late of 202 Corrigan Road, Noble Park, Victoria 3174, and who died on 8 August 2003.

EDWARDS, Joyce Lillian, late of 8/114 Bluff Road, Black Rock, Victoria and who died on 11 December 2003.

HARDIE, Margaret Campbell, late of Helen Schutt Nursing Home, Sloane Street, Stawell, Victoria 3380, retired and who died on 9 December 2003.

KRASA, Josef, late of Flat 4, 19 Park Street, St Kilda West, Victoria 3182, retired and who died on 12 December 2003.

MASON, Florence Ethel Agnes, formerly of 196 Nott Street, Port Melbourne, but late of Argyll Private Nursing Home, 143 Finch Street, Glen Iris 3146, retired and who died on 14 October 2003.

PAUL, Graeme William, late of 5 Harvard Court, Sunbury, Victoria 3429, pensioner and who died on 13 November 1990.

SHEPPARD, Terrence Douglas, late of Unit 2, 25 Riversdale Drive, Torquay, retired and who died on 27 October 2003.

Dated 5 January 2004

LAURIE TAYLOR
Estate Manager
State Trustees Limited

EXEMPTION

Application No. A452/2003

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995**, by State of Victoria (Department of Education) – Echuca Specialist School. The application for exemption is to enable the applicant to advertise for and employ a male integration aide in the Echuca Special School.

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a male integration aide in the Echuca Special School.

In granting this exemption the Tribunal noted:

- The Echuca Special School caters for students with disabilities ranging from mild to profound.
- Forty-six students are currently enrolled in the school of which twenty-nine are boys. Of the total students enrolled thirty-two have disabilities ranging from moderate to profound. Some of these students require a very high level of support, constant and close supervision and paramedical care. Some have challenging behaviours and exhibit physical or verbal aggression towards others.
- The majority of the staff of the school is female. The school has one male teacher and one male integration aide.

- The responsibilities of an integration aide include assisting the students with toileting, meals, administration of medication and other personal care, managing challenging behaviours and supervising students in various settings such as in the playground, at sport, or on camps or other excursions.
- The school has found that its male integration aide greatly assists the male students. The aide is able to assist in the control of challenging behaviours and so to provide a safer environment for students and staff. The aide is able to provide to male students personal care including assistance with toileting, so that the privacy of these students is maintained. The aide is able to provide a male role model to male students, which is of particular benefit to those from single parent families who do not have access to a close relative as a male role model.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ a male integration aide in the Echuca Special School.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 7 January 2007.

Dated 5 January 2004.

C. McKENZIE
Deputy President

EXEMPTION

Application No. A464/2003

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995**, by A.Q.A. Qualcare, a division of A.Q.A. Victoria Ltd for exemption from Sections 13, 100 and 195 of that Act. The application for exemption is to enable the applicant to advertise for and employ a male attendant carer or female attendant carer as the need arises.

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the

Act to enable the applicant to advertise for and employ a male attendant carer or female attendant carer as the need arises.

In granting this exemption, the Tribunal noted:

- The applicant is a service provider of attendant care to people who are quadriplegic and similar physical disabilities.
- The attendants work in the clients home and their work often includes providing intimate support during bladder and bowel actions and in areas of general hygiene.
- The majority of clients indicate they have a gender preference when seeking to employ attendants.
- The Applicant has previously been granted an exemption, which expires on 24 January 2004.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ a male attendant carer or female attendant carer as the need arises.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 7 January 2007.

Dated 5 January 2004.

C. McKENZIE
Deputy President

EXEMPTION

Application No. A465/2003

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995**, by UnitingCare Connections a division of the Uniting Church Property Trust. The application for exemption is to enable the applicant to advertise for and employ a caseworker/counsellor who is proficient in the speaking of one or more Chinese languages, to provide casework and counselling services to Chinese speaking members of the community in the Mulgrave area.

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an

exemption from Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a caseworker/counsellor who is proficient in the speaking of one or more Chinese languages, to provide casework and counselling services to Chinese speaking members of the community in the Mulgrave area.

In granting this exemption the Tribunal noted:

- The Applicant is a community service agency that provides thirty-six support programmes for infants, children and young people, and families.
- The Applicant wishes to be able to provide caseworker/counselling services to Chinese speaking members of the community in the Mulgrave area.
- This initiative has received funding from the City of Monash.
- The Applicant wishes to be able to provide counselling and caseworker services which are linguistically and culturally appropriate and accessible to Chinese speaking members of the community.
- To enable it to provide this service most effectively, the Applicant wishes to employ a counsellor/caseworker who is proficient in one or more Chinese languages such as Mandarin and/or Cantonese.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ a caseworker/counsellor who is proficient in the speaking of one or more Chinese languages, to provide casework and counselling services to Chinese speaking members of the community in the Mulgrave area.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 7 January 2007.

Dated 5 January 2004.

C. McKENZIE
Deputy President

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

I, John William Galvin, Manager Animal Health Operations in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, HEREBY APPOINT the following persons, who hold positions under the provisions of the **Public Sector Management and Employment Act 1998**, as inspectors for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** in respect of bees.

Name of Person	Position Number
Russell David Goodman	537292
Peter John Kaczynski	508818
Joseph Lewis Riordan	5584
William Henry Shay	506685

Dated this 18th day of December 2003.

JOHN WILLIAM GALVIN
Manager Animal Health Operations

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

I, John William Galvin, Manager Animal Health Operations in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, HEREBY APPOINT the following person, who holds a position under the provisions of the **Public Sector Management and Employment Act 1998**, as an inspector for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock.

Name of Person	Position Number
Mark Alexander Breguet	7460

Dated this 24th day of November 2003.

JOHN WILLIAM GALVIN
Manager Animal Health Operations

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

I, Peter John Bailey, Director Quality Assurance in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, HEREBY APPOINT the following person, who holds a position under the provisions of the **Public Sector Management and Employment Act 1998**, as an inspector for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock.

Name of Person	Position Number
John William Galvin	230599

Dated this 19th day of December 2003.

PETER JOHN BAILEY
Director Quality Assurance

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

I, John William Galvin, Manager Animal Health Operations in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, HEREBY APPOINT the following persons, who hold positions under the provisions of the **Public Sector Management and Employment Act 1998**, as inspectors for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock.

Name of Person	Position Number
Bruce Parker Anderson	211120
Lewis John Armstrong	207167
Rodney Terrence Badman	202028
Irene May Baker	5734
Linda Cherie Baulch	8263
Geoffrey Keith Bennett	238353
Katherine Alicja Mary Blaszk	7081

Name of Person	Position Number	Name of Person	Position Number
Christopher Charles Bollen	207203	Robert John Mellar	207189
Paul John Bolletta	314650	George Thomas Miller	000077
Tracey Leigh Bradley	242816	Hugh Warwick Chorley Millar	507473
Anthony Gerard Britt	207757	Geoffrey Morsby	7667
Christopher Button	217717	Kylie Maree Murray	9566
Andrew Keith Cameron	231773	Gordon Alan Nash	207382
Noel John Campbell	207939	Jane Hamilton Neale	223797
Jeffrey Glen Cave	508498	Stephen James Nee	220675
Maria Crawford	507429	Gregory Bruce Parkinson	213760
Rebecca Jane Cullen	5695	Ian Gordon Parks	9033
Fiona Elizabeth Dean	507327	Catherine Anne Pawsey	531773
Richard Paul Desmond	454784	Sally Catherine Peacock	214311
Leanna Rani Dries	2438	Robert Edmund Pietsch	314741
Aileen Maria Eccles	6029	Katrina Anne Rainsford	220019
Piotr Andrzej Fabijanski	217808	Malcolm James Ramsey	502028
Virgil Anthony Fahy	518957	Sally Elizabeth Ridge	219031
Thomas Glynn	221951	Martin James Roche	1399
Gerard Anthony Goodyear	9034	Alan Roderick Ross	207418
Raymond John Gribbin	207327	Fiona Kate Rutter	522499
John Thomas Harkin	243363	Stephen Douglas Snelson	228393
Alisa Jane Heck	7208	Stephen Hamilton Tate	5581
Susan Jean Hides	213002	Michael John Terry	213024
Ian Richard Holmes	208670	Keryn Elizabeth Thomson	207360
Christopher Patrick Hourigan	2552	Paul Anthony Tulk	238513
Robert John Hutton	12282	Susan Elizabeth Vaughan	207407
Michael James Jeffers	207837	Rodney Philip Warren	7928
Leanne Kay Jones	8262	Gerald Francis Watt	207112
Tristan Finlay Jubb	533735	Peter Gordon White	507393
Richard George Keys	207065	Mark McColl Williamson	5792
Lachlan Conrad King	507269	Peter James Williams	207032
Gavan Christopher Knight	9456	Louise Helen Wood	2552
Robert George Lambell	207076	William Kenneth Woonton	211776
Malcolm John Lancaster	507495	Duncan James Worsfold	207123
Alison Margaret Lee	352015		
Roger Arthur Lyford	208807		
Roger Ian MacInnes	212178		
Trevor James Makin	211721		
William Norman McCarthy	7459		
Russell William McMurray	20006143		

Dated this 18th day of December 2003.

JOHN WILLIAM GALVIN
Manager Animal Health Operations

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

APPOINTMENT OF AUTHORISED
OFFICERS

I, Peter John Bailey, Director Quality Assurance in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, HEREBY APPOINT the following person employed in the Public Service, as an authorised officer for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act.

Name of Person	Position Number
John William Galvin	230599

Dated this 19th day of December 2003.

PETER JOHN BAILEY
Director Quality Assurance

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

APPOINTMENT OF AUTHORISED
OFFICERS

I, John William Galvin, Manager Animal Health Operations in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, HEREBY APPOINT the following persons employed in the Public Service, as authorised officers for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act.

Name of Person	Position Number
Bruce Parker Anderson	211120
Lewis John Armstrong	207167

Name of Person	Position Number
Rodney Terrence Badman	202028
Irene May Baker	5734
Linda Cherie Baulch	8263
Geoffrey Keith Bennett	238353
Katherine Alicja Mary Blaszak	7081
Christopher Charles Bollen	207203
Paul John Bolletta	314650
Tracey Leigh Bradley	242816
Mark Alexander Breguet	7460
Anthony Gerard Britt	207757
Christopher Button	217717
Andrew Keith Cameron	231773
Noel John Campbell	207939
Jeffrey Glen Cave	508498
Maria Crawford	507429
Rebecca Jane Cullen	5695
Fiona Elizabeth Dean	507327
Richard Paul Desmond	454784
Leanna Rani Dries	2438
Aileen Maria Eccles	6029
Piotr Andrzej Fabijanski	217808
Virgil Anthony Fahy	518957
Thomas Glynn	221951
Gerard Anthony Goodyear	9034
Russell David Goodman	537292
Raymond John Gribbin	207327
John Thomas Harkin	243363
Alisa Jane Heck	7208
Susan Jean Hides	213002
Ian Richard Holmes	208670
Christopher Patrick Hourigan	2552
Robert John Hutton	12282
Michael James Jeffers	207837
Leanne Kay Jones	8262
Tristan Finlay Jubb	533735
Peter John Kaczynski	508818
Richard George Keys	207065
Lachlan Conrad King	507269
Gavan Christopher Knight	9456
Robert George Lambell	207076
Malcolm John Lancaster	507495
Alison Margaret Lee	352015
Roger Arthur Lyford	208807
Roger Ian MacInnes	212178

Name of Person	Position Number
Trevor James Makin	211721
William Norman McCarthy	7459
Russell William McMurray	20006143
Robert John Mellar	207189
George Thomas Miller	000077
Hugh Warwick Chorley Millar	507473
Geoffrey Morsby	7667
Kylie Maree Murray	9566
Gordon Alan Nash	207382
Jane Hamilton Neale	223797
Stephen James Nee	220675
Gregory Bruce Parkinson	213760
Ian Gordon Parks	9033
Catherine Anne Pawsey	531773
Sally Catherine Peacock	214311
Robert Edmund Pietsch	314741
Katrina Anne Rainsford	220019
Malcolm James Ramsey	502028
Sally Elizabeth Ridge	219031
Joseph Lewis Riordan	5584
Martin James Roche	1399
Alan Roderick Ross	207418
Fiona Kate Rutter	522499
William Henry Shay	506685
Stephen Douglas Snelson	228393
Stephen Hamilton Tate	5581
Michael John Terry	213024
Keryn Elizabeth Thomson	207360
Paul Anthony Tulk	238513
Susan Elizabeth Vaughan	207407
Rodney Philip Warren	7928
Gerald Francis Watt	207112
Peter Gordon White	507393
Mark McColl Williamson	5792
Peter James Williams	207032
Louise Helen Wood	2552
William Kenneth Woonton	211776
Duncan James Worsfold	207123

Dated this 18th day of December 2003

JOHN WILLIAM GALVIN
Manager Animal Health Operations

Prevention of Cruelty to Animals Act 1986
APPOINTMENT OF AUTHORISED
OFFICERS

I, Peter John Bailey, Director Quality Assurance in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to appoint authorised officers under section 35 of the **Prevention of Cruelty to Animals Act 1986**, HEREBY APPOINT the following persons, as authorised officers for the purposes of Part 3 of the **Prevention of Cruelty to Animals Act 1986**. These appointments remain in force until 30 June 2006.

Name of Person	Position Number
Katherine Alicja Mary Blaszak	7081
Stephen Hamilton Tate	5581

Dated this 19th day of December 2003.

PETER JOHN BAILEY
Director Quality Assurance

Prevention of Cruelty to Animals Act 1986
APPROVAL OF INSPECTORS

I, Peter John Bailey, Director Quality Assurance in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, HEREBY APPROVE the following persons, who are inspectors of livestock under the provisions of the **Livestock Disease Control Act 1994**, as inspectors for the purposes of Part 2 of the **Prevention of Cruelty to Animals Act 1986**. These approvals remain in force until 30 June 2006.

Name of Person	Position Number
Bruce Parker Anderson	211120
Lewis John Armstrong	207167
Rodney Terrence Badman	202028
Irene May Baker	5734
Linda Cherie Baulch	8263
Geoffrey Keith Bennett	238353

Name of Person	Position Number	Name of Person	Position Number
Katherine Alicja Mary Blaszak	7081	Stephen James Nee	220675
Christopher Charles Bollen	207203	Gregory Bruce Parkinson	213760
Tracey Leigh Bradley	242816	Catherine Anne Pawsey	531773
Anthony Gerard Britt	207757	Sally Catherine Peacock	214311
Christopher Button	217717	Katrina Anne Rainsford	220019
Andrew Keith Cameron	231773	Malcolm James Ramsey	502028
Noel John Campbell	207939	Sally Elizabeth Ridge	219031
Jeffrey Glen Cave	508498	Martin James Roche	1399
Maria Crawford	507429	Alan Roderick Ross	207418
Rebecca Jane Cullen	5695	Fiona Kate Rutter	522499
Fiona Elizabeth Dean	507327	Stephen Douglas Snelson	228393
Leanna Rani Dries	2438	Stephen Hamilton Tate	5581
Aileen Maria Eccles	6029	Michael John Terry	213024
Piotr Andrzej Fabijanski	217808	Keryn Elizabeth Thomson	207360
Virgil Anthony Fahy	518957	Paul Anthony Tulk	238513
John William Galvin	230599	Susan Elizabeth Vaughan	207407
Thomas Glynn	221951	Gerald Francis Watt	207112
Raymond John Gribbin	207327	Peter Gordon White	507393
John Thomas Harkin	243363	Mark McColl Williamson	5792
Alisa Jane Heck	7208	Peter James Williams	207032
Susan Jean Hides	213002	Louise Helen Wood	2552
Ian Richard Holmes	208670	William Kenneth Woonton	211776
Christopher Patrick Hourigan	2552	Duncan James Worsfold	207123
Michael James Jeffers	207837		
Leanne Kay Jones	8262		
Tristan Finlay Jubb	533735		
Richard George Keys	207065		
Lachlan Conrad King	507269		
Robert George Lambell	207076		
Malcolm John Lancaster	507495		
Alison Margaret Lee	352015		
Roger Arthur Lyford	208807		
Roger Ian MacInnes	212178		
Trevor James Makin	211721		
Russell William McMurray	20006143		
Robert John Mellar	207189		
George Thomas Miller	000077		
Hugh Warwick Chorley Millar	507473		
Gordon Alan Nash	207382		
Jane Hamilton Neale	223797		

Dated this 19th day of December 2003.

PETER JOHN BAILEY
Director Quality Assurance

Prevention of Cruelty to Animals Act 1986
APPOINTMENT OF SPECIALIST
INSPECTORS

I, Peter John Bailey, Director Quality Assurance in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to appoint specialist inspectors under section 18A of the **Prevention of Cruelty to Animals Act 1986**, HEREBY APPOINT the following persons, as specialist inspectors for the purposes of Part 2 of the **Prevention of Cruelty to Animals Act 1986**. These appointments remain in force until 30 June 2006.

Name of Person	Position Number	Name of Person	Position Number
Katherine Alicja Mary Blaszak	7081	Gerard Anthony Goodyear	9034
Christopher Button	217717	Robert John Hutton	12282
Andrew Keith Cameron	231773	Gavan Christopher Knight	9456
John William Galvin	230599	William Norman McCarthy	7459
John Thomas Harkin	243363	Hugh Warwick Chorley Millar	507473
Susan Jean Hides	213002	Geoffrey Morsby	7667
Michael James Jeffers	207837	Kylie Maree Murray	9566
Tristan Finlay Jubb	533735	Ian Gordon Parks	9033
Alison Margaret Lee	352015	Robert Edmund Pietsch	314741
George Thomas Miller	000077	Stephen Hamilton Tate	5581
Hugh Warwick Chorley Millar	507473	Rodney Philip Warren	7928
Sally Elizabeth Ridge	219031	William Kenneth Woonton	211776

Dated this 19th day of December 2003.

PETER JOHN BAILEY
Director Quality Assurance

Dated this 19th day of December 2003.

PETER JOHN BAILEY
Director Quality Assurance

Prevention of Cruelty to Animals Act 1986

POWER TO FILE CHARGES

I, PETER JOHN BAILEY, Director Quality Assurance in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of **Prevention of Cruelty to Animals Act 1986** and of my respective powers to authorise persons under section 24 of the **Prevention of Cruelty to Animals Act 1986**, HEREBY AUTHORISE the following persons, who are employees in the Public Service in the Department of Primary Industries to file a charge for an offence under Part 2 of the Act or an offence under the regulations relating to Part 2 of the Act. These authorisations remain in force until 30 June 2006.

Name of Person	Position Number
Paul John Bolletta	314650
Mark Alexander Breguet	7460
Richard Paul Desmond	454784
John William Galvin	230599



Marine Act 1988

SECTION 15 NOTICE

I, the Director of Marine Safety Victoria, on the recommendation of Victoria Police, hereby give notice under subsection 15(2) of the **Marine Act 1988** that from 0900 hours on Saturday 10 January 2004 to 1700 hours on Saturday 10 January 2004, the operation of vessels, excluding Surf Life Saving Victoria vessels associated with the "Pier to Pub" swimming event, are prohibited within all waters inside an area bounded by The Lorne Pier, The Lorne foreshore and an imaginary line extending from the outer end of Lorne Pier to a position on the foreshore 200 metres north of the Lorne Surf Life Saving Club.

Reference No. 127/2004

Date: 6 January 2004

PETER CORCORAN
Acting Director of Marine Safety



Marine Act 1988
SECTION 15 NOTICE

I, the Director of Marine Safety Victoria, on the recommendation of Victoria Police, hereby give notice under subsection 15(2) of the **Marine Act 1988** that for the period commencing 0630 hours on 10 January 2004 until 1730 hours on the 10 January 2004, and from 0630 hours on 11 January 2004 until 1730 on the 11 January 2004, bathing and the operation of vessels, excluding those persons and vessels involved with the Kellogg's Nutri-Grain Iron Man event and Surf Life Saving activities, are prohibited within an event area approximately 200 metres wide (delineated by 2 shore marks) and extending seaward approximately 350 metres, which is located approximately 150 metres west of the Portsea Surf Life Saving Club at Portsea Surf Beach, or in the event of a venue change due to inclement weather, may be located at Pt Leo Surf Beach or Mt Martha Beach.

Reference No.: 126/2004

Date: 7 January 2004

PETER CORCORAN
Acting Director of Marine Safety



Water Act 1989

GIPPSLAND AND SOUTHERN RURAL WATER AUTHORITY

Extension of Macalister Irrigation District

Notice is hereby given that Gippsland and Southern Rural Water Authority intends to extend the boundary of the Macalister Irrigation District to incorporate CA32D, Parish of Bundalaguah.

The proposal is advertised in accordance with the **Water Act 1989**. Submissions will be received for one month after the publication of this notice.

Submissions should state the grounds for objections to the proposal and will be considered at the Board of the Authority's next meeting.

A copy of the proposal may be inspected free of charge at the office of Gippsland and Southern Rural Water Authority, 88 Johnson Street, Maffra, during business hours.

(DR) MARTIN KENT
Chief Executive

Electricity Industry Act 2000 (Vic)
Essential Services Commission Act 2001 (Vic)

MEMORANDUM OF UNDERSTANDING BETWEEN THE ESSENTIAL SERVICES
COMMISSION AND THE VICTORIAN ENERGY NETWORKS CORPORATION
(VENCORP)

THIS MEMORANDUM is made on the 16th day of December 2003

PARTIES:

ESSENTIAL SERVICES COMMISSION (the "Commission")

and

VICTORIAN ENERGY NETWORKS CORPORATION ("VENCorp")

BACKGROUND:

- A. VENCORP is a prescribed agency for the purposes of the ESC Act.
- B. The parties have entered into this memorandum of understanding to provide for consultation between them and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.
- C. This memorandum does not deal with the Commission's regulatory functions in so far as they involve regulating VENCORP, including in relation to retail gas market rules developed by VENCORP, VENCORP's costs of its retail competition services and VENCORP's electricity transmission licence.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the background:

“**EI Act**” means the **Electricity Industry Act 2000** (Vic);

“**ESC Act**” means the **Essential Services Commission Act 2001** (Vic);

“**GI Act**” means the **Gas Industry Act 2001** (Vic);

“**prescribed agency**” has the same meaning as in the ESC Act;

“**regulated industry**” has the same meaning as in the ESC Act.

2. Objectives and purpose of this memorandum

This memorandum seeks to:

- (a) ensure that the regulatory and decision making processes of the parties in relation to regulated industries are closely integrated and better informed;
- (b) avoid overlap or conflict between regulatory schemes (either existing or proposed) affecting regulated industries;
- (c) provide for sharing information between the parties in the context of their respective roles in relation to regulated industries;
- (d) promote the adoption of a best practice approach to regulation; and
- (e) assist the Commission and VENCORP in:
 - performing respective functions under the relevant electricity and gas legislation; and
 - in their decision making in relation to regulated industries.

3. The role of the Commission

3.1 The Commission currently has functions relating to the economic regulation of the electricity, gas, ports, grain handling, freight rail, taxi, hire car, tow truck, statutory insurance and water industries. Its specific functions are:

- (a) to perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
- (b) to advise the relevant Minister on matters relating to the economic regulation of regulated industries, including reliability issues;
- (c) when requested by the Minister to do so, to conduct an inquiry into any systemic reliability of supply issues related to a regulated industry or other essential service specified by the Minister in the request;
- (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;

- (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.
- 3.4 The Commission has specific statutory functions under sections 62 and 64 to 69 of the GI Act relating to approval of a scheme for the development of gas retail market rules, the rules themselves, amendments to rules, related cost recovery and broader cost recovery for VENCORP for its retail competition services. Those specific functions are outside the scope of this memorandum.
- 4. The role of VENCORP**
- 4.1 VENCORP has broad powers in relation to the operation of the Victorian gas transmission system, the management and development of the Victorian wholesale gas market, system planning for the gas and electricity industries and operations and communications during gas and electricity emergencies.
- 4.2 The specific functions of VENCORP are set out in the GI Act and the EI Act and include:
- (a) specifying security standards for the gas transmission system;
 - (b) control of the security of the gas transmission system;
 - (c) control of the operation of the gas transmission system;
 - (d) collection of information about the gas transmission system;
 - (e) monitoring and reviewing the capacity of the gas transmission system and the trends for demand for the injection of gas into, and the withdrawal of gas from, that system;
 - (f) provision of information and other services to facilitate decisions for economically efficient investment and use of resources in the gas industry;
 - (g) co-ordination of the interaction of gas production, gas storage, transmission pipelines and gas distribution and supply facilities for the purpose of ensuring a secure and efficient gas transmission system;

- (h) operation and administration of a market and facilitation of trading arrangements for the operation of the gas transmission system;
 - (i) collection of information about delivery of gas by gas retailers and recommendation to the Commission of standards in relation to the reliability of the supply of gas to classes of customers;
 - (j) facilitation of the implementation and operation of, and provision of services in connection with, arrangements for competition—
 - (i) in the retail gas market in Victoria; or
 - (ii) with the approval of the Minister, after consultation with the Treasurer, in a retail gas market elsewhere outside Victoria;
 - (k) trading in gas—
 - (a) for the purpose of discharging its functions relating to the security or administration of the gas transmission system, to the extent it is permitted to do so under the MSO Rules; or
 - (b) in an emergency;
 - (l) planning and direction of the augmentation of the electricity transmission system;
 - (m) provision of information and other services to facilitate decisions for investment and the use of resources in the electricity industry;
 - (n) facilitation of the development of arrangements relating to the management of electricity demand;
 - (o) entry into agreements and arrangements relating to the development and implementation of proposals for the management of electricity demand.
 - (p) for the purposes of the National Electricity Code, entry into agreements with the holders of licences to distribute and supply or sell electricity to determine the arrangements to apply in respect of customer load shedding in circumstances where the available supply of electricity is, or is likely to become, less than is sufficient for the reasonable requirements of the community;
 - (q) informing the community in such manner as it thinks fit about any shortfall in electricity supply;
 - (r) subject to the directions of NEMMCO, directing a licensee to shed customer load in accordance with the arrangements applying to that licensee; and
 - (s) subject to the regulations, giving any information it receives from a licensee about any past or likely future insufficiency in the supply of electricity by the licensee to the Minister and to any other prescribed person.
- 4.3 VENCORP holds an electricity transmission licence issued by the Commission. The continuation or any variation, enforcement or revocation of that licence is outside the scope of this memorandum.

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with VENCORP:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.
- 5.2 VENCORP will, if requested in writing by the Commission to do so, consult with the Commission:
- (a) in relation to any matter specified by the Commission which is relevant to its objectives or functions; and
 - (b) in respect of a matter specified by the Commission which may impact on a regulated industry.

- 5.3 The Commission will, if requested in writing by VENCORP to do so, consult with VENCORP in respect of a matter specified by VENCORP which may impact on VENCORP's functions in Victoria.
- 5.4 Each party having regard to their respective roles in relation to each regulated industry will:
- (a) consult with and involve the other in the performance of any function that has or is likely to have material implications for the other¹;
 - (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory or decision making processes;
 - (c) on written request, provide the other with timely advice on regulatory matters for which it is responsible;
 - (d) provide the other with timely relevant information on industries or industry issues for which both parties have some responsibility;
 - (e) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
 - (f) exchange details of annual work programs to the extent that they are relevant to the role of the other;
 - (g) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;
 - (h) identify opportunities to co-ordinate strategic planning and undertake knowledge sharing initiatives to optimise material understanding of roles and strategic directions;
 - (i) identify relevant project officers to allow for the co-ordination of particular regulatory projects; and
 - (j) publish this memorandum on its website.

6. How the parties will manage their relationship and resolve disputes

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- 6.2 At the date of this memorandum, the contact officer for the Commission is Mr Andrew Chow, and the contact officer for VENCORP is Mr Terry Grimwade. Each party will give notice of any change to its contact officer to the other, promptly after the change is made.
- 6.3 Each party will ensure that its contact officer:
- (a) makes themselves (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;
 - (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
 - (c) arranges (in conjunction with the other's contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of the Chairperson of the Commission and the Chief Executive Officer of VENCORP of the parties no less frequently than annually.
- 6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other's contact officer. If, however, a contact officer gives written notice to the other party's contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party's contact officer must promptly:

¹ For example, the Commission proposes to give VENCORP the opportunity to sit on the Commission's working groups in conducting major reviews or inquiries.

- (a) brief the party's Chairperson or Chief Executive Officer (or a nominee of the Chairperson or Chief Executive Officer) of details of the relevant dispute; and
- (b) arrange with the other's contact officer for a meeting of the Chairperson and the Chief Executive Officer (or their respective nominees), with the objective of settling the dispute amicably.

7. Use and disclosure of information

- 7.1 The capacity of a party to use or disclose information, or take information into account, is or may be (depending on the nature or source of the information) restricted by law.
- 7.2 If a party discloses information to the other party under this memorandum, the disclosing party may place restrictions on the recipient's use or disclosure of that information, being restrictions it believes in good faith are necessary for compliance with binding restrictions on disclosure. A party receiving information will observe any such restriction noting, however, that this requirement does not limit:
- (a) any other legal obligation of a party relating to the disclosure or use of information; and
 - (b) any right of a party concerning information obtained otherwise than under this memorandum.

Executed as a memorandum by:

THE COMMON SEAL of the **ESSENTIAL**)
SERVICES COMMISSION was affixed)
pursuant to the authority of the Commission)

JOHN C. TAMBLYN
Chairperson

Signed for **VICTORIAN ENERGY NETWORKS CORPORATION**

by an **authorised officer** in the presence of:

JOE SPURIO	MATT ZEMA
Witness Signature	Authorised Officer

Health Act 1958

**QUALIFICATIONS NECESSARY FOR THE APPOINTMENT OF ENVIRONMENTAL
HEALTH OFFICERS**

I, Patricia Faulkner, Secretary to the Department of Human Services, under section 30A(3) of the **Health Act 1958**, declare that—

1. the declaration made by me on 13 June 2002, published in Government Gazette G26 on 27 June 2002 with effect from 1 July 2002, is **revoked**; and
2. at least one of the qualifications, or one of the combination of qualifications (where applicable), contained in the following Schedule is necessary for a person to be appointed as an environmental health officer under the Act.

The declaration will take effect on the date it is published in the Victoria Government Gazette.

Dated 2 December 2003

P. M. FAULKNER
Secretary to the Department of Human Services

SCHEDULE

Victorian Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	Swinburne University of Technology
Bachelor of Applied Science (Environmental Health)	Swinburne Institute of Technology
Bachelor of Health Science (Environmental Health Management)	Swinburne University of Technology
Bachelor of Health Science (Public and Environmental Health)	Swinburne University of Technology
Bachelor of Public Health (Environmental Health)	La Trobe University
Certificate of Competency issued under section 38 of the Health Act 1958 prior to July 1992	
Diploma Environmental Health completed prior to 2000	Swinburne College of Technology
Diploma Environmental Health completed prior to 2000	Swinburne Institute of Technology
Diploma of Applied Science (Environmental Health) completed prior to 2000	Swinburne College of Technology
Diploma of Applied Science (Environmental Health) completed prior to 2000	Swinburne Institute of Technology
Bachelor of Applied Science and Graduate Diploma in Environmental Health	Any Australian University for undergraduate qualification. La Trobe University for Graduate Diploma.
Bachelor of Public Health (majoring in Environmental Health) completed prior to 2002, and Graduate Certificate of Environmental Health completed no later than 2004	La Trobe University, Bendigo
Diploma in Public Health and Diploma in Meat and other Food Inspection (completed prior to 2000)	Royal Society of Health or any TAFE Institution
New South Wales Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	University of Western Sydney
Bachelor of Applied Science and Graduate Diploma of Applied Science (Environmental Health)	Any Australian University for undergraduate qualification. University of Western Sydney for Graduate Diploma.

New South Wales Qualifications (cont.)	
Name of Qualification	Institution (where applicable)
Bachelor of Science and Graduate Diploma of Applied Science (Environmental Health)	Any Australian University for undergraduate qualification. University of Western Sydney for Graduate Diploma.
Diploma in Public Health and Diploma in Meat and other Food Inspection (completed prior to 2000)	Royal Society of Health or any TAFE Institution
South Australian Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	Flinders University
Western Australian Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	Curtin University of Technology
Bachelor of Science (Environmental Health)	Curtin University of Technology
Bachelor of Applied Science (Environmental Health)	Western Australian Institute of Technology
Diploma in Public Health and Diploma in Meat and other Food Inspection (completed prior to 2000)	Royal Society of Health or any TAFE Institution
Queensland Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Science in Environmental Health	Griffith University
Bachelor of Health Science (Environmental Health)	Queensland University of Technology
Bachelor of Applied Science (Environmental Health)	Queensland University of Technology
Associate Diploma in Health Surveying	Queensland University of Technology
International Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor Degree course in Science accredited by the Chartered Institute of Environmental Health	Conducted in England, Wales or Northern Ireland
Bachelor Degree course in Science accredited by the Royal Environmental Health Institute of Scotland	Conducted in Scotland

International Qualifications (cont.)	
Name of Qualification	Institution (where applicable)
Bachelor Degree course in Science majoring in Environmental Health	Conducted in the USA
Bachelor of Science	Any institution provided the person has obtained a Certificate of Registration of the Environmental Health Officers Registration Board (UK)
Bachelor Degree of Science majoring in Environmental Health	Conducted in South Africa
Bachelor Degree of Applied Science (Environmental Health)	Wellington Polytechnic
Public Health Inspectors Diploma (Completed prior to 1974)	Public Health Inspectors Education Board (England)

Water Act 1989

BULK ENTITLEMENT (BROADFORD, KILMORE & WALLAN) CONVERSION AND AUGMENTATION 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 (Broadford, Kilmore & Wallan) Conversion and Augmentation Order 2003.

2. EMPOWERING PROVISIONS

This Order is made under sections 43, 46 and 47 of the **Water Act 1989**.

3. COMMENCEMENT

This Order comes into operation following publication in the Government Gazette and after augmentation of this water supply system is commissioned.

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, which is determined in accordance with sub-clause 6.1;

“**Authority**” means the Goulburn Valley Region Water Authority;

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

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

“**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;

“**passing flow**” means the flow in the waterway immediately downstream of the storage;

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

- (a) prepare the Goulburn Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Goulburn 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 Goulburn River; and
- (d) investigate and mediate disputes between entitlement holders in the Goulburn Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Goulburn 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;

“**specified point A**” means immediately upstream of the storage on the waterway;

“**specified point B**” means immediately upstream of the storage on Wescott Creek;

“**system**” means the Broadford, Kilmore & Wallan Water Supply System comprising -

- (a) the system diversion points; and
- (b) the storage.

“**system diversion point**” means either—

- (a) the diversion weir located on Hazel Creek; or
- (b) the diversion weir located on Harpers Creek.

“**storage**” means Sunday Creek Reservoir located on the waterway;

“**ten-year entitlement**” means the total amount of water which the Authority may take from the system in any ten-year period, which is determined in accordance with sub-clause 6.1;

“**waterway**” means Sunday Creek;

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

5. **CONVERSION TO A BULK ENTITLEMENT AND AUGMENTATION**

The Authority's former entitlement to take water from Sunday Creek, at and upstream of the storage, to supply water to the Broadford, Kilmore & Wallan Water Supply System is -

- (a) converted to a bulk entitlement; and
- (b) augmented by permanently transferring entitlement to water held by the Authority elsewhere in the Goulburn River system—

on the conditions set out in this Order.

6. **BULK ENTITLEMENT**

6.1 The Authority may take up to 2,875 ML of water from the system, in any year and 22,380 ML in any ten-year period, at a rate not exceeding -

- (a) a total of 4.3 ML/d from the system diversion points; and
- (b) 16.3 ML/d from the storage.

6.2 On raising of Sunday Creek Reservoir spillway height, the Authority may take up to 3,435 ML of water from the system in any year and 28,570 ML in any ten-year period, at a rate not exceeding -

- (a) a total of 4.3 ML/d from the system diversion points; and
- (b) 16.3 ML/d from the storage for the period April to November; or
- (c) 20.3 ML/d from the storage in the period December to March.

- 6.3 On raising of Sunday Creek Reservoir, additional entitlement 560 ML in any year must be transferred from other entitlements to water held by the Authority in the Goulburn River System to this entitlement.
- 6.4 The Minister may vary the rates specified in sub-clauses 6.1 and 6.2 to the extent necessary to carry out any transfer of some or all of this bulk entitlement, which may be authorised under Division 1, Part 4 of the Act.

7. SHARE OF CAPACITY

- 7.1 Subject to sub-clause 7.2, the Authority -
- (a) is entitled to all water at any time stored in the storage up to its full capacity, being 1 700 ML at full supply level of 370.1 metres Australian Height Datum and Hollowback storage to full capacity of 110 ML; but
 - (b) may not use or transfer any more than its annual entitlement in any year.
- 7.2 On raising of the Sunday Creek Reservoir spillway height, the Authority -
- (a) will, by force of this Order, become entitled to all water at any time stored in the storage up to its full capacity, being 2 350 ML at full supply level of 373.1 metres Australian Height Datum and Hollowback storage to full capacity of 110 ML; but
 - (b) may not use or transfer any more than its annual entitlement in any year.

8. SHARE OF FLOW

- 8.1 The Authority may—
- (a) store all of the inflow to the storage when it is below full supply level, except for the passing flow specified in clause 9; and
 - (b) take all flow which can be diverted from each of the system diversion points, up to a combined maximum of 4.3 ML/d.
- 8.2 The Authority must not take, as part of its bulk entitlement, any flow of water in the waterway, Hazel Creek or Harpers Creek 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.
- 8.3 The flow sharing arrangements set out in sub-clauses 9.1 and 9.2 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 clause 9.

9. PASSING FLOW

- 9.1 The Authority must provide a minimum passing flow from the storage, calculated as follows—
- (a) from the beginning of December to the end of May:
 - (i) when $F \leq 4.0$ ML/d, the minimum passing flow = F ; and
 - (ii) when $F > 4.0$ ML/d, the minimum passing flow = 4.0 ML/d; and
 - (b) from the beginning of June to the end of November:
 - (i) when $F \leq 5.0$ ML/d, the minimum passing flow = F ; and
 - (ii) when $F > 5.0$ ML/d, the minimum passing flow = 5.0 ML/d.

where—

“F” means the total of the flow past specified point A and specified point B, less any water being transferred under clause 7, measured and calculated in ML/d.

- 9.2 In calculating the passing flow, no allowance must be made for water lost between either -
- (a) specified point A; or
 - (b) specified point B—
- and the waterway immediately downstream of the storage.
- 9.3 The Authority is not required to provide passing flow at either system diversion point.
- 10. RELEASES**
- The Authority may operate the storage and make releases from it as it sees fit, in order to satisfy its annual entitlement.
- 11. MAKING ALLOWANCES**
- 11.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the storage, allowance must be made for -
- (a) the time taken by the flow to reach the downstream point from the storage; and
 - (b) any losses from the waterway, or other waterway, downstream of the storage.
- 11.2 If the Authority proposes to take water under this bulk 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 11.1; and
 - (ii) details of the proposed point and amount of extraction; and
 - (b) ascertain and provide to the Minister 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.
- 11.3 The Minister may—
- (a) approve a proposal made under sub-clause 11.2; or
 - (b) require the Authority to amend the proposal; and
 - (c) require the Authority -
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to make an amended proposal to the Minister.
- 11.4 The Authority must—
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 11.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.
- 12. ENVIRONMENTAL OBLIGATIONS**
- 12.1 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, Harpers Creek and Hazel Creek in the vicinity of the Authority's works; and
 - (b) operational practices to remove silt from works; and
 - (c) operational practices to manage the water quality in works on the waterway, Harpers Creek and Hazel Creek; and
 - (d) operational rules for the controlled releases of water from the storage to the waterway; and
 - (e) operational rules for managing flood flows through the storage.

- 12.2 The Minister may -
- (a) approve the program proposed under sub-clause 12.1; 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.
- 12.3 The Authority must at its cost -
- (a) implement the approved program; and
 - (b) keep a record of all work undertaken under paragraph (a).
- 13. METERING PROGRAM**
- 13.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—
- (a) the flow past specified point A; and
 - (b) the flow past specified point B; and
 - (c) the passing flow; and
 - (d) the amount of water taken by the Authority under this bulk entitlement; and
 - (e) the amount of water in the storage—
- for the purpose of assessing whether or not the Authority complies with this bulk entitlement.
- 13.2 The metering program prepared under sub-clause 13.1 must include details of any agreement between the Authority and any other person for measuring and calculating of instream flows.
- 13.3 The Minister may—
- (a) approve the program proposed under sub-clause 13.1; 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.
- 13.4 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, if rating curves are used to calculate flows, ensure that these curves are regularly checked and, if necessary, revised; and
 - (c) keep a record of all work undertaken under paragraph (b).
- 14. REPORTING REQUIREMENTS**
- 14.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:
- (a) the flow past specified point A;
 - (b) the flow past specified point B;
 - (c) the passing flow;
 - (d) the daily amount of water taken from each system diversion point and the storage under this bulk entitlement;

- (e) the water level and the amount of water in the storage;
 - (f) the annual amount of water taken from the system under this bulk entitlement;
 - (g) the approval, amendment and implementation of programs and proposals approved under clauses 11, 12 and 13;
 - (h) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (i) any bulk entitlement or licence in respect of the waterway, Harpers Creek or Hazel Creek temporarily or permanently transferred to the Authority;
 - (j) any amendment to this bulk entitlement;
 - (k) any new bulk entitlement granted to the authority with respect to the Broadford, Kilmore & Wallan Water Supply System;
 - (l) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (m) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed.
- 14.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 14.1 -
- (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.
- 14.3 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 14.1, except -
- (a) paragraphs (a) to (d) of sub-clause 14.1 and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (l) of sub-clause 14.1.
- 14.4 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 14.1.
- 14.5 Any report under sub-clause 14.4 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 (d) of sub-clause 14.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (e) to (m) of sub-clause 14.1.
- 15. WATER RESOURCE MANAGEMENT COSTS**
- 15.1 Subject to sub-clause 16.1, the Authority must pay the Resource Manager a proportion of the costs incurred by the Resource Manager to -
- (a) prepare the Goulburn Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Goulburn 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 Goulburn River; and
 - (d) investigate and mediate disputes between entitlement holders in the Goulburn Basin; and
 - (e) investigate and deal with significant unauthorised uses of water in the Goulburn 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;

15.2 The proportion of the costs referred to in sub-clause 15.1 is to be determined by the Resource Manager under sub-clause 16.3.

16. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

16.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 15 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

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

16.3 The Resource Manager must, by 1 February in any year, determine for the Authority, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 15.1, and provide the Authority with estimates of the amount payable.

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

17. SALINITY MANAGEMENT COSTS

17.1 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.

18. DUTY TO MAKE PAYMENTS

18.1 Any amount payable by the Authority under sub-clause 15.1 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.

19. DATA

19.1 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.

19.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 13 and 14 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.

20. DISPUTE RESOLUTION

20.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties"s) 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.

20.2 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.

20.3 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.

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

20.5 (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 (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.

20.6 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.

20.7 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 18 December 2003

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

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

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

Notice of Approval of Amendment

Amendment C4

The Minister for Planning has approved Amendment C4 to the Buloke Planning Scheme.

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

The Amendment:

- Rezones Crown Allotment 4A, Parish of Watchupga from Public Conservation and Resource Zone to Rural Zone;
- Rezones 31 Campbell Street, Birchip from Public Use Zone – Utility to Township Zone;
- Rezones 449 Broadway, Wycheproof and 14 Houston Street, Donald from Public Use Zone – Local Government to Township Zone;
- Rezones 1 Woods Street, Donald from Public Conservation and Resource Zone to Township Zone;
- Rezones 160 Woods Street, Donald and Crown Allotment 25, Section 10, Parish of Banyenong from Public Park and Recreation Zone to Township Zone;
- Rezones 15 Byrne Street, Donald from Public Use Zone – Education to Township Zone; and
- Corrects a mistake in the Schedule to Clause 61.01–61.04.

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, Department of Sustainability and Environment, North West Region, 1 Taylor Street, Epsom and at the offices of the Buloke Shire Council, McCulloch Street, Donald.

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

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

Notice of Approval of Amendment

Amendment C38

The Minister for Planning has approved Amendment C38 to the Casey Planning Scheme.

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

The Amendment:

- Rezones part of the land at 193 Golf Links Road, Narre Warren from an Urban Floodway Zone to a Residential 1 Zone.
- Applies a Development Plan Overlay - Schedule 11 to the land.
- Applies a Land Subject to Inundation Overlay to the land.
- Introduces a new Schedule 11-Golf Links Road Residential Area to Clause 43.04.
- Amends the Schedule to Clauses 61.01-61.04 to introduce a new Map 8LSIO.

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 Casey City Council, Magid Drive, Narre Warren.

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

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

Notice of Approval of Amendment

Amendment C10

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

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

The Amendment rezones the land described as 1 – 63 Curdie Street (odd numbers only) & 30–34 Victoria Street & Lot 2 LP 217681 Parrott Street & 40 Adams Street, Cobden from Residential 1 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 Corangamite Shire Council, 181 Manifold Street, Camperdown.

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 C16

The Minister for Planning has approved Amendment C16 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 associated with the Mallacoota Golf and Country Club, Bastion Point Road, Mallacoota, being Crown Allotments 1F, 1T and 1U County of Croajingolong, Parish of Mallacoota, from Public Park and Recreation Zone to part Rural Zone (Schedule 1) and part Public Conservation and Resource 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

INDIGO PLANNING SCHEME

Notice of Approval of Amendment
Amendment C23

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

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that one heritage place is included in Victorian Heritage Register are shown in the Indigo Planning Scheme.

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 North East Regional Office, 35 Sydney Road, Benalla at the offices of the Indigo Shire Council, Ford Street, Beechworth.

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

Planning and Environment Act 1987

MONASH PLANNING SCHEME

Notice of Approval of Amendment
Amendment C32

The Minister for Planning has approved Amendment C32 to the Monash Planning Scheme.

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

The Amendment applies to land formerly known as the Rusden Campus of Deakin University. The land is located on the eastern side of Blackburn Road in Notting Hill and was previously used for educational purposes.

The Amendment rezones the land from partly a Business 3 Zone and partly a Public Use Zone 2 to partly a Mixed Use Zone, partly a

Residential 1 Zone and partly a Public Park and Recreation Zone; deletes a Design and Development Overlay (1) from part of the land; and applies a new Design and Development Overlay (4) and an Environmental Audit Overlay over parts of the land. Consequential alterations are also made to maps in the Local Planning Policy Framework in the Planning Scheme.

The Minister has granted the following permits under Division 5 Part 4 of the Act:

Permit No	Description of land
29908	662-678 Blackburn Road, Notting Hill
29909	662-678 Blackburn Road, Notting Hill (Lots 2, 3, 15 & 16 PS508059K)

A copy of the Amendment and permits 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 Monash City Council, 293 Springvale Road, Glen Waverley.

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

Planning and Environment Act 1987

PYRENEES PLANNING SCHEME

Notice of Approval of Amendment Amendment C8

The Minister for Planning has approved Amendment C8 to the Pyrenees Planning Scheme.

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

The Amendment:

Applies the Heritage Overlay to the below sites, listed on the Victorian Heritage Register, and includes them in the Schedule to Heritage Overlay:

- The Glut Escarpment Log Chute, Mount Cole State Forest.

- Kozminsky's Log Chute, Mount Buangor State Park.
- Welsh Methodist Church, Main Road, Snake Valley.

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 Pyrenees Shire Council Offices, 5 Lawrence St, Beaufort.

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

Planning and Environment Act 1987

SOUTH GIPPSLAND PLANNING SCHEME

Notice of Approval of Amendment Amendment C12

The Minister for Planning has approved Amendment C12 to the South Gippsland Planning Scheme.

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

The Amendment rezones land fronting Parr Street and Carr Avenue, Leongatha, from Rural Zone to Residential 1 Zone and deletes the same land from the Environmental Significant Overlay Schedule 5 (ESO5) to facilitate the use and development of the land for residential purposes.

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 South Gippsland Shire Council, 9 Smith Street, Leongatha.

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

Planning and Environment Act 1987
SURF COAST PLANNING SCHEME

Notice of Approval of Amendment
Amendment C17

The Minister for Planning has approved Amendment C17 to the Surf Coast Planning Scheme.

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that the registration of the Bells Beach Surfing Recreation Reserve on the Victorian Heritage Register is shown in the Surf Coast Planning Scheme.

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 Surf Coast Shire Council, Grossmans Road, Torquay.

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

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

Planning and Environment Act 1987
YARRA RANGES PLANNING SCHEME

Notice of Approval of Amendment
Amendment C25

The Minister for Planning has approved Amendment C25 to the Yarra Ranges Planning Scheme.

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

The Amendment rezones land described as Part Crown Portion B, Section 3, Parish of Yering, Coldstream from a Public Use Zone – Service and Utility to a Rural 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 Yarra Ranges Shire Council, Anderson St, Lilydale.

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 C30

The Minister for Planning has approved Amendment C30 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 at 56 Walsh Road, Warrnambool from Public Use Zone 1 (Service and Utility) to Industrial 3 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

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