



Victoria Government Gazette

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GENERAL

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As from 8 June 2006

The last Special Gazette was No. 147 dated 6 June 2006.

The last Periodical Gazette was No. 2 Vols. 1 & 2 dated 28 October 2005.

How To Submit Copy

- See our webpage www.craftpress.com.au
 - or contact our office on 9642 5808
between 8.30 am and 5.30 pm Monday to Friday
-

Copies of recent Special Gazettes can now be viewed at the following display cabinets:

- 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

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
QUEEN'S BIRTHDAY WEEK 2006**

Please Note:

The Victoria Government Gazette for Queen's Birthday week (G24/06) will be published on **Thursday 15 June 2006**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 9 June 2006**

Government and Outer
Budget Sector Agencies Notices **9.30 am on Tuesday 13 June 2006**

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

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

In Accordance with Section 41 of the **Partnership Act 1958**, notice is hereby given that the partnership known as Boomerang (trading as Boomerang Ventures) carried on between Jim and Pauline Aitken, Steven Arbuckle, Paul Carty, Garry Cross, Debbie Hancock, Edwin Holt, Neale Holt, Brian Jones, Glen Lawler, David McAllan, Bob and Errolly McFarland, Christopher and Isabella McLelland, Michael Molloy, Stephen O'Loughlin, Greg Prosser, Darren Templar and Justin Templar, of Ballarat, Victoria, is dissolved with effect from 30 June 2006.

DISSOLUTION OF PARTNERSHIP

In accordance with section 41 of the **Partnership Act 1958** (Victoria), Peter Yik Kon Sung hereby provides public notification of his retirement from the partnership trading as M16 Urban Assault, Business Number B1722226H, at 13 Natren Court, Berwick, Victoria.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership heretofore subsisting between Herman Lam, Chi Kay Chia and Po Yang Chia, Adam Ong, Ricky Lai and Damian Chan, carrying on business as Six AM Productions at 1606/8 Dorcas Street, South Melbourne, has been dissolved as from 21 May 2006.

Re: HELEN KISS, late of 39 Dougharty Road, Heidelberg Heights, Victoria, aged pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 January 2006, are required by the trustee, Elvie Eileen Jones, in the Will called Elvie Jones, to send particulars to the trustee care of the undermentioned solicitors by a date not later than two months from the date of 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.

A. B. NATOLI PTY, solicitors,
24 Cotham Road, Kew 3101.

Re: EILEEN MARY TILLEY, late of 2/12 Creswick Street, Deepdene, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 August 2005, are required by the trustees, Peter Julian Tilley and Annemarie Tilley, to send particulars to the trustees care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

A. B. NATOLI PTY, solicitors,
24 Cotham Road, Kew 3101.

Re: ANNA TOTANI, late of 36 Barry Road, East Burwood, Victoria, but formerly of 3 Daphne Street, Canterbury, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 November 2005, are required by the trustees, Enza Giust and Maria Marinelli, to send particulars to the trustees care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

A. B. NATOLI PTY, solicitors,
24 Cotham Road, Kew 3101.

Re: MAREE CATHERINE COMMERFORD, late of Flat 4, 229 Auburn Road, Hawthorn, Victoria, but formerly of 44 Urquhart Street, Hawthorn, Victoria, business manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 August 2005, are required by the trustee, Gerald Anthony Commerford, care of Adams & Garde, PO Box 2107, Moorabin 3189, business manager, the trustee, to send particulars to the trustee by 11 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

ADAMS & GARDE, legal practitioners,
11A Central Avenue, Moorabin 3189.

LIONEL JOSEPH MURPHY, late of Gracedale Manor, 209 Warrandyte Road, Ringwood North, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 7 April 2006, are required by the executor, Gordon Philip Jacobs of 83 Peter Street, Box Hill North, Victoria, to send particulars thereof to him care of the office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, within two calendar months from the date of publication of this notice, after which the executor will distribute the estate, having regard only to the claims of which he has notice.

AUGHTERSONS,
legal practitioners for the executors,
267 Maroondah Highway, Ringwood 3134.

Creditors, next-of-kin and others having claims in respect of the estate of VIOLET JANE FRANCES DURKIN, late of 14 Sweetland Road, Mooroolbark, Victoria, home duties, deceased, who died on 18 January 2006, are to send particulars of their claims to the executrices, Margaret Joy Simpson and Vanessa Leanne Gough, care of the undermentioned solicitors by 9 August 2006, after which date the executrices will distribute the assets, having regard only to the claims of which they then have notice.

BRENDAN H. HARDIMAN & ASSOCIATES,
solicitors,
108 Railway Avenue, Ringwood East.

Creditors, next-of-kin and others having claims in respect of the estate of the late IDA ELIZABETH REGOCZY, late of 100 Bond Street, Ivanhoe, deceased, who died on 29 April 2006, are required by the executor, David John Thwaites of 106 Lower Plenty Road, Rosanna, in the State of Victoria, to send particulars of their claim to him by 1 October 2006, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which they shall then have notice.

D. J. THWAITES, LL.B., solicitor,
106 Lower Plenty Road, Rosanna.

Re: WILLIAM GEORGE FRENCH, late of 44 Lewisham Road, Prahran, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 April 2006, are required by the trustee, Equity Trustees Limited, ABN 46 004 031 298, of 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 8 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

HALL & WILCOX, solicitor,
Level 30, 600 Bourke Street, Melbourne 3000.

Creditors, next-of-kin and others having claims in respect of the estate of SLAWEK ROSENEK, late of Unit 1, 227 Alma Road, East St Kilda, in the state of Victoria, retired, deceased, who died on 23 April 2004, are required by the personal representatives of the deceased, David Hampel and Ian Tuszynski of Level 21, 570 Bourke Street, Melbourne, in the said State, to send particulars to them care of the undermentioned solicitors by 8 August 2006, after which date they will distribute the assets, having regard only to the claims of which they have notice.

HOME WILKINSON LOWRY, solicitors,
Level 21, 570 Bourke Street, Melbourne 3000.

Re: OLGA PEREWERSEW, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of OLGA PEREWERSEW, late of 12 Army Road, Boronia, Victoria, home duties, deceased, who died on 22 January 2006, are required to send particulars in writing of their claims to the executor care of the belowmentioned solicitors by 8 August 2006, after which date they will distribute the assets of the deceased, having regard only to the claims of which they then have notice.

JONES HEPWORTH JOHNS, solicitors,
Suite 9, 334 Highbury Road,
Mount Waverley, Victoria 3149.

Re: STEWART ARTHUR BOLTON, also known as Stuart Arthur Frederick Bolton, late of Flat 1, 29A Wallace Avenue, Toorak, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 March 2006, are required by the trustee, Anthony John Mahon of 178 Whitehorse Road, Blackburn, Victoria, solicitor, to send particulars to the trustee c/- Mahons with Yuncken & Yuncken by 9 August 2006, 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.

MURIEL ALICE WATSON, late of 15 Tern Avenue, Rosebud West, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 September 2005, are required to send particulars of their claims to the trustee care of the undermentioned solicitors by 7 September 2006, after which date the trustee or personal representative or applicant for grant of administration may convey or distribute the assets, having regard only to the claims of which he then has notice.

McGUINNESS & HOSKING PTY, solicitors,
3 Eighth Avenue, Rosebud 3939.
Telephone: (03) 5986 6999.

Re: KENNETH CONWAY KEOWN, late of Suite 152, Domain Park, 193 Domain Road, South Yarra, Victoria, retired chartered accountant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 November 2005, are required by the trustee, Equity Trustees Limited of 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee by 14 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

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

Re: VINCENT JOSEPH FINLAY, late of Unit 1, 50 Blaxland Road, Ryde, New South Wales, retired painter and decorator, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 August 2005, are required by the executor, Australian Executor Trustees (SA) Limited, ABN 23 007 870 644, of 44 Pirie

Street, Adelaide, South Australia, to send particulars to it by 8 August 2006, 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: GEORGE WORTMAN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of GEORGE WORTMAN, late of 10 The Avenue, Blackburn, Victoria, who died on 8 February 2006, are to send particulars of their claims to the executor, Michael George Wortman, care of the undermentioned solicitors by 17 August 2006, after which date the executor will distribute the assets, having regard only to the claims of which the executor then has notice.

MOORES LEGAL, solicitors,
9 Prospect Street, Box Hill 3128.

Re: MARCELLO GALLACE, late of 19 Maritana Avenue, Reservoir, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 March 2005, are required by the trustee, Mario Gallace, to send particulars to the trustee by 7 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SLATER & GORDON, lawyers,
533 Little Lonsdale Street, Melbourne 3000.

JEAN LIND, deceased.

Creditors, next-of-kin and others having claims against the estate of JEAN LIND, late of 13 Braim Street, North Sunshine, Victoria, widow, deceased, who died on 29 March 2006, are required to send particulars of their claims to the executor care of the undermentioned solicitor by 15 August 2006, after which date the executor will proceed to distribute the assets, having regard only to the claims of which she shall then have had notice.

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

PROCLAMATIONS

ACTS OF PARLIAMENT	No.	Description
Proclamation	No. 27/2006	This Act comes into operation on 30 June 2006.
I, David de Kretser, Governor of Victoria, declare that I have today assented in Her Majesty's name to the following Bills:	No. 28/2006	(1) Subject to sub-section (2), this Act comes into operation on a day to be proclaimed.
No. 25/2006 Equal Opportunity and Tolerance Legislation (Amendment) Act 2006		(2) If this Act does not come into operation before 1 July 2006, it comes into operation on that day.
No. 26/2006 Financial Management (Miscellaneous Amendments) Act 2006	No. 29/2006	(1) Subject to sub-section (2), this Act comes into operation on the day after the day on which it receives the Royal Assent.
No. 27/2006 Justice Legislation (Further Miscellaneous Amendments) Act 2006		(2) The following items in Schedule 1 are deemed to have come into operation on the following dates—
No. 28/2006 Melbourne Sailors' Home (Repeal) Act 2006		(a) item 1 on 5 August 2004;
No. 29/2006 Statute Law (Further Revision) Act 2006		(b) item 2 on 22 June 2004;
No. 30/2006 Terrorism (Community Protection)(Further Amendment) Act 2006		(c) item 3 on 30 November 2005;
Given under my hand and the seal of Victoria at Melbourne on 6th June 2006.		(d) item 4 on 8 December 2005;
(L.S.)		(e) item 10 on 10 August 2005;
DAVID DE KRETSER Governor By His Excellency's Command		(f) item 14.5 on 7 December 2005;
STEVE BRACKS MP Premier		(g) item 17 on 14 December 2004;
No. 25/2006	(1)	Sections 1, 3, 4, 7, 10(3) and this section come into operation on the day after the day on which this Act receives the Royal Assent.
	(2)	Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
	(3)	If a provision referred to in sub-section (2) does not come into operation before 1 January 2007, it comes into operation on that day.
No. 26/2006		This Act comes into operation on the day after the day on which it receives the Royal Assent.
	No. 30/2006	This Act comes into operation on the day after the day on which it receives the Royal Assent.

Environment Effects (Amendment) Act 2005

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(1) of the **Environment Effects (Amendment) Act 2005**, fix 30 June 2006 as the day on which that Act comes into operation.

Given under my hand and the seal of Victoria on 6th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Minister for Planning

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

SOUTH GIPPSLAND SHIRE COUNCIL

Road Discontinuance

Part of Munros Road, Mirboo North
being part of the road described in Certificate of Title Volume 5242, Folio 373.

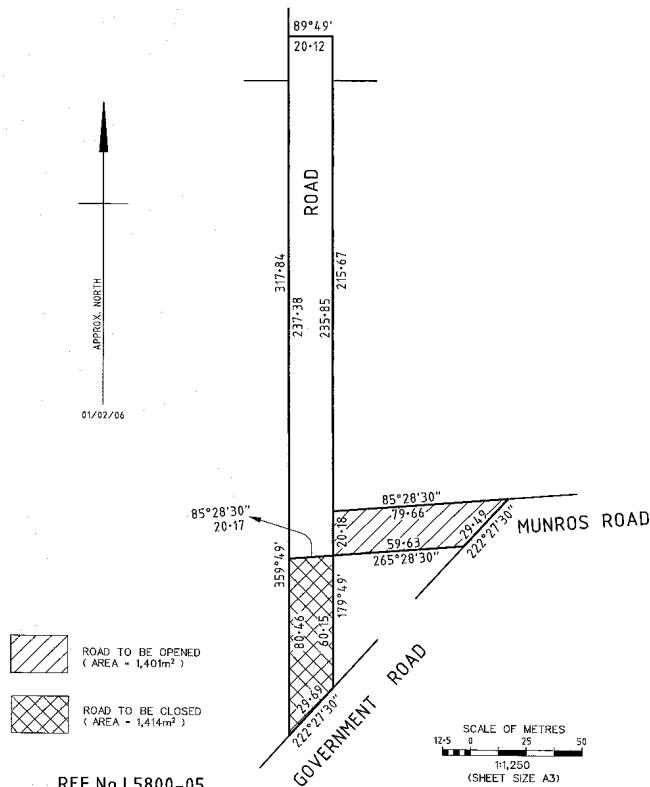
Road Opening

Part of Munros Road, Mirboo North
being part of the road described in
Certificate of Title Volume 5562, Folio 304.

South Gippsland Shire Council at its ordinary meeting held on 3 May 2006 formed the opinion that under section 206 and Schedule 10 Clause 3 the road shown cross-hatched on the plan below being part Certificate of Title Volume 5242, Folio 373 is not reasonably required as a road for public use and resolved to discontinue the road and sell the land from the road to the abutting owner and under section 204 clause 1 of the **Local Government Act 1989** open the part road shown hatched on the plan below being part of the road described in Certificate of Title Volume 5562, Folio 304.

**PLAN OF ROAD OPENING AND CLOSURE
COUNTY OF BULN BULN
PARISH OF MARDAN
CROWN ALLOTMENT 9(PT)**

C/T Vol.5562 Fol.304
C/T Vol.5242 Fol.373



REF.No.L5800-05

BAYSIDE CITY COUNCIL

Proposed Council Plan 2006–2010

Council, at its meeting of 30 May 2006, gave notice that it has prepared a Council Plan for the period 2006–2010 as required by Section 125 of the **Local Government Act 1989**.

The Council Plan sets the direction of the organisation for the next four years and links Council's vision for the future, mission, values and objectives. Specifically, the Strategic Resource Plan reflects Council's critical priorities, and links programs for the coming year to the budget and the achievement of results in Council's five goal areas.

Copies of the proposed Council Plan 2006–2010 are available for inspection during normal operating hours at Council's four libraries and at the Corporate Centre at 76 Royal Avenue, Sandringham. The proposed Council Plan may also be accessed through Council's website at www.bayside.vic.gov.au.

Written submissions pursuant to Section 223 of the **Local Government Act 1989** may be made in relation to the proposed Council Plan and will be received up to 4.00 pm on Friday 16 June 2006. Submissions should be addressed to: Chief Executive Officer, Bayside City Council, PO Box 27, Sandringham, Vic. 3191.

Any person who wishes to be heard in support of their written submission must request this in their submission. Such persons will be entitled to appear in person or by a person acting on his or her behalf before the special committee meeting where submissions will be heard. This will be a Special Committee Meeting to be held on Wednesday 21 June 2006 at 6.30 pm in the Council Chambers, Civic Centre, Brighton. All submissions will be considered in accordance with Section 223 of the **Local Government Act 1989**.

An Ordinary Meeting of Council will be held at the Civic Centre, Brighton on Tuesday 27 June 2006 commencing at 7.00 pm to consider any submissions and adopt a Council Plan for the period 2006–2010.

Further information on the proposed Council Plan may be obtained from Council's Organisation Development Coordinator Kerryn Stewart-Uden on 9599 4471 or by email to kstewart-uden@bayside.vic.gov.au.

CATHERINE DALE
Chief Executive Officer

BAYSIDE CITY COUNCIL

Proposed 2006/2007 Budget
and Declaration of Rates

At its Meeting on Tuesday 30 May 2006, Bayside City Council ('Council') resolved that the draft Budget presented to that meeting be the Budget prepared for the purposes of the **Local Government Act 1989** ("the proposed Budget").

Details of the proposed Budget, which relates to the 2006/2007 Financial Year, as required by the Local Government (Finance and Reporting) Regulations 2004, are as follows:

1. The total amount borrowed as at 30 June 2006 will be \$16,636,000.
2. During the 2006/2007 Financial Year, Council proposes to borrow \$3,500,000.
3. It is proposed to redeem \$2,636,000 of loan principal during the 2006/2007 Financial Year.
4. It is estimated that the total borrowings as at 30 June 2007 will be \$17,500,000.
5. It is estimated that the total cost to service Council's borrowings during the 2006/2007 Financial Year will be \$971,400 in interest payments.
6. It is proposed the a General Rate at 0.142687 cents for each dollar of Capital Improved Value be declared in respect of the 2006/2007 Financial Year.
7. It is proposed that a Municipal Charge of \$102 be levied on each rateable property.
8. It is proposed that a service charge relating to waste management be levied on each rateable property (excluding Domestic Use Bathing Boxes), in the sum of
 - 8.1 \$115.00 for a 140 litre mobile garbage bin; and
 - 8.2 \$105.00 for an 80 litre mobile garbage bin,
 to defray the costs of waste management.
9. It is proposed that an annual service charge relating to waste management be levied on each non-rateable property where the service is provided, in the sum of:
 - 9.1 \$115.00 for a 140 litre mobile garbage bin; and
 - 9.2 \$105.00 for a 80 litre mobile garbage bin,
 to defray the costs of waste management.

10. It is proposed that, in respect of properties to which the **Cultural and Recreational Lands Act 1963** applies, the amounts payable as rates be the amounts set out in the 'Cultural and Recreational Lands Summary' (which describes each property and the amount payable).
11. It is proposed that no minimum rate be fixed.

Copies of the proposed Budget and the 'Cultural and Recreational Lands Summary' are available for inspection at Branch Libraries and at the Corporate Centre in Royal Avenue, Sandringham and may be viewed during normal operating hours as well as being accessed through Council's website (www.bayside.vic.gov.au).

Written submissions pursuant to Section 223 of the **Local Government Act 1989** may be made in relation to the proposed Budget and will be received up to 4.00 pm on Friday 16 June 2006. Submissions should be addressed to: Chief Executive Officer, Bayside City Council, PO Box 27, Sandringham 3191.

Any person who wishes to be heard in support of their written submission must request this in their submission. Such person will be entitled to appear in person or by a person acting on his or her behalf before the council meeting where submissions will be heard. This will be a Special Committee Meeting to be held on Wednesday 21 June 2006 at 7.00 pm at the Council Chambers, Civic Centre, Brighton. All submissions will be considered in accordance with Section 223 of the **Local Government Act 1989**.

An Ordinary meeting of Council will be held at the Council Chambers, Civic Centre, Brighton on Tuesday 27 June 2006 commencing at 7.00 pm to consider any submissions and adopt a Budget for the 2006/2007 Financial Year.

Further information on the proposed Budget may be obtained from Council's Manager Finance, Malcolm Lewis on 9599 4340 or by email to mlewis@bayside.vic.gov.au.

CATHERINE DALE
Chief Executive Officer

NORTHERN GRAMPIANS
SHIRE COUNCIL

Drainage of Land Local Law 2006

Notice is hereby given that the Northern Grampians Shire Council intends to make Drainage of Land Local Law 2006 pursuant to the **Local Government Act 1989**.

The purpose of the Local Law is to:

- define Council's powers and responsibilities on undeclared and declared lands (Special Charge Schemes) with respect to drainage within its municipal district;
- permit Council to proceed with offences relating to interference with drains or drainage works on declared lands;
- establish a permit system for applicants relating to drains or drainage works;
- provide for compensation to landowners where any pecuniary loss or direct expense is sustained.

The general purport of the Local Law is to facilitate the executing of documents for and on behalf of the Council.

Copies of the proposed Local Law are available from the Council offices in Stawell and St Arnaud during office hours or by telephoning (053) 588 700.

Any person affected by the proposed Local Law may make a submission to the Council within 28 days of publication of this notice in accordance with Section 223 of the **Local Government Act 1989**.

Any person who has made a written submission to Council and requested that he/she be heard in support of the written submission is entitled to appear in person or be represented by a person acting on his/her behalf before a meeting of the Council on Thursday 20 July. The meeting will be held in the Council Chamber, St Arnaud Town Hall commencing at 7.30 pm.

GLEN DAVIS
Chief Executive Officer

Planning and Environment Act 1987

ALPINE RESORT PLANNING SCHEME

Notice of Amendment to Planning Scheme
Amendment C17

The Minister for Planning has prepared Amendment C17 to the Alpine Resorts Planning Scheme. The Amendment applies to land within the area known as Hotham Village – Mt Hotham, shown on Comprehensive Development Plan 1.

The Amendment seeks to facilitate the development of a revised Master Plan for the Mt Hotham village and the realignment of the Great Alpine Road, as proposed by the Ray Group and MFS. Specifically the Amendment:

- rezones land generally south of the Hull Skier Bridge and east of site development area – number 4 “White Crystal” and an elongated land parcel to the north of site development area – number 26 “Snowbird” from Comprehensive Development Zone 2 (CDZ2) to Comprehensive Development Zone 1 (CDZ1).
- Removes the section of the Road Zone covering the Great Alpine Road that currently runs through the middle of the village by rezoning part of the Great Alpine Road between the Hull Skier Bridge and site development area – number 12 “Ultima” from Road Zone 1 (RDZ1) to CDZ1; and include this area within a Road Closure Overlay (RXO). It is intended that this overlay will be introduced and the above rezoning to CDZ1 will be undertaken once the new alignment of the Great Alpine Road has been constructed and declared as an arterial road and rezoned from CDZ1 to RDZ1.
- Amends the existing schedule 1 to the Comprehensive Development Zone to include the design guidelines for the new and revised development areas and to provide site specific car parking controls.
- Amends clause 81 to incorporate the Mt Hotham Comprehensive Development Plan 1 – Hotham Village (2006).

The Amendment is available for public inspection, free of charge, during office hours at the following places: Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne, Vic. 3000; Department of

Sustainability and Environment, North East Regional Office, 89 Sydney Road, Benalla, Vic. 3672; and Mt Hotham Resort Management Board Office, Great Alpine Road, Mt Hotham.

Submissions in writing in respect of the Amendment must be sent to:- Department of Sustainability and Environment, North East Regional Office, Alpine Planning Unit, PO Box 124, Benalla, Vic. 3672 by 10 July 2006.

GENEVIEVE OVERELL

Deputy Secretary

Built Environment

Department of Sustainability
and Environment

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C52

Authorisation A0285

Knox City Council has prepared Amendment C52 to the Knox Planning Scheme. The Amendment affects land at 5 Burwood Highway, Wantirna. Knox City Council is the planning authority for this Amendment.

The Amendment has been prepared at the request of the landowner, Sara Lee Holdings (Australia) Pty Ltd.

The Amendment proposes to:

- rezone the land from the Industrial 1 Zone to the Business 3 Zone, and include a combined leasable floor area requirement for office (7,000 square metres) for the site in the Schedule to the Business 3 Zone.

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; state whether the person/s making the submission wishes to be heard in support of their submission.

The closing date for submissions is Monday 10 July 2006. Any submissions must be sent to: Mr Grant Meyer, Project Manager – Strategic Planning, Knox City Council, 511 Burwood Highway, Wantirna South 3152. Email: grant.meyer@knox.vic.gov.au

Planning and Environment Act 1987

YARRA PLANNING SCHEME

Notice of the Preparation
of an Amendment to a Planning Scheme

Notice of an Application for
Planning Permit given under S96C of the
Planning and Environment Act 1987

Amendment C65

Authorisation No. A0304

Planning Permit Application PL05/1289

The land affected by the Amendment and the planning permit is 145–175 Noone Street and 250–292 Alexandra Parade East, Clifton Hill currently occupied by Australian Dyeing Company.

The Amendment proposes to:

- rezone the land from Business 3 Zone (B3Z) to a Mixed Use Zone (MUZ);
- apply the Environmental Audit Overlay (EAO) to the site;
- include the former Spicer factory building at 163-167 Noone Street in a new site specific Heritage Overlay (HO351);
- remove the HO316 (Eastern Clifton Hill Precinct Overlay) from the north-west corner of the site;
- include part of Gray Street in the Road Closure Overlay (RXO); and
- apply the Design and Development Overlay and a new site specific schedule relating to the site (DDO3).

The application is for a permit to develop the land for residential purposes (comprising townhouses and apartments up to four storeys) including part demolition of existing buildings, associated on site parking (including a reduction in the car parking and bicycle requirements of the Yarra Planning Scheme), associated landscaping and creation of through roadways, street beautification, road works (including access to a Road Zone) and landscaping of a portion of Gray Street and Alexandra Parade East.

The applicant for the Amendment and permit is Peklyn Pty Ltd, Silc Investments Pty Ltd and Jobor Investments Pty Ltd, c/- Fulcrum Town Planners.

You may inspect the Amendment and the application; supporting documents and the explanatory report about the Amendment, and the planning application, during office hours and free of charge, at the offices of the planning authority, Yarra City Council, and at the Department of Sustainability and Environment: Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; City of Yarra, Richmond Town Hall, Town Planning Counter, 333 Bridge Road, Richmond 3121; City of Yarra, Collingwood Town Hall, Front Reception Desk, 140 Hoddle Street, Abbotsford 3067; Municipal Libraries located at: 415 Church Street, Richmond; 240 St Georges Road, North Fitzroy; 11 Stanton Street, Abbotsford; 128 Moor Street, Fitzroy; and 667 Rathdowne Street, North Carlton, or on Council's website at <http://www.yarracity.vic.gov.au/environment/planning/>

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 10 July 2006. A submission must be sent to Pauline Semmens, Co-ordinator Major Projects and Local Policy, City of Yarra, PO Box 168, Richmond, Vic. 3121.

JANE HOMEWOOD
Director City Development

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 9 August 2006, 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.

ERTL, Leopold, late of Unit 57, Meadowvale Village Eagle Drive, Pakenham, Victoria 3810, retired, and who died on 11 February 2006.

HEKIMIAN, Aram, late of 66 Argyle Street, Fawcner, Victoria 3060, and who died on 10 August 1991.

McMILLAN, Ruby Evelyn, late of Millward Nursing Home, 31 Blackburn Road, Doncaster East, Victoria 3109, retired, and who died on 26 February 2006.

MOROSON, Victor, also known as Viktor Morozow, late of 122 George Street, St Albans, Victoria 3021, and who died on 4 April 2006.

RAMSEY, Patricia Elaine, late of PO Box 386, Wangaratta Base Hospital, Wangaratta, Victoria 3676, pensioner, and who died on 5 December 2005.

TALMAGE, Noel Keith, late of Unit 144, 1 Holmes Street, Northcote, Victoria 3070, pensioner, and who died on 18 April 2006.

UNG, Kim Earn, formerly of 1 Wingala Avenue, Keysborough, Victoria 3173, but late of 3 Kallista Road, Springvale, Victoria 3171, who died on 4 March 2006.

Dated 31 May 2006

MARY AMERENA
Manager
Executor and Trustee Services

BROWN, Sadie Muriel, late of The George, 5/15–25 George Street, Sandringham, Victoria 3191, pensioner, and who died on 8 March 2006.

DAJCZAK, Maria, late of Brimbank Nursing Home, corner of Wiltshire & Cumberland Streets, Sunshine, Victoria 3020, pensioner, and who died on 28 December 2005.

FORSTER, Eve Barbara, also known as Barbara Frances Forster, late of Unit 3, 10 Epsom Road, Mordialloc, Victoria 3195, manager, and who died on 25 February 2006.

HIDDLESTONE, Elizabeth, late of 18–22 Glynn Avenue, Morang South, Victoria 3752, and who died on 26 February 2006.

McKENZIE, Enid Yvonne, late of 90 Nicholas Street, Ashburton, Victoria 3147, pensioner, and who died on 17 March 2006.

MITCHELL, Scott James, also known as Colin James Ritchie, late of 97 Lorimer Street, Crib Point, Victoria 3919, and who died on 27 July 2005.

MOUNSEY, Reginald Ernest Kent, late of Whittlesea Lodge Nursing Care, 30–32 Fir Street, Whittlesea, Victoria 3757, retired, and who died on 24 May 2006.

SEARLE, Donald, late of 17 Madeline Street, Glen Waverley, Victoria 3150, retired, and who died on 18 May 2006.

WALTER, Evelyn Elizabeth, formerly of 139 Eaglehawk Road, Bendigo, Victoria 3550, but late of Northaven Community Hostel, 84–86 Shadforth Street, Kerang, Victoria 3579, pensioner, and who died on 11 May 2006.

Dated 5 June 2006

MARY AMERENA
Manager
Executor and Trustee Services

EXEMPTION

Application No. A120/2006

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by Tibor James Gyore on behalf of Wet on Wellington for exemption from sections 42, 100 and 195 of that Act. The application for exemption is to enable the applicant to limit patronage at its establishment to those aged 30 or younger at one function per month and to advertise that fact.

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 14 August 2006, 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.

Upon reading the material submitted in support of the application and upon hearing submissions from Mr Gyore and for the Reasons for Decision given by the Tribunal on 1 June 2006, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 42, 100 and 195 of the Act to enable the applicant to limit patronage at its establishment to those aged 30 or younger at one function per month and to advertise that fact.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to limit patronage at its establishment to those aged 30 or younger at one function per month and to advertise that fact.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 7 June 2009.

Dated 1 June 2006

C. McKENZIE
Deputy President

EXEMPTION

Application No. A125/2006

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** by Jeanette Inglis t/as Dinner for Singles for exemption from sections 42, 100 and 195 of that Act. The application for exemption is to enable the applicant to engage in the specified conduct.

In this exemption "specified conduct" means any of the following—

- (a) to operate an introduction service for those of or between the ages of 25 and 55;
- (b) to refuse to provide introduction services to any person who is married and not separated from their spouse;
- (c) to obtain information from members or potential members of its introduction service for the purpose of matching them in social or personal relationships in accordance with their expressed preferences including information about attributes within the meaning of that Act;

- (d) to advise potential members of its introduction service that because of their attributes and the attributes preferred by members of that service it will be difficult to find matches for them, where that advice is based on information in the applicant's possession;
- (e) to charge discounted or no fees to members or potential members depending on their age and/or sex;
- (f) to hold functions which members or potential members from particular age groups are encouraged to attend, but from which members or potential members are not excluded;
- (g) to operate an electronic database and service onto which gold or silver members of the applicant's introduction service may place personal information (including interests and other personal preferences relating to people whom they wish to meet or socialise with) and which facilitates those members accessing and exchanging that information between themselves;
- (h) to advertise concerning any of the matters in paragraphs (a) to (g).

Upon reading the material submitted in support of the application and upon hearing submissions from Ms Inglis and for the Reasons for Decision given by the Tribunal on 2 June 2006, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 42, 100 and 195 of the Act to enable the applicant to engage in the specified conduct

The Tribunal hereby grants an exemption to the applicant from the operation of sections 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the specified conduct. This exemption is subject to the following conditions —

1. The applicant will only charge members or potential members a reduced fee or no fee where they are part of a group which is under presented at a particular dinner or in the service's database and the applicant wishes to correct that under presentation.
2. The applicant will operate her electronic information exchange service so that information is exchanged when members chose, and not by the applicant without the request of a member.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 8 June 2009.

Dated 2 June 2006

C. McKENZIE
Deputy President

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

APPOINTMENT OF
AUTHORISED OFFICER

I, Tristan Finlay Jubb, A/Manager Animal Health Operations in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following person employed in the Public Service, as an authorised officer for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act.

Name of person	Position number
Danielle Maver	7081

Dated 2 June 2006

TRISTAN FINLAY JUBB
A/Manager
Animal Health Operations

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTOR

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

Name of person	Position number
Danielle Maver	7081

Dated 2 June 2006

TRISTAN FINLAY JUBB
A/Manager
Animal Health Operations

Prevention of Cruelty to Animals Act 1986

APPOINTMENT OF
AUTHORISED OFFICERS

I, Mehdi Doroudi, A/Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to appoint authorised officers under section 35 of the **Prevention of Cruelty to Animals Act 1986**, hereby appoint the following persons, as authorised officers for the purposes of Part 3 of the **Prevention of Cruelty to Animals Act 1986**. This appointment remains in force until 30 June 2006.

Name of person	Position number
Danielle Maver	7081
Peter James Penson	n/a

Dated 26 May 2006

MEHDI DOROUDI
A/Executive Director
Biosecurity Victoria

Prevention of Cruelty to Animals Act 1986

APPROVAL OF INSPECTOR

I, Mehdi Doroudi, A/Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following person, who is an inspector of livestock under the provisions of the **Livestock Disease Control Act 1994**, as an inspector for the purposes of Part 2 of the **Prevention of Cruelty to Animals Act 1986**. This approval remains in force until 30 June 2006.

Name of person **Position number**
 Danielle Maver 7081
 Dated 26 May 2006

MEHDI DOROUDI
 A/Executive Director
 Biosecurity Victoria

Prevention of Cruelty to Animals Act 1986

APPOINTMENT OF
 SPECIALIST INSPECTORS

I, Mehdi Doroudi, A/Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to appoint specialist inspectors under section 18A of the **Prevention of Cruelty to Animals Act 1986**, hereby appoint the following person, as a specialist inspector for the purposes of Part 2 of the **Prevention of Cruelty to Animals Act 1986**. This appointment remains in force until 30 June 2006.

Name of person **Position number**
 Danielle Maver 7081
 Dated 26 May 2006

MEHDI DOROUDI
 A/Executive Director
 Biosecurity Victoria

Associations Incorporation Act 1981

NOTICE OF ISSUE OF CERTIFICATE OF
 INCORPORATION PURSUANT TO
 SECTION 10 OF THE ASSOCIATIONS
 INCORPORATION ACT 1981

Notice is hereby given pursuant to Section 10 of the **Associations Incorporation Act 1981** that a certificate of incorporation was issued by the Registrar of Associations on 2 June 2006 to Rosen Method Association of Australia Inc. The Association is now incorporated under the said Act.

Dated at Melbourne 8 June 2006.

JOHN STEVENS
 Deputy Registrar
 of Incorporated Associations
 GPO Box 4567
 Melbourne, Vic. 3001

Electoral Act 2002

RE-REGISTRATION OF POLITICAL PARTY

In accordance with Section 58D of the **Electoral Act 2002**, the following party is hereby re-registered as a political party:

Name of party: The Australian Greens – Victoria.

Dated 2 June 2006

STEVE TULLY
 Victorian Electoral Commission



Heritage
 VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2102 in the category described as a Heritage Place:

Avenue of Honour, Eurack Road, Eurack, Colac-Otway Shire Council.

EXTENT:

1. All the trees planted along Eurack Road and all the concrete crosses within the land marked L1 on Diagram 2102 held by the Executive Director.

Dated 2 June 2006

RAY TONKIN
 Executive Director

Nurses Act 1993

NURSES BOARD OF VICTORIA

Re: Linda Young

Identification Number 71586

Registered in Division 1

Following a formal hearing into the professional conduct of Linda Young, a Panel appointed by the Nurses Board of Victoria found, on 23 May 2006, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

1. Pursuant to section 48(2)(f) of the Act, the Panel imposes a fine of 10 penalty units.
2. Pursuant to section 48(2)(g) of the Act, the Panel cancels the registration of Ms Young.

LOUISE MILNE-ROCH
Chief Executive Officer

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge pursuant to section 29 of the **Retirement Villages Act 1986** is extinguished in so far as it affects Certificate of Title Volume 10052, Folio 589 under the **Transfer of Land Act 1958**.

Dated 22 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge No. X219143X pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 18 December 2000 on Certificate of Title Volume 05940, Folio 977 under the **Transfer of Land Act 1958**, is extinguished

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. X219142B pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 18 December 2000 on Certificate of Title Volume 05940, Folio 977 under the **Transfer of Land Act 1958**, is cancelled.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge No. AC205342Q pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 18 July 2003 on Certificate of Title Volume 10022, Folio 411 under the **Transfer of Land Act 1958**, is extinguished.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. AC205341S pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 18 July 2003 on Certificate of Title Volume 10022, Folio 411 under the **Transfer of Land Act 1958**, is cancelled.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge No. AD300115N pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 9 December 2004 on Certificate of Title Volume 10584, Folio 148 under the **Transfer of Land Act 1958**, is extinguished.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. AD300114Q pursuant to section 9 of

the **Retirement Villages Act 1986**, registered on 9 December 2004 on Certificate of Title Volume 10584, Folio 148 under the **Transfer of Land Act 1958**, is cancelled.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge No. AC205360N pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 18 July 2003 on Certificate of Title Volume 10630, Folio 090 under the **Transfer of Land Act 1958**, is extinguished.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. AC205359W pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 18 July 2003 on Certificate of Title Volume 10630, Folio 090 under the **Transfer of Land Act 1958**, is cancelled.

Dated 19 May 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

State Superannuation Act 1988

DECLARATION OF OFFICERS

I, John Lenders MP, in my capacity as Minister for Finance for the State of Victoria, under paragraph (c) of the definition of "officer" in section 3 of the **State Superannuation Act 1988**, by this instrument declare –

- (a) The Melbourne Convention and Exhibition Trust as an entity to which sub-paragraph (ii) of paragraph (c) applies; and

- (b) that employees of the Melbourne Convention and Exhibition Trust who were officers under the **State Superannuation Act 1988** immediately before commencing employment with the Melbourne Convention and Exhibition Trust are a class of persons whom the **State Superannuation Act 1988** applies for such a period as the employee remains in the employment of the Melbourne Convention and Exhibition Trust.

Dated 1 June 2006

JOHN LENDERS MP
Minister for Finance

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 11 July 2006.

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 5 July 2006.

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

Jubilee Heights Pty Ltd. Application for variation of conditions of tow truck licence number TOW 291 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 74 Collins Street, Kangaroo Flat, to change the depot address to 11–13 Piper Road, Bendigo East.

Note: This licence is under consideration for transfer to Nick Penno & Sara Winchcombe Pty Ltd.

Dated 8 June 2006

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 11 July 2006.

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 5 July 2006.

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

Fullarton Motors Pty Ltd. Application for variation of conditions of tow truck licence number TOW 361 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 235 Manifold Street, Camperdown, to change the depot address to 112 Geelong Road, Torquay.

Dated 8 June 2006

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 11 July 2006.

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 5 July 2006.

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

Glenn Hosking. Application for variation of conditions of tow truck licence numbers TOW 510 and TOW 718 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 118 Nomad Road, Essendon Airport, to change the depot address to 47 Hawker Street, Airport West.

Hossack Smash Repairs Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW 622, TOW 958, TOW 589, TOW 024, TOW 029, TOW 651 and TOW 023 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 118 Nomad Road, Essendon Airport, to change

the depot address to 145 Somerset Road, Campbellfield.

Northway Panels Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW 587, TOW 588, TOW 089, TOW 031, TOW 826, TOW 828, TOW 831 and TOW 784 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 118 Nomad Road, Essendon Airport, to change the depot address to 47 Hawker Street, Airport West.

Frank Occhiuzzi. Application for variation of conditions of tow truck licence number TOW 506 which authorise the licensed vehicle to be managed, controlled and operated from a depot situated at 118 Nomad Road, Essendon Airport, to change the depot address to 47 Hawker Street, Airport West.

Vicwide Auto Salvage Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW 640, TOW 546, TOW 030, TOW 728, TOW 729, TOW 731, TOW 732 and TOW 578 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 118 Nomad Road, Essendon Airport, to change the depot address to 145 Somerset Road, Campbellfield.

Dated 8 June 2006

STUART SHEARER
Director

Geographic Place Names Act 1998

CORRIGENDUM

In the Victoria Government Gazette No. G25, 24 June 1999, page 1480, under **Geographic Place Names Act 1998**, Notice of Registration of Geographic Names, the place name of Thaloo should read Thalloo.

In the Victoria Government Gazette No. G20, 18 May 2006, page 947, under **Geographic Place Names Act 1998**, Notice of Intention to Register a Geographic Name, the place name of Eckland South should read Ecklin South.

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**
15th Floor
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Geographic Place Names Act 1998

NOTICE OF INTENTION TO REGISTER A GEOGRAPHIC NAME

The Registrar of Geographic Names hereby gives notice of intention to register the undermentioned place name(s). Any objections to the proposal should be made in writing (stating the reasons therefor) and lodged with the Registrar within 30 days of publication of this notice. If no objections are lodged within this period, the proposed name becomes the official name and will be registered in the Register of Geographic Names.

File No.	Naming Authority	Place Name	Location
GPN 646	Kingston City Council	Wannarkladdin Wetlands	Located in Patterson Lakes, north of the Patterson River and east of the Patterson River Country Club.
GPN 1000	Whitehorse City Council	Adrian Danaher Reserve	12A Ellad Close, Vermont.
LA/12/0047	Loddon Shire Council	Barraport West, Glenloth East	As on version 4.4 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**
15th Floor
570 Bourke Street
MELBOURNE 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Water Act 1989

WESTERN REGION WATER AUTHORITY

Water Restriction By-Law

Western Water hereby gives notice pursuant to Section 161 of the **Water Act 1989** that it has made the By-Law 05/01 that regulates, restricts or prohibits the use of water in the water supply districts of Western Water during declared water restrictions.

The purpose of the By-Law is to introduce revised water restrictions for areas supplied by Western Water. These revised water restrictions reflect water wise practices and take into account efficient watering technology.

The contents of the By-Law includes:

1. Repeals By-Law 01/01.
2. Definitions used in the By-Law.
3. Declaration of Restrictions.
4. Declarations of Variations or Alterations of Water Restrictions.
5. Delegation of authority by Western Water to delegated officer.
6. Water Restrictions:
 - Stage 1 (Mild) Water Restrictions;
 - Stage 2 (Medium) Water Restrictions;
 - Stage 3 (High) Water Restrictions; or
 - Stage 4 (Critical) Water Restrictions.
7. Exemptions from Water Restrictions.
8. Offences and Penalties for non-compliance with Water Restrictions.
9. Authorisation of Western Water for By-Law.

Copies of By-Law 05/01 are available at Western Water's office on Robertson Street, Gisborne, or telephone 1300 650 425, during normal business hours, or visit our website: www.westernwater.com.au.

Western Water's vision is "to be a leading service provider as judged by our customers."

Victoria Racing Club Act 1871

NOTICE OF AMENDMENT TO BY-LAWS

Notice is given that the Committee of the Victoria Racing Club pursuant to section 13 of the **Victoria Racing Club Act 1871** has resolved that the following By-Laws be amended.

The first resolution by the Committee of the Victoria Racing Club at its meeting held on Friday 16 December 2005 resolved that By-Law 51 of the Victoria Racing Club made pursuant to the **Victoria Racing Club Act 1871** is amended by deleting from By-Law 51 the table of tolls and charges and inserting in place thereof the following new table of tolls and charges:

**Victoria Racing Club
Pricing Guidelines – 2006/2007 Racing Season**

GENERAL ADMISSION FEES	2006/07
Non-Feature Days:	\$
Saturday/Public Holiday	10.00
– Full	10.00
– Concession	6.00
Sunday/Midweek	7.00
– Full	7.00
– Concession	4.00
Feature Days:	
Ascot Vale Stakes Day	20.00
– Full	20.00
– Concession	11.00
(September Saturday)	
Turnbull Stakes Day	20.00
– Full	20.00
– Concession	11.00
(October Saturday)	
Victoria Derby Day	48.00
– Full	48.00
– Concession	25.00
– Children	8.00
Melbourne Cup Day	50.00
– Full	50.00
– Concession	26.00
– Children	8.00
VRC Oaks Day	48.00
– Full	48.00
– Concession	25.00
– Children	8.00
Emirates Stakes Day	26.00
– Full	26.00
– Concession	15.00
– Family (2 adults + 2 children)	46.00
– Children	Free
New Years Day	14.00
– Full	14.00
– Concession	8.00
Lightning Stakes Day	14.00
– Full	14.00
– Concession	8.00
Newmarket Handicap Day	n/a
– Full	n/a
– Concession	n/a
Australian Cup Day	22.00
– Full	22.00
– Concession	12.00
(including Newmarket & Aust Guineas in 05/06)	
Sires Produce Day	14.00
– Full	14.00
– Concession	8.00

The Amendment to the By-Law was sent to the Minister for Racing on 8 March 2006, has now been reviewed and has not been disallowed.

The Amendment will come into operation on 1 August 2006.

ROD FITZROY
Chairman

**BULK ENTITLEMENT (EVANSFORD–TALBOT SYSTEM –
PART MARYBOROUGH – CENTRAL HIGHLANDS WATER)
CONVERSION ORDER 2006**

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Water Act 1989

I, John Thwaites, under the provisions of the **Water Act 1989**, make the following Order:

PART 1 – INTRODUCTORY STATEMENTS**1. CITATION**

This Order may be cited as the Bulk Entitlement (Evansford–Talbot System – Part Maryborough – Central Highlands Water) Conversion Order 2006.

2. EMPOWERING PROVISIONS

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

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order –

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

“**AHD**” means the Australian Height Datum;

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

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

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

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

“**Loddon Basin**” means the area of land previously designated by the Australian Water Resources Council (AWRC) as Basin Number 7 in the South-East Coast Division of the AWRC Australian Continental Drainage Divisions;

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

“**Maryborough District**” means the town of Maryborough and surrounding townships including Alma, Bet Bet, Carisbrook, Daisy Hill, Majorca, Talbot and Timor;

“**Minister**” means in relation to any provision the Minister administering the **Water Act 1989** or, any person authorised by the Minister to act on the Minister’s behalf in relation to that provision, or to whom the Minister has delegated the relevant power, discretion, function, authority or duty under Section 306 of the Act;

“**raceline**” means the channel connecting McCallums Creek Diversion Weir and Talbot Reservoir for purposes of transferring water from McCallums Creek in to Talbot Reservoir;

“**Resource Manager**” means any person appointed by Instrument by the Minister under section 43A(1)(b) of the Act to carry out the functions of Resource Manager in accordance with the terms and conditions specified in the Instrument of Appointment;

“**system**” means –

(a) means Talbot Reservoir (Dam), Evansford Reservoir (Dam), associated raw water pipelines, Centenary Reservoir (Dam) and McCallums Creek Diversion Weir and raceline, and

(b) waterway,
unless otherwise specified;

“**this Order**” means this “Bulk Entitlement (Evansford–Talbot System – Part Maryborough – Central Highlands Water) Conversion Order 2006”, unless otherwise specified;

“**Victorian Storage Operator**” means any person appointed by Instrument by the Minister under section 43A(1)(a) of the Act to carry out the functions of Storage Operator in accordance with the terms and conditions specified in the “Instrument of Appointment”;

“**waterway**” means McCallums Creek and Stoney Creek;

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

PART 2 – ENTITLEMENT

5. CONVERSION TO BULK ENTITLEMENTS

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

6. BULK ENTITLEMENT

6.1 Subject to sub-clause 6.2, the Authority may take water from the system and Tullaroop Reservoir, up to an annual volume of 3000 ML measured at the outlet of Centenary Reservoir, in order to supply the urban demands of the Maryborough District, at rates not exceeding:

- (a) 2.0 ML/day from Talbot Reservoir;
- (b) 6.0 ML/day from Evansford Reservoir;
- (c) 14.0 ML/day from Tullaroop Reservoir.

6.2 The annual volume supplied under sub-clause 6.1 is inclusive of the Authority’s bulk entitlement specified under Bulk Entitlement (Loddon System – Part Maryborough – Central Highlands Water) Conversion Order 2005.

7. TRANSFER OF ENTITLEMENT

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

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

7.2 The Minister may vary the maximum rate of extraction specified under sub-clause 6.1 for the purpose of making any transfer under sub-clause 7.1.

8. SHARE OF STORAGE CAPACITY

8.1 The Authority is entitled to all of:

- (a) the storage capacity of Talbot Reservoir where the total capacity is 846 ML at a full supply level of 341.2 metres AHD; and
- (b) the storage capacity of Evansford Reservoir where the total capacity is 1400 ML at a full supply level of 353.0 metres AHD; and
- (c) the storage capacity of Centenary Reservoir where the total capacity is 181 ML at a full supply level of 281.7 metres AHD; and
- (d) the water temporarily stored above the full supply level, in each of the reservoirs as part of its bulk entitlement under Clause 6.

8.2 If for any reason the Authority declares a changed storage capacity, the Authority is entitled to all of the changed capacity.

9. SHARE OF FLOW

9.1 In order to supply the water demands of the Maryborough District, subject to the limits specified under clause 6 and the operational rules for environmental flow purposes specified in clause 11, the Authority may take all the flows:

- (a) in McCallums Creek upstream of Evansford Reservoir;
- (b) in Stoney Creek upstream of Talbot Reservoir.

- 9.2 The Authority must not take, as part of this entitlement, any flow in the waterway, which is being transferred by the holder of any other bulk entitlement or licence.

PART 3 – GENERAL CONDITIONS AND PROVISIONS

10. MAKING ALLOWANCES

- 10.1 In calculating water available to the Authority under this bulk entitlement from the waterway, allowance must be made for:
- (a) any losses in the waterway; and
 - (b) the time taken by the flow to reach that point from the system.
- 10.2 If the Authority proposes to take water under this entitlement from a point other than that specified in sub-clause 6.1, it must first:
- (a) propose to the Minister –
 - (i) fair, reasonable and representative means for calculating the allowances required under sub-clause 10.1; and
 - (ii) details of the proposed location and amount of the extraction; and
 - (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
 - (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.
- 10.3 The Minister may:
- (a) approve all or any means proposed under sub-clause 10.2; or
 - (b) require the Authority to amend all or any means proposed; and
 - (c) require the Authority –
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.
- 10.4 The Authority must:
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 10.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

11. OPERATIONAL RULES FOR ENVIRONMENTAL FLOW PURPOSES

- 11.1 The Authority must not divert any water from McCallums Creek at McCallums Creek Diversion Weir to Talbot Reservoir via the raceline if the rate of water spilling from Evansford Reservoir is 2 ML per day or less.
- 11.2 If the rate of water spilling from Evansford Reservoir is greater than 2 ML per day, the Authority may, subject to sub-clause 11.3, divert water up to 2 ML per day from McCallums Creek at McCallums Creek Diversion Weir to Talbot Reservoir via the raceline.
- 11.3 The Authority must stop any diversions specified under sub-clause 11.2 if the rate of water spilling from Evansford Reservoir drops to 2 ML per day.

12. GRANTING WATER CREDITS

- 12.1 On the application of the Authority, the Minister may grant the Authority credit for any water:
- (a) returned to the waterway of the water taken from the system; and/or
 - (b) delivered from another distribution system to the waterway;
- against the total amount of its entitlement, as set out in this clause.

- 12.2 The Minister may grant a credit for releases made directly to the waterway from the Authority's distribution system if:
- (a) the return flow is treated to a high standard or is at least of same quality to the water taken by the Authority from the waterway; and
 - (b) the return flow is considered by the Minister to be useful in meeting environmental water or the Authority's or other Authorities' commitments to supply water.
- 12.3 The Minister may, by written notice to the Authority, specify any period or periods during which the Authority may not redeem credit against its entitlement specified under clause 6, in any year.

13. DATA

- 13.1 The Minister will use his or her 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.
- 13.2 The Authority must make available to any person data collected by or on behalf of the Authority for the purposes of the metering and reporting program under sub-clauses 16 and 17 respectively, subject to a fair and reasonable access fee, that the Authority may charge, to cover the costs of making the data available.

14. ENVIRONMENTAL OBLIGATIONS

- 14.1 The Authority must propose to the Minister, and implement within 12 months of the date of this Order coming into operation, a program to manage the environmental effects of the works under its control, that allow water to be taken from the system, including:
- (a) the effects on the bed and banks of the waterway in the vicinity of the works; and
 - (b) operational practices to remove silt from works; and
 - (c) operational practices to manage the water quality in works on the waterway; and
 - (d) operational rules to control releases from works to the waterway; and
 - (e) operational rules to manage flood flows through works on the waterway; and
 - (f) the proposed timing, extent and duration of any temporary changes to the provision of environmental water to allow for essential maintenance of the outlet works.
- 14.2 The Minister may:
- (a) approve the program proposed under sub-clause 14.1; or
 - (b) require the Authority to re-submit amended programs till in the Minister's opinion the amended program meets his or her requirement; or
 - (c) require the Authority to –
 - (i) review the current approved program if, in the Minister's opinion, the current approved program is at any time no longer appropriate; and
 - (ii) propose an amended program to the Minister.
- 14.3 The Authority must:
- (a) implement the approved environmental management program; and
 - (b) keep a record of all work undertaken under sub-clause 14.3(a); and
 - (c) meet all costs incurred in implementing the environmental management program.

- 14.4 The Authority under its obligation of duty of care for the environment shall, if required in the future, participate under the direction of the Minister in the development and implementation of Stressed River Proposals relevant to the Loddon Basin as per requirements under the Victorian River Health Strategy.

15. DISPUTE RESOLUTION

- 15.1 If a difference or dispute arises between the Authority, the Minister, the other entitlement holders relevant to this Order and the Resource Manager, or any of them (the “parties”), concerning the interpretation or application of this Order, a party may:
- (a) give written notice to another party requiring the matter to be determined by an independent expert; and
 - (b) refer the matter to the independent expert.
- 15.2 The notice requiring that the matter be determined by independent expert may only be given 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 entitlement holders specified in Schedule 2 to this Order, the 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 try to 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 under sub-clause 15.1(b) including the costs of the independent expert.

PART 4 – DEMONSTRATING COMPLIANCE

16. METERING PROGRAM

- 16.1 The Authority must propose to the Minister within 12 months of the date of this Order a metering program to demonstrate compliance with this bulk entitlement with respect to all water taken by the Authority under this bulk entitlement.
- 16.2 The Minister may:
- (a) approve the program proposed under sub-clause 16.1; or
 - (b) require the Authority to re-submit amended programs till in the Minister’s opinion the amended program meets his or her requirement; or

- (c) require the Authority –
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 16.3 The Authority must, at its cost, and in accordance with any guidelines issued from time to time by the Minister:
 - (a) implement and maintain the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition; and
 - (c) ensure that metering equipment is periodically re-calibrated; and
 - (d) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
 - (e) keep a record of all work undertaken under paragraphs (b), (c) and (d).

17. REPORTING REQUIREMENTS

- 17.1 The Minister may require the Authority to report on all or any of the following matters:
 - (a) the daily amounts of water taken from the system under this bulk entitlement;
 - (b) the annual amounts of water taken from the system waterway under this bulk entitlement;
 - (c) the water level and amount of water stored in Evansford Reservoir, Talbot Reservoir and Centenary Reservoir;
 - (d) any credits granted under clause 12;
 - (e) implementation of any program approved under sub-clause 14.2;
 - (f) the approval, amendment and implementation of the metering program approved under sub-clause 16.2;
 - (g) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (h) any period of restriction and the degree of restriction on supplies from the system waterway under this bulk entitlement;
 - (i) any amendment to this bulk entitlement;
 - (j) any new bulk entitlements granted to the Authority with respect to the bulk entitlement specified in clause 6;
 - (k) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (l) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement 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.
- 17.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 17.1, except:
 - (a) paragraph (a) of sub-clause 17.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of 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 paragraphs (a) to (l) of sub-clause 17.1.
- 17.5 Any report under sub-clause 17.4 must be made:
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
 - (b) unless the Authority and the person agree otherwise –
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) and (b) of sub-clause 17.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (c) to (l) of sub-clause 17.1.

PART 5 – FINANCIAL OBLIGATIONS

18. WATER RESOURCE MANAGEMENT COSTS

Subject to sub-clause 21.2, the Authority must pay the Resource Manager the costs incurred by the Resource Manager in performing the tasks specified in the relevant Instrument of Appointment.

19. SALINITY MANAGEMENT COSTS

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

20. DUTY TO KEEP ACCOUNTS

- 20.1 Separate accounts of all costs and payments must be kept by the Resource Manager in respect of clause 18.
- 20.2 The Resource Manager must, by 1 February in any year, provide the Authority with an estimate, in respect of the ensuing year, of the costs referred to in clause 18.
- 20.3 Accounts that are required to be kept in respect of this clause must be made available for inspection by the Authority upon request.

21. DUTY TO MAKE PAYMENTS

- 21.1 Any amounts payable by the Authority under clauses 18 must:
- (a) be made in accordance with the usual business practices of the Resource Manager unless otherwise set by mutual agreement between the Authority and the Resource Manager; and
 - (b) be invoiced to the Authority at least once a year, and, if more often than once a year, in instalments; and
 - (c) be paid in arrears within 30 days from the end of the month of the Authority receiving an invoice for amounts payable under clauses 18, unless the Authority and the persons to whom the amount is payable agree otherwise.
- 21.2 The Authority is not obliged to make any payment to the Resource Manager under clause 18 unless the provisions of this sub-clause relevant to those payments are complied with.

Dated 1 June 2006

JOHN THWAITES
Minister for Water

**BULK ENTITLEMENT
(QUAMBATOOK – GRAMPIANS WIMMERA-MALLEE WATER)
ORDER 2006
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Water Act 1989

I, John Thwaites, under the provisions of the **Water Act 1989**, make the following Order:

PART 1 – INTRODUCTORY STATEMENTS**1. CITATION**

This Order may be cited as the Bulk Entitlement (Quambatook – Grampians Wimmera-Mallee Water) Order 2006.

2. EMPOWERING PROVISIONS

This Order is made under section 42 of the **Water Act 1989**.

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order –

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

“**Agreement**” means the agreement between Goulburn–Murray Rural Water Authority and Grampians Region Water Authority made on 30 June 2004;

“**allocation**” means the actual volume of water which the Authority may take from the distribution system in a particular year;

“**Authority**” means the Grampians Wimmera-Mallee Water Authority;

“**cost of distribution**” means the total annual cost of –

- (a) operating, maintaining and administering the Distributor’s distribution system; and
- (b) making an appropriate allowance for renewing distribution system works; and
- (c) measuring the flow of channels and pipelines;

“**distribution system**” means the channels, pipes and other works, and the natural or modified waterways which are used to convey water from the headworks system to the Authority’s storages to supply the town of Quambatook;

“**Distributor**” means the person who operates and maintains the distribution system;

“**entitlement**” means the maximum volume of water which the Authority may take from the distribution system in any year;

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

“**exchange rate**” means the rate, determined by the Minister, at which the reliability of supply varies inversely to the annual entitlement;

“**Goulburn Basin**” means the area of land previously designated by the Australian Water Resources Council (AWRC) as Basin Number 5 in the Murray Darling Drainage Division of the AWRC Australian Continental Drainage Divisions;

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

“**Goulburn entitlement holder**” means the holder of “Bulk Entitlement (Eildon – Goulburn–Weir) Conversion Order 1995” and its subsequent amendment Orders;

“**Headworks System**” means the storages, diversion works and main water supply channels, pipelines and waterways required to supply water to the distribution system;

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

“**Minister**” means in relation to any provision the Minister administering the **Water Act 1989** or, any person authorised by the Minister to act on the Minister’s behalf in relation to that provision, or to whom the Minister has delegated the relevant power, discretion, function, authority or duty under Section 306 of the Act;

“reliability of supply” means the statistical probability that the Goulburn entitlement holder will be able to supply the whole of the annual entitlement to the Authority in any year from the Headworks System;

“Resource Manager” means any person appointed by Instrument by the Minister under section 43A(1)(b) of the Act to carry out the functions of Resource Manager in accordance with the terms and conditions specified in the Instrument of Appointment;

“specified point” means the flow measuring point at Grampians Wimmera–Mallee Water’s pump station to supply Quambatook;

“source cost” means the total annual cost to –

- (a) operate, maintain and administer; and
- (b) make releases from; and
- (c) keep an account of the water available to the entitlement holders at any one time of; and
- (d) meet the finance charges including repayment of principal, calculated by reference to the weighted average cost of borrowing (based on internal Treasury arrangements and externally borrowed funds) associated with any new or replacement works undertaken on; and
- (e) make an appropriate allowance for asset consumption, using the renewal annuity approach or other asset consumption methodology directed by the Minister to apply to the authorities, associated with; and
- (f) assist in managing the catchment for water supply purposes to protect the quality of water diverted to, stored in and delivered from; and
- (g) contribute to the cost of salinity mitigation schemes along the River Murray operated by Victoria, commensurate with the extent to which entitlement holders in the Goulburn basin rather than other water users in Victoria generate a need for these schemes; and
- (h) manage the stream gauging stations necessary to operate; and
- (i) implement the program to manage the environmental effects of; the components of the headworks system;

“Storage Operator” means any person appointed by Instrument by the Minister under section 43A(1)(a) of the Act to carry out the functions of Storage Operator in accordance with the terms and conditions specified in the Instrument of Appointment;

“the Order” means this Bulk Entitlement (Quambatook – Grampians Wimmera-Mallee Water) Order 2006, unless otherwise specified;

“year” means the 12 months commencing 1 July.

PART 2 – ENTITLEMENT

5. BULK ENTITLEMENT

- 5.1 The Authority is entitled to a maximum annual allocation of 100 ML at a rate not exceeding 0.5 ML per day in order to supply the town of Quambatook, being the measured annual flow at the specified point defined under clause 4.
- 5.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred –
 - (a) temporarily or permanently;
 - (b) in whole or in part;
 - (c) for any purpose, including an in-stream use of water.

- 5.3 The Minister may vary the maximum rate of extraction specified under sub-clause 5.1 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act.

6. RELIABILITY OF SUPPLY

- 6.1 The entitlement specified in sub-clause 5.1 is 99% reliable.
- 6.2 By 31 December in any year in which the Minister reviews the exchange rate, the Authority may apply to the Minister to amend the reliability of supply set out in sub-clause 6.1, for all or part of the entitlement.
- 6.3 An application to the Minister under sub-clause 6.2 must give details of any requirements of the Distributor in respect to the supply of water at the amended reliability of supply.
- 6.4 After considering an application under sub-clause 6.2, the Minister may amend both the reliability of supply and the entitlement, in accordance with this clause.
- 6.5 If the Minister grants the application, the Minister –
- must vary the entitlement by applying the exchange rate fixed by the Minister in that year; and
 - must not grant an entitlement which has a reliability of supply greater than 99%; and
 - must not grant an entitlement which has a reliability of supply less than 93%.
- 6.6 The Authority must advise the Distributor in writing of any amendment made by the Minister under sub-clause 6.4.

7. RESTRICTION APPLICABLE TO THIS BULK ENTITLEMENT

- 7.1 On the first day of October, November, December and January in any year, the Goulburn entitlement holder must decide whether to restrict the annual allocation under this bulk entitlement for that year.
- 7.2 Whenever $V_e < V_i$, the Goulburn entitlement holder may restrict the annual allocation in accordance with the following formula:

$$R = A \times (V_e \div V_i)$$

Where –

R = the Authority's restricted annual allocation,

A = the entitlement,

V_e = the total inflow of water to Lake Eildon in the 24 months preceding the first day of the month on which the Goulburn entitlement holder decides to restrict the annual allocation under sub-clause 7.1, as calculated by the Storage Operator,

V_i = that amount of the total inflow of water to Lake Eildon in the 24 months preceding the month in which the calculation is made, which the Minister calculates as having the same probability of being exceeded as the reliability of supply specified in sub-clause 7.1 or as amended under sub-clause 7.4.

- 7.3 In any year in which the annual allocation is restricted in January, on the first day of each ensuing month the Goulburn entitlement holder must review the restriction and –
- if $V_e \geq V_i$, revoke the restrictions for that year; or
 - if $V_e < V_i$, amend the restricted annual allocation to an amount which is the greater of –
 - $A \times (V_e \div V_i)$ and
 - the amount determined for January under sub-clause 7.2.

- 7.4 The Authority's annual allocation cannot be restricted in any year unless the Goulburn entitlement holder advises the Authority in writing within 14 days of a decision to restrict this allocation under sub-clauses 7.1 and 7.2.
- 7.5 The Authority is not eligible for credits for any amount of the Authority's annual allocation not taken due to any restriction imposed or removed under sub-clauses 7.2 and 7.3.

PART 3 – GENERAL CONDITIONS AND PROVISIONS

8. OPERATIONAL ARRANGEMENTS

- 8.1 The Authority in conjunction with the Storage Operator and the Goulburn entitlement holder, must endeavour to agree on and implement operating arrangements within 12 months from the date this Order is made, for the supply of water under this entitlement.
- 8.2 If an agreement on operational arrangements has not been reached within the time specified in sub-clause 8.1, one or more of the parties involved under sub-clause 8.1 may give written notice to the other party or parties involved in endeavouring to agree on operational arrangements, requiring the matter to be determined in accordance with clause 10. If such notice is given, the parties will co-operate in the dispute resolution process.

9. DATA

- 9.1 The Minister will use his or her 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.
- 9.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 11 and 12 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

10. DISPUTE RESOLUTION

- 10.1 If a difference or dispute arises between the Authority, the Minister, the other entitlement holders relevant to this Order, the Storage Operator and the Resource Manager, or any of them (the "parties"), concerning the interpretation or application of this Order, a party may:
- (a) give written notice to another party requiring the matter to be determined by an independent expert; and
 - (b) refer the matter to the independent expert.
- 10.2 The notice requiring that the matter be determined by independent expert may only be given 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.
- 10.3 The other entitlement holders specified in Schedule 2 to this Order, the 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.
- 10.4 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.
- 10.5 The independent expert must try to 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.
- 10.6 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

- 10.7 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.
- 10.8 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.
- 10.9 The Authority may request the Minister to determine the apportionment of the costs of and incidental to every reference under sub-clause 10.1(b) including the costs of the independent expert.

PART 4 – DEMONSTRATING COMPLIANCE

11. METERING PROGRAM

- 11.1 The Authority must propose to the Minister within 12 months of the date of this Order a metering program to demonstrate compliance with this bulk entitlement with respect to all water taken by the Authority under this bulk entitlement; and
- 11.2 The Minister may –
- (a) approve the program proposed under sub-clause 11.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority –
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister; or
 - (d) not approve the program.
- 11.3 The Authority must, at its cost, and in accordance with any guidelines issued from time to time by the Minister –
- (a) implement and maintain the approved metering program; and
 - (b) maintain metering equipment and associated measurement structures in good condition; and
 - (c) ensure that metering equipment is periodically re-calibrated; and
 - (d) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
 - (e) keep a record of all work undertaken under paragraphs (b), (c) and (d).

12. REPORTING REQUIREMENTS

- 12.1 The Minister may require the Authority to report on all or any of the following matters:
- (a) the daily amounts of water taken under this entitlement;
 - (b) the annual amounts of water taken under this entitlement;
 - (c) the approval, amendment and implementation of the metering program approved under sub-clause 11.2;
 - (d) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (e) any period of restriction and the degree of restriction imposed on the entitlement specified in clause 5;
 - (f) any amendment to this bulk entitlement;
 - (g) any new bulk entitlements granted to the Authority with respect to the entitlement specified in clause 5;

- (h) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (i) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed.
- 12.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 12.1:
- (a) in writing or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister's written request.
- 12.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 12.1, except:
- (a) paragraph (a) of sub-clause 12.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (h) of sub-clause 12.1.
- 12.4 The Goulburn entitlement holder and the Resource Manager may together or individually require the Authority to report from time to time, on all or any of the matters set out in sub-clause 12.1.
- 12.5 Any report under sub-clause 12.4 must be made:
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
 - (b) unless the Authority and the person agree otherwise –
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) and (b) of sub-clause 12.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (c) to (i) of sub-clause 12.1.

PART 5 – FINANCIAL OBLIGATIONS

13. WATER SUPPLY SOURCE COST

- 13.1 The Authority must pay the Goulburn entitlement holder a storage annual charge in return for the storage of water in the Headworks System to provide the bulk entitlement under this Order, calculated as follows:

$$C_{GWM} = \$ (A \times E \div Y) \times C + O$$

where

C_{GWM} is the storage charge (\$),

A is the annual entitlement (ML) as specified under clause 5,

E the exchange rate (decimal fraction) that converts the reliability of supply of the annual entitlement to a reliability of supply of 97%,

Y is the average annual volume (ML) that can be supplied from the Headworks System by the Goulburn entitlement holder with a reliability of supply of 97%,

C is the system source costs estimated by the Storage Operator for the year for which the charge is calculated (\$) as specified in "Bulk Entitlement (Eildon – Goulburn Weir) Conversion Order 1995",

O is any other agreed charge (such as the regional urban storage ancillary fee) (\$).

- 13.2 The Authority must pay the charge, whether or not its annual supply is restricted in any year.

14. WATER SUPPLY DELIVERY COST

The Authority must pay the Goulburn entitlement holder an annual delivery charge for the supply of water from the Headworks System to the distribution system, calculated as follows:

$$C_D = \text{\$D} \times M \div T$$

where

- C_D** is the delivery charge,
D the total Headworks System delivery costs estimated by the Storage Operator to be incurred for the year for which the charge is calculated,
M is the amount of water taken by the authority from the distribution system and measured in accordance with sub-clause 11.3,
T the average amount of water actually supplied to all users from the Headworks System.

15. WATER SUPPLY DISTRIBUTION COST

The Authority must pay the Distributor a distribution annual charge to cover the cost of distribution of the Authority's annual allocation through the distribution system to the specified point, calculated in accordance with the Agreement, less the amount paid to the Goulburn entitlement holder in accordance with clauses 13 and 14 of this Order.

16. ENTITLEMENT TO PAYMENTS

Neither the Goulburn entitlement holder nor the Distributor is entitled to any payment in respect of any water delivered under this Order other than as provided under PART 5 of this Order.

17. WATER ACCOUNTING

- 17.1 For the purpose of determining how much water has been taken by the Authority under its annual entitlement the amounts measured under sub-clause 11.3 are conclusive.
- 17.2 If the equipment referred to in sub-clause 11.3(b) fails for any reason to operate accurately or correctly for any period, the amounts for the purpose of sub-clause 17.1 are deemed to be the same as the average amount taken by the Authority under its annual entitlement for the same period for the preceding three years or such other method of estimation as may be agreed to by the Authority and the Goulburn entitlement holder.

18. WATER RESOURCE MANAGEMENT COSTS AND FIXING PROPORTIONS OF COSTS

- 18.1 Subject to sub-clause 20.2, the Authority must pay the Resource Manager a proportion of the costs incurred by the Resource Manager in performing the tasks specified in the relevant "Instrument of Appointment".
- 18.2 The proportion of the costs referred to in sub-clause 18.1 will be calculated in the same manner as for other urban Bulk Entitlements supplied by the Distributor, unless a different proportion is agreed to between the Authority and the Resource Manager.

19. DUTY TO KEEP ACCOUNTS

- 19.1 Separate accounts of all costs and payments must be kept –
- by the Resource Manager in respect to sub-clause 18.1;
 - by the Goulburn entitlement holder in respect to sub-clause 13.1.
- 19.2 The Resource Manager must, by 1 February in any year, provide the Authority with an estimate, in respect of the ensuing year, of the costs referred to in sub-clause 18.2.
- 19.3 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

20. DUTY TO MAKE PAYMENTS

- 20.1 Any amounts payable by the Authority under sub-clauses 13.1 and 18.1 must be paid in arrears, within 30 days from the end of the month of the Authority receiving the respective invoices, for amounts payable under the clauses, unless the Authority and the persons to whom the amounts are payable agree otherwise.
- 20.2 The Authority is not obliged to make any payment to the Resource Manager, under clause 18 unless the Resource Manager complies with the provisions of this clause relevant to that payment.

Dated 2 June 2006

JOHN THWAITES
Minister for Water

Water Act 1989**BULK ENTITLEMENT (AXEDALE, GOORNONG & PART ROCHESTER)
CONVERSION AMENDMENT ORDER 2006**

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

1. Title

This Order is called the Bulk Entitlement (Axedale, Goornong & Part Rochester) Conversion Amendment Order 2006.

2. Preliminary

The Bulk Entitlement (Axedale, Goornong & Part Rochester) Conversion Order 1999 (the Bulk Entitlement Order) was made on 19 August 1999 and published in the Government Gazette G37 dated 16 September 1999 at page 2111.

3. Purpose

The purpose of this Order is to amend sub-clause 8.2 of the Bulk Entitlement Order to specify the restriction of water supply to the townships of –

- i. Axedale and Goornong; and
- ii. Rochester only during the months of May, June, July, August and September.

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. Amendment of sub-clause 8.2

For sub-clause 8.2 of the Bulk Entitlement Order substitute –

“8.2 Whenever the seasonal allocation for the Campaspe Irrigation District determined by the Campaspe Entitlement Holder drops below 100% water right then the Campaspe Entitlement Holder may restrict this entitlement in accordance with the following formula:

$$\begin{aligned} R &= 0.5 * A && \text{if } S \leq 0.5 \\ &= S * A && \text{if } 0.5 < S < 1.0 \\ &= A && \text{if } S \geq 1.0 \end{aligned}$$

where –

R = the Authority's restricted annual entitlement,

A = the Authority's annual entitlements as specified in clause 6,

S = the seasonal allocation for the Campaspe Irrigation District determined by the Campaspe Entitlement Holder.”.

Dated 2 June 2006

Responsible Minister
JOHN THWAITES
Minister for Water

**BULK ENTITLEMENT (BROKEN SYSTEM –
SNOWY ENVIRONMENTAL RESERVE) CONVERSION ORDER 2006**

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16. FINANCIAL OBLIGATIONS

SCHEDULE 1: ENVIRONMENTAL ENTITLEMENT

SCHEDULE 2: ANNUAL ALLOCATION

SCHEDULE 3: FINANCIAL OBLIGATIONS

Water Act 1989

I, John Thwaites, under the provisions of the **Water Act 1989**, make the following Order:

PART 1 – INTRODUCTORY STATEMENTS**1. CITATION**

This Order may be cited as the Bulk Entitlement (Broken System – Snowy Environmental Reserve) Conversion Order 2006.

2. EMPOWERING PROVISIONS

This Order is made under section 47C of the **Water Act 1989**.

3. COMMENCEMENT

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

4. PURPOSE

The purpose of this Order is to grant a bulk entitlement, to be called an environmental entitlement, to the Minister for Environment that will be used:

- (a) in the first year, to provide water for environmental purposes for the River Murray and its tributaries; and
- (b) in subsequent years, to provide water for irrigation purposes from the River Murray so that water can be retained in other parts of the River Murray system to provide increased environmental flows to the Snowy River.

5. DEFINITIONS

In this Order –

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

“**announced allocation**” means the allocation determined by the Authority from time to time in respect of a type of supply in accordance with the reliability of supply and restriction policies applicable to that type of supply;

“**Authority**” means the holder of the Bulk Entitlement (Broken System – Goulburn–Murray Water) Conversion Order 2004;

“**Broken Snowy Inter-Valley Account**” means the account established in accordance with clause 10 of this Order;

“**Broken System**” means the water supply systems supplied from

- (a) Lake Nillahcootie,
- (b) Lake Mokoan,
- (c) the inflows to these storages and
- (d) the flows harvested by the Broken River and tributaries downstream of the storages;

“**Deed**” means the “Snowy Water Inquiry Outcomes Implementation Deed, June 2002”;

“**Entitlement Holder**” is the person granted this bulk entitlement as provided for in clause 6 of this Order;

“**environmental entitlement**” means the bulk entitlement granted by this Order as described in clause 6;

“**first year**” means the period from the time this order is made up to 30 June 2006;

“**flow monitoring points**” means the measuring points specified in Schedule 1 to this Order;

“**Goulburn–Broken–Loddon cap**” means the annual volume of water determined each year by the cap model that would have been diverted under 1993–94 levels of development from the Goulburn, Broken and Loddon River basins;

- “**Licence**” means any licence granted under Part 4 of the Act;
- “**Minister**” means the Minister administering the **Water Act 1989**;
- “**Minister for Environment**” means the Minister administering the **Conservation, Forests and Lands Act 1987**;
- “**MDBC**” means the Murray–Darling Basin Commission or that Commission’s nominee or delegate exercising any relevant function;
- “**Murray–Darling Basin Agreement**” means the Agreement contained in the Schedules to the **Murray Darling Basin Act 1993**;
- “**River Murray Resource Manager**” means the person appointed by the Minister under section 43A of the Act to undertake tasks as described in the Bulk Entitlement (River Murray – Goulburn–Murray Water) Conversion Order 1999;
- “**Snowy–Murray Development**” has the same meaning as in clause 1.1(55) of the Deed;
- “**Storage Operator**” means the person appointed under section 43A of the Act to carry out any obligations imposed by this Order;
- “**subsequent years**” means the years commencing from 1 July 2006;
- “**this Order**” means this “Bulk Entitlement (Broken System – Snowy Environmental Reserve) Conversion Order 2006”, unless otherwise specified;
- “**tributaries**” means the Goulburn, Broken, Loddon and Campaspe Rivers;
- “**year**” means the 12 months commencing 1 July.

PART 2 – ENTITLEMENT

6. BULK ENTITLEMENT

- 6.1 The Minister for Environment is granted a bulk entitlement to the annual volume of water as specified in Schedule 1 to this Order.
- 6.2 The environmental entitlement granted in sub-clause 6.1 is to be allocated as per clause 7 and measured at the flow monitoring point specified in Schedule 1 to this Order.
- 6.3 The environmental entitlement is to be supplied and used in accordance with clause 8.2.

PART 3 – GENERAL CONDITIONS AND PROVISIONS

7. ANNUAL ALLOCATION

- 7.1 The Entitlement Holder is entitled to an annual allocation at the commencement of each year.
- 7.2 The annual allocation shall be of such volume as determined by the Authority during each year in accordance with Schedule 2 to this Order.
- 7.3 The Entitlement Holder must advise the Storage Operator and the Minister of the annual allocation determined under this clause and/or of any changes to the annual allocation.

8. SUPPLY ARRANGEMENTS AND CALCULATION OF FLOW

- 8.1 Unless otherwise agreed by MDBC, the Storage Operator must ensure the volume of water available under the environmental entitlement as recorded in the Broken Snowy Inter-Valley Account is provided each year in accordance with clause 9.
- 8.2 The water allocated under clause 7 must be supplied:
- (a) In the first year, to meet the environmental needs of the River Murray and its tributaries.
 - (b) In subsequent years, to meet the environmental obligations set out under the Deed.

- 8.3 The amount of water supplied under sub-clause 8.2 must be calculated as the amount of water flowing past the flow monitoring points specified in Schedule 1 to this Order in excess of the flow that would have occurred had this supply not been ordered.

9. OPERATING ARRANGEMENTS

- 9.1 The Entitlement Holder must seek agreement annually with MDBC, the Authority and the River Murray Resource Manager on the Operating Arrangements for the supply of water under this environmental entitlement which specify:
- (a) the timing of supply within each year of the water available under the environmental entitlement;
 - (b) for any environmental entitlement for which transmission losses apply in Schedule 1 to this Order, the volume of transmission loss associated with the supply; and
 - (c) any other matters required to enable the water to be supplied under the environmental entitlement.
- 9.2 In the event that the Entitlement Holder cannot reach agreement on the Operating Arrangements in any year, the Minister may direct the Entitlement Holder on the Operating Arrangements which will apply in that year. Any such direction must be consistent with the Deed and Murray–Darling Basin Agreement.

10. BROKEN SNOWY INTER-VALLEY ACCOUNT

The Storage Operator must create and maintain a Broken Snowy Inter-Valley Account which records:

- (a) the volume carried over from the previous year;
- (b) the volumes and sources of water allocated under clause 7 of this Order;
- (c) the volume of water supplied and the agreed volume of Broken River transmission loss associated with the supply;
- (d) the volume spilled from the account; and
- (e) the volume of water available under the environmental entitlement at any time including the water carried over from the previous year.

11. WATER ACCOUNTING AND CARRYOVER ARRANGEMENTS

- 11.1 During the year the volume of water recorded as available in the Broken Snowy Inter-Valley Account must be reduced by:
- (a) the amount of water supplied under clause 8.2;
 - (b) the volume of transmission loss agreed under the Operating Arrangements;
 - (c) if Hume and Dartmouth storages spill or pre-release to provide for flood mitigation, the volume of carryover recorded in the Broken Snowy Inter-Valley Account at the time of the spill or pre-release.
- 11.2 For subsequent years, at 30 June each year any volume of unused environmental entitlement as recorded in the Broken Snowy Inter-Valley Account must be carried over into the following year as follows:
- (a) the volume carried over when added to the volumes carried over in other Broken Snowy Inter-Valley Accounts must not exceed the volume of Victorian airspace in Hume and Dartmouth storages;
 - (b) if Hume and Dartmouth storages have spilled or pre-released to provide for flood mitigation since the end of May the volume carried over will be set to zero;
 - (c) the water carried over will be the first water supplied in the following year.

11.3 For purposes of Schedules F and G of the Murray–Darling Basin Agreement the Goulburn–Broken–Loddon Cap will be reduced by:

- (a) the amount of water supplied under clause 8.2; and
- (b) the volume of transmission loss agreed under clause 9.1(b).

12. ADJUSTMENT OF SCHEDULES

12.1 The Minister may, from time to time, amend:

- (a) Schedule 1 to this Order to:
 - (i) increase the environmental entitlement upon the receipt of an application by the Entitlement Holder following advice from the Authority that additional water savings are available for increased environmental flows;
 - (ii) reflect any alterations to the volume and reliability of the environmental entitlement;provided any such changes meet the environmental obligations set out in the Deed; and
- (b) Schedule 3 to this Order to detail the requirements of any financial obligations of any component of the environmental entitlement in or added to Schedule 1 to this Order.

13. DISPUTE RESOLUTION

13.1 If any difference or dispute arises between the Entitlement Holder, the Minister, and with their consent, the Authority, the Storage Operator, the River Murray Resource Manager, the MDBC, or any of them (the “parties”), concerning the interpretation or application of this Order, a party may:

- (a) give written notice to another party requiring the matter to be determined by an independent expert; and
- (b) refer the matter to the independent expert.

13.2 The notice requiring that the matter be determined by independent expert may only be given 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.

13.3 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.

13.4 The independent expert must try to 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.

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

13.6 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.

13.7 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.

13.8 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 – DEMONSTRATING COMPLIANCE**14. METERING PROGRAM**

The Entitlement Holder must consult with the Authority to ensure that provision has been made in the Authority's metering program to measure all water used under this Order.

15. REPORTING REQUIREMENTS

15.1 The Minister may require the entitlement holder to report on all or any of the following matters:

- (a) the date and daily flow at the flow monitoring points specified in Schedule 1;
- (b) the volume of supply, including any Broken River loss component and the dates the supply occurred;
- (c) any alteration to the Schedules arising from new transfers or adjustments to existing entitlements;
- (d) the volume allocated to the Snowy–Murray Development (River Murray) environmental entitlement as provided for in the Deed.

15.2 In subsequent years, the Storage Operator must advise by 31 January each year:

- (a) the Water Administration Ministerial Corporation constituted under section 371 of the **Water Management Act 2000** (NSW) as the authority administering the Snowy Water Licence granted under Part 5 of the **Snowy Hydro Corporatisation Act 1997** (NSW); and
- (b) the Minister;

of the annual allocation to the Snowy–Murray Development calculated as follows:

- (i) The allocated volume recorded in the Goulburn–Snowy Inter-Valley Account as available from 1 February of the previous year to 31 January in the current year;
- (ii) The total transmission loss subtracted from available water from the environmental entitlement as recorded in the Goulburn–Snowy Inter-Valley Account under this clause from 1 February of the previous year to 31 January in the current year.

PART 5 – FINANCIAL OBLIGATIONS**16. FINANCIAL OBLIGATIONS**

The Entitlement Holder must meet any financial obligations associated with the supply of the environmental entitlement as specified in Schedule 3 to this Order.

Dated 2 June 2006

JOHN THWAITES MP
Minister for Water

SCHEDULE 1: ENVIRONMENTAL ENTITLEMENT**Broken system**

Item No	Source of water	Annual Volume (ML)	Type of Supply	Transmission loss	Flow monitoring points
1	Burnbrae Diversion Licence	990	Regulated licence without sales	Yes	Broken River at Gowangardie Weir (SI 404224) or Orrvale (SI 404222)

SCHEDULE 2: ANNUAL ALLOCATION

The annual allocation in any year is calculated using the following formula:

$$V = \sum_{i=1}^n E_i * A_i$$

Where

V = the volume allocated (ML),

i = item number in Schedule 1,

E_i = annual volume relevant to item i in Schedule 1,

A_i = minimum (the announced allocation applying to item i at the current time expressed as a decimal fraction **OR** 1.0).

SCHEDULE 3: FINANCIAL OBLIGATIONS

Item No	Source of water	Detail of Financial Obligation
1.	Burnbrae Diversion Licence	No obligation

Building Act 1993

BUILDING REGULATIONS 2006

Approved Forms

The Building Commission, pursuant to regulation 1901 of the Building Regulations 2006 (the Regulations) has approved the following forms for the purposes of the Regulations with effect from 13 June 2006, and hereby publishes the approved forms:

Signed at Melbourne in the State of Victoria this 7 June 2006.

TONY ARNEL
Building Commissioner



**Building Act 1993
Building Regulations 2006**

REGULATION 321: BUILDING PERMIT LEVY RETURN

Month: **Year:**

Part A (to be completed for each permit issued during the month)

Permit Details

Building Surveyor No: Permit No: Stage No: Date of Issue:
Application Date:
Previous Permit No: (Terminated appointment permit number if known):

Owner Details

Owner name:
Owner Street Number: Owner Street Name:
Owner Suburb: Owner State: Owner Postcode:
Owner Phone:

Owner Builder (Yes/No):
If Yes – Certificate of Consent number:

Property Details

Unique Property identifier - SPI number (if known):
Lot/s: Street Number: Street/Road:
City/Suburb/Town: Postcode:
Municipal District :

Private, or Local, State, or Commonwealth Government land ownership (indicate which is applicable):

Details of Builder engaged in the building work

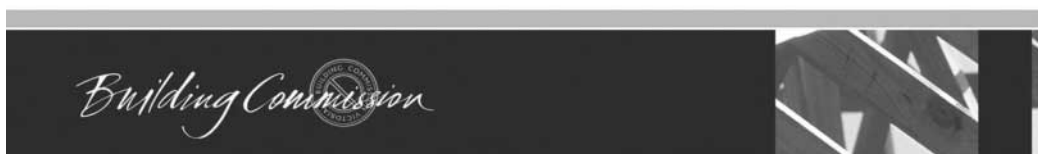
Builder Reg No: Builder Name:
Builder Company Name:
Builder Street No: Builder Street Name: Builder Suburb:
Builder State: Builder Postcode: Builder Phone:

Details of drafts person *or architect* engaged to prepare documents

Reg No: Name:
Company: Phone:

Description of building work

Nature of building work:
BCA Classification(s):
Intended use of building:
Allotment of area (m²): Total Floor area of new building work (m²):



Number of storeys: Floor Material: External Wall Material:
 Roof Cladding Material: Frame Material:

No. of existing dwellings: No. of dwellings demolished: No. of new dwellings:

***Details of sustainability measures:**

Solar Hot Water (Y/N): Rainwater Tank (Y/N):

***Details of relevant planning permit**

Planning permit no: Date of issue of planning permit:

Cost of Building Work

Total estimated cost or contract sum of project (\$):

Cost of building work applicable to this permit (\$):

*Estimated cost or contract sum of domestic building work applicable to this project (\$):

Levy Amount

General Levy Amount (\$):

*HIH Levy amount (\$):

Total Levy Amount (\$):

Part B (to be inserted after the last permit levy details for that month have been included)

TOTAL OF LEVY AMOUNTS RECEIVED FOR MONTH:

Total of general levy amounts (\$):

*Total of HIH levy amounts (\$):

Part C (to be inserted at the end of the levy return)

I certify that the information provided in this levy return is complete and correct.

Name: Registration No:

Signature: Date:

* Leave blank if inapplicable



**Building Act 1993
Building Regulations 2006**

REGULATION 322: BUILDING WORK COMMENCEMENT, COMPLETION OR PERMIT LAPSE RETURN

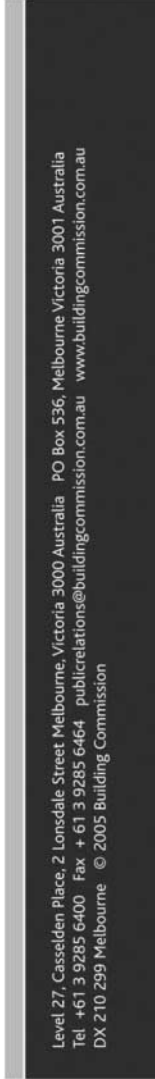
Building Surveyor registration No.	Month		Year		Building Permit Issue Date	Commencement Date*	Date of Occupancy Permit/Certificate of Final Inspection	Occupancy Permit/Certificate of Final Inspection Number (if applicable)	Date Project abandoned or permit lapsed (if applicable)
	Building Permit No.	Stage No.	Month	Year					

I certify that the above information is complete and correct.

Name: _____ Registration No: _____

Signature: _____ Date: _____

* Estimated commencement of building work or date of first inspection



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DX 210 299 Melbourne © 2005 Building Commission

Building Act 1993
BUILDING REGULATIONS 2006
Regulation 1507: Certificate of Compliance – Design

To

Relevant building surveyor:

Postal address:

Postcode:

From

Building practitioner:

Category and class:

Registration No:

Postal address:

Postcode:

Property details (if applicable)

Number:

Street/road:

City/suburb/town:

Lot/s:

LP/PS:

Volume:

Folio:

Crown allotment:

Section:

Parish:

County:

Municipal District:

Compliance

I did*/did not* prepare the design and I certify that the part of the design described as _____
complies with the following provisions of the Regulations**

* *Delete whichever is not applicable*

** *Includes BCA and relevant standards.*

Design documents

Drawing Nos:

Prepared by:

Date:

Specifications:

Prepared by:

Date:

Computations:

Prepared by:

Date:

Test reports:

Prepared by:

Date:

Other documentation:

Prepared by:

Date:

Signature

Signed:

Date:

Building Act 1993
BUILDING REGULATIONS 2006
Regulation 1507: Certificate of Compliance – Inspection

To

Relevant building surveyor:

Postal address:

Postcode:

From

Building practitioner:

Category and class:

Registration No:

Postal address:

Postcode:

Property details

Number:

Street/road:

City/suburb/town:

Lot/s:

LP/PS:

Volume:

Folio:

Crown allotment:

Section:

Parish:

County:

Municipal District:

Compliance

I certify that the part of the building work described as _____ has been inspected by me and complies with the following provisions of the Act or Regulations*

* Includes BCA and relevant standards.

Prescribed temporary structures

In the case of a prescribed temporary structure this certificate relates to occupancy permit number:

Inspection date

Date of inspection of building work:

Signature

Signed:

Date:

Building Act 1993**BUILDING REGULATIONS 2006**Regulations 1209 & 1215: Annual Essential Safety Measures Report¹**Property Address:****Building/s or part of building:****Classification of building/s or part of building:****PART A – Post July 1994 building**

This part of report is in relation to occupancy permit no: *(insert no)* issued: *(insert date)* or maintenance determination dated: *(insert date)* and is required to be prepared before each anniversary of the date of that occupancy permit or maintenance determination.

Maintenance personnel details

The following personnel carried out maintenance on the essential safety measures in this building during the preceding 12 months.

Essential safety measure	Name	Address

PART B – All Buildings (pre and post July 1994 Buildings)

- 1) **Details of any inspection report provided under section 227E² of the Building Act 1993;** and
- 2) **Compliance**

I hereby state that I have*/the owner has* taken all reasonable steps to ensure that–

* *Delete as applicable*

- (i) each essential safety measure is operating at the required level of performance or to fulfil its purpose; and
- (ii) where applicable each essential safety measure has been maintained in accordance with the occupancy permit or maintenance determination and will fulfil its purpose; and
- (iii) since the last annual essential safety measures report there have been no penetrations to required fire-resisting construction, smoke curtains and the like in the building, other than those for which a building permit has been issued; and
- (iv) since the last annual essential safety measures report there have been no changes to materials or assemblies that must comply with particular fire hazard properties, other than those for which a building permit has been issued; and
- (v) the information contained in this report is correct.

Signature

Owner/agent of owner³

* *Delete if inapplicable*

Signed:

Date:

1. The owner must ensure that this annual essential safety measures report and records of maintenance checks, service and repair work are available on the premises for inspection by the municipal building surveyor or chief officer after 24 hours notice. The penalty for non-compliance is a maximum of 10 penalty units.
 2. Section 227E of the **Building Act 1993** provides the power for the chief officer and municipal building surveyor to inspect essential safety measures.
 3. Under section 240 and 248(1) of the **Building Act 1993** an agent of the owner must have written authority from the owner to act as their agent. Also note the general rules of “Agency” also apply.
-

Planning and Environment Act 1987**BALLARAT PLANNING SCHEME**Notice of Approval of Amendment
Amendment C94

The Ballarat City Council has approved Amendment C94 to the Ballarat Planning Scheme.

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

The Amendment proposes to include clause 33.03 (being the provisions of the Industrial 3 Zone and a new schedule to clause 33.03) into the Ballarat Planning Scheme.

The Amendment was approved by the Ballarat City Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 18 May 2005. The authorisation has not been withdrawn.

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, State Government Offices, 402-406 Mair Street, Ballarat; and at the offices of the Ballarat City Council, The Phoenix Building, 25 Armstrong Street South, Ballarat.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987**BASS COAST PLANNING SCHEME**Notice of Approval of Amendment
Amendment C45

The Bass Coast Shire has approved Amendment C45 to the Bass Coast Planning Scheme.

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

The Amendment proposes the following changes over Lot 1 on Title Plan 216993K, Township of Inverloch:

- rezone the land from a Residential 1 Zone to a Business 1 Zone;
- delete Schedule 3 to the Vegetation Protection Overlay affecting this site; and
- delete Schedule 1 to the Design and Development Overlay affecting this site.

The Amendment was approved by the Bass Coast Shire in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 1 June 2006. The authorisation has not been withdrawn.

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 Regional Office, 71 Hotham Street, Traralgon; and at the offices of the Bass Coast Shire Council: Bass Coast Shire Council, Customer Service Centre, 76 McBride Avenue, Wonthaggi; and Bass Coast Shire Council, Customer Service Centre, 3 Reilly Street, Inverloch.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987**BAW BAW PLANNING SCHEME**Notice of Approval of Amendment
Amendment C34

The Baw Baw Shire Council has approved Amendment C34 to the Baw Baw Planning Scheme.

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

The Amendment rezones private land included in public land zones at 150 Bowen Street, 30, 32 and 36 Myrtle Crescent, Windhaven Court and 215 Brandy Creek Road, Warragul to Residential 1 Zone and Farming Zone and in Alfred Street, Warragul to Industrial 1 Zone.

The Amendment was approved by the Baw Baw Shire Council in accordance with

authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 1 June 2006. The authorisation has not been withdrawn.

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; the Department of Sustainability and Environment Gippsland Regional Office, 71 Hotham Street, Traralgon; and at the offices of the Baw Baw Shire Council, Civic Centre, Warragul.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

CAMPASPE PLANNING SCHEME

Notice of Approval of Amendment
Amendment C37

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

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

The Amendment rezones approximately 0.38 hectares of land located in the vicinity of the intersection of Murray Valley Highway with Mitchell Road, Echuca from Rural Zone (RUZ) to Residential 1 Zone (R1Z) to allow for serviced residential subdivision development.

Notice of the abandonment of Amendment C37 was published in the Government Gazette on 21 April 2005. On 22 August 2005, the decision of Campaspe Shire Council to abandon this Amendment was declared void by order of the Victorian Civil and Administrative Tribunal. Campaspe Shire Council resolved on 8 November 2005 to adopt Amendment C37 to the Campaspe Planning Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, 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 Campaspe Shire Council, corner of Hare and Heygarth Streets, Echuca.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Approval of Amendment
Amendment C58

The Minister for Planning has approved Amendment C58 to the Cardinia Planning Scheme.

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

The Amendment rezones part of the land at Lot 1 TP139268 and part Lot 1 TP139267, Kooweerup Road, Pakenham from an Industrial 1 Zone to a Residential 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Cardinia Shire Council, Henty Way, Pakenham.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Approval of Amendment
Amendment C78

The Minister for Planning has approved Amendment C78 to the Cardinia Planning Scheme.

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

The Amendment rezones the land described as:

- 44, 46, 48, 50, 52 James Street, Pakenham and 1, 3, 5 Rogers Street, Pakenham from Residential 1 Zone to a Mixed Use Zone, and
- 11 John Street, Pakenham from Residential 1 Zone to a Business 1 Zone.

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

Permit No.: T050591.

Description of land: Lot 3, PS: 21380, 48 James Street, Pakenham.

A copy of the Amendment and permit 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 office of the Cardinia Shire Council, Henty Way, Pakenham.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

CASEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C81

The City of Casey has approved Amendment C81 to the Casey Planning Scheme.

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

The Amendment rezones land known as Reserve No. 2 on PS347459M from Road Zone – Category 1 (RDZ1) to a Residential 1 Zone (R1Z). The land is currently owned by VicRoads and forms part of the Monash Freeway (Hallam Bypass) road reserve.

The Amendment was approved by the City of Casey in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 23 May 2006. The authorisation has not been withdrawn.

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 City of Casey, Magid Drive, Narre Warren.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Approval of Amendment

Amendment C34

The Minister for Planning has approved Amendment C34 to the Greater Bendigo Planning Scheme.

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

The Amendment:

rezones about 2.6 hectares of the former VicRoads depot site at 47 Lansell Street, Bendigo to Residential 1 Zone;

- applies the Development Plan Overlay and new Schedule 16 to this portion of the site, to guide the form of residential development and ensure compliance with environmental audit requirements; and
- rezones the adjoining VicRoads carpark area to Public Use Zone – Service and Utility.

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 North West Regional Office, corner of Midland Highway and Taylor Street, Epsom; and at the offices of the Greater Bendigo City Council, Hopetoun Mill, 15 Hopetoun Street, Bendigo.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987GREATER DANDENONG
PLANNING SCHEMENotice of Approval of Amendment
Amendment C72

The Minister for Planning has approved Amendment C72 to the Greater Dandenong Planning Scheme.

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

The Amendment rezones the rear portion of land at 397–399 Princes Highway, Noble Park from a Residential 1 Zone to a Mixed Use Zone and amends the Schedule to the Mixed Use Zone permitting a maximum combined leasable floor area of 500 square metres for office, trade supplies and restricted retail premises, and a maximum combined leasable floor area of 250 square metres for all other shops on the land.

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

Permit No.: PLN04/0078.

Description of land: 397–399 (Lot 316 on LP 8370) Princes Highway, Noble Park.

A copy of the Amendment and permit 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 Greater Dandenong City Council: Dandenong Office, 39 Clow Street, Dandenong; Springvale Office, 397–405 Springvale Road, Springvale; and Keysborough Centre, Shop A7, Parkmore Shopping Centre, Keysborough.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

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

The Amendment rezones part of land at 340 Settlement Road, Sunbury from Public Use Zone 2 to Green Wedge 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, Melbourne; and at the offices of the Hume City Council, 1079 Pascoe Vale Road, Broadmeadows.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

MAROONDAH PLANNING SCHEME

Notice of Approval of Amendment
Amendment C47

The Minister for Planning has approved Amendment C47 to the Maroondah Planning Scheme.

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

The Amendment rezones land at 17 Kinta Court, Croydon North, from a Public Park and Recreation Zone to a Residential 1 Zone.

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

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Approval of Amendment
Amendment C60

The Minister for Planning has approved Amendment C60 to the Hume Planning Scheme.

Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

Notice of Approval of Amendment
Amendment C61

The Minister for Planning has approved Amendment C61 to the Melbourne Planning Scheme.

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

The Amendment changes Schedule 14 to the Design and Development Overlay (Queen Victoria Market Precinct) and Map No. 13DDO2 by deleting existing height control Area 17 and part of Area 16 (land bounded by Victoria Street, Elizabeth Street, Therry Street, Queen Street, Franklin Street and Peel Street) and replacing with new height control Areas 16, 17 and 18; renumbering the remaining part of Area 16 (land bounded by Victoria Street, Therry Street and Elizabeth Street) to Area 15, introducing new height control Areas 19 and 20 over land generally to the south of existing DDO14 (bounded by Franklin Street, Elizabeth Street, A'Beckett Street, William Street and Peel Street) and modifying the Design Objectives.

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 Melbourne City Council, 6th Floor, Council House, 200 Little Collins Street, Melbourne.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

MORNINGTON PENINSULA
PLANNING SCHEME

Notice of Approval of Amendment
Amendment C76

The Minister for Planning has approved Amendment C76 to the Mornington Peninsula Planning Scheme.

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

The Amendment introduces a new schedule to Clause 43.04, Development Plan Overlay – Schedule 13 enabling consideration of an application to subdivide land at 819 Melbourne Road and 1 Queens Road, Sorrento into three lots, with a minimum lot area of 650 square

metres, and the construction of a single dwelling on each lot.

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 Mornington Peninsula Shire Council: Mornington Office – Queen Street, Mornington; Hastings Office – Marine Parade, Hastings; and the Rosebud Office – Besgrove Street, Rosebud.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment
Amendment C23

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

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

The Amendment rezones land at 4B Upton Road, St Kilda from Public Use Zone – Schedule 4 and Public Park and Recreation Zone to part Mixed Use Zone and part Road Zone Category 1, and applies an Environmental Audit Overlay over the land rezoned to Mixed Use.

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

Permit No.: 1572/2004.

Description of land: 4B Upton Road, St Kilda.

A copy of the Amendment and permit 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 following offices of the Port Phillip City Council: South Melbourne Town Hall – Reception, 208–220 Bank Street, South Melbourne; St Kilda Town Hall, corner of Carlisle Street and Brighton Road, St Kilda;

St Kilda Municipal Library, Reference desk, 150 Carlisle Street (opposite Town Hall), St Kilda; and Port Melbourne Library, 333 Bay Street, Port Melbourne.

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 C46

The Stonnington City Council has approved Amendment C46 to the Stonnington Planning Scheme.

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

The Amendment will amend the Planning Scheme maps to remove properties at 17 & 17A Findon Street, Malvern East, 31 & 33 Carters Avenue, Toorak and 30 Emo Road, Malvern East from the Heritage Overlay.

The Amendment was approved by the Stonnington City Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 25 May 2006. The authorisation has not been withdrawn.

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

ORDERS IN COUNCIL**Livestock Disease Control Act 1994**
EXEMPTION UNDER SECTION 6(3A)

The Governor in Council makes the following Order:

1. **Objective**
The objective of this Order is to exempt certain classes of cattle and certain classes of person from certain identification requirements in the **Livestock Disease Control Act 1994** and Livestock Disease Control Regulations 1995.
2. **Authorising provision**
This Order is made under section 6(3A) of the **Livestock Disease Control Act 1994**.
3. **Revocation**
The following Order is revoked –
Order of Exemption under section 6(3A) of the **Livestock Disease Control Act 1994** made by the Governor in Council on 13 December 2005 and published in the Government Gazette S255 on 13 December 2005 at pages 1–3.
4. **Definitions**
In this Order –
‘Butcher’s PIC’ means a Butcher’s Property Identification Code;
‘National Vendor Declaration’ means –
 - (a) the National Vendor Declaration – Cattle 9th Edition, the National Vendor Declaration (Cattle) and Waybill Edition 1, and the European Union Vendor Declaration (Cattle) and Waybill First Edition and the National Vendor Declaration (Bobby Calves) 1st Edition, made under section 18A of the **Stock (Seller Liability and Declarations) Act 1993**; or
 - (b) any other written declaration made by a person as a substitute for a declaration specified in paragraph (a) provided the declaration includes the property identification code of the property of dispatch, the date of dispatch, the number of cattle in the consignment, the name and signature of the person making the declaration, the date when the declaration is made and the intended destination of the consignment;**‘NLIS’** means the National Livestock Identification System;
‘NLIS database’ means the database system managed by Meat and Livestock Australia Ltd. for the administration of the NLIS;
‘NLIS database account’ means the account that enables access to the NLIS database through the NLIS internet site for the recording of cattle movement information onto the database system;
‘NLIS device’ means an electronic identification device licensed by Meat and Livestock Australia Ltd for the purpose of NLIS;
‘Regulations’ mean the Livestock Disease Control Regulations 1995;
‘saleyard’ means a venue where a public auction of cattle is conducted or a public scale operation where cattle are sold;
‘Stock Agent PIC’ means a Stock Agent Property Identification Code;
‘the Act’ means the **Livestock Disease Control Act 1994**.

5. Exemptions

- (1) A person is exempt from the requirements of Regulations 8(1)(a), (b) & (c) with respect to cattle that are –
identified with an NLIS device; and
accompanied by an accurate and fully completed National Vendor Declaration.
- (2) The owner of any cattle is exempt from the requirements of section 9A(1)(a) of the Act and regulation 11(a) of the Regulations with respect to –
 - (a) cattle that remain continuously on their property of birth; or
 - (b) cattle that are less than 6 weeks of age that are consigned directly to a knackery for disposal; or
 - (c) cattle moved in accordance with a permit issued by an Inspector of Livestock employed by the Department of Primary Industries and accompanied by an accurate and fully completed National Vendor Declaration.
- (3) The owner of any cattle is exempt from the requirements of regulation 11(b) of the Regulations with respect to –
 - (a) cattle that arrive at a saleyard, knackery or abattoir; or
 - (b) cattle that have been identified with an NLIS device.
- (4) A person is exempt from the requirements of section 9A(2) of the Act in the case of cattle identified by an NLIS device, where –
 - (a) the microchip within the NLIS device cannot be electronically read using a correctly functioning and tested reader and the device was not deliberately damaged; and
 - (b) a record is kept of the property identification code and the individual number on the tag on the identification device; and
 - (c) a replacement tag or identification device is immediately attached to the cattle in accordance with section 9A(1) of the Act and regulation 11 of the Regulations; and
 - (d) the information on the microchip and the property identification code and the number identifying the individual cattle printed on the replacement tag or identification device is provided to the Secretary or the NLIS database administrator of Meat & Livestock Australia Limited within 24 hours in the manner required by the Secretary; and
 - (e) a written record is kept by the person of all details and relevant circumstances in relation to the removal of the tag.
- (5) A person is exempt from the requirements of regulation 9(1)(a) of the Regulations, in the case of cattle that are calves younger than 6 weeks of age and are dispatched from a State or Territory in which it is not a requirement that calves of less than 6 weeks of age be identified with an NLIS device when dispatched from a property, if the calves are –
 - (a) dispatched prior to 1 July 2006; and
 - (b) dispatched directly to an abattoir in Victoria for slaughter or to a knackery in Victoria for disposal; and
 - (c) identified with a tail tag or an ear tag that identifies the property from which they were dispatched in accordance with the laws of the State or Territory of origin.

- (6) Where cattle is exhibited for sale at a saleyard –
 - (a) without an NLIS device; or
 - (b) with an NLIS device with a number that cannot be read electronically – sub-clause (7) applies.
- (7) In the circumstances specified in sub-clause (6), a selling agent or scale operator is exempt from the requirements of section 9(b) of the Act if –
 - (a) the cattle are identified prior to leaving the saleyard with –
 - (i) an NLIS device bearing a property identification code allocated to that saleyard under section 9B of the Act; or
 - (ii) a blue tail tag supplied by the Secretary and bearing an identification code assigned by the Secretary to the selling agent or scale operator; and
 - (b) the following details are recorded by the selling agent or scale operator by close of business on the day the device or tag is applied –
 - (i) property identification code of the property from which the cattle were dispatched; and
 - (ii) name and address of the person who dispatched the cattle; and
 - (iii) number on the device or tag applied; and
 - (iv) date on which the device or tag was applied.
- (8) A record of details made for the purposes of sub-clause (7)(b) must be kept for 2 years.
- (9) A person subject to the requirements of section 94A(2)(b) who is a stock and station agent or is purchasing cattle intended for slaughter within 7 days is exempt from complying with regulation 37B(b)(ii) where that person, or his or her representative –
 - (a) has applied for and been allocated a property identification code by the Secretary that is –
 - (i) in the case of a stock and station agent, a Stock Agent PIC; or
 - (ii) in the case of a person purchasing cattle intended for slaughter within 7 days, a Butcher's PIC; and
 - (b) provides the code referred to in paragraph (a) to the auctioneer or scale operator selling the cattle in place of the property identification code of the property on which the cattle are to be kept after the sale; and
 - (c) holds a current NLIS database account with the administrator of the NLIS database.
- (10) A person to which sub-clause (9) applies must ensure that, where the cattle are not slaughtered within 7 days, the NLIS database is notified of the property identification code of the property to which the cattle were first taken after their purchase.
- (11) A person who carries on business as a cattle scale operator is exempt from regulation 37F(b)(ii) where the scale operator provides the Stock Agent PIC or Butcher's PIC (if provided by the purchaser of the cattle) to the Secretary or a person nominated by the Secretary for the purposes of regulation 37F, by close of business on the next day after the cattle are sold.
- (12) A person who conducts a public auction of cattle, other than at a saleyard, is exempt from regulation 37G(b)(ii) where the auctioneer provides the Stock Agent PIC or Butcher's PIC (if provided by the purchaser of the cattle) to the Secretary or a person nominated by the Secretary for the purposes of regulation 37G, by close of business on the next day after the cattle are sold.

- (13) A person who conducts a public auction of cattle at a saleyard is exempt from regulation 37H(a)(iii) where the auctioneer provides the Stock Agent PIC or Butcher's PIC (if provided by the purchaser of the cattle) to the person nominated by the Secretary, for the purposes of regulation 37H, by midday on the next day after the cattle are sold.
- (14) A person who operates a saleyard at which cattle are sold or passed in is exempt from regulation 37I(b)(ii) where the saleyard operator provides the Stock Agent PIC or Butcher's PIC (if provided by the purchaser of the cattle) to the Secretary or a person nominated by the Secretary, for the purposes of regulation 37I, by close of business on the next day after the cattle are sold or passed in.
- (15) The operator of a knackery is exempt from section 94B(a)(ii) of the Act provided the operator records the following details for each head of cattle –
 - (a) name and address of the person who owns or is responsible for the cattle; and
 - (b) location of the property from which the cattle are collected; and
 - (c) the date of slaughter or disposal; and
 - (d) the details of the number identifying the individual cattle.
- (16) A record of details made for the purposes of sub-clause (15) must be kept for 2 years.
- (17) The operator of a knackery is exempt from section 94B(a)(iv) of the Act.

Dated 6 June 2006

Responsible Minister
BOB CAMERON MP
Minister for Agriculture

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:

- | | | | |
|-----|--|-----|---|
| 62. | <p><i>Statutory Rule:</i> Plant Health and Plant Products Regulations 2006</p> <p><i>Authorising Act:</i> Plant Health and Plant Products Act 1995</p> <p><i>Date of making:</i> 6 June 2006</p> | 69. | <p><i>Statutory Rule:</i> Magistrates' Court (Outworkers) Rules 2006</p> <p><i>Authorising Act:</i> Magistrates' Court Act 1989</p> <p><i>Date of making:</i> 6 June 2006</p> |
| 63. | <p><i>Statutory Rule:</i> Fisheries (Salmonid) Regulations 2006</p> <p><i>Authorising Act:</i> Fisheries Act 1995</p> <p><i>Date of making:</i> 6 June 2006</p> | | |
| 64. | <p><i>Statutory Rule:</i> Prostitution Control Regulations 2006</p> <p><i>Authorising Act:</i> Prostitution Control Act 1994</p> <p><i>Date of making:</i> 6 June 2006</p> | | |
| 65. | <p><i>Statutory Rule:</i> Environment Protection (Vehicle Emissions) (Amendment) Regulations 2006</p> <p><i>Authorising Act:</i> Environment Protection Act 1970</p> <p><i>Date of making:</i> 6 June 2006</p> | | |
| 66. | <p><i>Statutory Rule:</i> Transfer of Land (Fees) (Amendment) Regulations 2006</p> <p><i>Authorising Act:</i> Transfer of Land Act 1958</p> <p><i>Date of making:</i> 6 June 2006</p> | | |
| 67. | <p><i>Statutory Rule:</i> Transfer of Land (Fees) (Further Amendment) Regulations 2006</p> <p><i>Authorising Act:</i> Transfer of Land Act 1958</p> <p><i>Date of making:</i> 6 June 2006</p> | | |
| 68. | <p><i>Statutory Rule:</i> Building Regulations 2006</p> <p><i>Authorising Act:</i> Building Act 1993</p> <p><i>Date of making:</i> 6 June 2006</p> | | |

**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:

58. *Statutory Rule:* Prevention of Cruelty to Animals (Rodeo Permits) Regulations 2006
Authorising Act: Prevention of Cruelty to Animals Act 1986
Date first obtainable: 6 June 2006
Code A
59. *Statutory Rule:* Environment Protection (Ships' Ballast Water) Regulations 2006
Authorising Act: Environment Protection Act 1970
Date first obtainable: 6 June 2006
Code B
60. *Statutory Rule:* Planning and Environment (Fees) (Further Amendment) Regulations 2006
Authorising Act: Planning and Environment Act 1987
Date first obtainable: 6 June 2006
Code A
61. *Statutory Rule:* Births, Deaths and Marriages Registration (Fees) Regulations 2006
Authorising Act: Births, Deaths and Marriages Registration Act 1996
Date first obtainable: 6 June 2006
Code A

**PRICING FOR SPECIAL GAZETTE,
PERIODICAL GAZETTE AND
VICTORIAN LEGISLATION**

Retail price varies according to the number of pages in each Victoria Government Special Gazette, Victoria Government Periodical Gazette and Victorian legislation. The table below sets out the prices that apply.

<i>Price Code</i>	<i>No. of Pages (Including cover and blank pages)</i>	<i>Price*</i>
A	1–16	\$3.70
B	17–32	\$5.50
C	33–48	\$7.55
D	49–96	\$11.75
E	97–144	\$15.20
F	145–192	\$17.95
G	193–240	\$20.70
H	241–288	\$22.05
I	289–352	\$24.80
J	353–416	\$29.00
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