



Victoria Government Gazette

By Authority of Victorian Government Printer

No. G 33 Thursday 18 August 2005

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GENERAL

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As from 18 August 2005

The last Special Gazette was No. 153 dated 17 August 2005.

The last Periodical Gazette was No. 1 dated 16 June 2005.

How To Submit Copy

- See our webpage www.craftpress.com.au
 - or contact our office on 9926 1233
between 8.30 am and 5.30 pm Monday to Friday
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- 1 Treasury Place, Melbourne (behind the Old Treasury Building), and
 - Craftsman Press Pty Ltd, 125 Highbury Road, Burwood 3125
(front of building).
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VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

Please note that the principal office of the Victoria Government Gazette, published and distributed by The Craftsman Press Pty Ltd, has changed from 28 July 2005.

The new office and contact details are as follows:

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

**Land Acquisition and Compensation Act 1986
NOTICE OF ACQUISITION**

(Leave Granted pursuant to Section 36 of the
Subdivision Act 1988)

Take notice that by this notice Peter Julian Carson hereby acquires an easement of way (pedestrian and vehicle) over the rear of the land at 271–287 Maribyrnong Road, Ascot Vale, being the land remaining untransferred in Certificates of Title Volume 3829, Folio 667 and Volume 2185, Folio 856.

Dated 11 August 2005

Published by PETER JULIAN CARSON

DISSOLUTION OF PARTNERSHIP

Take notice that the partnership previously known as Abbinga Partners made up of Erwin Abbinga, Betty Katirtzidis, Michael Haberfield and George Kapiniaris was dissolved with effect from close of business on 30 June 2005, pursuant to a Deed of Dissolution signed by the said partners dated 1 July 2005.

DISSOLUTION OF PARTNERSHIP

Take notice that the partnership of Duane Leslie McMaster and Jaqueline Ruth McMaster, trading as All About Test and Tag, was dissolved on 4 July 2005 and that from 5 July 2005, Jaqueline Ruth McMaster will continue to trade as All About Test and Tag.

Re: JOHN JOSEPH REILLY, late of Darvall Lodge Nursing Home, 521 Princes Highway, Noble Park, Victoria, but formerly of Noble Manor, 133 Harold Road, Noble Park, Victoria, retired postman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 June 2005, are required by the trustees, Graeme John Reilly of 3 Cobham Street, Altona, Victoria, bank officer, and Debra Teresa Reilly of 3 Vega Close, Noble Park, Victoria, hairdresser, to send particulars to the trustees by 7 November 2005, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: Estate of MIRIAM FAYTH d'OLIVEYRA, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of MIRIAM FAYTH d'OLIVEYRA, of 7 Lorne Road, Prahran, in the State of Victoria, retired, who died on 19 May 2005, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 19 October 2005, after which date the personal representative/s will distribute the assets having regard only to the claims of which they then had notice.

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

Re: NADZIEJA SOWINSKI, late of 20 Trevannion Street, Glenroy, Victoria, retired factory worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 May 2005, are required by the trustee, Aleksander Czajko of 17 Norma Street, Avondale Heights, Victoria, to send particulars to the trustee within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: THOMAS WOODWARD, late of Care Life Australia Nursing Home, 565 Upper Heidelberg Road, Heidelberg, Victoria, retired factory manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 June 2005, are required by the trustee, Gary Thomas Whelan of 16 Thomas Street, Eltham, Victoria, to send particulars to the trustee within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: Estate of BARBARA ANN BENZLEY.

Creditors, next-of-kin or others having claims in respect of the estate of BARBARA ANN BENZLEY, late of "Alcheringa", 26/44 Rutherford Street, Swan Hill, in the State of Victoria, home duties, deceased, who died on 11 July 2005, are to send particulars of their claim to the executrix care of the undermentioned legal practitioners by 28 October 2005 after which date the executrix will distribute the assets having regard only to the claims of which she then has notice.

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

Re: Estate of RONALD GEORGE MORRIS.

Creditors, next-of-kin or others having claims in respect of the estate of RONALD GEORGE MORRIS, late of Koimbo, Manangatang, in the State of Victoria, retired labourer, deceased, who died on 6 July 2005, are to send particulars of their claim to the care of the undermentioned legal practitioners by 28 October 2005, after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

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

MYRA KATHLEEN WILLIAMS, late of Unit 146, "Cherry Tree Retirement Village", 67 Maroondah Highway, Croydon, home duties, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 March 2005, are required by the personal representative, Ian Stephen Williams of 103 Hotham Street, East Melbourne, to send particulars to him care of the undermentioned solicitors by 26 October 2005, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

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

MARY EILEEN CHAPMAN, late of 7 Mclvor Street, Cheltenham, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2005, are required by the trustee, care of Harris & Chambers Lawyers of 338 Charman Road, Cheltenham 3192, to send particulars to them by 19 October 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

HARRIS & CHAMBERS, lawyers,
338 Charman Road, Cheltenham 3192.

ROSE NANCY GEORGE, late of 3/10 Baringhup Street, Cheltenham, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 July 2005, are required by the trustee, care of Harris & Chambers, lawyers, of 338 Charman Road, Cheltenham 3192, to send particulars to them by 19 October 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

HARRIS & CHAMBERS, lawyers,
338 Charman Road, Cheltenham 3192.

JOAN McCORMICK, late of 5 Azure Avenue, Balnarring, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 March 2005, are required by the trustees, care of Harris & Chambers Lawyers of 338 Charman Road, Cheltenham 3192, to send particulars to them by 19 October 2005, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

HARRIS & CHAMBERS, lawyers,
338 Charman Road, Cheltenham 3192.

Re: CHARLES McLAREN MATHESON, late of 52 Wilson Road, Glen Waverley, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased,

who died on 30 July 2005, are required by the trustee, ANZ Executors & Trustee Company Limited (ABN 33 006 132 332), in the Will called ANZ Trustees, of Level 21, 530 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 31 October 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Creditors, next-of-kin and others having claims in respect of the Will of ALBERT JOHN AHERN, late of 762 Inkerman Road, Caulfield, Victoria, retired, deceased, who died on 17 June 2005, are requested to send particulars of their claims to the executor, Kerrin Francis Mitchell, care of the undermentioned legal practitioner by 19 October 2005 after which date he will distribute the assets having regard only as to the claims of which he then has notice.

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

Creditors, next-of-kin and others having claims in respect of the Will of NEDA BANEK, also known as Nada Banek, late of 45 Roberts Street, East Keilor, Victoria, widow, deceased, who died on 4 July 2005, are requested to send particulars of their claims to the executor, Mira Maria Broz, in the Will called Maria Broz, care of the undermentioned legal practitioner by 19 October 2005 after which date she will distribute the assets having regard only as to the claims of which she then has notice.

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

Creditors, next-of-kin and others having claims in respect of the estate of EDITH MAUD ROGERS-WALLACE, late of Brookfield Park Nursing Home, Liddiard Road, Traralgon, Victoria, home duties, deceased, who died on 29 July 2005, are to send their claims to the trustees, William Ralph Rogers of 27 Burlock Avenue, Ringwood, Victoria and Maxwell George Rogers of 7 Norbury Crescent, City Beach, Western Australia, care of the belowmentioned solicitors by 18 October 2005, after which date

they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

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

IVY LILIAN NICHOLL, also known as Ivy Lillian Nicholl, late of Ashleigh Nursing Home, 58 Cochrane Street, Brighton, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 May 2005, are required by the executors, Suzanne Mary Lyttleton and Susan Ruth Pascoe, to send particulars to them care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley.

Re: ISABELLA DAWSON NEWBURY, late of 2/7 Anthony Street, Glen Iris, Victoria, practice manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 August 2004, are required by the trustee, James Benjamin Kingsley Newbury, to send particulars to the trustee care of the undermentioned solicitors by 21 October 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

McKEAN & PARK, solicitors,
405 Little Bourke Street, Melbourne 3000.

Re: JOHN ANTHONY GAGLIARDI, late of The Boulevard, Paradise Beach, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 March 2005, are required by the trustees, Perpetual Trustees Victoria Limited of 360 Collins Street, Melbourne, Victoria and John Rayner of 6 Trist Street, Watsonia, Victoria, to send particulars to the trustees by 17 October

2005 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

Re: VINCENT JOSEPH DEVLIN, late of Unit 2, Lions Retirement Village, 24–26 Jerilderie Street, Tocumwal, New South Wales.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 April 2005, are required by the trustee, Anthony John Mahon, to send particulars to the trustee c/- Mahons with Yuncken & Yuncken by 19 October 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MAHONS with YUNCKEN & YUNCKEN,
solicitors,
178 Whitehorse Road, Blackburn 3130.

FRANCES JEAN MITCHELL, late of 29–33 Chesterville Road, Glen Waverley, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 July 2005, 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 18 October 2005, 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.

MERRYL LESLEY PALMER, late of 10 Sarona Street, Dandenong, Victoria, retired bank manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 July 2005, 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 18 October 2005, 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.

JACK ALWIN PARKINSON, late of 97 Station Street, Carlton, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 2005, 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 18 October 2005, 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: RONALD ALFONSO DE PIAZZA, late of 192 Nicholson Street, Orbost, Victoria, retired.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 July 1992, are required by Emily Bunting of 20 Miriams Street, Ascot Vale, Victoria, one of the executors appointed in the Will, the other executor appointed in the Will, Eileen Ruby de Piazza, having died on 26 March 2005, to send particulars of any such claim to the trustee care of the undermentioned solicitors so that such particulars are received on or prior to 19 October 2005, after which date the surviving executor may convey or distribute the assets having regard only to the claims of which she then has notice.

MOSLEY & PALMER, solicitors,
PO Box 243, Orbost 3888.

Estate of JOHN ALFRED MORGAN, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of JOHN ALFRED MORGAN, late of South Gippsland Highway, Welshpool, Victoria, gentleman, who died on 16 October 2004, are to send particulars of their claims to the executor, John Bernard Brewer and Leslie John Morgan, care of the undermentioned solicitors by 17 October 2005, after which date the executor will distribute the assets having regard only to the claims of which notice has been received.

OAKLEYS WHITE, solicitors,
65 Main Street, Foster.

Re: HAROLD ROYAL RAYMOND, late of Unit 80, Koorootang Retirement Village, 183 Osborne Drive, Mount Martha, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 June 2005, are required by the trustees, Charles Edward Beckwith of 216 Main Street, Mornington, Victoria and Adrian John Triaca of 44 Douglas Street, Noble Park, Victoria, legal practitioners, to send particulars to the trustees by 18 October 2005, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

MAIDA BETTY COPELAND, late of Cameron Gardens, 1061 Centre Road, Oakleigh, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 April 2005, are required by ANZ Executors & Trustee Company Limited, ABN 33 006 132 332, the executor of the Will of the deceased, to send particulars of their claims to the executor care of their solicitors, Russell Kennedy, at Level 11, 469 La Trobe Street, Melbourne, Victoria by 18 October 2005, after which date the executor may convey or distribute the assets having regard only to the claims of which they then have notice.

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

Re: NEVILLE JOHN McKIE, late of 130 Lemajies Road, Scarsdale, Victoria, Catholic priest, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased are required by Michael John McEntee and Ernest William Smith, the executors of the estate of the said deceased, to send particulars of such claims to them care of the undermentioned solicitors by the date being two calendar months from the date of this advertisement, after which date they will distribute the estate having regard only to the claims of which they then have notice.

RYAN, MACKAY & McCLELLAND,
solicitors,
65 Main Street, Greensborough.

Creditors, next-of-kin and others having claims in respect of the estate of TADEUSZ LOVICH (in the Will called TED LOVICH), deceased, late of 10 Fletcher Street, Essendon, gentleman, who died on 12 September 2004, are requested to send particulars of their claims to the executor, Margaret Curran of 49 Kingborne Avenue, Seaton, care of the undersigned solicitors by 27 October 2005, after which date she will convey or distribute the assets having regard only to the claims of which she then has notice.

SECOMBS, solicitors,
100 Paisley Street, Footscray.

Re: STANELY ALFRED CADDEN, late of 371 Manningham Road, Doncaster.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 April 2005, are required to send particulars of their claims to Equity Trustees Limited of 575 Bourke Street, Melbourne 3000 by 9 November 2005, after which date the executor may convey or distribute the assets having regard only to the claims of which they may then have notice.

WILLS & PROBATE VICTORIA, lawyers,
Level 5, 360 Little Bourke Street, Melbourne.

Re: JOHN JAMES MOWLAM, late of 46 Parkstone Avenue, Pascoe Vale South.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 May 2005, are required to send particulars of their claims to Equity Trustees Limited of 575 Bourke Street, Melbourne 3000 by 9 November 2005, after which date the executor may convey or distribute the assets having regard only to the claims of which they may then have notice.

WILLS & PROBATE VICTORIA, lawyers,
Level 5, 360 Little Bourke Street, Melbourne.

Re: STANLEY MORRISON TATE, late of 34 Swans Way, Rosebud West, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 July 2005, are required by the trustee, Ronald Hayles, to send particulars to the trustee care of the undermentioned solicitors by 20 October 2005, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WRIGHT SMITHS, solicitors,
2 Seventh Avenue, Rosebud 3939.

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

On Friday 16 September 2005 at 11.00 a.m. at the Sheriff's Office, corner of Fenwick & Little Malop Streets, Geelong (unless process be stayed or satisfied).

All the estate and interest (if any) of Rodney James McGee of 350 Colac-Ballararat Road, Irrewarra, proprietor of an estate in fee simple as to 1 of 2 equal undivided shares registered as tenants in common with proprietor Tracey Michelle Nowell, as 1 of a total 2 equal undivided shares and being the land described on Certificate of Title Volume 9850, Folio 232 upon which is erected a house known as 350 Colac-Ballararat Road, Irrewarra.

Registered Mortgage No. AC848134K affects the said estate and interest.

The property can be located by travelling along the Princes Highway in a westerly direction to within approximately 4 km of the township of Colac. Turn right into the Colac-Ballararat Road and travel in a northerly direction to the township of Irrewarra. The property is located on the right-hand side of the road just north of Irrewarra School Road and is known as 350 Colac-Ballararat Road, Irrewarra.

Refer RACV VicRoads Country Edition No. 5, Map 92, C6.

Terms – Cash only
GST plus 10% on fall of hammer price
CW-05-001170-6

Dated 11 August 2005

V. PARKIN
Sheriff's Office

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

On Tuesday 13 September 2005 at 11.00 a.m. at the Sheriff's Office, 3/148 Welsford Street, Shepparton (unless process be stayed or satisfied).

All the estate and interest (if any) of John Henry Mathers of 231 Beveridge Road, Beveridge, joint proprietor with Michele Gabrielle Mathers of an estate in fee simple as to 1 of a total of 51 equal undivided shares and being the land described on Certificate of Title Volume 9682, Folio 081 upon which is erected a unit known as Lot 2 Joshua Drive, Numurkah Country Club.

Registered Lease L431674R, expiry date 7 December 2083, affects the said estate and interest.

Terms – Cash only
GST plus 10% on fall of hammer price
SW-04-008164-2

Dated 11 August 2005

V. PARKIN
Sheriff's Office

PROCLAMATIONS

ACTS OF PARLIAMENT

Proclamation

I, John Landy, Governor of Victoria, declare that I have today assented in Her Majesty's name to the following Bills:

No. 43/2005 **National Parks (Point Nepean) Act 2005**

No. 44/2005 **Planning and Environment (Williamstown Shipyard) Act 2005**

No. 45/2005 **Tobacco (Amendment) Act 2005**

Given under my hand and the seal of Victoria at Melbourne on 16th August 2005.

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

STEVE BRACKS MP
Premier

No. 43/2005 (1) This Act (except sections 7 and 8) comes into operation on the day after the day on which it receives the Royal Assent.

(2) Subject to sub-section (3), sections 7 and 8 come into operation on a day to be proclaimed.

(3) If sections 7 and 8 do not come into operation before 1 July 2006, they come into operation on that day.

No. 44/2005 This Act comes into operation on the day after the day on which it receives the Royal Assent.

No. 45/2005 (1) This Act, except Part 3 and section 28, comes into operation on 1 March 2006.

(2) Part 3 and section 28 come into operation on 1 July 2007.

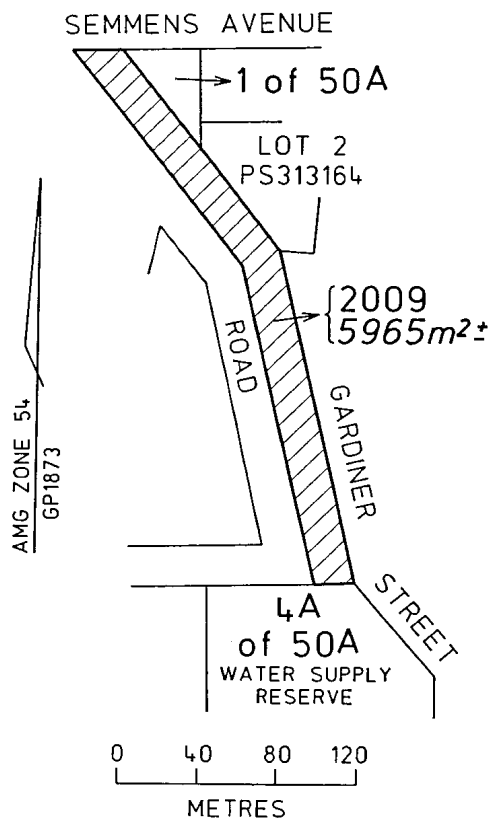
Land Act 1958

PROCLAMATION OF ROADS

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

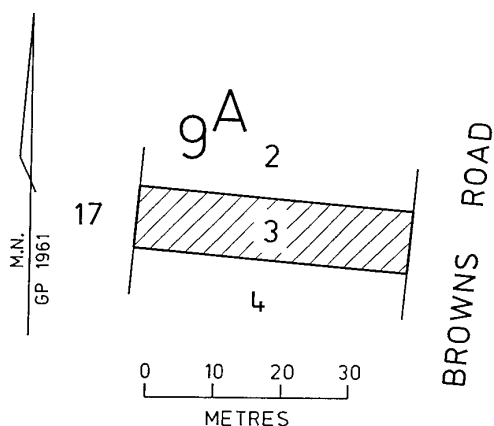
MUNICIPAL DISTRICT OF THE HEPBURN SHIRE COUNCIL

CRESWICK – The road in the Township of Creswick, Parish of Creswick being Crown Allotment 2009 as indicated by hatching on plan hereunder. – (GP1873) – (0505856)



MUNICIPAL DISTRICT OF THE GOLDEN PLAINS SHIRE COUNCIL

SCARSDALE – The road in the Parish of Scarsdale being Crown Allotment 3, Section 9A as indicated by hatching on plan hereunder. – (GP1961) – (05P368315)



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

Given under my hand and the seal of Victoria on 16th August 2005.

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

ROB HULLS, MP
Minister for Planning

Summer Time Act 1972

PROCLAMATION

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 3 of the **Summer Time Act 1972**, vary the proclamation of 3 August 1999* made under that Act with the following substitution of paragraph 2 of that proclamation:

“2. In the year 2006 the period of summer time shall conclude at the hour of two o'clock in the morning on the first Sunday in April.”

* Government Gazette (G31) 5.8.99 p.1825

Given under my hand and the seal of Victoria on 16th August 2005.

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

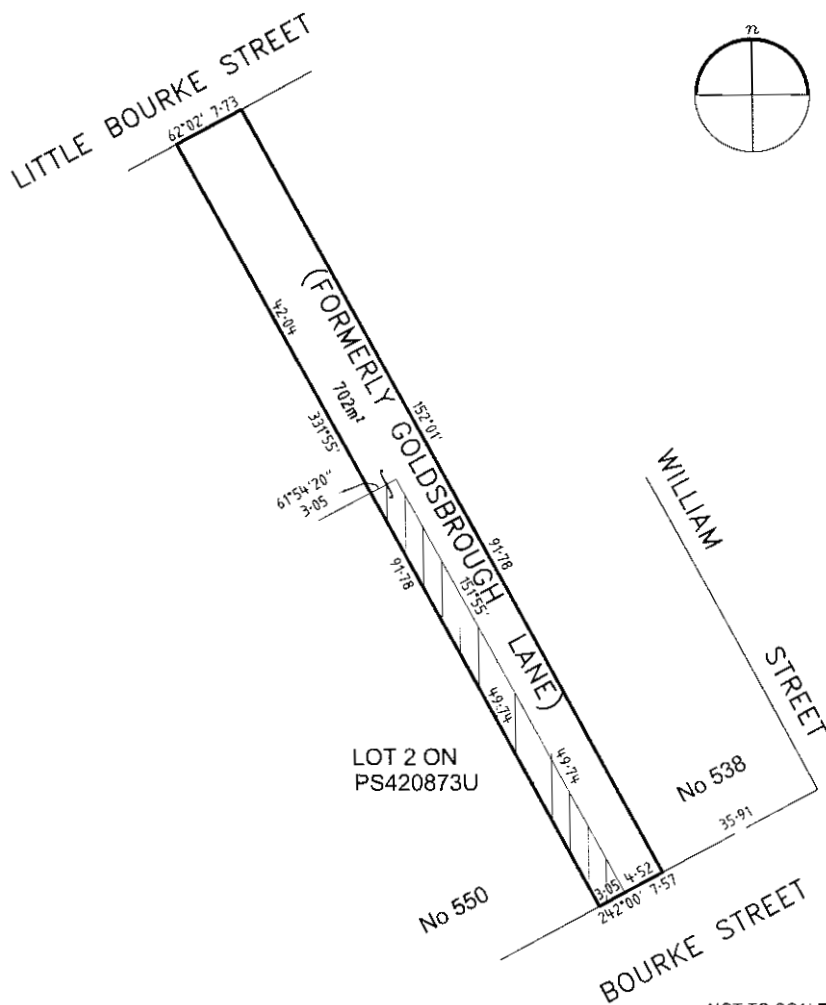
ANDRÉ HAERMMEYER
Minister for Small Business

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

CITY OF MELBOURNE
Public Highway Declaration

Under Section 204(1) of the **Local Government Act 1989** ("the Act"), Melbourne City Council on 4 August 2005 resolved to declare Goldsbrough Lane, Melbourne as a public highway for the purposes of the Act as shown on the plan hereunder.

PLAN FOR PUBLIC HIGHWAY DECLARATION PURPOSES



THE LAND TO BE DECLARED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES ON THE PLAN
LAND SHOWN HATCHED HAS A LOWER LEVEL OF 21.00 AHD

NOT TO SCALE

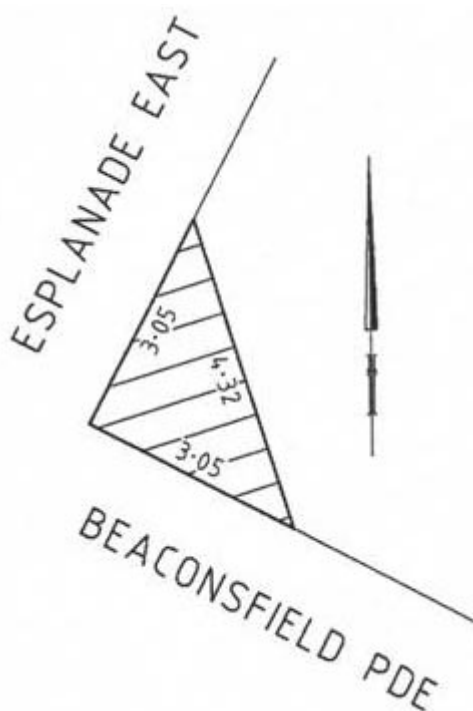
Dated 18 August 2005

DAVID PITCHFORD
Chief Executive

CITY OF PORT PHILLIP

Discontinuance of Road

Notice is hereby given that the Port Phillip City Council at its Ordinary Meeting on 30 May 2005, formed the opinion that the section of road shown hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road, and having advertised and served notices regarding the proposed discontinuance and hearing submissions under Section 223 of the **Local Government Act 1989**, orders that the road at the Splay corner, Beaconsfield Parade & Esplanade East, Port Melbourne be discontinued pursuant to Section 206 and Schedule 10, Clause 3 of the said Act, and the land of the discontinued road be sold by private treaty to the owners of the land abutting the road.



DAVID SPOKES
Chief Executive Officer

HEPBURN SHIRE COUNCIL

Notice of Intention to Amend
the Road Management Plan

Notice is hereby given that pursuant to Section 54 of the **Road Management Act 2004**, Hepburn Shire Council intends to amend its

Road Management Plan and invites submissions from any person wishing to comment on the amended plan.

The purpose and general purport of the proposed amendments is the inclusion of a Pathway hierarchy under section 6.4.4 of the plan; inclusion of a Pathway inspection schedule under section 9.2 of the plan; amending "Main" to "Arterial" under section 9.2 and 9.3 of the plan; inclusion of Pathway response level in section 9.3 of the plan; modification to section 5.6 – Maintenance procedure; and minor modifications to response level under Table 9.3 within the plan.

A copy of the proposed Hepburn Shire Council Road Management Plan may be viewed at the Duke Street Offices, corner of Duke and Albert Streets, Daylesford; Town Hall, Vincent Street, Daylesford; and Creswick Offices, Albert Street, Creswick.

Any person who is aggrieved by the proposed Road Management Plan amendments may make a submission and be addressed to the Chief Executive Officer, PO Box 21, Daylesford, Vic. 3460 by 16 September 2005 or email to shire@hepburn.vic.gov.au.

VICTOR SZWED
Chief Executive Officer

HEPBURN SHIRE COUNCIL

Proposal to Make a Local Law
Process of Municipal Government
(Meetings and Common Seal)
Hepburn Shire Council
Local Law No. 1

Notice is given that at a meeting of the Hepburn Shire Council held on 16 August 2005, the Council resolved to make a Local Law titled "Processes of Municipal Government (Meetings and Common Seal) Local Law" pursuant to Part 5 and Schedule 1 of the **Local Government Act 1989**. The Local Law is proposed to:-

- provide for the peace, order and good government of the municipal district of the Hepburn Shire Council;
- provide for the orderly proceedings of Council meetings and special committees of the Council; and

- provide for the regulation and control of the use of the Council's seal.

A copy of the proposed Local Law can be obtained from the Shire offices, at either the Daylesford office, 76 Vincent Street, Daylesford or at the Creswick office, 68 Albert Street, Creswick, free of charge during office hours (i.e. 9.00 am to 4.30 pm daily, Monday to Friday).

Any person affected by the proposed Local Law may make a submission relating to the proposed Local Law under Section 223 of the **Local Government Act 1989**. Only written submissions received within fourteen (14) days of publication of this notice will be considered.

Persons making written submissions should clearly state whether they wish to be heard in support of their submission or not.

Submissions should be addressed to the Chief Executive Officer, Hepburn Shire Council, PO Box 21, Daylesford, Vic. 3460, and be lodged no later than fourteen (14) days from the date of this notice.

Persons making submissions will be notified in writing of the Council's decision following consideration of the submissions.

VICTOR SZWED
Chief Executive Officer



PUBLIC NOTICE

Council's Meeting Procedure Local Law No. 1

On 9 August 2005, Hobsons Bay City Council made a new Local Law entitled Council's Meeting Procedure Local Law No. 1, which will replace the current Processes of Municipal Government Local Law No. 1.

The purpose of the Local Law is to:

- provide a mechanism to facilitate the good government of the Council through its formal meeting procedure to ensure effective and efficient Council decision making;
- regulate and control the procedures for the conduct of meetings;
- regulate the use of the common seal; and
- provide generally for the peace, order and good management of the municipal district.

General Purport of the Local Law

The Local Law will provide for the following:

- election of Mayor and other Chairpersons;
- notice of Council Meeting dates, times and agendas;
- business of meetings;
- quorum;
- Council Meeting Minutes;
- meeting procedures;
- public participation during meetings;
- use of the common seal; and
- enforcement and penalties.

A copy of the local law may be inspected at or obtained from the Council office at 115 Civic Parade, Altona between 8.00 am to 5.00 pm, Monday to Friday. It may also be viewed on the Council's website, www.hobsonsbay.vic.gov.au.

For further information please contact Mr Chris Eddy, Manager Governance and Corporate Development on 9932 1000.

BILL JABOOR
Chief Executive Officer
PO Box 21, Altona Vic. 3018



Planning and Environment Act 1987

CAMPASPE PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C40

Authorisation A71

The Shire of Campaspe has prepared Amendment C40 to the Campaspe Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Shire of Campaspe as planning authority to prepare the Amendment.

The land affected by the Amendment is Lot 1, LP209027G, 7-11 Northern Highway, Echuca.

The Amendment proposes to introduce a Public Acquisition Overlay over the above property for the purposes of a road. The overlay comprises both map and ordinance changes.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Shire of Campaspe offices, corner of Heygarth & Hare Streets, Echuca; at the Department of Sustainability and Environment, North West Regional Office, 1 Taylor Street, Epsom; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 19 September 2005. A submission must be sent to Richard Whiting, Planning & Development Manager at the Shire of Campaspe, PO Box 35, Echuca 3564.

WAYNE HARVEY
Chief Executive Officer

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C50

The Knox City Council has prepared Amendment C50 to the Knox Planning Scheme. The land affected by the Amendment is the whole of the City of Knox.

The Amendment proposes to introduce a new Municipal Strategic Statement (MSS) and delete three local planning policies from the Local Planning Policy Framework (LPPF). The Amendment implements the findings of the Knox Planning Scheme and Process Review Pilot Project completed in October 2003 and the Three-Year MSS Review Report ratified by the Minister for Planning in December 2004 as they apply to the MSS and the LPPF. The new MSS and LPPF implement a number of strategic documents including the Knox Urban Design Framework 2020, Knox Neighbourhood Character Study 1999, Knox Housing Statement (draft), Knox Sustainable City Plan 2001–2010, Community Health and Well-being Plan 2003 and various environmental studies.

This Amendment proposes to:

1. introduce a new MSS at Clause 21 to replace the current MSS gazetted in November 1999; and

2. delete the following Local Planning Policies as the strategic intent has been reflected in the new MSS:

- Clause 22.03 Non Residential Uses in Residential Areas;
- Clause 22.05 Stud Park Shopping Centre; and
- Clause 22.06 Boronia Airspace.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Knox City Council, Civic Centre, 511 Burwood Highway, Wantirna South; and Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

Any submission about the Amendment must be made in writing, giving the submitter's name, address and, if practicable, a phone number for contact during office hours; set out the views on the Amendment that the submitter wishes to put before Council and indicate what changes (if any) the submitter wishes to be made to the Amendment; and state whether the person/s making the submission wishes to be heard in support of their submission.

The closing date for submissions is 23 September 2005. A submission must be sent to: Ms Anne Sorensen, Project Manager – Strategic Planning, Knox City Council, 511 Burwood Highway, Wantirna South 3152; email: city.strategy@knox.vic.gov.au.

Privacy statement

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the **Planning and Environment Act 1987**. The public may view the submission whilst the Amendment is being considered. In accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made available upon request.

STEVE DUNN
Director – City Development



LODDON
SHIRE COUNCIL

Planning and Environment Act 1987

LODDON PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C13

(Authorisation No. A45)

The Loddon Shire Council has prepared Amendment C13 to the Loddon Planning Scheme.

The land affected by the Amendment is all land in the Shire. One element of the Amendment specifically affects Crown Allotment 21, Section 15, Township of Inglewood (Borong Street, Inglewood).

The Amendment proposes to:

- introduce a revised Municipal Strategic Statement and set of Local Planning Policies into the Loddon Planning Scheme to replace the current Municipal Strategic Statement and set of Local Planning Policies; and
- rezone Crown Allotment 21, Section 15, Township of Inglewood (Borong Street, Inglewood) from Industrial 1 Zone to Township Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Loddon Shire Council, High Street, Wedderburn or Loddon Valley Highway Serpentine (or www.loddon.vic.gov.au); BRIC, Boort; Post Office, Tarnagulla; Post Office, Inglewood; Post Office, Bridgewater; Supermarket, Pyramid Hill; Store, Dingee; at the Department of Sustainability and Environment, North West Regional Office, 1 Taylor Street, Epsom; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 14 October 2005. A submission must be sent to the Loddon Shire Council, PO Box 21, Wedderburn 3518.

CRAIG W. NIEMANN
Chief Executive Officer

Planning and Environment Act 1987

STRATHBOGIE PLANNING SCHEME

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

Amendment C22

(Authorisation No. A0061)

Application P2005/040

Schedule 1

Form 1

Section 96C

The land affected by the Amendment is part of Lot 2 PS 423472X, Parish of Tabilk, being land on the southern side of Vickers Road in Nagambie.

The land affected by the application is part of Lot 2 PS 423472X, Parish of Tabilk, being land on the southern side of Vickers Road in Nagambie.

The Amendment proposes to rezone the land affected by the Amendment from Residential 1 to Business 1.

The application is for the resubdivision of Lots 1 & 2 PS 423472X, Parish of Tabilk, being land situated on the southern side of Vickers Road, Nagambie, and the use and development of storage units in accordance with endorsed plans.

The person who requested the Amendment and the applicant for the permit is Strathbogie Shire Council.

You may inspect the Amendment and the application, and any documents that support the Amendment and application, and the explanatory report about the Amendment and application at: the office of the planning authority, Strathbogie Shire Council, corner of Binney and Bury Streets, Euroa; Department of Sustainability and Environment Northeastern

Region, 35 Sydney Road, Benalla; and Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne 3002.

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

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

The closing date for submissions is 23 September 2005. Submissions must be sent to the Strathbogie Shire Council, PO Box 177, Euroa 3666, by 5.00 pm, 23 September 2005.

KEVIN J. HANNAGAN
Chief Executive Officer
Strathbogie Shire Council

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 21 October 2005 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.

BALDWIN, Isabel May, late of Room 12A, Riversdale Manor, 287 Station Street, Box Hill, retired, and who died on 29 June 2005.

DIMOU, Christina, late of 39 Eagle Drive, Noble Park, and who died on 3 April 2005.

FERGUSON, Fay Charlotte, late of Unit 1, 60 Devon Street, Eaglemont, retired, and who died on 22 June 2005.

FIDLER, Hazel, late of Unit 12, 459 Waterdale Road, Heidelberg West, retired, and who died on 16 June 2005.

HARKNESS, Joyce Isobel, late of Strathalan Nursing Home, corner of Erskine & Greensborough Streets, Macleod, retired, and who died on 6 March 2005.

HOLDEN, Edgar Douglas, late of 69 Leonard Avenue, Glenroy, retired, and who died on 24 May 2005.

JACKSON, Bertram Blenheim, late of 83 Heathmont Road, Heathmont, retired, and who died on 27 May 2005.

JARVIS, Maudie Louise, late of 18 Major Street, Doncaster East, retired, and who died on 5 July 2005.

JUDD, Phyllis McAlister, late of 32 Male Street, Brighton, retired, and who died on 27 June 2005.

MATHER, Winifred Agnes, late of Ripplebrook Private Nursing Home, 21–25 Inverness Street, Clarinda, retired, and who died on 22 May 2005.

QURISHI, Mohammed Marouf, late of Unit 12, 36 Bowmore Road, Noble Park, and who died on 6 January 2004.

ROBERTSON, Ruth Ferdon Goodwin, late of Dromana Nursing Home, 6 Nepean Highway, Dromana, pensioner, and who died on 9 June 2005.

ROUILLON, Raymond, late of Yana Nursing Home, 220 Middleborough Road, Blackburn, pensioner, and who died on 12 June 2005.

RUNGE, Maisie, late of Fernhill Hostel, 18–20 Fernhill Road, Sandringham, and who died on 2 August 2005.

Dated at Melbourne 12 August 2005

DAVID BAKER
Manager, Estate Management
State Trustees Limited

EXEMPTION

Application No. A223/2005

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995**, by the Department of Human Services, Loddon Mallee Region. The application for exemption is to enable the applicant to advertise for and employ an Aboriginal person in the position of Aboriginal Planning Officer (“the specified conduct”).

Upon reading the material submitted in support of the application, including an affidavit of Mr Terry Garwood, Regional Director, Loddon Mallee Region, Department of Human Services, 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 engage in the specified conduct.

In granting this exemption the Tribunal noted that:

- the Aboriginal Planning Officer will work in partnership with Aboriginal organisations in the Loddon Mallee region to enhance the health and well being of Aboriginal and Torres Strait Islander people by accessing and informing Aboriginal communities on behalf of the Department of Human Services; and
- the Aboriginal Planning Officer will be required to have an understanding of the Aboriginal culture and community affairs, the kinship system and family connections, and an understanding of past histories and impacts on today's society, to assist them to work with Aboriginal communities.

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 engage in the specified conduct.

This exemption is to remain in force from the day on which the notice of the exemption is published in the Government Gazette until 18 August 2008.

Dated 9 August 2005.

HER HONOUR JUDGE SANDRA DAVIS
Vice President

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary, Department of Human Services under Section 10(2) of the **Community Welfare Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**.

I, Paul Smith, approve the following person under Section 5(1) and Section 5(2)(b) of the Act as approved counsellor for the purposes of Section 35 of the Act.

Rachel Papst, Centacare Catholic Family Services, 576 Victoria Parade, East Melbourne 3002.

PAUL SMITH
A/Regional Director
North and West Metropolitan Region

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary, Department of Human Services under Section 10(2) of the **Community Welfare Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**.

I, Paul Smith, revoke the following person under Section 5(1) and Section 5(2)(b) of the Act as approved counsellor for the purposes of Section 35 of the Act.

Helen Georgiou, Centacare Catholic Family Services, 576 Victoria Parade, East Melbourne 3002.

PAUL SMITH
A/Regional Director
North and West Metropolitan Region

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary, Department of Human Services under Section 10(2) of the **Community Welfare Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**.

I, Paul Smith, revoke the following person under Section 5(1) and Section 5(2)(b) of the Act as approved counsellor for the purposes of Section 35 of the Act.

Melissa Alloway, Centacare Catholic Family Services, 576 Victoria Parade, East Melbourne 3002.

PAUL SMITH
A/Regional Director
North and West Metropolitan Region

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary to the Department of Human Services under Section 10(2) of the **Community Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**.

I, Carolyn Gale, revoke the following person under Section 5(1) and Section 5(2) of the **Adoption Act** as approved counsellor for the purposes of Section 87 of the **Adoption Act**.

Helen Georgiou.

Dated 8 August 2005

CAROLYN GALE
Manager, Community Care
Southern Metropolitan Region

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary to the Department of Human Services under Section 10(2) of the **Community Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**.

I, Carolyn Gale, approve the following person under Section 5(1) and Section 5(2) of the **Adoption Act** as approved counsellor for the purposes of Section 87 of the **Adoption Act**.

Rachel Papst.

Dated 8 August 2005

CAROLYN GALE
Manager, Community Care
Southern Metropolitan Region

Associations Incorporation Act 1981

SUB-SECTION 36E(5)

Notice is hereby given that the incorporation of the associations mentioned below is cancelled in accordance with section 36E(5) of the **Associations Incorporation Act 1981**.

Dandenong Housewives Club Inc., Mansfield Playgroup Inc., Lardner Hall & Recreation Reserve Committee of Management Inc., Calder Community Action Group Inc., Amicus Women's Group Inc., Project Mind The Gap Inc., Hooked on Kayaking Inc., Ashwood Traders Association Inc., Consumer and Tenancy Advice Service Inc., The Bataan Foundation of Australia Inc., Eastern Zone Rock Lobster Association Inc., Box Hill Camera Club Inc., Australia-Malaysia Business Council (Hume Chapter) Inc., Friends of Portland Library Inc., Grenville District Recreation Club Inc., Breakfree Ministries Incorporated., Full As A Goog Inc., Numurkah Community Welfare Association Inc., The Retirement Sanctuary Inc., Breathe for Brain Injury Inc., Lotus Community Resources Inc., Pointers Netball Association Inc.

Dated 18 August 2005

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

Children and Young Persons Act 1989APPOINTMENT OF
HONORARY PROBATION OFFICERS

I, Jan Snell, Regional Director, Barwon-South Western Region of the Department of Human Services, under Section 34(4) of the **Children and Young Persons Act 1989** appoint the undermentioned persons as Honorary Probation Officers for the Children's Court in the State of Victoria for the period ending 31 December 2007.

Barbara Birthisel; Mary Anne Campbell; Lisa Crispe; Bobby Cunningham; Yvonne Griffith; Margaret Herbertson; Annette Hinchcliffe; Denise Lovett; Kay Makin; Jason Mifsud; Peggy Northcliffe Roberts; Doreen Sumner.

Dated 8 August 2005

JAN SNELL
Regional Director
Department of Human Services
Barwon-South Western Region

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that the Kyabram Community & Learning Centre – Licence Number 2089 ("the service") is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

The exemption is granted subject to the conditions that the proprietor must ensure that:

1. Whenever children are being cared for or educated by the service, the number of staff members as set out in regulation 24 are caring for or educating the children;
2. No more than 2 nominated staff members are employed in place of qualified staff; and
3. The nominated staff members are undertaking courses to attain a post secondary early childhood qualification course recognised under regulation 25.

This exemption remains in force until 31 December 2005.

Dated 1 August 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that the Jubilee Park Nursery School Licence Number 1534 ("the service") is exempt from Regulations 42(2), 42(3) and 46 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The licensee shall provide at that service a children's room with a floor area allowing the average space of 2.75 square metres for each child using that room.
2. A staff member accompanies, supervises and assists children using toilets.
3. The licensee will ensure that children using junior toilets at the service can be observed by a staff member from the room or rooms which those toilets serve at the expiry of this notice.
4. The licensee of the service will comply with Regulation 42(2) and 42(3) at the expiry of this exemption period.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 28 July 2005

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Acting Minister for Children, Acting Minister for Community Services hereby declares that the Croydon Child Minding Centre Licence Number 1049 ("the service") is exempt from regulation 42(2), 42(3) and 46 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The licensee shall provide at that service a children's room with a floor area allowing the average space of 2.3 square metres for each child using that room.

2. A staff member accompanies, supervises and assists children using toilets.
3. The licensee will ensure that children using junior toilets at the service can be observed by a staff member from the room or rooms which those toilets serve at the expiry of this notice.
4. The licensee of the service will comply with regulation 42(2) and 42(3) at the expiry of this exemption period.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 5 July 2005

HON BRONWYN PIKE MP
Acting Minister for Children
Acting Minister for Community Services

Co-operative Housing Societies Act 1958

SECTION 59(8)

Notice is hereby given that the co-operative housing society mentioned below will be deregistered when two months have passed since the publication of this notice.

South West Capil Co-operative Housing Society Limited (In Liquidation).

Dated 18 August 2005

AMY CHILTON
for Registrar of
Co-operative Housing Societies

Electoral Act 2002

REGISTRATION OF POLITICAL PARTY

In accordance with Section 50 of the **Electoral Act 2002**, the following party is hereby registered as a political party:

Name of party: Country Alliance.

Name and address of registered officer:
Russell William Bate, 10 Laidlaws Road,
Jamieson, Victoria 3723.

Dated 15 August 2005

STEVE TULLY
Victorian Electoral Commission

Electricity Industry Act 2000**ELECTRICITY PURCHASE AGREEMENT
(SMALL WIND GENERATORS)**

Pursuant to section 23B of the **Electricity Industry Act 2000**, Powerdirect Pty Ltd (Powerdirect) hereby publishes its offer comprising the prices and terms and conditions on which it will purchase non-pool electricity supplied from a relevant generation facility (small wind generator).

Powerdirect's preferred terms and conditions are described in the following industry standard documents:

- International Swaps and Derivatives Association Standard Agreement 1992, including Australian Addendum No. 13 (as amended in April 2002 and July 2003) – Electricity (Energy and REC) Transactions. <http://www.powerdirect.com.au/need/windgenerator.html>.
- Australian Financial Markets Association Confirmations (Electricity and RECs). <http://www.powerdirect.com.au/need/windgenerator.html>.

Prices: Electricity Charge = \$15/MWh (excluding GST) at the relevant regional reference node. REC Charge = \$15/REC (excluding GST).

Electricity Industry Act 2000**NOTIFICATION OF
VARIATION TO LICENCE****Change in Definition of
Licensed Power Station**

The Essential Services Commission gives notice under the provisions of section 29(1)(b) of the **Electricity Industry Act 2000** that the electricity generation licence held by SHP1 Pty Ltd, SHP2 Pty Ltd and SHP3 Pty Ltd trading as the Southern Hydro Partnership ABN 86 076 691 481 has been varied by agreement by amending the definition of "licensed power station" in Schedule 2 to include Banimboola Power Station.

A copy of the licence is available on the Commission's website located at <http://www.esc.vic.gov.au> or a copy can be obtained by calling the Commission's reception on (03) 9651 0222.

Dated 10 August 2005

A. C. LARKIN
Acting Chairperson

Electricity Industry Act 2000**NOTIFICATION OF
VARIATION TO LICENCES**

The Essential Services Commission gives notice under section 30 of the **Electricity Industry Act 2000** (the Act) that, pursuant to section 29(1)(b) of the Act, varied the electricity licences of the following entities:

- AGL Electricity Pty Limited, ABN 064 651 083;
- AGL Victoria Pty Ltd, ABN 88 090 538 337; and
- AGL Power Generation (Victoria) Pty Ltd, ABN 45 086 586 192.

The licensees have agreed to vary the electricity retail and generation licences to reflect the Final Decision on the Review of Electricity Licences published and released by the Commission on 18 August 2004. The details of the Commission's Final Decision are on the website and can be located at <http://www.esc.vic.gov.au/electricity783.html>.

Copies of the new licences are available on the Commission's website at <http://www.esc.vic.gov.au> or a copy can be obtained by calling Richard Bunting, Manager Licensing on (03) 9651 3657.

Dated 10 August 2005

A. C. LARKIN
Acting Chairperson

Financial Management Act 1994**VICTORIAN GOVERNMENT
PURCHASING BOARD****Supply Policies**

In accordance with Section 54L(3) of the **Financial Management Act 1994**, notice is given of the following revised supply policy made by the Victorian Government Purchasing Board (VGPB) which comes into effect on and from 1 August 2005:

- Obtaining Quotes for Purchases up to \$102,500;
- Exemption from Obtaining Multiple Quotes for Purchases up to \$102,500;
- Open Tendering for Purchases >\$102,500; and

- Limited Tendering – Exemptions from Open and Selective Tendering for Purchases >\$102,500.

The above policy may be viewed on the Victorian Government Purchasing Board website www.vgpb.vic.gov.au.

BRUCE HARNETT
Chairperson
Victorian Government Purchasing Board

Health Services Act 1988

DECLARATION OF APPROVED QUALITY ASSURANCE BODY

I declare the Quality Improvement Coordination Committee and Adverse Occurrence Sub-Committee, established by Western District Health Service, are approved quality assurance bodies under section 139 for the purposes of Part 7 of the **Health Services Act 1988**.

Dated 10 July 2005

HON BRONWYN PIKE MP
Minister for Health



Heritage Act 1995

COVENANT PURSUANT TO SECTION 85 OF THE **HERITAGE ACT 1995** HERITAGE PLACE NO. H 1551

Former Her Majesty's Prison Pentridge
Coburg

It is proposed that the Executive Director, Heritage Victoria, by Deed of Delegation of the Heritage Council of Victoria, execute a Covenant with Harry One Pty Ltd and Luciano One Pty Ltd, the registered proprietors of part of the above Heritage Place. The Covenant will bind the owners to the conservation of the Heritage Place in accordance with the Covenant.

The form of the Covenant is viewable at the offices of Heritage Victoria, Level 22, 80 Collins Street, Melbourne during business hours. Contact Mr William Zormann, telephone 9655 6329.

Any person wishing to make a written submission in regards to the varied Covenant should write to the Executive Director, Heritage

Victoria care of the above address within 28 days of the publication of this notice.

RAY TONKIN
Executive Director
Heritage Victoria

Mineral Resources Development Act 1990

EXEMPTION FROM EXPLORATION LICENCE OR MINING LICENCE

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

1. hereby exempt all that Crown land situated within the boundaries of exploration licence applications 4896, 4897, 4898, 4899 and 4900 that have been excised from the application, from being subject to an exploration licence or mining licence.
2. Subject to paragraph 3, this exemption applies until the expiration of 2 years after the grant of the licence (if the licence is granted), or until the expiration of 28 days after the application lapses or is withdrawn or refused.
3. This exemption is revoked in respect of any land that ceases to lie within the boundaries of the application or licence, at the expiration of 28 days after the said land ceases to lie within the boundaries of the application or licence.

Dated 15 August 2005

RICHARD ALDOUS
Executive Director
Minerals and Petroleum

Nurses Act 1993

NURSES BOARD OF VICTORIA

Re: Catherine Schinck
Identification Number 1944997
Registered in Division 2

Following a formal hearing into the professional conduct of Catherine Schinck, a Panel appointed by the Nurses Board of Victoria found on 8 August 2005 that the nurse has engaged in unprofessional conduct of a serious nature.

The Panel under section 48(2)(h) made the following determination:

1. Ms Schinck's registration as a nurse is cancelled with effect from 8 August 2005.

LOUISE MILNE-ROCH
Chief Executive Officer

Nurses Act 1993

NURSES BOARD OF VICTORIA

Re: Helen Sue Torry
Identification Number 1835080
Registered in Division 1

Following a formal hearing into the professional conduct of Helen Sue Torry, a Panel appointed by the Nurses Board of Victoria found on 8 August 2005 that the nurse has engaged in unprofessional conduct of a serious nature.

The Panel under section 48(2)(g) and (e) made the following determination:

1. Ms Torry's registration as a nurse is suspended from 13 July 2005 to 31 December 2005.
2. Effective from 8 August 2005, the following conditions are imposed on the registration of Ms Torry:
 - 2.1 continue to attend regular counselling with a treating psychiatrist approved by the Board;
 - 2.2 provide a satisfactory report to the Board from the treating psychiatrist at six and twelve months' times;
 - 2.3 notify the Board within seven days of gaining employment as a nurse and provide a satisfactory professional report from your employer in six and twelve months' time;
 - 2.4 provide eight clear random drug screens progressively over a twelve month period; and
 - 2.5 not work as a sole practitioner for a period of twelve months upon return to practice.

LOUISE MILNE-ROCH
Chief Executive Officer

Pay-roll Tax Act 1971

DECLARATION UNDER SECTION 10(1)(κ) OF THE PAY-ROLL TAX ACT 1971

I, John Brumby, Treasurer of the State of Victoria, being the Minister administering the **Pay-roll Tax Act 1971** (the Act), do hereby amend my declaration made on 16 November 2004 (and added to on 28 February 2005) under s10(1)(k) of the Act as follows:

1. I do hereby declare each of the undermentioned to be an approved group training organisation for the purposes of s10(1)(k) of the Act:
 - Integrated Group Employment Limited, with effect from 1 June 2005.
 - The Maxima Group incorporated, with effect from 3 June 2005.
2. I do hereby revoke the declaration made on 16 November 2004 of Bensons Group Training Association (Aust.) Ltd as an approved group training organisation for the purposes of s10(1)(k) of the Act with effect from 1 June 2005.

Dated 4 August 2005

JOHN BRUMBY MP
Treasurer

Physiotherapists Registration Act 1998

FORMAL HEARING HELD UNDER SECTION 41

Notice is hereby given that a Panel of the Physiotherapists Registration Board of Victoria held a Formal Hearing into the activities of a registered physiotherapist, namely Mr Jack Tinitali, registration number 4474. As a result of the hearing the Panel made the following determination:

Pursuant to Section 45(2)(h) of the Act the Panel cancels the registration of Jack Tinitali.

Dated 15 August 2005

M. E. STRICKLAND
Registrar

Subordinate Legislation Act 1994

REGULATORY IMPACT STATEMENT

Magistrates' Court (Fees, Costs & Charges)
(Further Amendment) Regulations 2005

A Regulatory Impact Statement has been prepared in relation to the proposed Magistrates' Court (Fees, Costs & Charges) (Further Amendment) Regulations 2005.

The proposed Regulations seeks to introduce a fee where an application is made to the Magistrates' Court of Victoria under Section 50AAB(4) of the **Road Safety Act 1986**, for the removal of an alcohol interlock condition imposed on a person's driver licence or permit. The proposed fee is equivalent to the level of administrative and judicial effort expended where a Section 50AAB(4) application is made to the Magistrates' Court.

Public comments and submissions on the Regulatory Impact Statement are invited. Copies of the Regulatory Impact Statement may be obtained by telephoning Ms Leah Hickey on (03) 9628 7772.

Written submissions on the Regulatory Impact Statement and the accompanying draft regulations will be received up to 28 days from the date of publication of this notice. All submissions will be treated as public comments.

Submissions should be addressed to: Ms Leah Hickey, Chief Executive's Office, Magistrates' Court of Victoria, GPO Box 882G, Melbourne 3001.

PENNY ARMYTAGE
Secretary
Department of Justice

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 21 September 2005.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14-20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 15 September 2005.

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

Harry Anastopoulos. Application for variation of conditions of tow truck licence

numbers TOW590, TOW055, TOW097, TOW614, TOW675, TOW797 and TOW920 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 53 Church Street, Abbotsford to change the depot address to 449 Bridge Road, Richmond.

Dated 18 August 2005

STUART SHEARER
Director

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 21 September 2005.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14-20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 15 September 2005.

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

SVG Towing Service Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW105 and TOW808 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 53 Church Street, Abbotsford to change the depot address to 449 Bridge Road, Richmond.

Dated 18 August 2005

STUART SHEARER
Director

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 21 September 2005.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 15 September 2005.

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

Vasilios Athanasopoulos. Application for variation of conditions of tow truck licence numbers TOW446 and TOW744 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 53 Church Street, Abbotsford to change the depot address to 449 Bridge Road, Richmond.

Dated 18 August 2005

STUART SHEARER
Director

situated at 1A Albert Street, Alexandra, to change the depot address to 2224 Maroondah Highway, Buxton.

Dated 18 August 2005

STUART SHEARER
Director

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following applications will be considered by the Licensing Authority after 21 September 2005.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 15 September 2005.

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

Dallas Wilson. Application for variation of conditions of tow truck licence number TOW190 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 41 Grant Street, Yarram, to change the depot address to 1 Livingston Road, Yarram.

Damien Bass. Application for variation of conditions of tow truck licence number TOW211 which authorises the licensed vehicle to be managed, controlled and operated from a depot

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

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

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

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

<i>Full Name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Graham Jones	97 Markham Road, Riddells Creek	Coastal Mercantile Pty Ltd	Level 1, Suite 10, 108–120 Young Street, Frankston	Commercial Sub-agent	31 August 2005

Dated at Broadmeadows 10 August 2005

C. LAVARS
Clerk of the Magistrates' Court

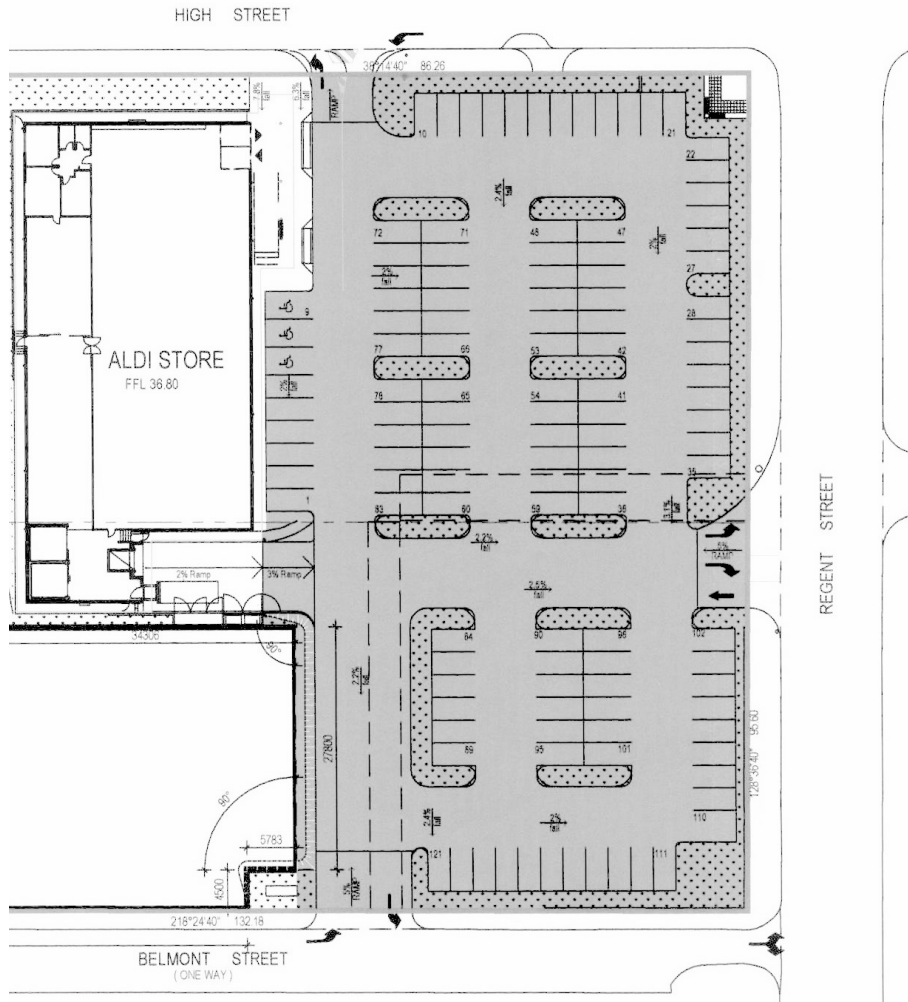
Road Safety Act 1986

ORDER UNDER SECTION 98, ROAD SAFETY ACT 1986

Extending Provisions to Car Park at 149–151 High Street, Belmont

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

- (a) Sections 59, 64, 65, 76, 77, 85–90 and 100 of that Act; and
 - (b) The Road Safety (Road Rules) Regulations 1999; and
 - (c) Parts 5 and 6 and Schedules 3 and 4 of the Road Safety (General) Regulations 1999
- to portions of the Aldi Supermarket carpark, at 149–151 High Street, Belmont, within the City of Greater Geelong, comprising all on-site carparks, the particulars of which are shown on the attached plans.



Dated 12 August 2005

GEORGE MAVROYENI
Regional Manager

Land Acquisition and Compensation Act 1986

FORM 1

Ss 6 and 8(1)

Reg. 7

Notice of Intention to Acquire

TO: George Sacca and Nuhu Sacca of 440 St Georges Road, Thornbury;
William Hilsaca and Muna Hilsaca of 2 Swift Street, Northcote;
Mabanco Engineering and Contracting Pty Ltd of 24 Arndt Road, Pascoe Vale;

AND TO: All or any other interests in the land.

Whittlesea City Council intends to acquire an interest in fee simple of a 216 square metre parcel of land marked "R1" on the plan below, and contained within Certificate of Title Volume 9878, Folio 466 (Land).

A copy of this survey plan can also be inspected without charge at Whittlesea City Council offices at Ferres Boulevard, South Morang during the hours of Monday to Friday, 8.30 am to 5.00 pm.

Whittlesea City Council considers that the Land is suitable to accommodate the minor road widening of Gordons Road, South Morang. More particularly, this road widening will allow for the construction of a roundabout at the intersection of Gordons Road and Fitzgerald Court in conjunction with the extension of the Lakes Boulevard through the Mill Park Lakes Estate.

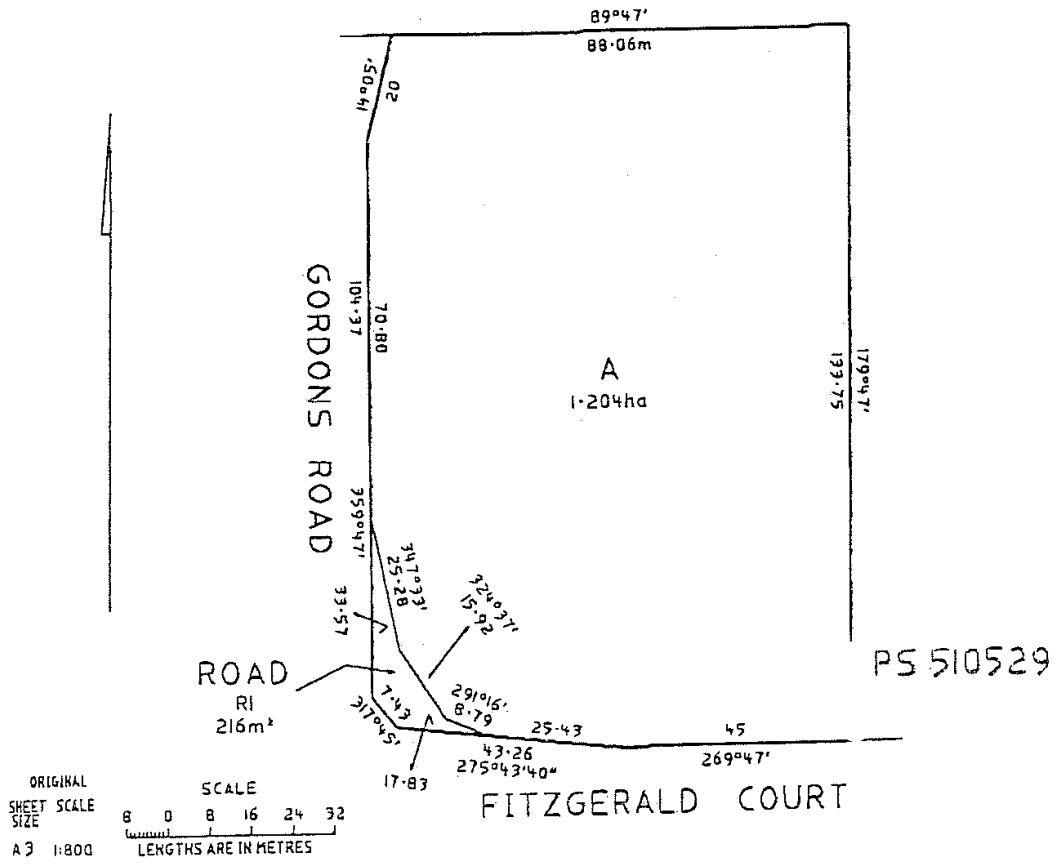
The land:

- is not reserved for a public purpose under the Whittlesea Planning Scheme;
- is exempted from the reservation requirements under section 5 of the **Land Acquisition and Compensation Act 1986**;
- is in a class of land exempted from reservation under section 5 of the **Land Acquisition and Compensation Act 1986**;
- has not been certified by the Governor in Council as land which need not be reserved;
- is not a special project land under section 201I(3) of the **Planning and Environment Act 1987**.

At the present time it is expected that the Whittlesea City Council may require possession of the land on approximately 5 September 2005. This date may change.

The Whittlesea City Council requires you to provide it with information about the following:

1. The name of any other person who has, or you think may have, an interest in the land. (Such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the land.)
2. If you have a current building permit or approval or a planning permit concerning the land.
3. If you have sold or let or in any other way dealt with the land or were intending to deal with the land immediately before you received this notice.
4. If you know of any other person proposing to do any of those things mentioned in paragraph 3.
5. Any other matters of which you are aware which will help the Whittlesea City Council to work out what compensation you should receive for the land. (This information may include details of any mortgage, lease or other arrangement affecting the land. If you claim financial loss, please provide financial documents and other records to substantiate all losses. All documents provided will be treated in confidence.)



Dated 27 July 2005

For and on behalf of the Whittlesea City Council:
 Mr GRAEME BRENNAN
 Chief Executive Officer
 Whittlesea City Council

Water Act 1989

BULK ENTITLEMENT (THOMSON RIVER – ENVIRONMENT) ORDER 2005

PART 1 – INTRODUCTORY STATEMENTS

1. Citation
2. Empowering Provisions
3. Commencement
4. Definitions

PART 2 – ENTITLEMENT

5. Granting of a Bulk Entitlement
6. Bulk Entitlement
7. Share of Storage Capacity
8. Share of Flow

PART 3 – GENERAL CONDITIONS AND PROVISIONS

9. Environmental Flow Manager
10. Releases
11. Operating Arrangements
12. Transfer of Entitlement and Adjustment of Schedules
13. Headworks Costs
14. Resource Manager
15. Dispute Resolution

PART 4 – MONITORING WATER TAKEN

16. Metering Plan
17. Reporting Requirements
18. Data

PART 5 – FURTHER WORK

19. The White Paper “Our Water Our Future”

SCHEDULE 1 – PASSING FLOWS FOR THE THOMSON RIVER

SCHEDULE 2 – ALLOCATIONS IN THE WATERWAY

The Minister, under the provisions of the **Water Act 1989**, makes the following Order –

PART 1 – INTRODUCTORY STATEMENTS

1. CITATION

This Order may be cited as the Bulk Entitlement (Thomson River – Environment) Order 2005.

2. EMPOWERING PROVISIONS

This Order is made under s 42 and s 43 of the **Water Act 1989**.

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order –

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

“**Authority**” means the Minister administering the **Conservation, Forests and Lands Act 1987**;

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

“**Department**” means the Department of Sustainability and Environment;

“**environmental flows**” means the volume of water and flows referred to in clause 10.1;

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

“**Minister**” means the Minister administering the **Water Act 1989**, and in relation to a 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 s 306 of the Act;

“**Narrows gauging station**” means the stream gauging station, number 225210, located on the waterway;

“**other authority**” means an authority other than the Authority, or any other person holding a bulk entitlement granted under Division 1 or 3 of Part 4 of the Act;

“**Resource Manager**” means a person appointed by the Minister under s 43A of the Act to do all or any of the tasks set out in clause 14;

“**Sustainable Water Strategy**” means a long term strategy for allocation of water resources in a region prepared by the Department pursuant to Action 2.11 of the Victorian Government’s 2004 White Paper “Our Water Our Future” and approved by the Minister;

“**Thomson Basin**” means the area of land designated as Basin Number 25 in the South East Coast Division of the Australian Water Resources Council’s Australian Continental Drainage Divisions;

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

“**Thomson River Environmental Flow Operating Agreement**” means an agreement on management of environmental flows in the Thomson River made between West Gippsland Catchment Management Authority, Melbourne Water, Southern Rural Water and the Thomson Storage Operator, endorsed by the Minister for Environment and approved by the Minister;

“Thomson Storage Operator” means a person appointed by the Minister under s 43A of the Act to operate the headworks system, or to manage or measure the flow into the headworks system or the waterway, or to do any combination of those things;

“waterway” means the Thomson River between Easton Weir and Coopers Creek Gauging Station, including the pools formed by and immediately upstream of Easton Weir, Swingler Weir and the Thomson Reservoir; and

“year” means the 12 months commencing 1 July.

PART 2 – ENTITLEMENT

5. GRANTING OF A BULK ENTITLEMENT

All water for the environment in the waterway is granted to the Authority on the conditions set out in this Order.

6. BULK ENTITLEMENT

6.1 The Authority is entitled to –

- (a) a share of the flow into the Thomson Reservoir in accordance with clause 8 of this Order; and
- (b) all other water in the waterway except for –
 - (i) the water that has been allocated under the entitlements as described in Schedule 2 of this Order; and
 - (ii) any water taken by persons under s 8(1) of the Act,

for the purpose of maintaining the environmental values of rivers in the Thomson Basin and other water services dependent on the environmental condition of the Thomson River and its tributaries and receiving waters.

7. SHARE OF STORAGE CAPACITY

7.1 The Authority is entitled to:

- (a) a storage capacity of 10,000 ML in Thomson Reservoir above a level of 366.0 metres Australian Height Datum; and
- (b) subject to sub-clause 7.3, any storage capacity in Thomson Reservoir not being used by any other authorities.

7.2 At the commencement of this Order, the volume stored by the Authority in its share of the Thomson Reservoir is deemed to be nil.

7.3 When Thomson Reservoir spills, the Thomson Storage Operator must reduce the amount stored by the Authority in its share of storage capacity in excess of 10,000 ML, by the amount of the spill.

7.4 For the purpose of sub-clause 7.3, Thomson Reservoir is deemed to spill when the water level in Thomson Reservoir exceeds the full supply level of 453.5 metres Australian Height Datum.

8. SHARE OF FLOW

8.1 The Thomson Storage Operator must attribute to the Authority’s share the volume of water that the Thomson Storage Operator would have to release from the Thomson Reservoir on any day to meet the passing flows specified in Schedule 1 to this Order.

8.2 On the first day of July commencing in 2005 and for each year thereafter, after meeting the requirements of clause 10.1 of the Bulk Entitlement (Thomson/Macalister – Southern Rural Water) Conversion Order 2001 and sub-clause 8.1 of this Order the Thomson Storage Operator must attribute the first 10,000 ML of inflow from the Thomson Basin, as calculated by the Thomson Storage Operator, to the Authority’s share.

PART 3 – GENERAL CONDITIONS AND PROVISIONS**9. ENVIRONMENTAL FLOW MANAGER**

The Authority may appoint an environmental flow manager to act on the Authority's behalf in relation to any of the provisions of this entitlement and in accordance with the instrument of appointment.

10. RELEASES

10.1 The Authority must direct the Thomson Storage Operator to release the environmental flows to the Thomson River from water stored in the Authority's share of storage capacity in accordance with the Thomson River Environmental Flow Operating Agreement.

10.2 The Thomson Storage Operator must deduct from the volume of water held in the Authority's share of storage capacity the amount released for environmental flows to the Thomson River.

10.3 Any release for environmental flows to the Thomson River from the Authority's share of storage capacity is to be measured immediately downstream of the Thomson Pondage Weir.

10.4 In the absence of a direction from the Authority in respect to sub-clause 10.1, the Thomson Storage Operator must release the environmental flows specified in Schedule 1 to this Order.

11. OPERATING ARRANGEMENTS

11.1 Within 3 months of the commencement of this Order, the Authority must consult with the Thomson Storage Operator and other authorities to develop and propose to the Minister, agreed –

- (a) water accounting and operational arrangements for water stored in and released from Thomson Reservoir under this Order; and
- (b) arrangements for reporting under clause 17.

11.2 The Minister may –

- (a) approve a proposal made under sub-clause 11.1; or
- (b) require the Authority to amend the proposal; or
- (c) not approve the proposal.

11.3 The Minister may, at any time, require the Authority to –

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

11.4 The Authority must –

- (a) advise the Resource Manager in writing within 14 days after the Minister approves of any proposal made under this clause;
- (b) obtain the agreement of the Storage Operator and other Authorities for any amendments proposed under sub-clause 11.3; and
- (c) provide the Resource Manager with such other information concerning diversions as the Resource Manager may, from time to time, require.

12. TRANSFER OF ENTITLEMENT AND ADJUSTMENT OF SCHEDULES

12.1 Subject to s 46 of the Act and sub-clause 12.2, this bulk entitlement may be transferred –

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

- 12.2 The Minister may, on the application of the Authority, at any time, alter any provision of this Order to reflect trading of this or any other bulk entitlement by the Authority.
- 12.3 An application under sub-clause 12.2 must set out –
- (a) the objectives of, and reasons for, the proposed amendment;
 - (b) the results of an assessment of the likely effect of the proposed amendment on the supply of water to other Authorities.
- 12.4 The Minister may –
- (a) approve part or all of any application under sub-clause 12.2; or
 - (b) require the Authority to –
 - (i) provide further information; and
 - (ii) re-submit the application in a different form; or
 - (c) not approve the application.

13. HEADWORKS COSTS

The Authority does not have to make any payment for headworks costs relating to this Order.

14. RESOURCE MANAGER

- 14.1 The Authority is exempt from making any payment for costs incurred by the Resource Manager to –
- (a) prepare the Thomson Basin Water Accounts;
 - (b) report on whether entitlement holders in the Thomson Basin comply with the conditions of their bulk entitlements;
 - (c) report on disputes between entitlement holders in the Thomson Basin;
 - (d) report on significant unauthorised uses of water in the Thomson Basin; and
 - (e) co-ordinate the process for application and implementation of the qualification of any rights to water made by the Minister during periods of declared water shortage under s 13 of the Act.

15. DISPUTE RESOLUTION

- 15.1 If a difference or dispute arises between the Authority, the Minister, other Authorities, the Thomson Storage Operator and the Resource Manager, or any of them (the “parties”), concerning the interpretation or application of this Order, a party may give written notice to another party requiring the matter to be determined by an independent expert.
- 15.2 The notice requiring that the matter be determined by independent expert may only be given at least 14 days after the matter has arisen. The independent expert may only commence to determine the matter a further 14 days after the giving of that notice.
- 15.3 The other Authorities, the Thomson Storage Operator and the Resource Manager will only be subject to the resolution procedure set out in this clause if they consent to the procedure.
- 15.4 The independent expert will be either –
- (a) a person agreed to by the parties to the difference or dispute; or
 - (b) if the parties cannot agree, a person nominated by the President of the Institute of Arbitrators, Australia.

- 15.5 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.
- 15.6 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- 15.7 In any difference or dispute to which the Minister is a party –
- (a) the independent expert must express the conclusion as a recommendation; and
 - (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.
- 15.8 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.
- 15.9 The Authority may request the Minister to determine the apportionment of the costs of and incidental to every reference, including the costs of the independent expert.

PART 4 – MONITORING WATER TAKEN

16. METERING PLAN

- 16.1 The Authority must propose to the Minister within 12 months of the date of this Order, a metering plan to demonstrate compliance with this Order.
- 16.2 The Minister may –
- (a) approve a program proposed under clause 16.1; or
 - (b) require the Authority to amend the proposed program; or
 - (c) not approve the proposed program.
- 16.3 The Minister may, at any time, require the Authority to –
- (a) review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (b) propose an amended program to the Minister.
- 16.4 In accordance with any guidelines issued from time to time by the Minister, the Authority must –
- (a) implement and maintain any metering program approved by the Minister;
 - (b) maintain metering equipment and associated measurement structures in good condition;
 - (c) ensure that metering equipment is periodically re-calibrated;
 - (d) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
 - (e) keep a record of all work undertaken under paragraphs (b), (c) and (d).

17. REPORTING REQUIREMENTS

- 17.1 The Minister may require the Authority to report on all or any of the following:
- (a) the daily environmental flows under this entitlement at each of the offtake points;
 - (b) the annual volume of environmental flows under this entitlement at each of the offtake points;
 - (c) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (d) any bulk entitlement, licence or water right, temporarily or permanently transferred to the Authority;

- (e) any amendment to this Order;
 - (f) any new bulk entitlement of water granted to the Authority in respect of the headworks system;
 - (g) any failure by the Authority to comply with any provision of this Order; and
 - (h) any existing or anticipated difficulties experienced by the Authority in complying with this Order and any remedial action taken or proposed.
- 17.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 17.1 –
- (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 or such longer period as the Minister may determine.
- 17.3 The Authority must, in its Annual Report, report on each of the matters referred to in sub-clause 17.1.
- 17.4 The Resource Manager may require the Authority to report from time to time, on all or any of the matters set out in sub-clause 17.1.

18. DATA

- 18.1 The Minister will use the Minister’s best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.
- 18.2 The Authority must make available to any person data collected by or on behalf of the Authority for the purpose of clause 15 subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available to that person.

PART 5 – FURTHER WORK

19. THE WHITE PAPER “OUR WATER OUR FUTURE”

The Authority must apply to the Minister to amend the bulk entitlement granted under this Order under s 44 of the Act to implement –

- (a) the recommendations of a Sustainable Water Strategy; and
- (b) Government policy to restore the health of the Thomson and Macalister Rivers under Action 3.10;

as described in the Victorian Government’s 2004 White Paper “Our Water Our Future”.

Dated 3 August 2005

Responsible Minister

JOHN THWAITES

Minister for Water

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

SCHEDULE 1 – PASSING FLOWS FOR THE THOMSON RIVER

The environmental flows are specified as a minimum instantaneous flow in the Thomson River –

- (a) immediately downstream of the Thomson Pondage Weir;
 - (b) at the Narrows Gauging Station; and
 - (c) at Coopers Creek Gauging Station;
- of Q_T , where Q_T is specified for each location and month in Table 1.

Table 1 Thomson River environmental flows

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

The Authority must direct the Thomson Storage Operator to provide the passing flows specified at the Narrows and Coopers Creek gauging stations within the following operating tolerances –

- (a) the average flow on any day is to be not less than Q_T by –
 - (i) 10 ML/day if Q_T is less than or equal to 150 ML/day; and
 - (ii) 15 ML/day if Q_T is greater than 150 ML/day and less than 250 ML/day;
- (b) the total flow over any continuous 7 day period is to be not less than the sum of Q_T for each day over the same period; and
- (c) over any continuous 12 month period, the specified flow Q_T is to be provided 95% of the time.

SCHEDULE 2 – ALLOCATIONS IN THE WATERWAY

Surface water resources allocated in the waterway under Part 4 of the Act are described in the table below –

Entitlement	Allocation (ML/year)
Bulk Entitlement (Thomson River – Melbourne Water Corporation) Conversion Order 2001	As specified in the entitlements
Bulk Entitlement (Thomson/Macalister – Southern Rural Water) Conversion Order 2001	
Licences issued under s 51(1)(a) and (b) and s 51(1A).	As specified in the licences

Water Act 1989**BULK ENTITLEMENT (THOMSON RIVER – ENVIRONMENT) ORDER 2005**

Explanatory Note to Accompany Order

This note has been prepared to explain the basis and intent of this bulk entitlement.

General

The purpose of this bulk entitlement is to establish the environment's entitlement to a share of flows in the upper Thomson River in order to –

- protect the health of the Thomson River;
- provide a level of flexibility to ensure that the water can be used to maximise ecological benefits; and
- facilitate future augmentation of the environmental water reserve.

This bulk entitlement only includes the environment's water upstream of Coopers Creek Gauging Station, including Thomson Reservoir at this stage. It will be extended to the remainder of the Thomson/Macalister system at a later stage.

All responsibility for operating and managing the headworks system rests with the Storage Operator, who is appointed by the Minister.

The Resource Manager is appointed by the Minister and has the responsibility to report on Authorities' compliance with their bulk entitlement orders, to investigate disputes and to prepare the basin water accounts.

PART 2 – ENTITLEMENT**Granting of a Bulk Entitlement (Clause 5)**

The environment's water is to be granted as a new entitlement under the provisions of the **Water Act 1989**. The Crown has the right to allocate any water that flows in the Thomson River and tributaries that has not already been allocated for consumptive use – the environmental water reserve. By allocating the environment's water as a bulk entitlement to the Minister administering the **Conservation, Forests and Lands Act 1987**, who is the Authority for the purposes of this Order, all the environment's water in the waterway will be afforded the protection of a bulk entitlement.

Bulk Entitlement (Clause 6)

This clause provides a legal description of all the water allocated to the environment in the Thomson Basin, including –

- a share of flow which is described in more detail in clause 8 of the Order;
- all other water in the Thomson Basin which is not already allocated to consumptive water users, including water allocated under other bulk entitlements and licences and water which is taken legally by persons as private right, that is, water taken for domestic and stock purposes that does not require a licence.

Share of Storage Capacity (Clause 7)

The Authority is entitled to a share of the storage capacity of Thomson Reservoir of 10,000 ML and also, it may make temporary use of any air space in the reservoir. The air space is storage capacity owned by Melbourne Water and/or Southern Rural Water and is no longer available to the Authority when required by those two authorities to store their share of flows, that is, when Thomson Reservoir fills and starts to spill.

The Authority's share of capacity is deemed to be empty at the commencement of this Order.

Share of Flow (Clause 8)

This clause specifies the share of flow that the Authority may store in its share of storage capacity. This share of flow includes the amount that the Storage Operator would have had to release each day in order to meet the environmental flows specified in Schedule 1, and an additional 10,000 ML each year.

Prior to the granting of this bulk entitlement for the environment, the Schedule 1 environmental flows were specified as an obligation on Melbourne Water in its bulk entitlement. The Authority now has an explicit entitlement to these environmental flows, and can store that part of the flow that the Storage Operator would have had to release from Thomson Reservoir to meet the Schedule 1 flows. The Order provides the Authority with the discretion to release the stored flows at a time and rate of its own choosing – refer to clause 10.

The 10,000 ML per year entitlement has been allocated to the environment in accordance with Action 3.10 of the Government's White Paper "Our Water Our Future". The Order gives the Authority the discretion to release the stored flows at a time and rate of its own choosing – refer to clause 10.

PART 3 – GENERAL CONDITIONS AND PROVISIONS

Environmental Flow Manager (Clause 9)

The Authority may appoint an environmental flow manager to manage the bulk entitlement in accordance with an instrument of appointment. The West Gippsland Catchment Management Authority would be appointed to this role.

The Authority is to direct the Storage Operator to make releases for environmental flows from water stored in the Authority's share of storage capacity. The intention is to provide the Authority with the flexibility to make releases at a time and rate which takes account of unregulated flows in the river downstream of Thomson Reservoir to optimise benefits to the environment. As far as practicable, the directions will be documented in advance by means of the Operating Arrangements in clause 11, and the Thomson River Environmental Flow Operating Agreement.

Releases (Clause 10)

The Authority must direct the Storage Operator to release environmental flows from the entitlement's share of storage capacity in accordance with the Thomson River Environmental Flow Operating Agreement. This establishes the arrangements for specifying and varying environmental flows and is a requirement of the Thomson River environmental bulk entitlement.

The objectives of the Agreement are to maximise the environmental flow benefit under the bulk entitlement and protect the reliability of supply to other bulk entitlement holders. It allows the Thomson River EWR to be managed adaptively.

The parties to the Agreement are the bulk entitlement holders, the Environmental Flow Manager, the Minister for Environment, and the Storage Operator. In the absence of direction from the Authority, the Storage Operator must release environmental flows as specified in Schedule 1 of the Order.

Operating Arrangements (Clause 11)

The Authority, in consultation with the Storage Operator and the other entitlement holders, is to develop water accounting and operating arrangements associated with this bulk entitlement. The operating arrangements are to be submitted to the Minister for approval. They would be expected to include (but not be limited to) such things as –

- responsibilities of each of the parties;
- sharing the outlet capacity of Thomson Reservoir if there is congestion;
- release ordering arrangements, including timing, frequency and cancellations;
- rates of rise and fall of releases to emulate natural flow events and to protect river bank stability; and
- details of consultation and the position of the other parties in respect of the operating arrangements.

Transfer of Entitlement and Adjustment of Schedules (Clause 12)

This clause allows transfer of all or part of the environmental entitlement, either temporarily or permanently, subject to approval of the Minister for Water.

Headworks Cost (Clause 13) and Resource Manager (Clause 14)

These clauses explicitly exempt the Minister for Environment from contributing to the headworks and Resource Manager's costs. The rationale is described in the Government's 2004 White Paper 'Our Water Our Future'.

Dispute Resolution (Clause 15)

This is a standard clause in bulk entitlement orders which provides a process to resolve disputes between the parties to the Order, the Minister and the Authority. The Storage Operator, the resource manager and other authorities which are not party to the bulk entitlement, may consent to be party to the dispute.

PART 4 – MONITORING WATER TAKEN**Metering Plan (Clause 16)**

The Authority has an obligation to demonstrate to the Minister that it has complied with its bulk entitlement. This clause requires the Authority to establish a metering plan for approval by the Minister. The metering plan will document the metering arrangements in sufficient detail to satisfy the Minister that the Authority can demonstrate compliance.

Reporting Requirements (Clause 17)

Matters that the Authority can be required to report on and to whom it might be required to report under this Order are detailed.

Data (Clause 18)

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

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

PART 5 – FURTHER WORK**The White Paper "Our Water Our Future" (Clause 19)**

The Government has committed in the White Paper to improve environmental flows for the Thomson and Macalister rivers. The environment's 10,000 ML in this Order is a White Paper action, but there are further actions proposed which will require this bulk entitlement to be amended. Separate processes, including the Central Region Sustainable Water Strategy, will be established to implement these further White Paper actions and the amendments would need to be made in accordance with the recommendations of these processes.

Water Act 1989**BULK ENTITLEMENT (THOMSON RIVER – MELBOURNE WATER CORPORATION)
CONVERSION AMENDMENT ORDER 2005**

I, John Thwaites, Minister for Water, under the provisions of the **Water Act 1989**, make the following Order –

- 1. Title**

This Order is called the Bulk Entitlement (Thomson River – Melbourne Water Corporation) Conversion Amendment Order 2005.
- 2. Preliminary**

The Bulk Entitlement (Thomson River – Melbourne Water Corporation) Conversion Order 2001 (the Bulk Entitlement Order) was made by the Minister on 19 February 2001 and published in the Government Gazette G11 on 15 March 2001 at page 415.
- 3. Purpose**

The purpose of this Order is to amend the Bulk Entitlement Order to implement government policy to improve the health of the Thomson and Macalister rivers as outlined in the Victorian Government’s 2004 White Paper “Our Water Our Future”, and make other minor changes.
- 4. Authorising provisions**

This Order is made in accordance with section 44 of the **Water Act 1989**.
- 5. Commencement**

This Order comes into operation on the day it is published in the Government Gazette.
- 6. Deletion in clause 4**

In clause 4 of the Bulk Entitlement Order **delete** the following definition –
“ “Agreement on Environmental Flows” means the “Agreement on an Environmental Flows Package for the Thomson and Macalister Rivers” made between West Gippsland Catchment Management Authority, Gippsland Coastal Board, Southern Rural Water, Melbourne Water and the Department and dated 19 June 2000.”.
- 7. Amendment of clause 4**

In the definition of ‘Authority’ in clause 4 of the Bulk Entitlement Order for “a Water Authority” **substitute** “an authority”.
- 8. Amendment of clause 4**

In the definition of ‘Department’ in clause 4 of the Bulk Entitlement Order for “Department of Natural Resources and Environment” **substitute** “Department of Sustainability and Environment”.
- 9. Deletion in clause 4**

In clause 4 of the Bulk Entitlement Order **delete** the following definition –
“ “environmental flows” means the flows referred to in clause 10;”.
- 10. Addition to clause 4**

In clause 4 of the Bulk Entitlement Order **insert** the following definitions –
“Environment’s share of Thomson Reservoir” means the share of Thomson Reservoir storage capacity described in Bulk Entitlement (Thomson River – Environment) Order 2005;
“Sustainable Water Strategy for the Central region” means the long term strategy for allocation of water resources in the central region prepared by the Minister pursuant to Action 2.11 of the Victorian Government’s 2004 White Paper “Our Water Our Future”;”.

- 11 Addition of clause 4A**
After clause 4 of the Bulk Entitlement Order, **insert** –
“4A. WATER FOR THE ENVIRONMENT
The Minister administering the **Conservation, Forests and Lands Act 1987** is entitled to water as specified in Bulk Entitlement (Thomson River – Environment) Order 2005 to maintain the environmental values of rivers in the Thomson Basin, the Gippsland Lakes and other water services dependent on the environmental condition of the Thomson River and its tributaries and the Gippsland Lakes.”.
- 12. Amendment of clause 6**
In sub-clause 6.1 of the Bulk Entitlement Order, for “Subject to sub-clauses 6.2 and 9.3, Melbourne Water may take from the waterway up to an annual average total of 265,000 megalitres over any period of five consecutive years at a rate not exceeding 1,700 megalitres/day.” **substitute** “Subject to clause 9, Melbourne Water may take from the waterway an amount of water that –
(a) may vary from year to year; and,
(b) must not exceed a long term average annual amount estimated at the date of this Order to be 171,800 ML.”
- 13. Addition to clause 6**
After sub-clause 6.1 of the Bulk Entitlement Order, **insert** –
“6.1A Melbourne Water in consultation with the Storage Operator, must propose to the Minister within twelve months of the date on which this Order becomes effective, the method it will use to show its compliance with sub-clause 6.1.”
- 14. Deletion of sub-clause 6.2**
Delete sub-clause 6.2.
- 15. Amendment of sub-clause 8.1**
In sub-clause 8.1 of the Bulk Entitlement Order, for “1,078,100 ML” **substitute** “1,068,100 ML”.
- 16. Amendment of sub-clause 9.1**
In sub-clause 9.1 of the Bulk Entitlement Order, for “The Storage Operator must attribute 94% of all inflow to Thomson Reservoir from the Thomson Basin, as calculated by the Storage Operator, to Melbourne Water’s share.” **substitute** “After meeting the requirements of clause 10.1 of the Bulk Entitlement (Thomson/Macalister – Southern Rural Water) Conversion Order 2001 and clause 8 of the Bulk Entitlement (Thomson River – Environment) Order 2005 the Storage Operator must attribute all remaining inflow to Thomson Reservoir from the Thomson Basin, as calculated by the Storage Operator, to Melbourne Water’s share.”.
- 17. Deletion of sub-clause 9.3**
Delete sub-clause 9.3.
- 18. Addition of clause 9A**
After clause 9 of the Bulk Entitlement Order, **insert** –
“9A. THE WHITE PAPER “OUR WATER OUR FUTURE”
Melbourne Water must apply to the Minister to amend the Bulk Entitlement to implement –
(a) the recommendations of the Sustainable Water Strategy for the Central region prepared under Action 2.11 and approved by the Minister; and
(b) any other Government policy to restore the health of the Thomson and Macalister Rivers,
as described in the Victorian Government’s 2004 White Paper “Our Water Our Future”.”

19. Deletion of clause 10

Delete clause 10.

20. Deletion of clause 11

Delete clause 11.

21. Amendment of sub-clause 13.4

In sub-clause 13.4 of the Bulk Entitlement Order for

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

substitute

- “(a) obtain the agreement of the Storage Operator and other Authorities for any amendments proposed under sub-clause 13.3;
- (b) advise the Resource Manager in writing within 14 days after the Minister approves any proposal made under this clause; and
- (c) provide the Resource Manager with such other information concerning diversions as the Resource Manager may, from time to time, require.”.

22. Deletion of sub-clause 16.1(a)(iii)

Delete sub-clause 16.1(a)(iii).

23. Deletion of Schedule 2

Delete “Schedule 2”.

Dated 3 August 2005

JOHN THWAITES
Minister for Water

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

Notice of Approval of Amendment

Amendment C59

The Minister for Planning has approved Amendment C59 to the Darebin Planning Scheme.

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

The Amendment rezones the land at 18 Miller Street, Preston from a Public Use Zone 4 (Transport) to a Residential 1 Zone and applies an Environmental Audit Overlay to the land.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Darebin City Council, Level 1, Strategic Planning Counter, 275 Gower Street, Preston.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Approval of Amendment

Amendment C44

The Minister for Planning has approved Amendment C44 to the Knox Planning Scheme.

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

The Amendment rezones parts of the land at 381 Bayswater Road, Bayswater and 841 and 863 Mountain Highway, Bayswater from an Urban Floodway Zone to an Industrial 1 Zone and applies the Land Subject to Inundation Overlay to parts of the land.

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

8 Nicholson Street, East Melbourne; and at the offices of the Knox City Council, Civic Centre, 511 Burwood Highway, Wantirna South.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

LODDON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C14

The Minister for Planning has approved Amendment C14 to the Loddon Planning Scheme.

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

The Amendment rezones 7.439 hectares in the north-east portion of CA4, Parish of Wychitella from Rural Zone (RUZ) to Industrial 1 Zone (IN1Z) to facilitate the use and development of the land for a grain storage facility.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; Department of Sustainability and Environment, North West Region, 1 Taylor Street, Epsom; and at the offices of the Loddon Shire Council, 41 High Street, Wedderburn.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

MANNINGHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C37

The Minister for Planning has approved Amendment C37 to the Manningham Planning Scheme.

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

The Amendment applies the Public Acquisition Overlay (PAO1) over four properties, being 1 Council Street and 9, 11 and 15 Hepburn Road, Doncaster to be acquired by Manningham City Council for open space purposes within the Doncaster Hill Activity Centre.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C71

The Minister for Planning has approved Amendment C71 to the Moonee Valley Planning Scheme.

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

The Amendment removes the Minister for Planning as the responsible authority for land described as Stage 1 of the Lombard Paper site redevelopment on land at 40–70 Mt Alexander Road, Flemington and Crown Allotment 2033 and Certificate of Title Volume 5282, Folio 269.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

STONNINGTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C41

The Minister for Planning has approved Amendment C41 to the Stonnington Planning Scheme.

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

The Amendment replaces the existing Entertainment Uses Policy at Clause 22.10 with a new Licensed Premises Policy. The Licensed Premises Policy provides guidance in relation to determining planning permit applications required under Clause 52.27 – Licensed Premises. The policy is designed to ensure that amenity, siting and management issues associated with licensed premises are appropriately addressed as part of the planning permit application.

The Amendment also makes consequential changes to the Local Planning Policy Framework to support the introduction of the Licensed Premises Policy.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Stonnington City Council, corner of Greville and Chapel Streets, Prahran.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

SOUTH GIPPSLAND PLANNING SCHEME

Notice of Approval of Amendment

Amendment C33

The Minister for Planning has approved Amendment C33 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 the new South Gippsland Highway alignment, Loch Bypass, to Road Zone Category 1 and rezones the former South Gippsland Highway alignment, through Loch, to part Township Zone and part Rural Zone;
- deletes the Public Acquisition Overlay 3 & 4 (VicRoads) from the new South Gippsland Highway alignment, Loch Bypass;
- rezones the new South Gippsland Highway alignment, Grassy Spur, between Charltons Road and Carmichaels Road, to Road Zone Category 1 and rezones the former South Gippsland Highway alignment to Rural Zone;
- rezones 72 & 74 Ridgway Road and 59 Burchell Lane, Mirboo North from Public Use Zone 6 (Local Government) to Business 1 Zone;
- deletes the Public Acquisition Overlay 1 (South Gippsland Shire Council) from land adjacent to Miles Lane, Leongatha;
- rezones Lot 1 on LP45007, being 22 Geale Street, and part Lot 1 on TP169066, being 30 Geale Street, Meeniyah from Public Use Zone 1 (Service & Utility) to Rural Living Zone;
- rezones part Lot 1 on PS426183 and Lot 1 on LP94830, being 15 & 17 Geale Street, Meeniyah, respectively, from Public Use Zone 6 (Local Government) to Rural Living Zone; and
- rezones Lot 14 on LP4377 and part of Lot 2 on PS316961, being Terrill Park Recreation Reserve, Fish Creek from Township Zone to Public Park and Recreation 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, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the South Gippsland Shire Council, 9 Smith Street, Leongatha.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C25

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

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

The main features of the Amendment include:

- the inclusion of a revised Municipal Strategic Statement (MSS) in accordance with the findings of the Wellington Planning Scheme 3 Year MSS Review Report, August 2003;
- the deletion of Clause 22.01 (Coastal Land Use Policy) and the inclusion of appropriate elements of the policy in the MSS and in a revised Environmental Significance Overlay Schedule 1 (Coastal and Gippsland Lakes Environs);
- the deletion of Clause 22.02 (Rural Land Policy) and the inclusion of appropriate elements of the policy in the MSS;
- minor structural changes to the remaining Clause 22 policies; and
- minor changes to various schedules, including Schedules 1, 2 and 3 to the Special Use Zone (Clause 37.01), Schedule 1 to the Development Plan Overlay (Clause 43.04), the Schedules to the Flood Overlay (Clause 44.03) and the Land Subject to Inundation Overlay (Clause 44.04), and the Schedule to Clause 66.04 (Referral of applications).

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, 8 Nicholson Street, East Melbourne and 71 Hotham Street, Traralgon; and at the offices of the Wellington Shire Council, 70 Foster Street, Sale.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

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

AMHERST – The temporary reservation by Order in Council of 19 May 1862 of an area of 1012 square metres of land in Section 3, Township of Amherst (formerly being Crown Allotment 3, Section 3, Parish of Amherst) as a site for a Mechanics Institute. – (Rs 13440).

CANNUM – The temporary reservation by Order in Council of 9 March 1886 of an area of 110.95 hectares, more or less, of land in the Parish of Cannum as a site for Watering purposes, revoked as to part by various Orders, so far as the balance remaining. – (Rs 1717).

CARRARAGAMUNGEE – The temporary reservation by Order in Council of 24 June 1879 of an area of 2.023 hectares, more or less, of land in Section 11A, Parish of Carraragamungee as a site for Public purposes (State School). – (Rs 13900).

CARRARAGAMUNGEE – The temporary reservation by Order in Council of 21 February 1922 of an area of 1.965 hectares, more or less, of land in the Parish of Carraragamungee as a site for State School purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 24 June 1879. – (Rs 13900).

COONOOER EAST – The temporary reservation by Order in Council of 6 March 1882 of an area of 75.35 hectares, more or less, of land in the Parish of Coonooer East as a site for Public Recreation and for supply of Stone, less any authorised excisions, so far as the balance remaining. – (06L6-8023).

CORACK EAST – The temporary reservation by Order in Council of 29 May 1883 of an area of 8.08 hectares, more or less, of land in Section C, Parish of Corack East as a site for Water Supply purposes, revoked as to part by Order in Council of 12 January 1915 so far as the balance remaining containing 7.474 hectares, more or less. – (2012661).

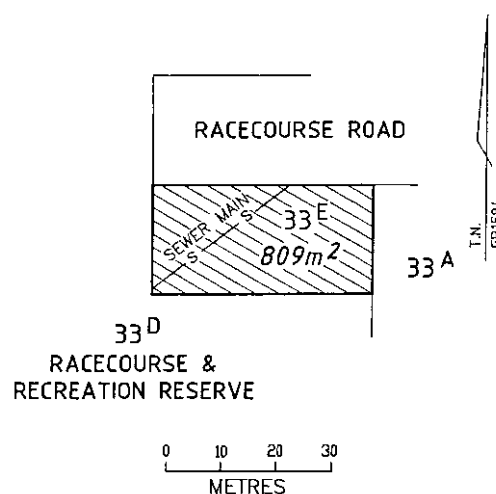
CORACK EAST – The temporary reservation by Order in Council of 10 February 1915 of an area of 6070 square metres, more or less, of land in Section C, Parish of Corack East as a site for a Rubbish Depot. – (2012661).

DOOKIE – The temporary reservation by Order in Council of 7 September 1909 of an area of 4.356 hectares of land in the Parish of Dookie as a site for Water Supply purposes, revoked as to part by Order in Council of 7 March 1923 so far as the balance remaining containing 3.42 hectares, more or less. – (Rs 9507).

HAYANMI – The temporary reservation by Order in Council of 12 September 1898 of an area of 7.689 hectares of land in the Parish of Hayanmi as a site for Water Supply and Camping purposes, less any authorised excisions, so far as the balance remaining containing 6.475 hectares, more or less. – (2001187).

KURRACA – The temporary reservation by Order in Council of 12 October 1874 of an area of 10.117 hectares, more or less, of land in Section A, Parish of Kurraca as a site for Watering purposes. – (Rs 6307).

KYABRAM EAST – The temporary reservation by Order in Council of 20 February 1899 of an area of 4.937 hectares of land in the Parish of Kyabram East as a site for Water Supply purposes, in two separate portions, revoked as to part by Order in Council of 9 November 1948 so far only as the portion containing 809 square metres being Crown Allotment 33E, Parish of Kyabram East as indicated by hatching on plan hereunder. – (GP1594) – (Rs 6322).



MOKOAN – The temporary reservation by Order in Council of 25 August 1884 of an area of 1.619 hectares, more or less, of land in the Parish of Mokoan as a site for a Quarry. – (Rs 6183)

POWLETT – The temporary reservation by Order in Council of 5 January 1880 of an area of 16.187 hectares, more or less, of land in the Parishes of Kinypanial and Powlett in two separate portions as a site for a Quarry, so far only as the portion located in the Parish of Powlett containing 8.094 hectares, more or less. – (06L6–10957).

ST ARNAUD – The temporary reservation by Order in Council of 21 November 1891 of an area of 4.047 hectares, more or less, of land in Section AA, Parish of St Arnaud (formerly municipal district of St Arnaud) as a site for Supply of Gravel. – (0617739).

ST ARNAUD – The temporary reservation by Order in Council of 20 January 1890 of an area of 5.253 hectares, more or less, of land in Section AA, Parish of St Arnaud (formerly municipal district of St Arnaud) as a site for Supply of Gravel. – (06P126973).

STAWELL – The temporary reservation by Order in Council of 29 April 1878 of an area of 6.027 hectares of land in the Parish of Stawell as a site for supply of Gravel, revoked as to part by Order in Council of 23 February 1954 so far as the balance remaining containing 4.441 hectares, more or less. – (Rs 7121).

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

Dated 16 August 2005

Responsible Minister
ROB HULLS
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

REVOCATION OF TEMPORARY RESERVATIONS

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

CRESWICK – The temporary reservation by Order in Council of 19 March 1974 of an area of 40 hectares, more or less, of land in the Township of Creswick and Parishes of Creswick and Dean as a site for Water Supply purposes,

revoked as to part by Orders in Council of 9 January 1979 and 21 October 1997 so far only as the portion in the Township of Creswick formerly being Crown Allotment 4A, Section 50A. – (Rs 9302).

KATYIL – The temporary reservation by Order in Council of 11 November 1884 of an area of 2.02 hectares, more or less, of land in the Parish of Katyil (formerly being part of Crown Allotment 66) as a site for Public Purposes (State School). – (Rs 1679).

LINGA – The temporary reservation by Order in Council of 18 March 1913 of an area of 1214 square metres, more or less, of land in Section 3, Township of Linga, Parish of Underbool (formerly Crown Allotment 7) as a site for a Public Hall. – (Rs 7365).

LINGA – The temporary reservation by Order in Council of 1 July 1924 of an area of 2.02 hectares, more or less, of land in Section 5, Township of Linga, Parish of Underbool as a site for a Cemetery. – (Rs 2951).

OUYEN – The temporary reservation by Order in Council of 27 May 1930 of a combined area of 8676 square metres of land in the Township of Ouyen, Parish of Ouyen as a site for Public Purposes (Plantation) in two separate portions, so far only as the southern portion containing 5288 square metres being Crown Allotment 4, Section 18, Township of Ouyen as indicated by hatching on plan published in the Government Gazette on 16 June 2005, page 1281. – (Rs 3996).

PIRLTA – The temporary reservation by Order in Council of 26 May 1925 of an area of 2.22 hectares, more or less, of land in the Township of Pirlta, Parish of Benetook (formerly being Section 4) as a site for a State School. – (Rs 3114).

STAWELL – The temporary reservation by Order in Council of 7 September 1976 of an area of 13.42 hectares of land being Crown Allotment 20E, Section 2, Parish of Stawell as a site for Public Recreation. – (Rs 10169).

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

Dated 16 August 2005

Responsible Minister
ROB HULLS
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
PERMANENT RESERVATION OF
CROWN LAND

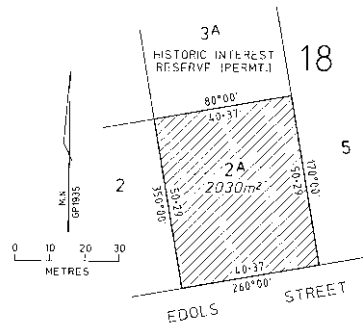
The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** permanently reserves the following Crown land which in his opinion is required for the purpose mentioned:—

MUNICIPAL DISTRICT OF THE NORTHERN GRAMPIANS SHIRE COUNCIL
STAWELL – Conservation of an area of historic and cultural interest, 13.12 hectares being Crown Allotment 2010, Parish of Stawell as shown on Original Plan No. 121986 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (0206229).

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

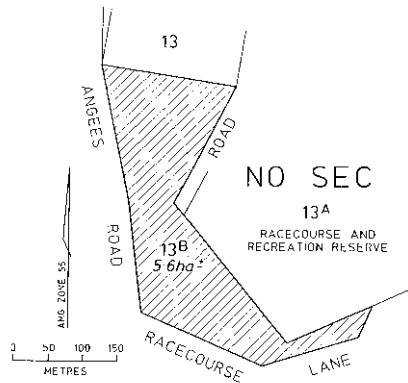
Dated 16 August 2005
 Responsible Minister
ROB HULLS
 Minister for Planning

RUTH LEACH
 Clerk of the Executive Council



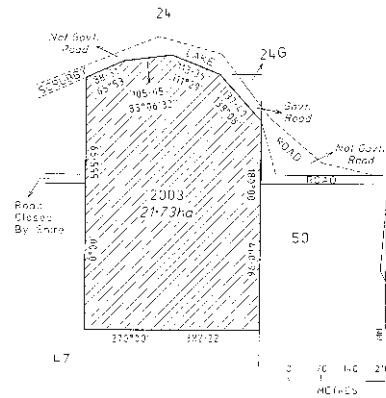
MUNICIPAL DISTRICT OF THE MOORABOOL SHIRE COUNCIL

BORHONEYGHURK – Public Recreation, 5.6 hectares, more or less, being Crown Allotment 13B, No Section, Parish of Borhoneyghurk as indicated by hatching on plan hereunder. – (GP1941) – (071719).



MUNICIPAL DISTRICT OF THE WEST WIMMERA SHIRE COUNCIL

EDENHOPE – Management of wildlife and preservation of wildlife habitat, 21.73 hectares, being Crown Allotment 2003, Parish of Edenhope as indicated by hatching on plan hereunder. – (GP1604) – (Rs 5973).



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

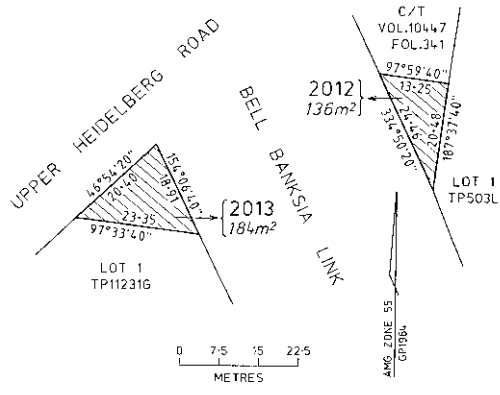
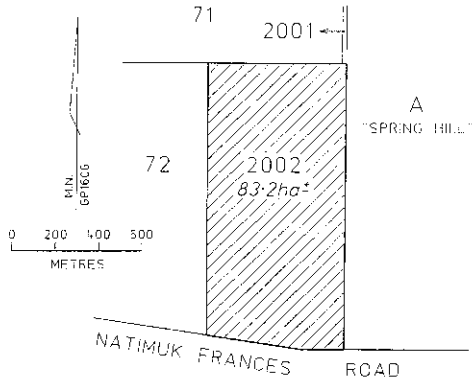
The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which in his opinion are required for the purposes mentioned:—

MUNICIPAL DISTRICT OF THE MOORABOOL SHIRE COUNCIL

BALLAN – Public purposes (Ambulance purposes), 2030 square metres, being Crown Allotment 2A, Section 18, Township of Ballan, Parish of Ballan as indicated by hatching on plan hereunder. – (GP1935) – (2014595).

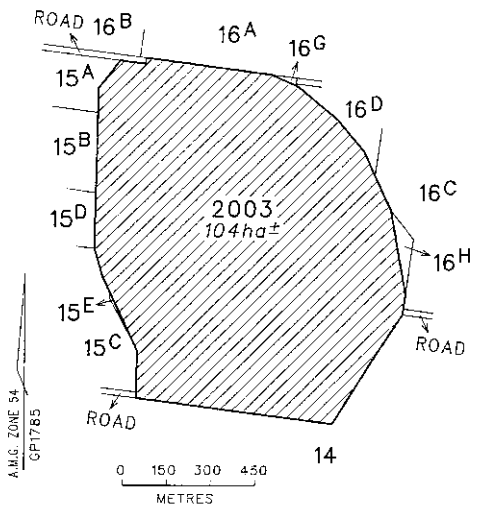
MUNICIPAL DISTRICT OF THE WEST WIMMERA SHIRE COUNCIL

GYMBOWEN – Management of wildlife and preservation of wildlife habitat, 83.2 hectares, more or less, being Crown Allotment 2002, Parish of Gymbowen as indicated by hatching on plan hereunder. – (GP1606) – (02L4-1687).



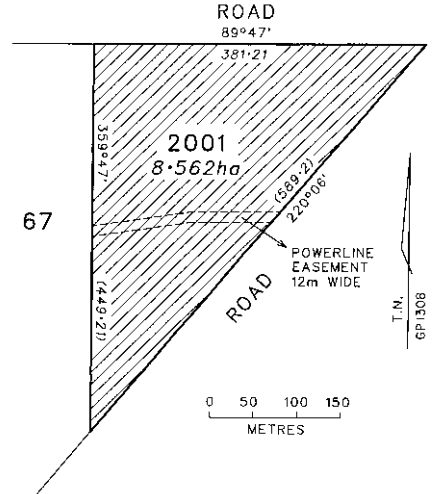
MUNICIPAL DISTRICT OF THE HORSHAM RURAL CITY COUNCIL

LOWAN – Management of wildlife and preservation of wildlife habitat, 104 hectares, more or less, being Crown Allotment 2003, Parish of Lowan as indicated by hatching on plan hereunder. – (GP1785) – (Rs 01609).



MUNICIPAL DISTRICT OF THE HINDMARSH SHIRE COUNCIL

KATYIL – Conservation of an area of natural interest, 8.562 hectares, being Crown Allotment 2001, Parish of Katyil as indicated by hatching on plan hereunder. – (GP1308) – (02/4520).



MUNICIPAL DISTRICT OF THE BANYULE CITY COUNCIL

KEELBUNDORA – Hospital purposes, total area 320 square metres, being Crown Allotments 2012 and 2013, Parish of Keelbundora as indicated by hatching on plan hereunder. – (GP1964) – (Rs 1207).

MUNICIPAL DISTRICT OF THE MELBOURNE CITY COUNCIL

MELBOURNE and SOUTH MELBOURNE – Public purposes (Road), being Crown Allotment 2068, City of Melbourne, Parish of Melbourne North and Crown Allotment 2072, City of South Melbourne, Parish of Melbourne South as shown on Plan No. LEGL./05-345 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (12L12-1688).

MUNICIPAL DISTRICT OF THE
ALPINE SHIRE COUNCIL

MYRTLEFORD – Public purposes (Police purposes), 1015 square metres being Crown Allotment 2001, Township of Myrtleford, Parish of Myrtleford as shown on Original Plan No. 122248 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs2014564).

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

Dated 16 August 2005

Responsible Minister
ROB HULLS
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

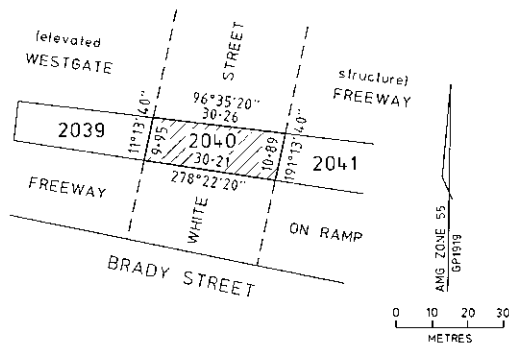
Land Act 1958

CLOSURE OF UNUSED ROAD

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

MUNICIPAL DISTRICT OF THE
MELBOURNE CITY COUNCIL

SOUTH MELBOURNE – The road in the City of South Melbourne, Parish of Melbourne South being Crown Allotment 2040 as indicated by hatching on plan hereunder. – (GP1919) – (L12/1747).



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

Dated 16 August 2005

Responsible Minister
ROB HULLS
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

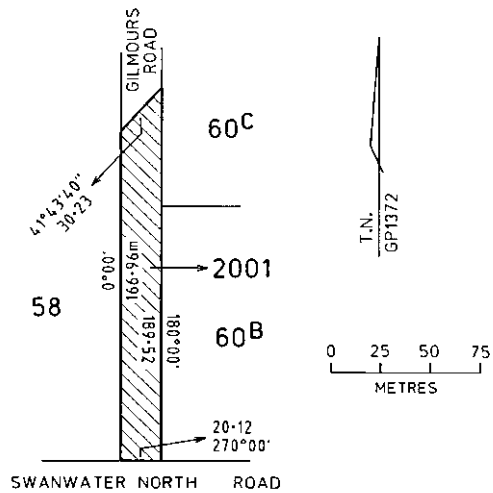
Land Act 1958

CLOSURE OF UNUSED ROAD

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

MUNICIPAL DISTRICT OF THE
BULOKE SHIRE COUNCIL

DONALD – The road in the Parish of Donald being Crown Allotment 2001 as indicated by hatching on plan hereunder. – (GP1372) – (06L6-10640).



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

Dated 16 August 2005

Responsible Minister
ROB HULLS
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Victorian Plantations Corporation Act 1993

VESTED LANDS TO
REVERT TO THE CROWN

Order in Council

The Governor in Council under section 17(2) of the **Victorian Plantations Corporation Act 1993** divests the lands described in the schedule hereunder and reverts the subject lands in the Crown:

SCHEDULE

Crown Allotment 2003 Parish of Malanganee (0.2175 ha) as shown on Plan LEGL./03-215 lodged in the Central Plan Office.

Crown Allotment 2001 Parish of Palpara (5.67 ha) as shown on Plan LEGL./03-214 lodged in the Central Plan Office.

Crown Allotment 2002 Parish of Palpara (0.4 ha) as shown on Plan LEGL./03-214 lodged in the Central Plan Office.

Crown Allotment 2003 Parish of Palpara (2.26 ha) as shown on Plan LEGL./03-214 lodged in the Central Plan Office

Crown Allotment 2004 Parish of Palpara (21.5 ha) as shown on Plan LEGL./03-214 lodged in the Central Plan Office.

Crown Allotment 2001 Parish of Malanganee (4.93 ha) as shown on plan LEGL./03-214 lodged in the Central Plan Office.

Crown Allotment 2002 Parish of Malanganee (3.17 ha) as shown on plan LEGL./03-214 lodged in the Central Plan Office.

Crown Allotment 2002 Parish of Wanwin (4.17 ha) as shown on Plan LEGL./03-149 lodged in the Central Plan Office.

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

Dated 16 August 2005

Responsible Minister
JOHN THWAITES MP
Minister for Environment

RUTH LEACH
Clerk of the Executive Council

Water Act 1989**BULK ENTITLEMENT (THOMSON/MACALISTER – SOUTHERN RURAL WATER)
CONVERSION AMENDMENT ORDER 2005**

The Governor in Council under section 44 of the **Water Act 1989** makes the following Order –

- 1. Title**

This Order is called the Bulk Entitlement (Thomson/Macalister – Southern Rural Water) Conversion Amendment Order 2005.
- 2. Preliminary**

The Bulk Entitlement (Thomson/Macalister – Southern Rural Water) Conversion Order 2001 (the Bulk Entitlement Order) was made by the Governor in Council on 6 March 2001 and published in the Government Gazette G11 on 15 March 2001 at page 437.
- 3. Purpose**

The purpose of this Order is to amend the Bulk Entitlement Order to implement government policy to improve the health of the Thomson and Macalister rivers as outlined in the Victorian Government's 2004 White Paper "Our Water Our Future", and make other minor changes.
- 4. Authorising provisions**

This Order is made in accordance with sections 44 and 223(4) of the **Water Act 1989**.
- 5. Commencement**

This Order comes into operation on the day it is published in the Government Gazette.
- 6. Deletion in clause 4**

In clause 4 of the Bulk Entitlement Order **delete** the following definitions –
“ **Agreement on Environmental Flows**” means the “Agreement on an Environmental Flows Package for the Thomson and Macalister Rivers” made between West Gippsland Catchment Management Authority, Gippsland Coastal Board, Southern Rural Water, Melbourne Water and the Department and dated 19 June 2000.
“**passing flows**” means the flows referred to in clause 11;”
- 7. Amendment of clause 4**

In the definition of “Authority” in clause 4 of the Bulk Entitlement Order for “a Water Authority” **substitute** “an authority”.
- 8. Addition to clause 4**

In clause 4 of the Bulk Entitlement Order **insert** the following definitions –
“ **Aberfeldy River at Beardmore Gauging Station**” means the stream gauging station, number 225213, located on the waterway;
“**environmental flows**” means the flows referred to in clauses 11 and 12;
“**Glenmaggie Creek at the Gorge Gauging Station**” means the stream gauging station, number 225230, located on the waterway;
“**Macalister River at Stringybark Creek Gauging Station**” means the stream gauging station, number 225221, located on the waterway;
“**Macalister River Environmental Flow Operating Agreement**” means an agreement on management of environmental flows in the Macalister River made between West Gippsland Catchment Management Authority and Southern Rural Water, and approved by the Minister;
“**Southern Rural Water**” means the Gippsland and Southern Rural Water Authority;
“**Sustainable Water Strategy**” means a long term strategy for allocation of water resources in a region prepared by the Minister pursuant to Action 2.11 of the Victorian Government's 2004 White Paper "Our Water Our Future";

“Thomson River Environmental Flow Operating Agreement” means an agreement on management of the environmental flows in the Thomson River made between West Gippsland Catchment Management Authority, Melbourne Water, Southern Rural Water and the Thomson Storage Operator, endorsed by the Minister for the Environment and approved by the Minister;”

9. Amendment

Throughout the Bulk Entitlement Order, for “passing” (wherever occurring) **substitute** “environmental”.

10. Amendment of clause 11

In clause 11 of the Bulk Entitlement Order, for “11. ENVIRONMENTAL FLOWS FOR THE MACALISTER RIVER” **substitute** “11. ENVIRONMENTAL FLOW ALLOCATIONS FOR THE MACALISTER RIVER”.

11. Amendment of sub-clause 11.1

In sub-clause 11.1 of the Bulk Entitlement Order, for “Southern Rural Water must provide” **substitute** “Subject to sub-clause 11.10, Southern Rural Water must provide”.

12. Amendment of sub-clause 11.2b

In sub-clause 11.2b of the Bulk Entitlement Order, after “is less than 133,000ML” **insert** “, not including any water temporarily stored in Lake Glenmaggie for the environment under the Macalister River Environmental Flow Operating Agreement”.

13. Amendment of sub-clause 11.3(b)

In sub-clause 11.3(b) of the Bulk Entitlement Order, after “in Lake Glenmaggie exceeds 185,000 ML” **insert** “, not including any water temporarily stored in Lake Glenmaggie for the environment under the Macalister River Environmental Flow Operating Agreement”.

14. Amendment of sub-clause 11.5

In sub-clause 11.5 of the Bulk Entitlement Order, after “is to be estimated” **insert** “ using the Macalister River at Stringybark Creek Gauging Station and Glenmaggie Creek at the Gorge Gauging Station”.

15. Amendment of sub-clause 11.8

In sub-clause 11.8 of the Bulk Entitlement Order for “licensed diverters below Maffra Weir” **substitute** “primary entitlement holders below Lake Glenmaggie”.

16. Addition of sub-clause 11.10

After sub-clause 11.9 of the Bulk Entitlement Order, **insert** “11.10 Southern Rural Water must vary the flow in sub-clause 11.1 to 11.9 in accordance with the Macalister River Environmental Flow Operating Agreement.”.

17. Amendment of sub-clause 12.2

In sub-clause 12.2 of the Bulk Entitlement Order, after “to estimate the natural flow using the” **insert** “ Aberfeldy River at Beardmore Gauging Station and the”.

18. Amendment of sub-clause 12.4

In sub-clause 12.4 of the Bulk Entitlement Order for “licensed diverters” **substitute** “primary entitlement holders”.

19. Amendment of sub-clause 12.6

In sub-clause 12.6 of the Bulk Entitlement Order for “may temporarily vary the passing flows specified in sub-clauses 12.1 to 12.3 as provided for in Item 5 of the Agreement on Environmental Flows” **substitute** “must vary the flow in sub-clause 12.1 in accordance with the Thomson River Environmental Flow Operating Agreement”.

20. Addition of clause 12A

After clause 12 of the Bulk Entitlement Order, **insert** –

“12A. THE WHITE PAPER “OUR WATER OUR FUTURE”

The Authority must apply to the Minister to amend the Bulk Entitlement to implement –

- (a) the recommendations of a Sustainable Water Strategy prepared under Action 2.11 and approved by the Minister; and
- (b) any other Government policy to restore the health of the Thomson and Macalister Rivers,

as described in the Victorian Government's 2004 White Paper “Our Water Our Future”.”

21. Deletion of clause 13

Delete clause 13.

22. Amendment of sub-clause 16.1

In sub-clause 16.1 of the Bulk Entitlement Order for “Melbourne Water” **substitute** “other authorities”.

23. Amendment of sub-clause 16.4

In sub-clause 16.4 of the Bulk Entitlement Order for

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

substitute

- “(a) obtain the agreement of the Thomson Storage Operator, the Macalister Storage Operator and other Authorities for any amendments proposed under sub-clause 16.3;
- (b) advise the Resource Manager in writing within 14 days after the Minister approves of any proposal made under this clause; and
- (c) provide the Resource Manager with such other information concerning diversions to satisfy entitlements under licences as the Resource Manager may, from time to time, require.”

24. Amendment of schedule 1

In clause 3 of schedule 1 of the Bulk Entitlement Order for

“

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

”

substitute

“The “Bulk Entitlement (Thomson/Macalister Towns – Gippsland Water) Conversion Order 2005” held by Central Gippsland Region Water Authority.”

25. Amendment of schedule 4

In schedule 4 of the Bulk Entitlement Order for

“

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

”

substitute

“

Month	ML/month
May	5,000
June	16,400
July	26,600
August	44,250
September	59,300
October	40,150

”

26. Amendment of schedule 4

In schedule 4 of the Bulk Entitlement Order for “recorded monthly flows from July 1998 to June 1999 collated by the Department from Southern Rural Water’s weekly operational reports” **substitute** “recorded monthly flows from July 1998 to June 2004 collated by Southern Rural Water from its weekly operational reports”.

Dated 16 August 2005

Responsible Minister
JOHN THWAITES
Minister for Water

RUTH LEACH
Clerk of the Executive Council

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

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

99. *Statutory Rule:* Magistrates' Court
General (Penalty
Units) Regulations
2005
- Authorising Act:* Magistrates' Court
Act 1989
- Date of making:* 16 August 2005

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

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

97. *Statutory Rule:* Teaching Service
(Appeals)
Regulations 2005
- Authorising Act:* Teaching Service
Act 1981
- Date first obtainable:* 15 August 2005
Code A
98. *Statutory Rule:* Local Government
(Electoral)
Regulations 2005
- Authorising Act:* City of Melbourne
Act 2001
Local Government
Act 1989
- Date first obtainable:* 16 August 2005
Code A

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