



Victoria Government Gazette

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GENERAL

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As from 17 May 2007

The last Special Gazette was No. 109 dated 16 May 2007.

The last Periodical Gazette was No. 2 dated 27 October 2006.

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- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
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VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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

The new office and contact details are as follows:

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

NOTICE OF
DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership heretofore subsisting between Christopher John Gibbs of 66 Pennyroyal Crescent, Melton, Victoria, and Shannon Raphael McKenzie of 281 Johnston Street, Abbotsford, Victoria, carrying on business as C. J. Gibbs & S. R. McKenzie (trading as Clyde Fiveways) has been dissolved as from 7 May 2007.

CHRISTOPHER GIBBS

Re: Estate of LESLIE GORDON DOYLE, deceased.

In the estate of LESLIE GORDON DOYLE of 28 Belmont Street, Cohuna, in the State of Victoria, farmer, deceased. Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by John Raymond Doyle and Margaret Mary Doyle, the executors of the Will of the said deceased, to send particulars of such claims to them in care of the undermentioned solicitors within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

BASILE & CO. PTY LTD, legal practitioners,
46 Wellington Street, Kerang, Vic. 3579.

Re: Estate of LEILA MAY KEIGHRAN, deceased.

In the estate of LEILA MAY KEIGHRAN, of Murray Street, Lake Boga, in the State of Victoria, widow, deceased. Creditors, next-of-kin and all other persons having claims against the estate of the said deceased are required by Malcolm John Keighran and Valerie Rose O'Connor, the executors of the Will of the said deceased, to send particulars of such claims to them in care of the undermentioned solicitors within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

BASILE & CO. PTY LTD, legal practitioners,
46 Wellington Street, Kerang, Vic. 3579.

Creditors, next-of-kin and others having claims in respect of the estate of HAROLD WILLIAM INGHAM, late of 20 Coringa Close, Vermont, Victoria, retired, deceased, who died on 23 March 2007, are required by the executrix, Barbara Dawn Ingham of 20 Coringa Close, Vermont, Victoria, to send particulars of their claims to the undermentioned solicitors by 16 July 2007, after which date the executrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

DEVENISH & CO., solicitors,
23 Ringwood Street, Ringwood 3134.

Re: Estate of LINDSAY JAMES ELIJAH OSBORNE, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of LINDSAY JAMES ELIJAH OSBORNE, late of 1 Railway Crescent, Boort, Victoria, farmer, deceased, who died on 18 February 2007, are to send particulars of their claim to the executrix care of the undermentioned legal practitioners by 25 July 2007, after which date the executrix will distribute the assets, having regard only to the claims of which she then has notice.

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

Re: ROBERT LENDRUM ATKINS, late of 32 Sargood Street, Toorak, Victoria, chartered accountant, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 January 2007, are required by the executors, Margot Lydia Atkins of 32 Sargood Street, Toorak, Victoria, widow, and Michelle Carol Atkins, in the Will called Michelle Carol Neilson, of 1 Mernda Avenue, Ashburton, Victoria, to send particulars of their claims to the executors care of James Higgins & Co., 443 Little Collins Street, Melbourne by 16 July 2007, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executors then have notice.

JAMES HIGGINS & CO., solicitors,
442 Little Collins Street, Melbourne.

Creditors, next-of-kin and others having claims in respect of the Will of KEVIN AUSTIN BARTLETT, late of 40 Princes Street, Flemington, Victoria, retired, deceased, who died on 25 March 2007, are requested to send particulars of their claims to the executor, Maureen Isabel Millar, care of the undermentioned legal practitioner by 18 July 2007, after which date she will distribute the assets, having regard only to the claims of which she then has notice.
JOHN STEWART, legal practitioner,
290 Racecourse Road, Newmarket.

Re: STEPHEN DAMIEN COLOMBO, late of 9 Wellesley Street, Mont Albert, Victoria, company director, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 January 2007, are required by the trustee, Karen Leigh Colombo in care of Klooger Forbes Hassett Lawyers, Level 1, 1395 Toorak Road, Camberwell, Victoria, bookkeeper, to send particulars to the trustee by 20 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

KLOOGER FORBES HASSETT, lawyers,
Level 1, 1395 Toorak Road, Camberwell 3124.

Re: JOHN LESLIE ARTHUR WALLIS, late of 62 Worri Yallock Road, Cockatoo, Victoria, gentleman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 September 2006, are required by the trustee, David Gregory Lucas of 40–42 Scott Street, Dandenong, Victoria, solicitor, to send particulars to the trustee by 16 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: GWENYTH WINIFRED POTTER, late of Hawthorn Grange, 7–9 Hunter Street, Hawthorn, Victoria, but formerly of Unit 6, 150 Power Street, Hawthorn, Victoria, gentlewoman, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 8 February 2007, are required by the trustee, Perpetual Trustees Victoria Limited, ACN 004 027 258 of Level 28, 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 16 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, Lawyers,
140 William Street, Melbourne 3000.

Re: DARCIÉ BAWN SHORT, late of 41 Copeland Road, Westmeadows, Victoria, home duties, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 16 December 2006, are required by the trustee, Perpetual Trustees Victoria Limited, in the will called The Perpetual Executors and Trustees Association of Australia Limited of Level 28, 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 16 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

Re: MARY HAMILTON McLAREN, late of 7/11 Baden Powell Place, Mount Eliza, Victoria, but formerly of 3 Wimbledon Avenue, Mount Eliza, Victoria, home duties, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on the 8 December 2006, are required by the trustee, Perpetual Trustees Victoria Limited of Level 28, 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 16 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

PATRICIA MYRTLE LUSCOMBE, late of 3/23 Baldry Street, Mansfield, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 February 2007, are required by the applicant for grant of representation in the estate, Trevor John Luscombe c/- the undermentioned firm of solicitors, to send particulars to him by 17 July 2007, after which date the said applicant may convey or distribute the assets, having regard only to the claims of which he then has notice.

MAL. RYAN & GLEN,
solicitors for the applicant,
9 High Street, Mansfield 3722.

MARY BERNADETTE SMITH, late of 7/28 Gladstone Road, Kew, Victoria, retired social worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 April 2007, are required by the executors, Angela Smith and Toni Hamilton Borrett, to send particulars to Mills Oakley Lawyers, 121 William Street, Melbourne, Victoria, by 25 July 2007, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

MILLS OAKLEY, lawyers,
121 William Street, Melbourne.

Re: THOMAS WADE, late of Room 231, Stella Anderson Nursing Home, Barnard Street, Bendigo, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 November 2006, are required by the trustee, Harvey Raephael Ashwell of 34 Watson Avenue, Eaglehawk, Victoria, retired, to send particulars to the trustee by 25 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

O'FARRELL ROBERTSON McMAHON,
solicitors,
Corner of McCrae and Mundy Streets, Bendigo.

Re: MOIRA PATRICIA WESTMORE, late of 57 Molesworth Street, Kew, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 July 2005, are required by Carmel Elizabeth Westmore, the executor of the Will of the deceased, to send particulars of their claims to her care of the solicitors stated below by 10 August 2007, after which date she may convey or distribute the assets, having regard only to the claims of which she then has notice.

PRYLES & CO., lawyers,
Level 5, 224 Queen Street, Melbourne 3000.

Re: MARIA MOLNAR, late of 45 Barry Street, Seaford, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 March 2006, are required by the trustee, Peter Gerald Fulton, in the Will called Peter Fulton, to send particulars of such claims to him in care of the undermentioned solicitors by 17 July 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

ROBERTS BECKWITH PARTNERS, lawyers,
16 Blamey Place, Mornington 3931.

Re: ROBYN CATHERINE MEARES, late of Unit 1, 37A Canterbury Road, Toorak, Victoria, company director, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 July 2006, are required by Harley Frank Archer and Jeffrey Frank Turner, the trustees of the estate of the deceased, to send particulars of their claims to them care of the undermentioned lawyers by 17 July 2007, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

RUSSO PELLICANO CARLEI, lawyers,
43 Atherton Road, Oakleigh, Vic. 3166.

IRIS CLARKE, late of 32 Reid Parade, Hastings, Victoria, deceased. Creditors, next-of-kin and others having claims in respect of the

estate of the deceased, who died on 1 March 2007, are required by the executor, Adam Vincent Clarke of 31 Mulberry Street, Doreen, to send particulars to him c/- Stidston & Williams Weblaw by 21 July 2007, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON & WILLIAMS WEBLAW, lawyers,
Suite 1, 10 Blamey Place, Mornington.

Re: ROBERT FREDERICK SPENCER, late of 12 Moore Avenue, Croydon, Victoria, retired technical representative, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 February 2007, are required by the executor, Peter Michael Van Lierop, to send particulars to him care of the undermentioned legal practitioners by 30 September 2007, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

VAN LIEROP LAWYERS, solicitors,
225 Maroondah Highway, Ringwood 3134.

Re: MERLE BOWDEN, late of 8 Orwil Street, Frankston, Victoria, widow, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 18 September 2006, are required by the trustees, Eric Ronald Bishop and Garry Edwin Bowden, to send particulars to the trustees care of the undermentioned solicitors by 17 July 2007, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

WHITE CLELAND PTY., solicitors,
Level 3, 454 Nepean Highway, Frankston 3199.

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

On Wednesday 13 June 2007 at 2.30 p.m. at the Sheriff's Office, 8–20 King Street, Oakleigh (unless process be stayed or satisfied).

All the estate and interest (if any) of Steven Brabender of 4 Shelly Avenue, Boronia as shown on Certificate of Title as Steven William

Brabender, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 8354, Folio 361 upon which is erected a home known as 4 Shelly Avenue, Boronia.

Registered Mortgage No. W393617A affects the said estate and interest.

Terms – Cash/Eftpos Bank Cheque or Solicitors Trust Account Cheque
(Debit Cards only/No Credit Cards)
GST plus 10% on fall of hammer price
SW-06-008450-2

Dated 10 May 2007

M. TREWIN
Sheriff's Office

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

On Wednesday 13 June 2007 at 2.30 p.m. at the Sheriff's Office, 8–20 King Street, Oakleigh (unless process be stayed or satisfied).

All the estate and interest (if any) of Allen Cleary of 15 Ince Court, Frankston as shown on Certificate of Title as Allen Leslie Cleary, joint proprietor with Chloris Ruth Cleary of an estate in fee simple in the land described on Certificate of Title Volume 8519 Folio 708 upon which is erected a house known as 15 Ince Court, Frankston.

Registered Mortgage No. AE636512T and Covenant No. C501350 affect the said estate and interest.

Terms – Cash/Eftpos Bank Cheque or Solicitors Trust Account Cheque
(Debit Cards only/No Credit Cards)
GST plus 10% on fall of hammer price
SW-06-010935-1

Dated 10 May 2007

M. TREWIN
Sheriff's Office

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

On Wednesday 13 June 2007 at 2.30 p.m. at the Sheriff's Office, 8–20 King Street, Oakleigh (unless process be stayed or satisfied).

All the estate and interest (if any) of Shannon Troy Condon of 380 Steels Creek Road, Yarra Glen, sole proprietor of an estate in

fee simple in the land described on Certificate of Title Volume 9174, Folio 376 upon which is erected a home known as 10 Mill Road, Yarra Glen.

Registered Mortgage No. AE064861D, Caveat Nos. AE119353W and AE534100M and registered amended address on Caveat No. AE896868W affect the said estate and interest.

Terms – Cash/Eftpos Bank Cheque or Solicitors Trust Account Cheque
(Debit Cards only/No Credit Cards)
GST plus 10% on fall of hammer price
SW-07-000085-9

Dated 10 May 2007

M. TREWIN
Sheriff's Office

fee simple in the land described on Certificate of Title Volume 3030, Folio 917 upon which is erected a house known as 16 Gray Street, Yarraville,

Registered Mortgage Nos L707388X and N616453K affect the said estate and interest.

Terms – Cash/Eftpos Bank Cheque or Solicitors Trust Account Cheque
(Debit Cards only/No Credit Cards)
GST plus 10% on fall of hammer price
SW-06-004544-1

Dated 10 May 2007

M. TREWIN
Sheriff's Office

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

On Wednesday 13 June 2007 at 2.30 p.m. at the Sheriff's Office, 8-20 King Street, Oakleigh (unless process be stayed or satisfied).

All the estate and interest (if any) of Kathleen Mary Gibson of 64 Grange Road, Carnegie, joint proprietor with Dean Andrew Stewart of an estate in fee simple in the land described on Certificate of Title Volume 3520, Folio 845 upon which is erected a dwelling known as 64 Grange Road, Carnegie.

Registered Mortgage No. AD673954H Caveat No. AD762513U affect the said estate and interest.

Terms – Cash/Eftpos Bank Cheque or Solicitors Trust Account Cheque
(Debit Cards only/No Credit Cards)
GST plus 10% on fall of hammer price
SW-06-008895-7

Dated 10 May 2007

M. TREWIN
Sheriff's Office

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

On Wednesday 13 June 2007 at 2.30 p.m. at the Sheriff's Office, 8-20 King Street, Oakleigh (unless process be stayed or satisfied).

All the estate and interest (if any) of Dinh Nguyen of 16 Gray Street, Yarraville, joint proprietor with Thu Vui Nguyen of an estate in

PROCLAMATIONS

ACTS OF PARLIAMENT

Proclamation

I, Marilyn Warren, Lieutenant-Governor of Victoria, as the Governor's deputy, declare that I have today assented in Her Majesty's name to the following Bill:

No. 15/2007 **Infertility Treatment
Amendment Act 2007**

Given under my hand and the seal of Victoria at Melbourne on 15th May 2007.

(L.S.) MARILYN WARREN
Lieutenant-Governor,
as the Governor's deputy
By His Excellency's Command

JOHN THWAITES MP
Acting Premier

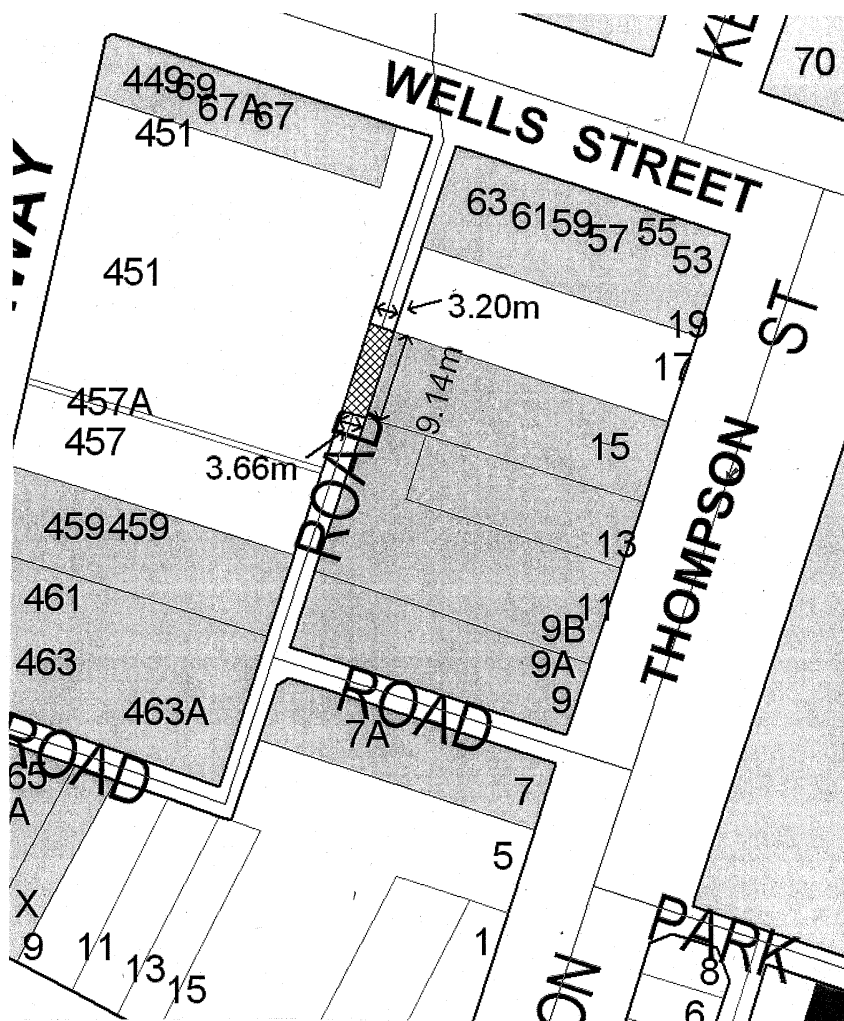
No. 15/2007 This Act comes into operation on 12 June 2007.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



Declaration of a Public Highway

Notice is hereby given, that at its meeting on Monday 7 May 2007, and in the exercise of a power conferred by Section 204 of the **Local Government Act 1989**, Frankston City Council declared the road at the rear of 15 Thompson Street, Frankston, being parts of Lot 1 TP 752827, as shown cross-hatched on the plan below, to be a public highway.

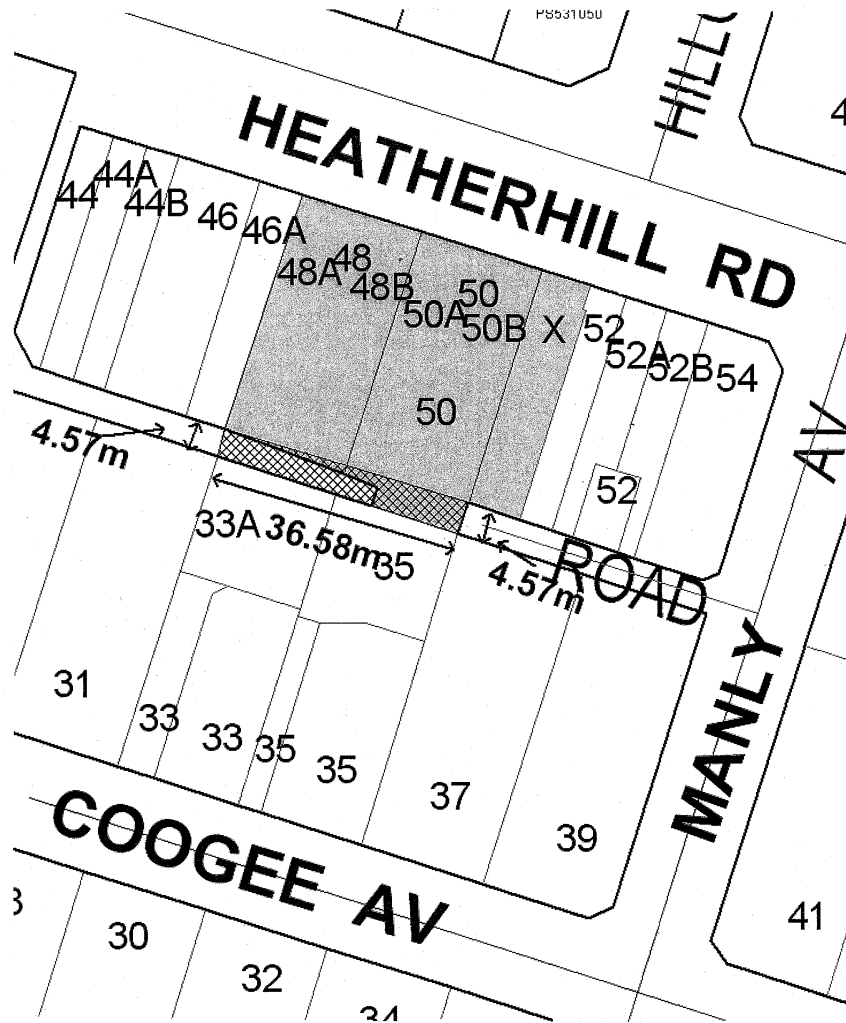


STEVE GAWLER
Chief Executive Officer



Declaration of a Public Highway

Notice is hereby given, that at its meeting on Monday 7 May 2007, and in the exercise of a power conferred by Section 204 of the **Local Government Act 1989**, Frankston City Council declared the road at the rear of 48–50 Heatherhill Road, Frankston, being parts of Lot 1 TP 185447 and Lot 1 TP 842863, as shown cross-hatched on the plan below, to be a public highway.



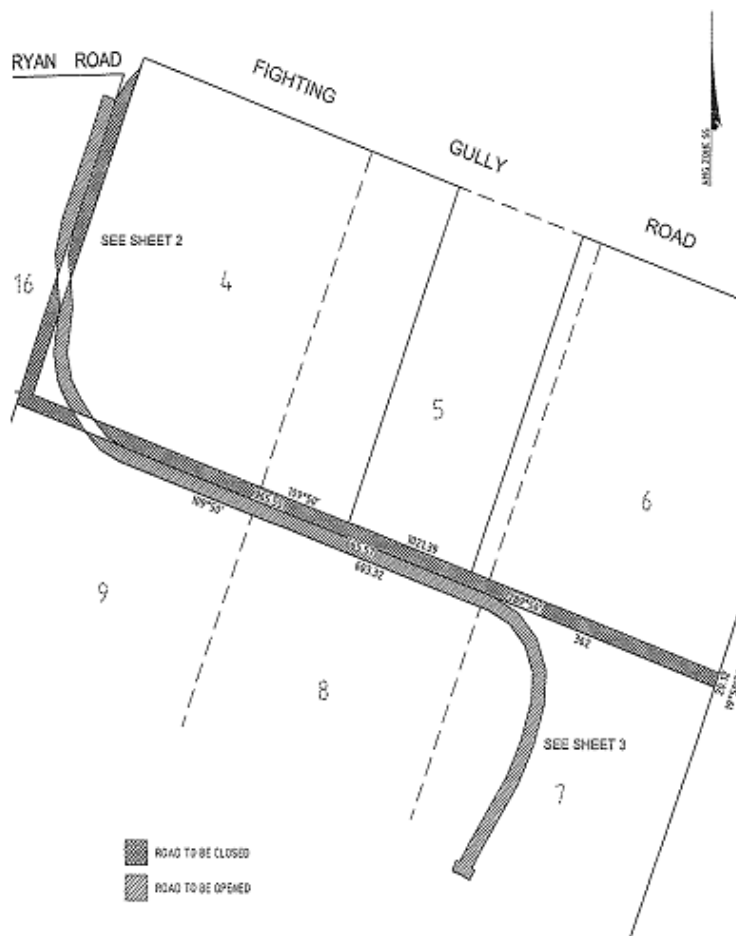
STEVE GAWLER
Chief Executive Officer



Local Government Act 1989

Deviation of Road

Under Clause 2(2) of Schedule 10 of the **Local Government Act 1989**, I consent, on behalf of the Minister for Planning, to the deviation of the road on Crown land in the Parish of Beechworth shown by cross-hatching on the attached plan on to the land shown by diagonal hatching on the plan which is not Crown land.



Correspondence Number L8/7539
Dated 22 February 2007

MERVYN JOHN McALIECE
Manager Crown Land Management
North East Region
(as delegate of the Minister for Planning)



Notice of Proposed Local Law

Meeting Procedures – Local Law No. 9

The Buloke Shire Council proposes to make a local law, the aim of which is to provide a mechanism to facilitate the good government of the Council through its formal meeting procedures and to ensure effective and efficient Council decisions are made.

The general purport of the proposed law is to: promote and encourage community participation in the system of local government by providing mechanisms for the Council to ascertain the community's views and expectations; to regulate and control the election of Mayor, any Deputy Mayor and the chairperson of any Special Committees; to regulate and control the procedures governing the conduct of meetings including the notice required for meetings and keeping of minutes; to regulate and control the use of the Council's seal; to provide for the administration of the Council's powers and functions and to provide generally for the peace, order and good government of the municipal district.

A copy of the proposed local law will be available for public viewing at the District Offices of Wycheproof, Sea Lake, Donald, Birchip and Charlton, from Monday 14 May 2007.

Any person affected by the proposed local law may make a submission in writing to Warwick Heine, Acting Chief Executive Officer, PO Box 1, Wycheproof, Victoria 3527. Submissions received by the Chief Executive Officer by Friday 1 June 2007 will be considered by the Council, or a Committee of the Council appointed by the Council for the purpose, in accordance with Section 223 of the **Local Government Act 1989**. Any person requesting that she or he be heard in support of the written submission is entitled to appear before a meeting of the Council or committee either personally or by a person acting on her or his behalf and will be notified of the time and date of the hearing.

WARWICK HEINE
Chief Executive Officer

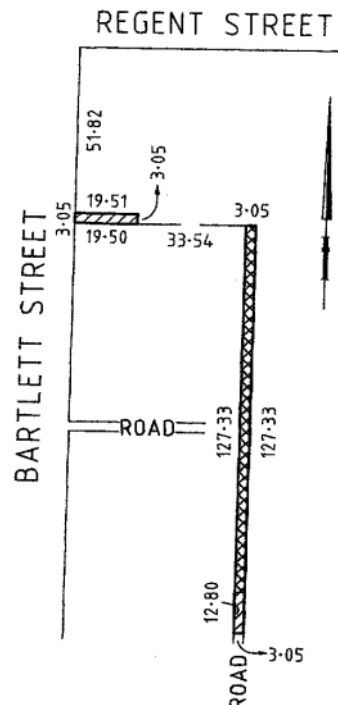
DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 7 May 2007, formed the opinion that the road at the rear of 15 to 33 Clara Street and 12 to 28 Bartlett Street and at the rear of 101 Regent Street, Preston, and shown by hatching and cross-hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

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

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



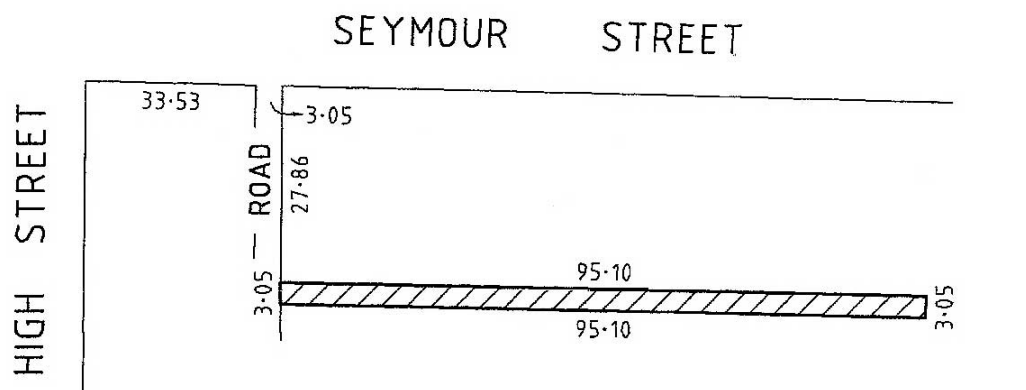
MICHAEL ULBRICK
Chief Executive Officer

DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 7 May 2007, formed the opinion that the road at the rear of 13 to 27 Seymour Street and 2 to 14 Yann Street, Preston, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

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



MICHAEL ULBRICK
Chief Executive Officer

MOYNE SHIRE COUNCIL

Review of Road Management Plan

Council proposes to undertake a review of its Road Management Plan.

The Moyne Shire Road Management Plan sets out Council's standards in relation to inspection, maintenance and repair of municipal roads (local roads) having regard to the type of road, the resources available and Council's budgetary and policy priorities.

The purpose of the review is to ascertain if any current standards should be changed and to update the plan to take into account changes in Council's road management policies and practices.

Council's current plan was adopted in November 2004, and is available for inspection at Council's offices in Port Fairy, Mortlake and Macarthur. It is also available for viewing on Council's website www.moyne.vic.gov.au/roads.

Written submissions are invited from persons who wish to suggest changes to the plan for consideration by Council. Submissions should be addressed to the Chief Executive Officer, Moyne Shire Council, Princes Street, Port Fairy 3284. Submissions close Friday 26 May 2007.

Further information can be obtained from Physical Services Director Glenn Rundell by phoning 5558 7888.

MANNINGHAM CITY COUNCIL

Making of Local Law

At its meeting on 24 April 2007, Council made a new Local Law titled General Amendment Local Law 2006.

The purpose and general purport of this Local Law is to make miscellaneous amendments to:

- Manningham's General Law 2003; and
- Manningham's Public Health Law 2003; and
- introduce the concept of a Land Management Plan.

The Land Management Plan sets performance standards rather than prescribe detailed requirements as to the manner in which those standards shall be received.

A copy of the Local Law may be inspected at Council's City Offices located at 699 Doncaster Road, Doncaster or by logging onto www.manningham.vic.gov.au

CORRIGENDUM

Planning and Environment Act 1987

GANNAWARRA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C16

Authorisation A0646

In Government Gazette G19 dated 10 May 2007 on page 786, the third line heading 'Notice of Approval' for the above was incorrect. It should have read 'Notice of Preparation of Amendment'.

ROSANNE KAVA
Chief Executive Officer
Gannawarra Shire Council
PO Box 287
Kerang, Vic. 3579

Planning and Environment Act 1987GREATER SHEPPARTON
PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C73

The Greater Shepparton City Council has prepared Amendment C73 to the Greater Shepparton Planning Scheme.

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

The Amendment applies to:

- Land known as 7890 and 7894 Goulburn Valley Highway, Kialla; and
- Various parcels of land adjoining and surrounding the Shepparton Aerodrome, Goulburn Valley Highway, Kialla, which are located within the 158.5 metres transitional slope contour of the north-south and east-west runways.

The Amendment proposes to:

- rezone the land at 7890 and 7894 Goulburn Valley Highway from Rural Living Zone (RLZ) to Residential 1 Zone (R1Z);
- apply the Development Plan Overlay (DPO) to 7890 and 7894 Goulburn Valley Highway and introduce a new Schedule (DPO12) to the overlay;
- extend the area covered by the Design and Development Overlay (DDO2) to include properties on the east side of the Goulburn Valley Highway;
- replace the existing Airport Environs Overlay (AEO) to extend the area affected by the Overlay.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the offices of the Greater Shepparton City Council, 90 Welsford Street, Shepparton; at the Regional Office of the Department of Sustainability and Environment, 35 Sydney Road, Benalla; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is Monday 18 June 2007. A submission must be sent to the City of Greater Shepparton, Locked Bag 1000, Shepparton 3632.

COLIN KALMS
Manager Planning and Development

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C72

Authorisation A0572

The Kingston City Council has prepared Amendment C72 to the Kingston Planning Scheme.

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

The land affected by the Amendment is land at 318–342 Station Street, Chelsea, being all land generally bound by the railway line to the west, Catherine Street to the south, Chelsea Road to the north and residential land holdings to the east.

The Amendment proposes to permanently include Schedule 8 to the Design and Development Overlay to control design and built form outcomes at Clause 43.02 within the Kingston Planning Scheme. The schedule replaces and updates the interim schedule included in the Kingston Planning Scheme by Amendment C49.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Kingston City Council, Level 1, 1230 Nepean Highway, Cheltenham or by visiting Kingston's website at www.kingston.vic.gov.au; at the Chelsea Library, 1 Chelsea Road, Chelsea; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

This can be done during office hours and is free of charge. Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is closing of business 18 June 2007. A submission must be sent to: Kingston City Council, Strategic Planning Department, PO Box 1000, Mentone, Vic. 3194. Attention: Rosa Zouzoulas.

Planning and Environment Act 1987

MARIBYRNONG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C62

Authorisation No. A0590

Victorian Rail Track has prepared Amendment C62 to the Maribyrnong Planning Scheme.

In accordance with Section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning has authorised Victorian Rail Track as planning authority to prepare the Amendment.

The land affected by the Amendment is at 249–263 Sunshine Road, Tottenham.

The Amendment proposes to place a Public Acquisition Overlay over a portion of the land to accommodate the future route of an elevated rail track known as the Sunshine Brooklyn flyover. The Amendment also amends the Schedule to Clause 45.01 to include Victorian Rail Track as an acquisition authority.

You may inspect the Amendment, any documents that support the Amendment and the Explanatory Report about the Amendment at the following locations: Maribyrnong City Council, Napier Street, Footscray 3011; Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne 3002; and Victorian Rail Track, up to the 25 May 2007 at: Level 16, 595 Collins Street, Melbourne 3000; and after 28 May 2007 at: Level 8, 1010 La Trobe Street, Docklands 3008, Victoria.

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 Victorian Rail Track.

The closing date for submissions is Friday 15 June 2007.

A submission must be sent to: Co-ordinator Strategic Planning, Victorian Rail Track, Level 8, 1010 La Trobe Street, Docklands 3008, Victoria.

ALISON BLACKET
Co-ordinator Strategic Planning
Victorian Rail Track



Planning and Environment Act 1987

**MOUNT ALEXANDER
PLANNING SCHEME**

Notice of Preparation of Amendment

Amendment C36

Authorisation A611

The Mount Alexander Shire Council has prepared Amendment C36 to the Mount Alexander Planning Scheme.

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

The land affected by the Amendment is twenty-four separate Crown Allotments: CA 1, 2, 3, 4, 5, 5A, 5 B, 6, 6 A, 7 A, 13, 14, 21, 22, 23, 24 25, 26, 27, 28, 29, 30, 31 & 32 Section 1, Parish of Maldon. The 125 hectare parcel of land is located to the south-east of the Maldon township and the primary access is from the Castlemaine-Maldon Road, Maldon.

The Amendment proposes to:

1. rezone the subject land from the Farming Zone (FZ) to the Rural Living Zone (RLZ).
2. Amend the Schedule to the Rural Living Zone to provide a 1.0 hectare minimum lot size for subdivision.
3. Apply a Development Plan Overlay to the subject land.
4. Insert Schedule 5 to the Development Plan Overlay.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Mount Alexander Shire Council, Halford Street, Castlemaine; Mount Alexander Shire Council, 25 Lyttleton Street, Castlemaine; Department of Sustainability and Environment, Ground Floor, 8 Nicholson Street, East Melbourne; and Department of Sustainability and Environment, North West Regional Office, corner of Taylor Street and Midland Highway, Epsom.

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

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

The closing date for submissions is 22 June 2007. A submission must be sent to Adrian Robb, Chief Executive Officer, Mount Alexander Shire, PO Box 185, Castlemaine 3450.

ADRIAN ROBB
Chief Executive Officer

STATE TRUSTEES LIMITED

ACN 064 593 148

Section 79

Notice is hereby given that State Trustees Limited, ACN 064 593 148, intends administering the estates of:-

HADDAD, Joseph, late of Salvation Army Community Aged Care, 2/262 Albion Street, Brunswick, pensioner, deceased intestate, who died on 7 April 2007.

HORTON, Francis Mary, late of Unit 4, 204 York Street, Sale, home duties, deceased, who died on 31 August 2006 leaving a Will dated 23 August 1999.

ROUTLEY, Rae Lorraine, late of Cumberland View Nursing Home, 4 Windmill Court, Wheelers Hill, bookkeeper, deceased, who died on 23 December 2006 leaving a Will dated 5 August 1999.

YEATES, Cameron Kenneth, late of 5 Kingfisher Drive, Shepparton, pensioner, deceased intestate, who died on 2 February 2007.

Creditors, next-of-kin and others having claims against the abovementioned estates are required pursuant to Section 33 of the **Trustee Act 1958** to send particulars of their claims against the abovementioned estates to State Trustees Limited, 168 Exhibition Street, Melbourne, Victoria, on or before 17 July 2007, after which date State Trustees Limited, ACN 064 593 148, may convey or distribute the assets of the abovementioned estates, having regard only to the claims of which it then has notice.

STATE TRUSTEES LIMITED

ACN 064 593 148

Section 79

Notice is hereby given that State Trustees Limited, ACN 064 593 148, intends administering the estates of:—

ABBOTT, Mavis Jean, late of Unit 1, 93 Bogong Avenue, Glen Waverley, home duties, deceased, who died on 2 February 2007 leaving a Will dated 31 March 1993.

ANDREW, Ian Kenneth, late of Anne Caudle Centre, 100–104 Bernard Street, Bendigo, pensioner, deceased intestate, who died on 20 December 2006.

HILL, Madge Evelyn, late of Moran Health Care Group, 382–420 Ontario Avenue, Mildura, pensioner, deceased intestate, who died on 17 March 2007.

LUMMIS, Reginald Arthur, late of Martin Luther Homes, 5 Arcadia Avenue, Boronia, pensioner, deceased, who died on 17 December 2005 leaving a Will dated 23 September 1998.

ROESEL, Eric, late of Unit 90, 27 King Street, Prahran, pensioner, deceased, who died on 17 January 2007 leaving a Will dated 19 October 2006.

Creditors, next-of-kin and others having claims against the abovementioned estates are required pursuant to Section 33 of the **Trustee Act 1958** to send particulars of their claims against the abovementioned estates to State Trustees Limited, 168 Exhibition Street, Melbourne, Victoria, on or before 20 July 2007, after which date State Trustees Limited, ACN 064 593 148, may convey or distribute the assets of the abovementioned estates, having regard only to the claims of which it then has notice.

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 19 July 2007, 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.

CLANCY, Leslie Francis, late of Bonbeach Residential Aged Care, 440 Station Street, Carrum, Victoria 3197, pensioner, and who died on 13 March 2007.

DESAILLY, Lesley Maitlandfield, late of Medina Manor, 200A Smith Street, Thornbury, Victoria 3071, home duties and who died on 26 February 2007.

GILES, William Beaumont, formerly of Cobb and Co. Caravan Park, Western Highway, Rockbank, Victoria 3335, but late of Gwenap Hostel, 319 Geelong Road, West Footscray, Victoria 3012, retired, and who died on 18 October 2006.

HARRIS, Jennifer Anne, formerly of 10 Sharland Close, Mount Evelyn, but late of 17/175 Thorneside Road, Thorneside, Qld 4158, who died on 5 November 1999.

HARRIS, Maude Agnes also known as Maude Agnes Harris, late of Greensborough Private Nursing Home, 228 Elder Street, Greensborough, Victoria 3088, pensioner, and who died on 2 May 2007.

JEFFREY, Carol Anne, late of 10 Village Drive, Hampton Park, Victoria 3976, home duties, and who died on 21 November 2006.

PORTEOUS, Ronald William, late of Unit 5, 1 Argus Street, Cheltenham, Victoria 3192, pensioner, and who died on 19 September 2006.

TUCKER, Mary Frater, late of 4 Glen Road, Mitcham, Victoria 3132, who died on 28 November 2006.

WARING, Kenneth Alfred, late of 1 Williams Street, Serviceton, Victoria 3420, who died on 13 February 2007.

WARREN, Lorna Irene, late of Cherry Tree Retirement Village, 67–81 Maroondah Highway, Croydon, Victoria 3136, who died on 21 June 2006.

Dated 10 May 2007

MARY AMERENA

Manager
Executor and Trustee Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 17 July 2007, 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.

BOYD, David Barry, late of Sherwood Park, 16 Sherwood Avenue, Cranbourne, Victoria 3977, who died on 6 January 2007.

CAMPBELL, Marjorie Ellen, late of Mirridong Home, McIvor Road, Bendigo, Victoria 3550, who died on 21 November 2005.

CARSWELL, John Ross, late of 55 Besgrove Street, Rosebud, Victoria 3939, retired, and who died on 22 December 2006.

COE, David William Norman, late of Somercare Aged Care Facility, 72 Graf Road, Somerville, Victoria 3912, retired, and who died on 28 December 2005.

FEERICK, Michael, late of Central Park, 101 Punt Road, Windsor, Victoria 3181, who died on 17 March 2007.

GOLDIN, Graham, formerly of 126 Rosanna Road, Rosanna, Victoria 3084, but late of Macleod Nursing Home, 118 Somers Avenue, Macleod, Victoria 3085, who died on 27 August 2002.

NEWLAND, Geoffrey David, late of Lorikeet Lodge Nursing Home, 24–28 Moorooduc Road, Frankston, Victoria 3199, who died on 13 February 2007.

RAWLINGS, John Dennis, late of Trinity Garden Aged Care, 34–42 Brooklyn Road, Melton South, Victoria 3338, who died on 5 October 2006.

STONE, Irel Jean, late of 93 High Street, Ararat, Victoria 3377, pensioner, and who died on 31 January 2007.

WARD, Molly, late of Mowbray House Private Nursing Home, 87 Argyle Avenue, Chelsea, Victoria 3196, pensioner, and who died on 17 February 2007.

Dated 8 May 2007

MARY AMERENA
Manager
Executor and Trustee Services

EXEMPTION

Application No. A127/2007

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Parks Victoria. The application for exemption is to enable the applicant to advertise for and employ Aboriginal and Torres Strait Islander persons in both field and office based positions within Parks Victoria (the exempt act).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- A previous exemption was granted in Application A144 of 2006.
- Parks Victoria, in line with the State Government of Victoria's "Policy for Indigenous Victorians", is continuing with its work to improve consultation and working arrangements with Victorian Indigenous communities, to manage Indigenous Cultural sites and places to best practice standards, and to develop internal cross cultural training programs which require the need to employ more Indigenous (Koori) staff.
- The Indigenous staff appointments have an important role in developing Parks Victoria Indigenous programs.
- Indigenous Australians are best suited for these positions because only they would have a true understanding and appreciation of Indigenous Australian beliefs, customs, values and affinity to cultural sites and places.
- The appointees must be accepted and trusted by the Victorian Indigenous Community. They must furthermore be aware of and sensitive to Indigenous meeting protocols.
- Indigenous Australian communities prefer Indigenous persons to undertake certain tasks relating to their communities. To appoint non-indigenous persons to this role may be viewed as suspicious by other Indigenous people.
- Parks Victoria aims to reach and maintain as a minimum 7% of Indigenous workers as a total of its workforce.

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

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 May 2010.

Dated 8 May 2007

HER HONOUR JUDGE HARBISON
Vice President

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of
Cemetery Trust Fees and Charges

I, Pauline Ireland, as Delegate of the Secretary to the Department of Human Services for the purposes of Section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scale of fees and charges fixed by the public cemetery trust listed in this notice. The approved scale of fees and charges will take effect from the date of publication in the Government Gazette and will be published on the internet.

Bendigo Cemetery Trust

PAULINE IRELAND
Acting Assistant Director
Food Safety and Regulatory Activities

Chinese Medicine Registration Act 2000

Following a formal hearing into the professional conduct of Mr Bill Sakellaris, registration number A/897, registered in the division of acupuncturists, a panel appointed by the Chinese Medicine Registration Board of Victoria found that Mr Sakellaris had engaged in unprofessional conduct within the meaning of sections 3(a), (b) and (f) of the Act and that he engaged in unprofessional conduct of a "serious" and also "not of a serious" nature.

The Panel determined that sanctions be imposed in accordance with sections 48(2), (b), (c) and (f) of the Act and that the registration of Mr Sakellaris as a Chinese medicine practitioner should have conditions imposed per section 48(2)(e). It made this determination effective immediately. The details are available from the Chinese Medicine Registration Board on 03 9499 3800 or at <http://www.cmrb.vic.gov.au/board/board.html>

DEBRA GILLICK
Registrar

Education Act 1958

NOTICE OF MAKING OF ORDER UNDER
SECTION 13 AND ADMINISTRATIVE
ARRANGEMENTS ORDER (No. 194) 2007

An Order of the Minister for Education was made on 7 May 2007 under sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 194) 2007 amending the constituting Order of Piangil Primary School Council in respect of the membership of the school council.

JOHN LENDERS, MP
Minister for Education

Education Act 1958

NOTICE OF MAKING OF ORDER UNDER
SECTION 13 AND ADMINISTRATIVE
ARRANGEMENTS ORDER (No. 194) 2007

An Order of the Minister for Education was made on 3 May 2007 under sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 194) 2007 amending the constituting Order of Beverford District Primary School Council in respect of the membership of the school council.

JOHN LENDERS, MP
Minister for Education

Education Act 1958

NOTICE OF MAKING OF ORDER UNDER
SECTION 13 AND ADMINISTRATIVE
ARRANGEMENTS ORDER (No. 194) 2007

An Order of the Minister for Education was made on 5 May 2007 under section 13(4) of the **Education Act 1958** and Administrative Arrangements Order (No. 194) 2007 amending the constituting Order of the Council of the State school called Dandenong High School (the Council) by inserting a new Part E into the Order which –

1. extends the term of office of ten members of the Council whose term of office expires on 31 March 2008, until and inclusive of the date of the declaration of the poll in 2009 (or, if no election is held that year, to 31 March 2009);
2. provides for a first Council election to be conducted in 2009;
3. provides that the Council is not required to

- complete the election processes required under its Order by 31 March 2008; and
4. makes other consequential amendments.

JOHN LENDERS, MP
Minister for Education

Education Act 1958

NOTICE OF MAKING OF ORDER UNDER SECTION 13 AND ADMINISTRATIVE ARRANGEMENTS ORDER (No. 194) 2007

An Order of the Minister for Education was made on 9 May 2007 under section 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 194) 2007 amending the constituting Order of Essex Heights Primary School Council (the Council) by –

1. appointing five persons to the Council until and inclusive of the date of the declaration of the poll in 2007 (or, if no election is held that year, to 30 June 2007);
2. providing for a extraordinary school council election to be completed in the six weeks prior to 30 June 2007 for the Council;
3. inserting Schedule 4A into the Order; and
4. making other consequential amendments.

JOHN LENDERS, MP
Minister for Education

Electricity Industry Act 2000

MT MERCER WINDFARM PTY LTD
(ACN 118 169 421)

Notice of Grant of an Electricity Generation Licence

The Essential Services Commission gives notice under section 30 of the **Electricity Industry Act 2000** (EI Act) that at its meeting of 28 March 2007, pursuant to section 19 of the EI Act, granted a licence to Mt Mercer Windfarm Pty Ltd, ACN 118 169 421 to generate electricity in Victoria.

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

Dated 1 May 2007

GREG WILSON
Chairperson

Fisheries Act 1995

FISHERIES VICTORIA (LAKE TYERS FISHERIES RESERVE) MANAGEMENT PLAN DECLARATION 2007

I, Joe Helper, Minister for Agriculture, declare under section 28(1) of the **Fisheries Act 1995**, that a management plan has been made with respect to the Lake Tyers Fisheries Reserve.

This notice comes into operation on the day on which it is published in the Victorian Government Gazette.

Dated 7 May 2007

JOE HELPER, MP
Minister for Agriculture

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 1 on Plan of Subdivision 315930W, Parish of Tyabb comprising 1,632 square metres and being land described in Certificate of Title Volume 10061, Folio 922, shown as Parcels 5 and 6 on Survey Plan 21331.

Interest acquired: That of Michael Dorio and all other interests.

Published with the authority of VicRoads.

Dated 17 May 2007

For and on behalf of VicRoads
BERNARD TOULET
Manager, VicRoads Property

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 2 on Plan of Subdivision 315461G, Parish of Tyabb comprising 985 square metres and being land

described in Certificate of Title Volume 10067, Folio 601, shown as Parcels 14 and 19 on Survey Plan 21332.

Interest acquired: That of William Rennie Rae and Ruth Elaine Rae and all other interests.

Published with the authority of VicRoads.

Dated 17 May 2007

For and on behalf of VicRoads
BERNARD TOULET
Manager, VicRoads Property

I have decided that the proposed Regulations should be made without amendment.

Dated 9 May 2007

PETER BATCHELOR MP
Minister for Energy and Resources



Nurses Act 1993

NURSES BOARD OF VICTORIA

Re: Trudie Janine Chown

Identification Number 139409

Registered in Division 1

Following a formal hearing into the professional conduct of Trudie Janine Chown, a Panel appointed by the Nurses Board of Victoria found, on 3 May 2007, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

1. Ms Chown must provide satisfactory reports to the Board at 6 months and 12 months from a psychiatrist approved by the Board; and
2. Ms Chown must notify the Board within 14 days of commencing employment as a nurse. Thereafter, she must provide employer reports satisfactory to the Board at 3, 6, and 12 months.

LOUISE MILNE-ROCH
Chief Executive Officer

Water Act 1989

FREE SHOWERHEADS FOR GIPPSLAND WATER CUSTOMERS

Gippsland Water is encouraging customers to take advantage of the free showerhead exchange program.

Due to operational issues, low rainfall and declined inflows, many towns within Gippsland Water service area have been placed on stage 4 restrictions. To assist in managing the water resources, Gippsland Water is offering 1260 showerheads for townships of:

- Stratford
- Maffra
- Coongulla
- Boisdale
- Thorpdale
- Boolarra
- Seaspray
- Glenmaggie.

In addition to this an allocated number of showerheads are being offered to Gippsland Water customers on Stage 3.

For a chance to receive one of the water saving showerheads, customers should call Gippsland Water on 1800 066 401. Customers must be connected to a reticulated water system to be eligible, and the showerheads are not compatible with gravity-fed hot water systems. Approved customers will be provided with a new water saving showerhead in exchange for their old showerhead.

Chief Executive Officer John Mitchell said that the Three Star showerheads help households save water, cut greenhouse gas emissions, and have the potential to save up to \$60 a year on water and energy bills.

Subordinate Legislation Act 1994

NOTICE OF DECISION

Extractive Industries Development
Regulations 2007

I, Peter Batchelor, Minister for Energy and Resources and Minister responsible for administering the **Extractive Industries Development Act 1995**, give notice under section 12 of the **Subordinate Legislation Act 1994** as follows:

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Extractive Industries Development Regulations 2007. The RIS was advertised to invite public comment. One submission was received and considered.

“Showerheads are one of the cheapest and most effective ways to cut household water use, with each showerhead potentially saving up to 20,000 litres per year,” Mr Mitchell said.

“Gippsland residents have done a great job conserving water, and this is another chance for them to save water, and save on their household bills.”

Gippsland Water customers are also being encouraged to take advantage of the Victorian Government’s rebate scheme. The Water Smart Gardens and Home Rebate Scheme allows people who purchase an efficient showerhead or other water-saving products to claim a rebate.

The showerhead exchange program is being rolled out across Victoria with the potential to save about two billion litres of water each year.

The Victorian Government has worked with water authorities across the state to distribute the showerheads through a range of programs as part of a \$6.5 million initiative.

For more information please contact Gippsland Water on 1800 066 401 or visit the Victorian Government’s Our Water, Our Future website at www.ourwater.vic.gov.au.

JOHN MITCHELL
Chief Executive Officer



Water Act 1989
SECTION 96

Extension of Echuca Sewer District

In accordance with the requirements of Section 96(7)(c) of the **Water Act 1989** notice is given of a proposed extension of the Echuca Water District into the Parishes of Echuca North, Wharparilla and Millewa. The proposed extension is bounded in the west by Stratton, Cantwell and Muller Roads; in the north by the Murray River; in the east by Lady Augusta and Simmie Roads; and in the south by Kelsh, Baragwanath and Adamson Roads.

Plans of the proposed district may be viewed at Coliban Water, 37–45 Bridge Street, Bendigo.

Submissions are invited from members of the public. Any person making a submission should set out the grounds for any objection raised in the submission.

Submissions should be sent to Cheryl Fitzgerald, Corporate Secretary, Coliban Region Water Authority, Box 2770, Bendigo Delivery Centre 3554 and must be received by the Authority within one month after publication of this notice in the Government Gazette.

Submissions must be received by 14 June 2007. Contact: Cheryl Fitzgerald, Corporate Secretary, Box 2770, Bendigo DC, Vic. 3554.

Children’s Services Act 1996

REVOCATION OF
NOTICE OF EXEMPTION

Under section 6 of the **Children’s Services Act 1996**, the Minister for Children hereby revokes the notice of exemption made on 11 August 2006 and published in the Victorian Government Gazette G33 on 17 August 2006. The revocation will take effect in 60 days.

Dated 28 April 2007

HON LISA NEVILLE MP
Minister for Children

Children’s Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children’s Services Act 1996** (“the Act”), the Minister for Children hereby declares that the following services are exempt from regulation 24 of the Children’s Services Regulations 1998:

- Swan Hill Leisure Centre, licence identification number 10410;
- Re-Creation Health Club Creche, licence identification number 10272; and
- Hamilton Indoor Leisure and Aquatic Centre Occasional Care, licence identification number 10708.

This exemption is granted subject to the following conditions:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and
3. The proprietor ensures that whenever children are being cared for or educated by the children’s service, there is present 1 staff member at the service for every 7 children, or fraction of that number; and

4. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption and parents or guardians are to be informed that the service is not required to employ qualified staff at all times during operation; and
5. Each staff member at the service is not less than 18 years of age.

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 28 April 2007

HON LISA NEVILLE MP
Minister for Children

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, hereby declares that the children's services listed below are exempt from regulation 24 of the Children's Services Regulations 1998.

- Brighton Recreational Centre, licence number 481
- Castlefield Community Centre, licence number 3198
- Cheltenham Neighbourhood House, licence number 2508
- Chirnside Park Community Centre Occasional Care, licence number 2138
- Colliver Road Children's Centre, licence number 3241
- Craig Family Centre, licence number 696
- Diamond Creek Living & Learning Centre, licence number 1182
- Dromana Community House, licence number 1469
- Duke Street Community Centre, licence number 3508
- Fernwood Female Fitness Centre, licence number 334
- Glen Waverley Occasional Care, licence number 3720
- Gowrie Street Occasional Care, licence number 3077
- Greenhills Neighbourhood Centre, licence number 1151
- Holden Street Neighbourhood House, licence number 1441
- Humpty Dumpty Playgroup, licence number 9878
- Karingal Neighbourhood House, licence number 1557
- Katandra West Early Childhood Centre, licence number 4051
- Kew Recreational Child Care Centre, licence number 1879
- Kids House, licence number 828
- Mansfield & District Community Centre, licence number 2240
- Mill Park Community House, licence number 3912
- Mitcham Community House, licence number 2770
- Mornington Community Contact, licence number 2568
- Morrell Street Occasional Care, licence number 3072
- Oakgrove Community Centre Inc, licence number 9968
- Orwil Street Community House, licence number 1550
- Sale Neighbourhood House, licence number 3168
- Selwyn House the Home of Craigieburn Education & Community Centre, licence number 602
- Swinburne Avenue Occasional Care, licence number 3358
- Tallygaroopna Children's Centre, licence number 4574
- Tooloomba Preschool, licence number 4421.

This exemption is granted subject to the following conditions:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and
3. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption; and
4. Each staff member at the service is not less than 18 years of age; and
5. The proprietor ensures that whenever children are being cared for or educated by the children's service, the number of staff members set out in the table are caring for or educating the children –

No. of children present	Age of children	Number of staff members	Number of total staff members who must be qualified staff members
15 or less	under 3 years (all children under 3 years)	1 for every 7 children or fraction of that number	1 qualified staff member
	mixed age grouping (children under 3 years and 3 years or more)		
	3 years or more (all children 3 years or more)		
16 or more	under 3 years (all children under 3 years)	1 for every 7 children or fraction of that number	1 qualified staff member for every 15 children or fraction of that number
	mixed age grouping (children under 3 years and 3 years or more)	1 for every 7 children or fraction of that number	1 qualified staff member for every 15 children or fraction of that number
	3 years or more (all children 3 years or more)	1 for every 7 children or fraction of that number	1 qualified staff member for every 30 children or fraction of that number

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 28 April 2007

HON LISA NEVILLE MP
Minister for Children

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children hereby declares that the Blind Bight Community Centre (Licence Number 1004) ("the service") is exempt from regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and
3. Each staff member at the service is not less than 18 years of age; and
4. A staff member at the service is enrolled and attending an approved early childhood course of study; and
5. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this Exemption; and parents or guardians are informed that the service is not required to meet the qualified staff ratios at all times during operation, as a staff member is undertaking an approved early childhood course; and
6. The proprietor ensures that whenever children are being cared for or educated by the children's service, the number of staff members set out in the Table are caring for or educating the children –

No. of children present	Age of children	Number of staff members	Number of total staff members who must be qualified staff members or undertaking an approved early childhood course
15 or less	Under 3 years (all children under 3 years)	1 for every 7 children or fraction of that number	1
	Mixed age grouping (under 3 years and 3 years or more)	1 for every 7 children or fraction of that number	
	3 years or more (all children 3 years or more)	1 for every 7 children or fraction of that number	
16 or more	Under 3 years (all children under 3 years)	1 for every 7 children or fraction of that number	1 qualified staff member for every 15 children or fraction of that number
	Mixed age grouping (under 3 years and 3 years or more)	1 for every 7 children or fraction of that number	1 qualified staff member for every 15 children or fraction of that number
	3 years or more (all children 3 years or more)	1 for every 7 children or fraction of that number	1 qualified staff member for every 30 children or fraction of that number

This exemption remains in force until no more than 12 months from the date of exemption, but no later than 28 May 2008, unless revoked earlier.

Dated 28 April 2007

HON LISA NEVILLE MP
Minister for Children

Crown Land (Reserves) Act 1978

ORDER GIVING APPROVAL

TO THE GRANT OF A LEASE UNDER SECTIONS 17D AND 17DA

Under sections 17D(1) and 17DA of the **Crown Land (Reserves) Act 1978**, I, Rob Hulls, Minister for Planning, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and that to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by Loddon Shire Council as Committee of Management for the purpose of the operation of a Caravan Park over the entire area of the Bridgewater Public Park and Public Recreation Reserve and the adjacent area of the Loddon River Public Purposes reserve as described in the Schedule below. In accordance with Section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, I state that:

- (a) there are special reasons which make the granting of the lease reasonable and appropriate in the particular circumstances; and
- (b) to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**.

SCHEDULE

The area within the green boundary line on the attached aerial photograph including:

- (a) Crown Allotment 3, Section 18, Township of Bridgewater (P128411), being all of the Bridgewater Public Park and Public Recreation Reserve (Rs1495), comprising 3.88 hectares of Crown lands temporarily reserved for Public Recreation purposes by Order in Council dated 16 November 1888 and for Public Park purposes by Order in Council dated 9 August 1889.
- (b) The adjacent part of the Public Purposes reserve to the Loddon River's eastern bank being Crown Allotment 4, Section 18, township of Bridgewater (P128402).

(Aerial photograph referred to in Schedule attached to Department of Sustainability and Environment File No. 0606590).

Dated 18 October 2006

ROB HULLS MP
Minister for Planning

Crown Land (Reserves) Act 1978

ATTACHMENT 1

ORDER GIVING APPROVAL TO THE GRANT OF A LEASE TO THE POWER HOUSE
AMATEUR FOOTBALL CLUB INC. PURSUANT TO SECTIONS 17D AND 17DA OF THE
CROWN LAND (RESERVES) ACT 1978

Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Justin Madden, Minister for Planning, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by Parks Victoria to the Power House Amateur Football Club Inc. for the purposes of sporting and ancillary activities normally associated with amateur sports clubs, including but without limitation the consumption and sale of liquor to club members and the preparation or cooking of food in locations approved by the lessor over the lands described in the Schedule below, and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that:

- (a) there are special reasons which make granting the lease reasonable and appropriate in the particular circumstances; and
- (b) to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**.

SCHEDULE

First Floor clubrooms in the Stuart King Pavilion off Village Green Drive, Albert Park, shown coloured yellow on the attached plans, being sited on Crown land permanently reserved for Public Park by Order in Council of 21 March 1876 and by notice in the Government Gazette, of 24 March 1876, page 568.

(Lease plan referred to in Schedule attached to Department of Sustainability and Environment File No. 1204268).

Dated 4 April 2007

JUSTIN MADDEN MLC
Minister for Planning

Crown Land (Reserves) Act 1978ORDER GIVING APPROVAL TO GRANT TWO LEASES
UNDER SECTIONS 17D AND 17DA

Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Justin Madden, Minister for Planning, being satisfied that there are special reasons which make the granting of the leases reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of two leases by Parks Victoria for the purposes of:

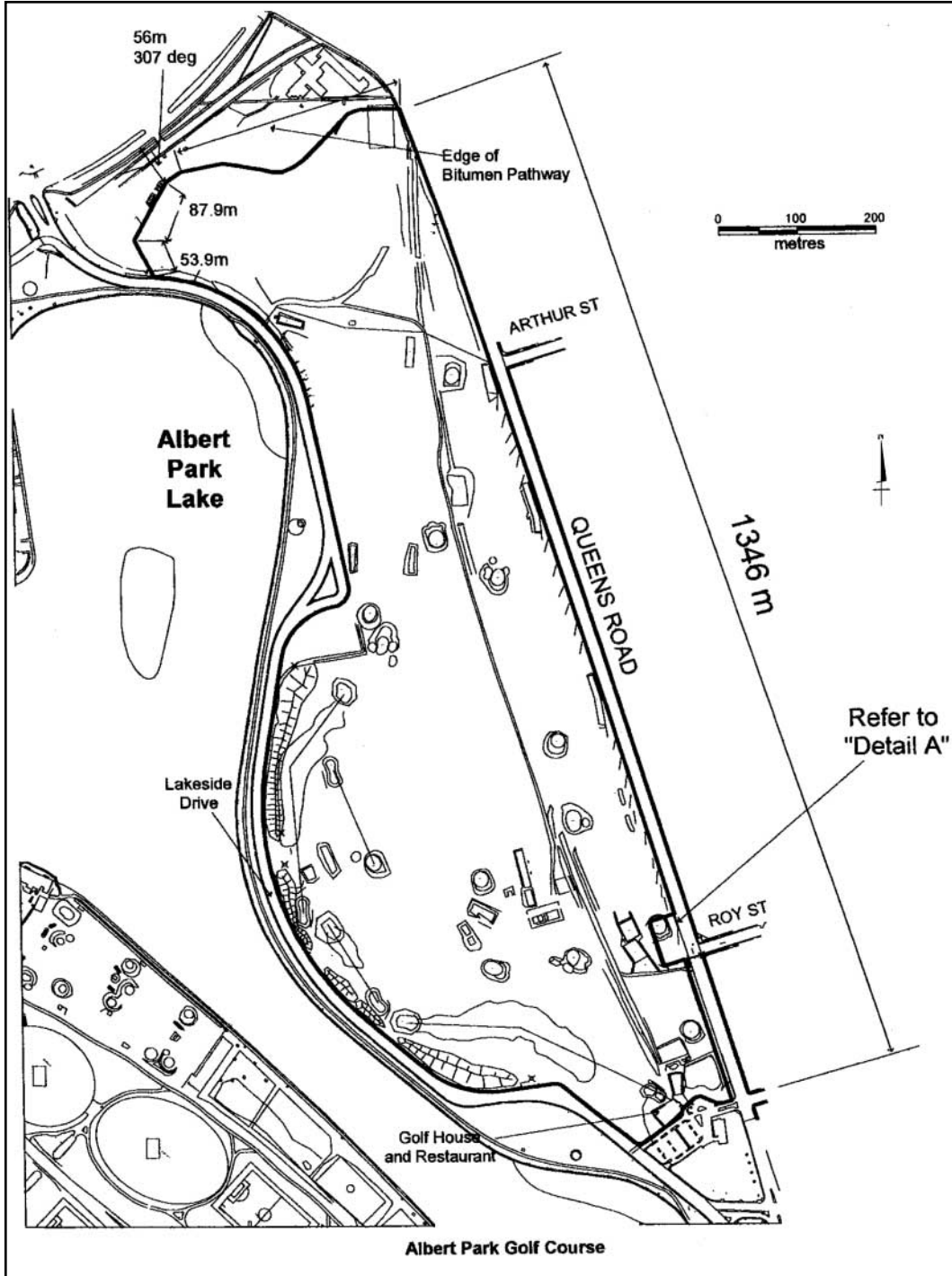
1. the operation of an 18 hole public golf course, golf related retail, food and liquor services, restaurant and appropriate golf related ancillary uses; and
2. the operation of a golf driving range, golf related retail, food and liquor services and appropriate golf related ancillary uses,

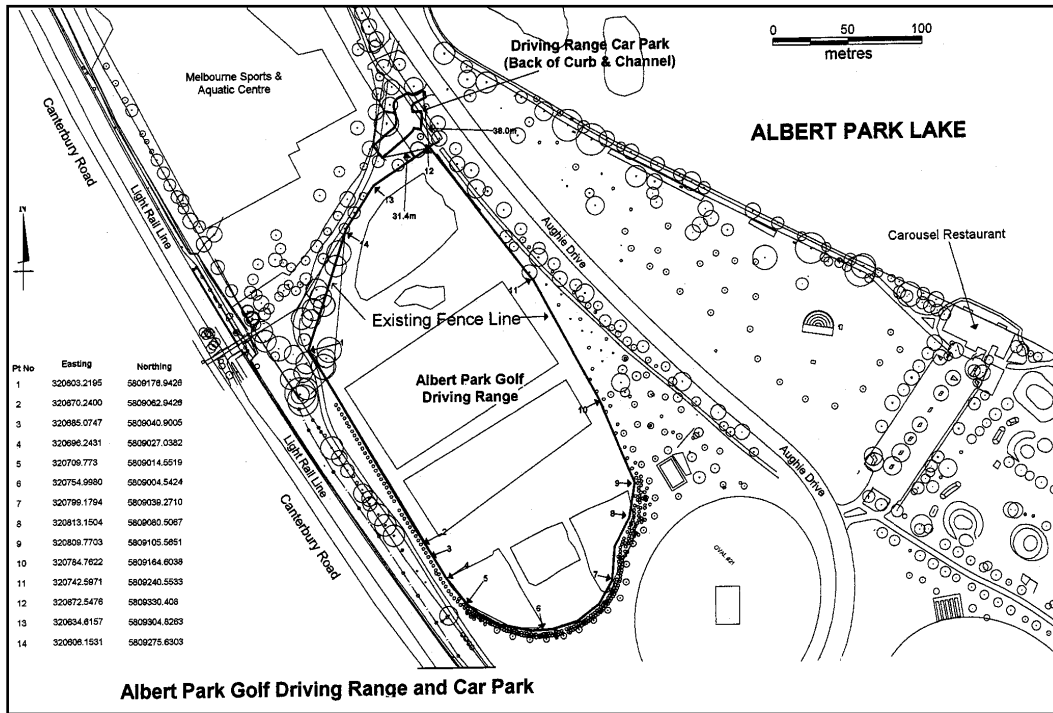
over the areas of Albert Park Reserve described in the Schedule below, and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

- (a) there are special reasons which make granting the leases reasonable and appropriate in the particular circumstances; and
- (b) to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**.

SCHEDULE

The lands shown by thick black outlines on the following plans, being parts of the Crown land permanently reserved for Public Park by Order in Council of 21 March 1876 (vide Government Gazette, 24 March 1876, page 568).





1204268
 Dated 9 May 2007

JUSTIN MADDEN MLC
 Minister for Planning

Liquor Control Reform Act 1998**LIQUOR LICENSING POLL****Camberwell Neighbourhood**

Liquor Licensing Victoria has received an application for an on-premises licence for the Dozo Japanese Restaurant, 509 Riversdale Road, Camberwell. As the application for a licence is in a 'dry' neighbourhood, Liquor Licensing Victoria, pursuant to clause 17 of Schedule 3 of the **Liquor Control Reform Act 1998**, has ordered a poll of electors in the neighbourhood surrounding the above premises. This neighbourhood is determined by Liquor Licensing Victoria. The poll will be conducted by the Victorian Electoral Commission. The poll will be conducted entirely by post.

1. The neighbourhood delineated by Liquor Licensing Victoria for the licensing poll comprises the neighbourhood on the map below:



(Note that if the boundary described is a road or street, the centre of the road or street is the boundary line).

The neighbourhood comprises the area bounded by Burke Road on the west, Prospect Hill Road on the north, Trafalgar Road on the east and Seymour Grove on the south.

2. The resolution to be submitted to the electors
Electors in the Camberwell neighbourhood will be asked to vote "yes" or "no" with respect to the following resolution:

'That an on-premises licence be granted in the neighbourhood of the premises situated at 509 Riversdale Road, Camberwell'.

3. Persons entitled to vote at the poll
All electors who reside within the neighbourhood delineated and were enrolled on the electoral roll used for State and Federal elections as at Thursday 19 April 2007 must vote at the poll. Copies of the official roll for the poll may now be inspected at the Victorian Electoral Commission, Level 8, 505 Little Collins Street, Melbourne.
4. Voting is Compulsory
Electors enrolled in the licensing poll neighbourhood as at 19 April 2007 are obliged to vote. The penalty for failing to vote without a valid and sufficient excuse is up to \$53.72.
5. Postal voting
The poll will be conducted entirely by post. Ballot papers will be mailed to all eligible electors from Friday 1 June 2007. To be included in the count, ballot papers must be received by the VEC by 6.00 pm on Monday 18 June 2007.

PHILLIPPA HESKETT
Returning Officer

Dental Practice Act 1999**DENTAL PRACTICE BOARD
OF VICTORIA**

On 8 May 2007, following a formal hearing, the Dental Practice Board of Victoria found that Dr Naomi Hollander had engaged in unprofessional conduct of a serious nature. It ordered that her registration as a dentist be suspended for a period of six weeks commencing from 1 July 2007.

Geographic Place Names Act 1998

CORRIGENDUM

In the Victoria Government Gazette No. G26, 1 July 1999, page 1541, under **Geographic Place Names Act 1998**, Notice of Registration of Geographic Names, the place name of Smokey Town should read Smokeytown.

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**
17th 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) and/or amendments to the boundaries of the undermentioned localities. Any objections to the proposal(s) 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, any newly proposed names will become the official names and/or any proposed locality boundary amendments will be registered in the Register of Geographic Names.

File No.	Naming Authority	Place Name	Location
LA/12/0072	Strathbogie Shire	Avenel, Baddaginnie, Creightons Creek, Gooram, Mangalore, Murchison, Strathbogie, Upotipotpon, Violet Town, Whroo.	As on version 4.4 of the plan showing the locality 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 following registration.
GPN 1074	Mansfield Shire	Miners Hut Reserve	Approximately 300m upstream from the Kevington Hotel between the Mansfield–Woods Point Road and the Goulburn River, Kevington.
GPN 1075	Hume City	Peter Shepherd Footbridge	Pedestrian bridge linking Rotary Park and Lions Park in the Sunbury Recreation Reserve, Sunbury.

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**
17th Floor
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Occupational Health and Safety Act 2004
VICTORIAN WORKCOVER AUTHORITY

Notice of Issue of Major Hazard Licence

On 7 May 2007, a licence under Part 8 of the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 was issued to Nufarm Australia Ltd and authorises the facility located at 103–105 Pipe Road, Laverton North, Victoria 3026, to be operated as a major hazard facility.

The Major Hazard Facility Licence was issued for a term of 5 years and will expire on 7 May 2012.

The following condition is attached to the licence:

1. that by March 31 each year, Nufarm Australia Ltd demonstrates to the Authority that the results of the auditing program described in Section 9.20.2 of its Safety Case, verify that the Safety Management System continues to provide a comprehensive and integrated management system for all aspects of control measures.

The following Schedule 1 materials were authorised by the licence:

From Table 1 of Schedule 1

Material	UN Nos included under name
Chlorine (in process gas)	1017
Hydrogen (in process gas)	1049
Oxygen	1072, 1073

From Table 2 of Schedule 1

Material	Description
Flammable materials	Liquids which meet the criteria for Class 3 Packing Group I
Flammable materials	Liquids which meet the criteria for Class 3 Packing Group II or III
Flammable materials	Materials which liberate flammable gases or react violently on contact with water which meet the criteria for Class 4.3 Packing Group I or II
Toxic solids and liquids	Materials which meet the criteria for Very Toxic in Table 3
Toxic solids and liquids	Materials which meet the criteria for Toxic in Table 3

GREG TWEEDLY
 Chief Executive

Private Agents Act 1966

NOTICE OF RECEIPT OF APPLICATION FOR
COMMERCIAL AGENT'S RENEWAL LICENCES
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966**

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

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

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

<i>Full Name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Place of Abode of Applicant or Nominee</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Marc Sirianni	Level 2, 991 Whitehorse Road, Box Hill	Commercial Sub-agents Licence	05/06/07

Dated 8 May 2007

T. TURNER
Registrar of the Magistrates' Court

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

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

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

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

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Ana Laumanu Mahina	Australian Receivables Ltd	363 King Street, Melbourne, Vic. 3000	Commercial Sub-Agents Licence
Alana May McLean	Cannon Collections	Level 15, 535 Bourke Street, Melbourne 3000	Commercial Sub-Agents Licence
Belinda Burns	Collection House P/L	Level 7, 477 Collins Street, Melbourne 3000	Commercial Sub-Agents Licence
Leslie Bernice Wilson	Collection House P/L	Level 7, 477 Collins Street, Melbourne 3000	Commercial Sub-Agents Licence
Katie Elizabeth Hooper	Probe Group P/L	214 Balaclava Road, Caulfield North 3161	Commercial Sub-Agents Licence

Dated at Melbourne 9 May 2007

TREVOR RIPPER
Registrar
Magistrates' Court of Victoria

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

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

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

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

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Sharni Bre Thomas	Probe Group P/L	214 Balaclava Road, Caulfield North 3161	Commercial Sub-Agents Licence
Samrat Das	Probe Group P/L	214 Balaclava Road, Caulfield North 3161	Commercial Sub-Agents Licence
Andrew Paul Wyett	Credit Mercantile Solutions P/L	Level 2, 10 Queens Road, Melbourne 3004	Commercial Agents Licence
James Christopher Parke	Crown Collections P/L	Level 5, 370 St Kilda Road, Melbourne, Vic.	Commercial Agents Licence
John Hodgson-Williams	Kemps Collections P/L	24 Albert Road, South Melbourne Vic. 3205	Commercial Sub-Agents Licence

Dated at Melbourne 9 May 2007

TREVOR RIPPER
Registrar
Magistrates' Court of Victoria

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

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

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

<i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Danielle Maree Blyszak	Kemps Collections P/L	24 Albert Road, South Melbourne Vic. 3205	Commercial Sub-Agents Licence
Janet Mary Fry	Kemps Collections P/L	24 Albert Road, South Melbourne Vic. 3205	Commercial Sub-Agents Licence
Elizabeth E. Trewhella	Shield Mercantile P/L	Level 8, 169 Queens Street, Melbourne, Vic.	Commercial Sub-Agents Licence

Dated at Melbourne 9 May 2007

TREVOR RIPPER
Registrar
Magistrates' Court of Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Retirement Village Charge

I hereby declare that the charge No. S690503F pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 15 September 1993 on Certificate of Title Volume 09448, Folio 021 under the **Transfer of Land Act 1958**, is extinguished.

Dated 7 May 2007

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. S690502J pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 15 September 1993 on Certificate of Title Volume 09448, Folio 021, under the **Transfer of Land Act 1958**, is cancelled.

Dated 7 May 2007

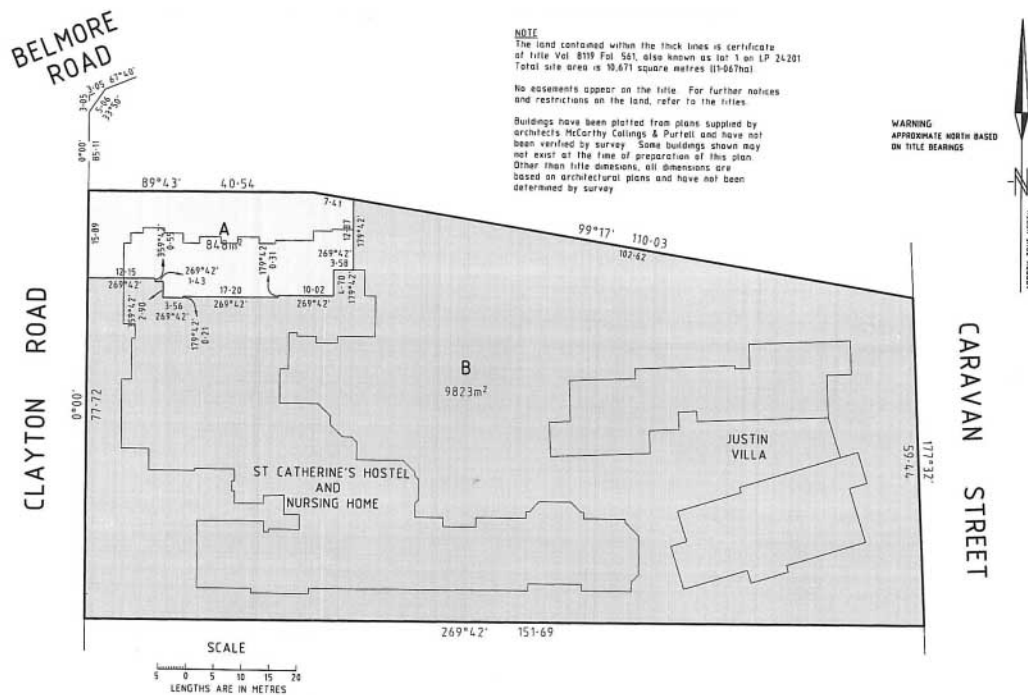
DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. U866067Q pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 10 July 1997 on Certificate of Title Volume 08119, Folio 561, under the **Transfer of Land Act 1958**, is cancelled in so far as it affects the part of the land identified as B on the survey plan.



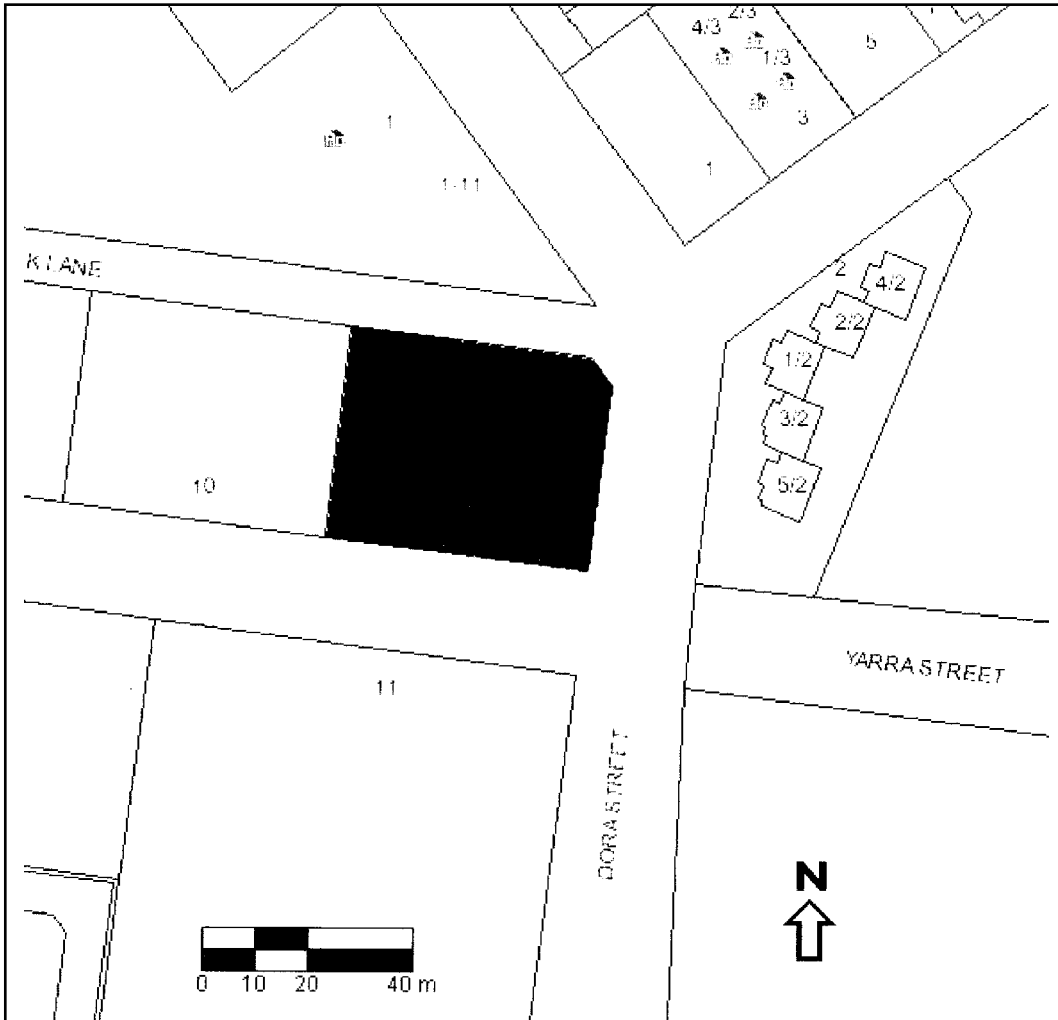
Dated 3 May 2007

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Road Safety Act 1986
ORDER UNDER SECTION 98 ROAD SAFETY ACT 1986
EXTENDING PROVISIONS TO BEACON LIGHTING PREMISES
AT 2-4 DORA STREET, HEIDELBERG

I, Robert Freemantle, Regional Manager, VicRoads Metropolitan North West, delegate of the Minister for Roads and Ports under Section 98 of the **Road Safety Act 1986** by this Order extend the application of:

- (a) sections 59, 64, 65, 76, 77, 85-90 and 100 of the Act; and
 - (b) the Road Safety (Road Rules) Regulations 1999; and
 - (c) parts 5 and 6 and Schedules 3 and 4 of the Road Safety (General) Regulations 1999
- to the Beacon Lighting Premises, at 2-4 Dora Street, Heidelberg within the City of Banyule, particulars of which are shown hatched on the attached plan.



Dated 2 April 2007

ROBERT FREEMANTLE
Regional Manager

Energy Safe Victoria Act 2005
Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 8th day of March 2007

BETWEEN:

ESSENTIAL SERVICES COMMISSION (“Commission”)

and

ENERGYSAFE VICTORIA (“EnergySafe”)

BACKGROUND:

- A. The Office of the Chief Electrical Inspector and the Office of Gas Safety are prescribed agencies for the purposes of section 15 of the **Essential Services Commission Act 2001** (“ESC Act”).
- B. In 2003 the Commission entered into respective Memoranda of Understanding with each of the agencies referred to in Recital A pursuant to section 15 of the ESC Act.
- C. In 2005 the Office of the Chief Electrical Inspector and the Office of Gas Safety merged to become EnergySafe Victoria pursuant to the **Energy Safe Victoria Act 2005**.
- D. The Commission has reissued a single Memorandum of Understanding to replace the memoranda referred to in Recital B, to provide for consultation between the Commission and EnergySafe and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.

OPERATIVE PROVISIONS:

1. Definitions

In this memorandum, including the background:

“**Chairperson**” means the Chairperson of the Essential Services Commission

“**Director**” means the Director of Energy Safety

“**ESV Act**” means the **Energy Safe Victoria Act 2005**

“**ESC Act**” means the **Essential Services Commission Act 2001**

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

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

2. Objectives and purpose of this memorandum

This memorandum seeks to:

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

3. The role of the Commission

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

- (a) perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
- (b) advise the relevant Minister on matters relating to the economic regulation of regulated industries, including reliability issues;

- (c) when requested by the Minister to do so, to conduct an inquiry into any systemic reliability of supply issues related to a regulated industry or other essential service specified by the Minister in the request;
 - (d) conduct inquiries and report under the ESC Act on matters relating to regulated industries;
 - (e) make determinations in accordance with the ESC Act;
 - (f) make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives which are to:
- (a) facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) facilitate the financial viability of regulated industries;
 - (c) ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) facilitate effective competition and promote competitive market conduct;
 - (e) ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of EnergySafe

- 4.1 EnergySafe has broad objectives and powers in relation to the safety of the electricity and gas industries in Victoria. Among other things, it is responsible for the implementation and enforcement of the ESV Act and the regulations, standards, codes and policies under that Act and the **Electricity Safety Act 1998** and the **Gas Safety Act 1997**, which apply to and have implications for regulated industries.
- 4.2 The specific functions of EnergySafe include those conferred on it by –
- (a) the ESV Act and the regulations made under that Act;
 - (b) the **Electricity Safety Act 1998** and the regulations under that Act; and
 - (c) the **Gas Safety Act 1997** and the regulations under that Act.

5. How the parties will consult

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

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

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- 6.2 At the date of this memorandum, the contact officer for the Commission is Ms Sally McMahon, and the contact officer for EnergySafe is Mr Mike Ebdon. Each party will give notice of any change to its contact officer to the other, promptly after the change is made.
- 6.3 Each party will ensure that its contact officer:
- (a) makes themselves (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;

- (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
- (c) arranges (in conjunction with the other’s contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of the Chairperson and the Director no less frequently than annually.

6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other’s contact officer. If, however, a contact officer gives notice to the other party’s contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party’s contact officer must promptly:

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

7. Use and disclosure of information

7.1 The capacity of a party to use or disclose information, or take information into account, is or may be (depending on the nature or source of the information) restricted by law.

7.2 If a party discloses information to the other party under this memorandum, the disclosing party may place restrictions on the recipient’s use or disclosure of that information, being restrictions it believes in good faith are necessary for compliance with binding restrictions on disclosure. A party receiving information will observe any such restriction noting, however, that this requirement does not limit:

- (a) any other legal obligation of a party relating to the disclosure or use of information; and
- (b) any right of a party concerning information obtained otherwise than under this memorandum.

EXECUTED AS A MEMORANDUM:

THE COMMON SEAL of the)
 ESSENTIAL SERVICES COMMISSION)
 was affixed pursuant to the authority of the)
 Commission on the 8th day of March 2007)
 GREG WILSON
 Chairperson

THE COMMON SEAL of ENERGYSAFE)
 VICTORIA was duly affixed)
 on the 8th day of March 2007)
 KEN GARDNER
 Director of Energy Safety

Marine Act 1988
Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 16th day of April 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (the "Commission")

and

DIRECTOR OF MARINE SAFETY (the "Director")

BACKGROUND:

- A. The Commission is an independent statutory authority established by the ESC Act.
- B. The Director of Marine Safety is a prescribed agency for the purposes of the ESC Act.
- C. The parties have entered into a memorandum of understanding to provide for consultation between the Commission and the Director and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.

OPERATIVE PROVISIONS:

1. Definitions

In this memorandum, including the background:

"**Chairperson**" means the Chairperson of the Essential Services Commission

"**ESC Act**" means the **Essential Services Commission Act 2001**

"**MA**" means the **Marine Act 1988** (Vic.).

"**prescribed agency**" has the same meaning as in the ESC Act

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

2. Objectives and purpose of this memorandum

This memorandum seeks to:

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

3. The role of the Commission

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

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

- (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of the Director

- 4.1 The Director is responsible for Victoria's marine safety and for the administration of the **Marine Act 1988** and Marine Regulations 1999.
- 4.2 The specific functions of the Director are set out in the **Marine Act 1988**, which include responsibility for the following:
- (a) to develop appropriate standards for the construction, crewing, equipment and operations of vessels and to take steps to ensure that those standards are maintained;
 - (b) to issue certificates and to develop appropriate standards for the training of crews and to take steps to ensure that those standards are maintained;
 - (c) to investigate incidents adequately in order to identify deficiencies in operational procedures, vessel standards or crew training;
 - (d) to advise the Minister on the operation and administration of the **Marine Act 1988**, the Marine Regulations, marine pollution legislation and marine safety matters and any other matters referred for advice by the Minister;

- (e) to provide guidance and information on marine safety matters;
- (f) to commission and sponsor research into marine safety matters;
- (g) to promote education and training in marine safety;
- (h) to ensure that adequate means exist in ports to enable an effective response to marine pollution incidents within ports;
- (i) to take action to deal with marine pollution incidents occurring in State waters that are not port waters;
- (j) to provide vessel survey and consultancy services;
- (k) to manage resources in the most effective manner;
- (l) to determine the fitness of a person to hold a licence or a certificate of competency;
- (m) to licence pilots and to develop appropriate standards for the training of pilots and pilot exempt masters and to ensure that those standards are maintained;
- (n) to register pilotage service providers;
- (o) to approve appropriate alternative safety standards for the provision of pilotage services by pilotage service providers;
- (p) to determine and enforce standards and procedures for navigation and maritime safety on State waters;
- (q) to develop appropriate standards for the provision and maintenance of navigation aids for State waters;
- (r) to develop appropriate standards for the dredging and maintenance of channels in State waters;
- (s) to direct the removal of implements or obstructions to navigation on State waters;
- (t) after consultation with the Environment Protection Authority, to develop, review, co-ordinate and administer the Victorian Marine Pollution Contingency Plan;
- (u) to determine the parts of State waters in which a licensed pilot is required to be engaged;
- (v) to determine the parts of State waters (other than port waters of the Port of Melbourne, the Port of Geelong, the Port of Portland or the Port of Hastings) with respect to which a licensed harbour masters is required to be engaged;
- (w) to licence harbour masters and determine standards for the training of harbour masters;
- (x) to test, approve the testing and licence operators of regulated recreational vessels;
- (y) to train or approve courses or persons for the purposes of training of operators of regulated recreational vessels;
- (z) to register recreational vessels;
- (aa) to investigate alleged breaches of the **Marine Act 1988** or the Marine Regulations and to prosecute for them; and
- (bb) any other function that is conferred on the Director by or under the **Marine Act 1988** or any other Act.

5. How the parties will consult

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

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

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- 6.2 At the date of this memorandum, the contact officer for the Commission is Mr Andrew Chow, and the contact officer for the Director is Ms Di Bates. Each party will give notice of any change to its contact officer to the other in writing, promptly after the change is made.
- 6.3 Each party will ensure that its contact officer:
- (a) makes themselves (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;

- (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
 - (c) arranges (in conjunction with the other's contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of the Chairperson and the Director no less frequently than annually.
- 6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other's contact officer. If, however, a contact officer gives notice to the other party's contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party's contact officer must promptly:
- (a) brief the Chairperson or Director (or a nominee of the party's Chairperson or Director) of details of the relevant dispute; and
 - (b) arrange with the other's contact officer for a meeting of the Chairperson and the Director (or their respective nominees), with the objective of settling the dispute amicably.

7. Use and disclosure of information

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

EXECUTED AS A MEMORANDUM:

THE COMMON SEAL of the)
 ESSENTIAL SERVICES COMMISSION)
 was affixed pursuant to the authority of the)
 Commission on the 16th day of April 2007)

GREG WILSON
 Chairperson

BRIAN RICHES
 Director of Marine Safety

Port Services Act 1995
Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 18th day of April 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (the “Commission”)

and

VICTORIAN REGIONAL CHANNELS AUTHORITY (the “Authority”)

BACKGROUND:

- A. The Authority is a prescribed agency for the purposes of the ESC Act.
- B. The parties have entered into this memorandum of understanding to provide for consultation between them and the integration and coordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.

OPERATIVE PROVISIONS:

1. Definitions

In this memorandum, including the background:

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

“PS Act” means the **Port Services Act 1995** (Vic.);

“port waters” means the port waters of Geelong, Hastings and Portland as declared by Order in Council made under section 5(2) of the PS Act;

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

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

2. Objectives and purpose of this memorandum

This memorandum seeks to:

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

3. The role of the Commission

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

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

- (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- a. to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - b. to facilitate the financial viability of regulated industries;
 - c. to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - d. to facilitate effective competition and promote competitive market conduct;
 - e. to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - f. to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - g. to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of the Authority

- 4.1 The Authority is to ensure that port waters and channels in port waters are managed for use on a fair and reasonable basis.
- 4.2 The Authority owns associated navigation aids and other plant and equipment relevant to its operations.
- 4.3 The specific functions of the Authority are set out in the PS Act and is responsible for ensuring that the following functions are carried out in relation to port waters and channels in port waters in commercial trading ports:
- (b) the establishment, management and, in accordance with the standards developed by the Director of Marine Safety, the dredging and maintenance of channels in the port waters;
 - (c) the provision and maintenance, in accordance with the standards developed by the Director of Marine Safety, of navigation aids in connection with navigation in the port waters;
 - (d) the general direction and control of the movement of vessels within the port waters in accordance with the **Marine Act 1988**;
 - (e) the provision of technical advice and support to port managers about the management and operations of port waters and channels in port waters;

- (f) at the request of the port manager and with the approval of the Minister, the assistance to a port manager with integrated planning, development, management and promotion activities for the port; and
- (g) such other functions as are conferred on the Authority by the PS Act or any other Act.

5. How the parties will consult

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

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

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- 6.2 At the date of this memorandum, the contact officer for the Commission is Mr Andrew Chow, and the contact officer for the Authority is Mr Peter McGovern. Each party will give notice of any change to its contact officer to the other in writing, promptly after the change is made.

- 6.3 Each party will ensure that its contact officer:
- (a) makes himself (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;
 - (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
 - (c) arranges (in conjunction with the other's contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of respective Chairpersons of the parties no less frequently than annually.
- 6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other's contact officer. If, however, a contact officer gives notice to the other party's contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party's contact officer must promptly:
- (a) brief the party's Chairperson (or a nominee of the party's Chairperson) of details of the relevant dispute; and
 - (b) arrange with the other's contact officer for a meeting of the Chairpersons of the parties (or their respective nominees), with the objective of settling the dispute amicably.

7. Use and disclosure of information

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

EXECUTED AS A MEMORANDUM

THE COMMON SEAL of the)
 ESSENTIAL SERVICES COMMISSION)
 was affixed pursuant to the authority of the)
 Commission the 18th day of April 2007)

GREG WILSON
 Chairperson

For and on behalf of the VICTORIAN)
 REGIONAL CHANNELS AUTHORITY)
 in the presence of :)

Signature of Witness
 KAS SZAKIEL
 Name of Witness

Signature of Authorised Person
 PETER McGOVERN
 Name of Authorised Person

Emergency Management Act 1986
Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 16th day of March 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (the “Commission”)

and

EMERGENCY SERVICES COMMISSIONER (the Commissioner)

BACKGROUND:

- A. The Commission is an independent statutory authority established by the ESC Act.
- B. The Emergency Services Commissioner is a prescribed agency for the purposes of the ESC Act.
- C. The parties have entered into a memorandum of understanding to provide for consultation between the Commission and the Commissioner and the integration and coordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.

OPERATIVE PROVISIONS:

1. Definitions

In this memorandum, including the background:

“**Chairperson**” means the Chairperson of the Essential Services Commission;

“**EM Act**” means the **Emergency Management Act 1986** (Vic.);

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

“**emergency management**” has the same meaning as the EM Act;

“**Essential Services Commission**” means the statutory body as described in the ESC Act (“the Commission”);

“**Emergency Services Commissioner**” means the person appointed under the section 21B of the EM Act (“the Commissioner”);

“**Minister**” means the Minister for Finance

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

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

2. Objectives and purpose of this memorandum

This memorandum seeks to:

- (a) ensure that the regulatory and decision making processes of the parties in relation to regulated industries are closely integrated and better informed;
- (b) avoid overlap or conflict between regulatory schemes (either existing or proposed) affecting regulated industries;
- (c) provide for sharing information between the parties in the context of their respective roles in relation to regulated industries;
- (d) promote the adoption of a best practice approach to regulation; and
- (e) assist in ensuring that the Commissioner is in a position to have regard to relevant emergency management legislation and the encouragement of best practice emergency management in its decision making in relation to regulated industries.

3. The role of the Commission

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

- (a) to perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
- (b) to advise the relevant Minister on matters relating to the economic regulation of regulated industries, including reliability issues;
- (c) when requested by the Minister to do so, to conduct an inquiry into any systemic reliability of supply issues related to a regulated industry or other essential service specified by the Minister in the request;
- (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
- (e) to make determinations in accordance with the ESC Act;
- (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
- (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
- (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
- (i) to administer the ESC Act.

3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:

- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
- (b) to facilitate the financial viability of regulated industries;
- (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
- (d) to facilitate effective competition and promote competitive market conduct;
- (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
- (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
- (g) to promote consistency in regulation between States and on a national basis.

3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of the Commissioner

4.1 The Commissioner has the following functions:

- (a) to establish and monitor standards for the prevention and management of emergencies to be adopted by all emergency services agencies as defined in the EM Act;
- (b) to advise, make recommendations and report to the Minister on any issue in relation to emergency management;

- (c) to encourage and facilitate co-operation between all agencies to achieve the most effective utilisation of all services;
 - (d) to act as Executive Officer of the Victorian Emergency Management Council; and
 - (e) any other function conferred on the Commissioner by or under the EM Act or any other Act.
- 4.2 The Commissioner's primary objective in performing those functions is to protect the Victorian community by making it safety aware and by ensuring appropriate emergency prevention, response and recovery procedures are in place. The Commissioner seeks to:
- (a) provide leadership on emergency management issues and best practice;
 - (b) coordinate whole of Government and emergency services management activities;
 - (c) engage and consult the community on emergency management issues; and
 - (d) promote emergency management and community awareness initiatives.

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with the Commissioner:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.
- 5.2 The Commissioner will, if requested in writing by the Commission to do so, consult with the Commission:
- (a) in relation to any emergency management matter specified by the Commission which is relevant to the Commission's objectives or functions; and
 - (b) in respect of an emergency management matter specified by the Commission which may impact on a regulated industry.
- 5.3 The Commission will, if requested by the Commissioner to do so, consult with the Commissioner in respect of a matter specified by the Commissioner which may impact on emergency management in Victoria.
- 5.4 Each party in accordance with their respective roles in relation to each regulated industry will:
- (a) consult with and involve the other in the performance of any function that has or is likely to have material implications for the other;
 - (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory, facilitative/cooperative or decision making processes;
 - (c) on request, provide the other with timely advice on regulatory matters for which it is responsible;
 - (d) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
 - (e) exchange details of annual work programs to the extent that they are relevant to the role of the other;

- (f) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;
- (g) identify opportunities to coordinate strategic planning and undertake knowledge sharing initiatives to optimise material understanding of roles and strategic directions;
- (h) identify relevant project officers to allow for the coordination of particular regulatory projects; and
- (i) publish this memorandum on its website.

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

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

7. Use and disclosure of information

- 7.1 The capacity of a party to use or disclose information, or take information into account, is or may be (depending on the nature or source of the information) restricted by law.
- 7.2 If a party discloses information to the other party under this memorandum, the disclosing party may place restrictions on the recipient's use or disclosure of that information, being restrictions it believes in good faith are necessary for compliance with binding restrictions on disclosure. A party receiving information

will observe any such restriction noting, however, that this requirement does not limit:

- (a) any other legal obligation of a party relating to the disclosure or use of information; and
- (b) any right of a party concerning information obtained otherwise than under this memorandum.

EXECUTED AS A MEMORANDUM:

THE COMMON SEAL of the)
ESSENTIAL SERVICES COMMISSION)
was affixed pursuant to the authority of)
the Commission on the 16th day of March 2007)

GREG WILSON
Chairperson

THE COMMON SEAL of the EMERGENCY)
SERVICES COMMISSIONER is duly affixed)
in the presence of:)

BRUCE ESPLIN
Emergency Services Commissioner

Environment Protection Act 1970
Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 15th day of March 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (the “Commission”)

and

ENVIRONMENT PROTECTION AUTHORITY (the “Authority”)

BACKGROUND:

- A. The Authority is a prescribed agency for the purposes of the ESC Act.
- B. The parties have entered into this memorandum of understanding to provide for consultation between them and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.

OPERATIVE PROVISIONS:

1. Definitions

In this memorandum, including the background:

“**EP Act**” means the **Environment Protection Act 1970** (Vic.);

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

“**Legislation**” includes primary and subordinate legislation (eg State Environment Protection Policy (Waters of Victoria), Waste Management Policies, Regulations),

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

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

2. Objectives and purpose of this memorandum

This memorandum seeks to:

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

3. The role of the Commission

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

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

- (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
 - (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of the Authority

- 4.1 The Authority has broad powers in relation to protecting and improving the quality of the environment for all Victorians. Among other things, it is responsible for the implementation and enforcement of the EP Act and the regulations and policies under that Act, which apply to and have implications for regulated industries.
- Key aims of the Act include sustainable use and holistic management of the environment, ensuring consultative processes are adopted so that community input is a key driver of environment protection goals and programs and encouraging a co-operative approach to environment protection.
- 4.2 The specific functions of the Authority are set out in the EP Act and include:
- (a) administration of the EP Act and any regulations and Orders made under that Act;
 - (b) responsibility for and coordination of all activities relating to the discharge of wastes into the environment and the generation, storage, treatment, transport and disposal of industrial waste and the emission of noise and for preventing or controlling pollution and noise and protecting and improving the quality of the environment;

- (c) development of economic measures for the purpose of providing an economic incentive to avoid or minimise harm to the environment or any portion or segment of the environment by a particular activity;
- (d) promotion of continuing improvement in the efficiency with which resources are used, having regard to the principles of environment protection in general, and in particular in industrial enterprises and processes (refer to Appendix 1);
- (e) promotion of continuing reductions in the ecological impacts of industrial enterprises and processes;
- (f) issue of works approvals, licences, permits, pollution abatement notices, minor works pollution abatement notices, research development and demonstration approvals and notices, to control the volume, types, constituents and effects of waste discharges, emissions, deposits or other sources of pollutants and of substances which are of danger or a potential danger to the quality of the environment or any segment of the environment and the generation, storage, treatment, transport and disposal of industrial waste and to control the volume, intensity and quality of noise;
- (g) specification of standards and criteria for the protection of beneficial uses and the maintenance of the quality of the environment having regard to the ability of the environment to absorb waste without detriment to its quality and other characteristics and having regard to the social and economic development of Victoria;
- (h) imposition and collection of an environment protection levy in accordance with the EP Act; and
- (i) promotion, encouragement, coordination and the carrying out of long range planning in environment sustainability and management, waste management and pollution control.

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with the Authority:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.
- 5.2 The Authority will, if requested in writing by the Commission to do so, consult with the Commission:
- (a) in relation to any matter specified by the Commission which is relevant to its objectives or functions; and
 - (b) in respect of a matter specified by the Commission which may impact on a regulated industry.
- 5.3 Each party having regard to their respective roles in relation to each regulated industry will:
- (a) consult with and involve the other in the performance of any function that has or is likely to have material implications for the other¹;

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

- (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory or decision making processes;
 - (c) on request, provide the other with timely advice on regulatory matters for which it is responsible;
 - (d) provide the other with timely relevant information on industries or industry issues for which both parties have some responsibility;
 - (e) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
 - (f) exchange details of annual work programs to the extent that they are relevant to the role of the other;
 - (g) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;
 - (h) identify opportunities to coordinate strategic planning and undertake knowledge sharing initiatives to optimise material understanding of roles and strategic directions;
 - (i) identify relevant project officers to allow for the coordination of particular regulatory projects; and
 - (j) publish this memorandum on its website.
- 5.4 Each party having regard to their respective roles in relation to the water sector will:
- (a) meet annually to discuss issues related to the performance of the water businesses in delivering outcomes identified in Water Plans;
 - (b) develop and maintain appropriate processes to ensure that issues related to periodic price reviews are considered in a timely manner; and
 - (c) identify opportunities to coordinate consultation between the parties and water businesses on periodic water price reviews where appropriate.

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

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- 6.2 At the date of this memorandum, the contact officer for the Commission is Mr Sean Crees and the contact officer for the Authority is Mr Chris Bell. Each party will give notice of any change to its contact officer to the other, promptly after the change is made.
- 6.3 Each party will ensure that its contact officer:
- (a) makes himself (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;
 - (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
 - (c) arranges (in conjunction with the other's contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of respective Chairpersons of the parties no less frequently than annually.

6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other's contact officer. If, however, a contact officer gives notice to the other party's contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party's contact officer must promptly:

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

7. Use and disclosure of information

7.1 The capacity of a party to use or disclose information, or take information into account, is or may be (depending on the nature or source of the information) restricted by law.

7.2 If a party discloses information to the other party under this memorandum, the disclosing party may place restrictions on the recipient's use or disclosure of that information, being restrictions it believes in good faith are necessary for compliance with binding restrictions on disclosure. A party receiving information will observe any such restriction noting, however, that this requirement does not limit:

- (a) any other legal obligation of a party relating to the disclosure or use of information; and
- (b) any right of a party concerning information obtained otherwise than under this memorandum.

EXECUTED AS A MEMORANDUM BY:

THE COMMON SEAL of the)
 ESSENTIAL SERVICES COMMISSION)
 was affixed pursuant to the authority of the)
 Commission on the 15th day of March 2007)

GREG WILSON
Chairperson

THE COMMON SEAL of the ENVIRONMENT)
 PROTECTION AUTHORITY is duly affixed by the)
 Chairman on the 26th day of March 2007)

MICHAEL JOHN BOURKE
Chairman

APPENDIX 1

Extract from **Environment Protection Act 1970** Act No. 8056/1970

Part 1 – Introduction**1A. Purpose of Act**

- (1) The purpose of this Act is to create a legislative framework for the protection of the environment in Victoria, having regard to the principles of environment protection.
- (2) The principles of environment protection are set out in sections 1B to 1L.
- (3) It is the intention of Parliament that in the administration of this Act regard should be given to the principles of environment protection.

1B. Principle of integration of economic, social and environmental considerations

- (1) Sound environmental practices and procedures should be adopted as a basis for ecologically sustainable development for the benefit of all human beings and the environment.
- (2) This requires the effective integration of economic, social and environmental considerations in decision making processes with the need to improve community well-being and the benefit of future generations.
- (3) The measures adopted should be cost-effective and in proportion to the significance of the environmental problems being addressed.

1C. The precautionary principle

- (1) If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- (2) Decision making should be guided by –
 - (a) a careful evaluation to avoid serious or irreversible damage to the environment wherever practicable; and
 - (b) an assessment of the risk-weighted consequences of various options.

1D. Principle of intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

1E. Principle of conservation of biological diversity and ecological integrity

The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision making.

1F. Principle of improved valuation, pricing and incentive mechanisms

- (1) Environmental factors should be included in the valuation of assets and services.
- (2) Persons who generate pollution and waste should bear the cost of containment, avoidance and abatement.
- (3) Users of goods and services should pay prices based on the full life-cycle costs of providing the goods and services, including costs relating to the use of natural resources and the ultimate disposal of wastes.
- (4) Established environmental goals should be pursued in the most cost effective way by establishing incentive structures, including market mechanisms, which enable persons best placed to maximise benefits or minimise costs to develop solutions and responses to environmental problems.

1G. Principle of shared responsibility

- (1) Protection of the environment is a responsibility shared by all levels of Government and industry, business, communities and the people of Victoria.
- (2) Producers of goods and services should produce competitively priced goods and services that satisfy human needs and improve quality of life while progressively reducing ecological degradation and resource intensity throughout the full life cycle of the goods and services to a level consistent with the sustainability of biodiversity and ecological systems.

1H. Principle of product stewardship

Producers and users of goods and services have a shared responsibility with Government to manage the environmental impacts throughout the life cycle of the goods and services, including the ultimate disposal of any wastes.

1I. Principle of wastes hierarchy

Wastes should be managed in accordance with the following order of preference –

- (a) avoidance;
- (b) re-use;
- (c) re-cycling;
- (d) recovery of energy;
- (e) treatment;
- (f) containment;
- (g) disposal.

1J. Principle of integrated environmental management

If approaches to managing environmental impacts on one segment of the environment have potential impacts on another segment, the best practicable environmental outcome should be sought.

1K. Principle of enforcement

Enforcement of environmental requirements should be undertaken for the purpose of –

- (a) better protecting the environment and its economic and social uses;
- (b) ensuring that no commercial advantage is obtained by any person who fails to comply with environmental requirements;
- (c) influencing the attitude and behaviour of persons whose actions may have adverse environmental impacts or who develop, invest in, purchase or use goods and services which may have adverse environmental impacts.

1L. Principle of accountability

- (1) The aspirations of the people of Victoria for environmental quality should drive environmental improvement.
 - (2) Members of the public should therefore be given –
 - (a) access to reliable and relevant information in appropriate forms to facilitate a good understanding of environmental issues;
 - (b) opportunities to participate in policy and program development.
-

Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 18th day of April 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (“Commission”)

and

ENERGY AND WATER OMBUDSMAN (VICTORIA) LIMITED (“EWOV”)

BACKGROUND:

- A. EWOV operates a customer dispute resolution scheme approved by the Commission involving energy and water businesses (amongst others) regulated by the Commission (regulated scheme members).
- B. The parties have entered into a memorandum of understanding to provide for consultation between them and the integration and coordination of their regular activities, in the same spirit as memoranda of understanding entered into between the Commission and "prescribed agencies" under the ESC Act.
- C. This memorandum does not deal with constitutional, governance or scheme operational issues for which the Commission has regulatory responsibility under EWOV Constitution or Charter.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the background:

“**Chairperson**” means the Chairperson of the Essential Services Commission

“**ESC Act**” means the **Essential Services Commission Act 2001**

“**regulated industry**” means the electricity, gas or water industry.

2. Objectives and purpose of this memorandum

This memorandum seeks to:

- (a) ensure that the regulatory and decision making processes of the parties in relation to regulated industries are closely integrated and better informed;
- (b) provide for sharing information between the parties in the context of their respective roles in relation to regulated industries;
- (c) promote the adoption of a best practice approach to regulation and customer dispute resolution; and
- (d) assist in ensuring that the Commission is in a position to have regard to relevant environmental legislation and regulatory practice in its decision making in relation to regulated industries.

3. The role of the Commission

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

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

- (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
 - (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of EWOV

- 4.1 The EWOV scheme has been established by means of a company limited by guarantee, Energy and Water Ombudsman (Victoria) Limited ("EWOV Limited"). The Constitution and Charter of the company establishes:
- a Board of Directors, composed of directors appointed by the members, directors appointed from groups representing customers of electricity, gas or water services or raising public interest issues relevant to electricity, gas or water services, and one independent Chairperson; and
 - an Energy and Water Ombudsman vested with authority under this Charter to receive, investigate and facilitate the resolution of complaints.
- 4.2 The mission of EWOV Limited is to receive, investigate and facilitate the resolution of complaints and disputes between consumers of electricity, gas and water services in Victoria and entities participating in the EWOV scheme. The mission is founded on principles of independence, natural justice, access, equity, effectiveness and community awareness.

- 4.3 The functions of the Ombudsman are to receive, to investigate and to facilitate the resolution of:
- (a) complaints as to the provision or supply of (or the failure to provide or supply) electricity, gas or water services by a Participant to a customer as required by a licence or agreement, under legislation or under an applicable industry code;
 - (b) billing disputes;
 - (c) the administration of credit and payment services in the circumstances of a particular customer;
 - (d) disconnection, restriction and refundable advance complaints;
 - (e) complaints from owners or occupiers of land or other property about the way in which a Participant has exercised its statutory powers in relation to that particular land or other property or in relation to neighbouring land or other property;
 - (f) complaints referred by the Essential Services Commission in relation to the conduct of a Participant's electricity, gas or water services business; and
 - (g) such other complaints as may, by agreement with the Ombudsman and the complainant, be referred to the Ombudsman by a Participant.
- 4.4 The Ombudsman, in handling complaints, must pursue them in a fair, reasonable, just, informal and expeditious manner having regard to the law and licences, industry codes, deemed contracts and good industry practice applicable to the relevant Participant.
- 4.5 After completion of an investigation and in the absence of a conciliated settlement of a complaint, the Ombudsman shall resolve a complaint by making a determination provided that the total value does not exceed \$20,000; or with the consent of all parties, does not exceed \$50,000. The Ombudsman may also dismiss the complaint.
- 5. How the parties will consult**
- 5.1 Where relevant, the Commission will, as early as practicable, consult with EWOV:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.
- 5.2 EWOV will, if requested in writing by the Commission to do so, consult with the Commission:
- (a) in relation to any matter specified by the Commission which is relevant to its objectives or functions; and
 - (b) in respect of a matter specified by the Commission which may impact on a regulated industry.
- 5.3 Each party will notify the other of complaints by energy or water consumers to the extent allowed by each organisation's enabling instruments and privacy laws in accordance with agreed arrangements.
- 5.4 By way of specific commitment:
- (a) representatives of the Commission and EWOV will meet monthly to discuss matters of mutual interest and, in particular, the regulatory or systemic issues related to EWOV complaints;

- (b) to enable the Commission to deal with any systemic complaints or other matters that may need to be addressed by way of licence, code or guideline amendment or by way of action under the ESC Act, EWOV will provide to the Commission reports concerning emerging, systemic or regulatory complaints issues;
 - (c) EWOV will, prior to the release of its complaints reports, provide to the ESC and the ESC's Customer Consultative Committee confidential briefings on those reports including advance copies of the reports;
 - (d) if participating on ESC committees, either as an observer or member, provide reports on those committees as relevant;
 - (e) the Commission will, prior to the release of its relevant industry customer service indicators reports, provide to EWOV confidential briefings on these reports including advance copies of the reports;
 - (f) the Commission will accord EWOV observer status on the Commission's Customer Consultative Committee and EWOV will provide written reports to these committee meetings;
 - (g) the Commission and EWOV will cooperate in relation to the preparation and distribution of the material for the guidance of the regulated scheme members and their customers –
 - such material prepared by the Commission which has implications for EWOV will be referred to EWOV for consideration and comment prior to its publication; and
 - EWOV will likewise refer to the Commission, for its consideration and comment, any such material to be published by the Ombudsman.
 - (h) the Commission and EWOV will, from time to time, consider whether there is a need for public seminars or workshops in relation to their respective roles and, where a need is identified, may organise joint seminars or workshops; and
 - (i) the Commission and EWOV will, from time to time, consider whether there is a need for joint research of issues of mutual interest with their respective functions and, if so, undertake such research, and will otherwise cooperate on research projects and share the results of research undertaken by either of them.
- 5.5 Without limiting clause 5.4, each party having regard to their respective roles in relation to each regulated industry will:
- (a) consult with and involve the other in the performance of any function that has or is likely to have material implications for the other;
 - (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory or decision making processes;
 - (c) on request, provide the other with timely relevant information or advice on industries or industry issues for which both parties have some responsibility;
 - (d) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
 - (e) exchange details of annual work programs to the extent that they are relevant to the role of the other;
 - (f) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;

- (g) identify opportunities to coordinate strategic planning and undertake knowledge sharing initiatives to optimise material understanding of roles and strategic directions;
- (h) identify relevant project officers to allow for the coordination of particular regulatory projects; and
- (i) publish this memorandum on its website.

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

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

7. Use and disclosure of information

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

- (a) any other legal obligation of a party relating to the disclosure or use of information; and
- (b) any right of a party concerning information obtained otherwise than under this memorandum.

EXECUTED AS A MEMORANDUM:

THE COMMON SEAL of the)
ESSENTIAL SERVICES COMMISSION)
was affixed pursuant to the authority of the)
Commission on the 16th day of April 2007)
GREG WILSON
Chairperson

THE COMMON SEAL of ENERGY)
AND WATER OMBUDSMAN)
(VICTORIA) LIMITED was affixed)
pursuant to the constitution of EWOV)
FIONA McLEOD
Ombudsman

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Approval of Amendment

Amendment C96

The Minister for Planning has approved Amendment C96 to the Ballarat Planning Scheme.

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

The Amendment rezones the following land:

- 512 Clayton & 4–6 Butt Street, Ballarat East from Public Park and Recreation Zone to Industrial 1 Zone, Lot 55 Peregrine Court, Ballarat North from Road Zone Category 1 to Residential 1 Zone, 64 Park Street, Wendouree from Public Park and Recreation Zone to Residential 1 Zone, 235 Albert Road, Sebastopol from Special Use Zone to Residential 1 Zone.

The Amendment changes the Public Acquisition Overlay to correctly identify the acquiring body for Ballarat–Carngham Road, and alters the planning scheme maps to include the correct property in Heritage Overlay 151 at Creswick Road and Doveton Streets, Ballarat and removes the Environmental Audit Overlay at 201–209 Seymour Street, Soldiers Hill.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, 8 Nicholson Street, East Melbourne; the Department of Sustainability and Environment South West Regional Office, 402–406 Mair Street, Ballarat; and at the offices of the Ballarat City Council, Armstrong Street South, Ballarat.

GENEVIEVE OVERELL

General Manager

Office of Planning and Urban Design
Department of Sustainability
and Environment

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C132

The Minister for Planning has approved Amendment C132 to the Greater Geelong Planning Scheme.

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

The Amendment rezones land at 254–260 Shannon Avenue, Geelong West from Residential 1 Zone to a Mixed Use Zone and modifies the Schedule to the Mixed Use Zone to limit the floor space to be used for shop and trade supplies.

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

Permit No.: 28/2006.

Description of land: 254–260 Shannon Avenue, Geelong West.

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 Geelong City Council, 131 Myers Street, Geelong.

GENEVIEVE OVERELL

General Manager

Office of Planning and Urban Design
Department of Sustainability
and Environment

Planning and Environment Act 1987

WHITTLESEA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C100

The Minister for Planning has approved Amendment C100 to the Whittlesea Planning Scheme.

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

The Amendment:

- rezones land in Epping forming part of the Cooper Street Employment Area, which includes land bounded by the Hume Freeway (Craigieburn Bypass) to the west, Cooper Street to the south, existing industrial zoned land to the east and O'Herns Road to the north, from a Farming Zone and part Industrial 1 Zone to a Comprehensive Development Zone;

- introduces Schedule 2 to the Comprehensive Development Zone;
- introduces the following documents as incorporated documents into the Whittlesea Planning Scheme:
 - Cooper Street Comprehensive Development Plan
 - Cooper Street Employment Area Design and Use Guidelines
 - Cooper Street Employment Area Development Contributions Plan;
- introduces Schedule 14 to the Development Plan Overlay over the land;
- introduces Schedule 4 to the Development Contributions Plan Overlay over the land; and
- modifies the schedule to Clause 52.01 Public Open Space Contributions and Subdivisions, to specify the amount of contribution for public open space required for the Cooper Street Employment Area.

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 Whittlesea City Council, Ferres Boulevard, South Morang.

GENEVIEVE OVERELL
General Manager
Office of Planning and Urban Design
Department of Sustainability
and Environment

ORDERS IN COUNCIL**Transport Accident Act 1986**
TRANSPORT ACCIDENT CHARGES ORDER (NO. 1) 2007

Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council under section 110(8) of the **Transport Accident Act 1986** on the recommendation of the Transport Accident Commission makes the following order:

1. Title

This Order is called the Transport Accident Charges Order (No. 1) 2007

2. Commencement

This Order comes into operation on 1 July 2007

3. Definitions

In this order –

“high risk zone” means the parts of the State in which addresses are allocated a postcode listed in Part A of Schedule 2 and, except if the Commission otherwise determines under 110(1A) of the Act, any place outside Victoria;

“low risk zone” means the parts of the State that are not located in the “high risk zone” or the “medium risk zone”;

“medium risk zone” means the parts of the State in which addresses are allocated a postcode listed in Part B of Schedule 2 to this Order;

“nominated motor vehicle” means a motor vehicle in respect of which the applicant for registration or renewal of registration has nominated a period of six months as the registration period in accordance with regulation 219(5), or regulation 227(1A) of the Road Safety (Vehicles) Regulations 1999;

“nominated pensioner motor vehicle” means a “pensioner motor vehicle” in respect of which the pensioner has nominated a period of six months as the registration period in accordance with regulation 219(5), or regulation 227(1A) of the Road Safety (Vehicles) Regulations 1999;

“pensioner motor vehicle” means a motor vehicle that –

- (a) is registered or to be registered in the name of an eligible pensioner within the meaning of the **State Concessions Act 2004**; and
- (b) is eligible to be registered under the **Road Safety Act 1986** in accordance with clause 4 or item 13, item 13A, item 13B or item 14 of the Table to Schedule 4 to the Road Safety (Vehicles) Regulations 1999; and
- (c) is registered or about to be registered under the **Road Safety Act 1986**;

“prescribed period” means the period prescribed for the purposes of section 109 of the Act in relation to a motor vehicle of a certain class specified in regulation 5 of the Transport Accident (Administration of Charges) Regulations 2001;

“the Act” means the **Transport Accident Act 1986**.

4. Transport accident charge

- (1) The amount of the transport accident charge applicable to a motor vehicle, other than a pensioner motor vehicle, for which the prescribed period is 12 months is the amount shown in Schedule 1 as applicable in respect of –
 - (a) motor vehicles of that class; and
 - (b) the high risk zone, medium risk zone or low risk zone, as the case may be, in which the motor vehicle is usually kept.

- (2) If the prescribed period in relation to a motor vehicle, other than a nominated motor vehicle or a nominated pensioner motor vehicle, is less than 12 months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –
- $$\frac{(A \times B)}{365} + \$17$$
- where –
- A is the amount of the transport accident charge applicable under sub-paragraph (1); and
- B is the number of days in the prescribed period.
- (3) Despite sub-paragraph (2), if the prescribed period in relation to a motor vehicle, other than a nominated motor vehicle or a nominated pensioner motor vehicle, is less than 12 months, and is a whole number of months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –
- $$\frac{(A \times C)}{12} + \$17$$
- where –
- A is the amount of the transport accident charge applicable under sub-paragraph (1); and
- C is the number of months in the prescribed period.
- (4) If the prescribed period in relation to a motor vehicle is more than 12 months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –
- $$\frac{(A \times B)}{365}$$
- where –
- A is the amount of the transport accident charge applicable under sub-paragraph (1); and
- B is the number of days in the prescribed period.
- (5) Despite sub-paragraph (4), if the prescribed period in relation to a motor vehicle is more than 12 months and is a whole number of months, the transport accident charge applicable to the motor vehicle in respect of that period is the amount, calculated to the nearest whole dollar, determined in accordance with the formula –
- $$\frac{(A \times C)}{12}$$
- where –
- A is the amount of the transport accident charge applicable under sub-paragraph (1); and
- C is the number of months in the prescribed period.
- (6) If the motor vehicle is a pensioner motor vehicle the transport accident charge applicable to the motor vehicle is one-half of the transport accident charge that would otherwise be payable.
- (7) If the motor vehicle is a nominated pensioner motor vehicle the transport accident charge applicable to the motor vehicle is one-quarter of the amount shown in Schedule 1 as applicable in respect of –

- (a) motor vehicles of that class; and
- (b) the high risk zone, medium risk zone or low risk zone, as the case may be, in which the motor vehicle is usually kept,
- rounded down to the nearest fifty cents.
- (8) If the motor vehicle is a nominated motor vehicle, the transport accident charge applicable to the motor vehicle is one-half of the amount shown in Schedule 1 as applicable in respect of –
- (a) motor vehicles of that class; and
- (b) the high risk zone, medium risk zone or low risk zone, as the case may be, in which the motor vehicle is usually kept,
- rounded down to the nearest fifty cents.
- (9) In the case of a motor vehicle referred to in item 1(c) in Schedule 1, the motor vehicle is deemed to be usually kept in the zone in which it is licensed to operate or, if it is licensed to operate in more than one zone, the zone in respect of which the greater transport accident charge applies.

SCHEDULES

SCHEDULE 1

TRANSPORT ACCIDENT CHARGES

Item	Class	Amounts of Transport Accident Charge Payable		
		High risk zone \$ (Inc GST)	Medium risk zone \$ (Inc GST)	Low risk zone \$ (Inc GST)
1.	Passenger Vehicles			
	a) Any motor vehicle with sedan, station wagon or related body-type (including 4WD passenger vehicle) not included in any other class; self-propelled caravan; ambulance; hearse; mourning coach; private hire car licensed under the Transport Act 1983	366.00	327.00	285.00
	b) Any motor vehicle with a bus or forward-control body-type constructed and primarily used for carrying passengers, but not for hire, fare or reward –			
	i) Seating fewer than 10 people (including the driver)	366.00	326.00	269.00
	ii) Seating more than 9 people (including the driver)	517.00	326.00	269.00

		High risk zone \$ (Inc GST)	Medium risk zone \$ (Inc 6GST)	Low risk zone \$ (Inc GST)
	c) Taxi – licensed under the Transport Act 1983	1,856.00	1,389.00	926.00
	d) Bus – any motor vehicle, other than a taxi cab or private hire car, licensed for or primarily used for carrying passengers for hire, fare or reward –			
	i) seating fewer than 10 people (including the driver)	1,212.00	812.00	281.00
	ii) seating more than 9 but fewer than 31 people (including the driver), the relevant zone charge for a bus under (i), plus for each additional seat over 9	30.00	14.00	4.00
	iii) seating 31 people or more	1,856.00	1,111.00	367.00
2.	Goods Vehicles Any motor vehicle designed, constructed or primarily used for carrying goods –			
	a) up to and including two tonnes carrying capacity (including utility)	367.00	278.00	193.00
	b) over two tonnes carrying capacity, but excluding motor vehicles classified under 2(c) or 2(d)	536.00	467.00	401.00
	c) prime mover type motor vehicle, but excluding motor vehicles classified under 2(d) and motor vehicles having a tare weight of 5 tonnes or less	1,484.00	1,185.00	892.00
	d) any motor vehicle owned by a primary producer that would otherwise be classified under 2(b) or 2(c) that is used solely in connection with the primary production operations of the owner	163.00	136.00	109.00

		High risk zone \$ (Inc GST)	Medium risk zone \$ (Inc 6GST)	Low risk zone \$ (Inc GST)
3.	Motorcycles – Any motor cycle other than those classified under 4(b), 4(c), 4(d), 5(b)(ii) or 5(d) with			
	a) engine capacity less than 61cc	62.00	62.00	62.00
	b) engine capacity greater than 60cc but less than 126cc	242.00	212.00	185.00
	c) engine capacity greater than 125cc but less than 501cc	320.00	287.00	253.00
	d) engine capacity greater than 500cc	437.00	390.00	342.00
4.	Miscellaneous motor vehicles			
	a) Any motor vehicle not otherwise classified: including road making motor vehicle, mobile crane, tractor (except those classified under 4(b))	277.00	220.00	71.00
	b) Any tractor, self-propelled farm machine or motor cycle owned by a primary producer and used solely in connection with the primary production operations of the owner	62.00	62.00	62.00
	c) Any vintage, veteran, classic or historic motor vehicle or motor cycle	62.00	62.00	62.00
	d) Any recreation motor vehicle registered under the Road Safety Act 1986	50.00	50.00	50.00
5.	Special purpose motor vehicles			
	a) Fire brigade –			
	i) Any motor vehicle owned by the Metropolitan Fire Brigades Board which is used to combat outbreaks of fire	926.00	926.00	926.00

		High risk zone \$ (Inc GST)	Medium risk zone \$ (Inc 6GST)	Low risk zone \$ (Inc GST)
	ii) Any motor vehicle owned by the Country Fire Authority or any brigade or group of brigades registered with the Country Fire Authority which is used to combat outbreaks of fire	146.00	146.00	146.00
	b) Police			
	i) Any motor vehicle (excluding a motor cycle) registered in the name of the Victoria Police	1,298.00	1,298.00	1,298.00
	ii) Any motor cycle registered in the name of the Victoria Police	367.00	367.00	367.00
	c) Motor trades			
	i) Motor vehicle used by a manufacturer of vehicles, a dealer in vehicles, a fleet owner or a licensed tester of vehicles as defined in the vehicles regulations with general identification mark (trade plate) attached	239.00	181.00	118.00
	ii) Tow truck licensed under the Transport Act 1983	683.00	511.00	344.00
	d) Hire and drive yourself motor vehicle or motor cycle, but excluding a prime mover classified under item 2(c).	581.00	487.00	419.00

SCHEDULE 2**PART A****Postcodes in the high risk zone**

3000	3026	3050	3073	3106	3136	3163	3184	3206
3001	3027	3051	3074	3107	3137	3164	3185	3207
3002	3028	3052	3075	3108	3138	3165	3186	3428
3003	3031	3053	3076	3109	3141	3166	3187	3800
3004	3032	3054	3078	3110	3142	3167	3188	3802
3005	3033	3055	3079	3111	3143	3168	3189	3803
3006	3034	3056	3081	3121	3144	3169	3190	3975
3008	3036	3057	3082	3122	3145	3170	3191	3976
3010	3037	3058	3083	3123	3146	3171	3192	
3011	3038	3059	3084	3124	3147	3172	3193	
3012	3039	3060	3085	3125	3148	3173	3194	
3013	3040	3061	3086	3126	3149	3174	3195	
3015	3041	3062	3087	3127	3150	3175	3196	
3016	3042	3064	3088	3128	3151	3176	3197	
3018	3043	3065	3093	3129	3152	3177	3198	
3019	3044	3066	3094	3130	3153	3178	3199	
3020	3045	3067	3101	3131	3154	3179	3200	
3021	3046	3068	3102	3132	3155	3180	3201	
3022	3047	3070	3103	3133	3156	3181	3202	
3023	3048	3071	3104	3134	3161	3182	3204	
3025	3049	3072	3105	3135	3162	3183	3205	

PART B**Postcodes in the medium risk zone**

3024	3116	3219	3759	3785	3807	3926	3941
3029	3139	3220	3760	3786	3808	3927	3942
3030	3140	3335	3761	3787	3809	3928	3943
3089	3158	3337	3763	3788	3810	3929	3944
3090	3159	3338	3765	3789	3910	3930	3977
3091	3160	3427	3766	3791	3911	3931	3978
3095	3211	3429	3767	3792	3912	3933	3980
3096	3212	3750	3770	3793	3913	3934	
3097	3214	3751	3775	3795	3915	3936	
3099	3215	3752	3777	3796	3916	3937	
3113	3216	3754	3781	3804	3918	3938	
3114	3217	3755	3782	3805	3919	3939	
3115	3218	3757	3783	3806	3920	3940	

Dated 15 May 2007

Responsible Minister:

TIM HOLDING MP

Minister for Finance, WorkCover
and the Transport Accident CommissionRUTH LEACH
Clerk of the Executive Council

Veterans Act 2005

APPROVAL OF THE TRANSFER OF
FUNDS FROM THE KERANG GROUP OF
BENDIGO LEGACY WELFARE PATRIOTIC
FUND NO. 3246 TO MURRAY HAVEN
HOMES INCORPORATED.

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 36(1)(c) of the **Veterans Act 2005** approves the transfer of the sum of \$10,000 from the Kerang Group of Bendigo Legacy Welfare Patriotic Fund No. 3246 to Murray Haven Homes Incorporated.

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

Dated 15 May 2007

Responsible Minister:

DANIEL ANDREWS MP

Minister for Consumer Affairs

RUTH LEACH

Clerk of the Executive Council

LATE NOTICES



Planning and Environment Act 1987
BASS COAST PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C59
Authorisation A0637

The Bass Coast Shire Council has prepared Amendment C59 to the Bass Coast Planning Scheme.

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

The land affected by the Amendment is 21 and 23 Douglas Road in Cowes (Lot 32 on Plan of Subdivision 9173 and Part of Plan of Consolidation 363590M, Parish of Phillip Island).

The Amendment proposes to rezone the land from residential 1 Zone to Mixed Use Zone. It is also proposed to delete the Vegetation Protection Overlay Schedule 2 from the site.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Bass Coast Shire Council Customer Service Centre, 76 McBride Avenue, Wonthaggi or, 91-97 Thompson Avenue, Cowes; Department of Sustainability and Environment Regional Office, 71 Hotham Street, Traralgon; 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.

The closing date for submissions is the 20 June 2007. A submission must be sent to the Strategic Planning Team, Bass Coast Shire Council, 76 Mc Bride Avenue, Wonthaggi 3995.

**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:

33. *Statutory Rule:* Magistrates' Court (Criminal Procedure) (Infringements Court Venue) Rules 2007
Authorising Act: Magistrates' Court Act 1989
Date of making: 11 May 2007
35. *Statutory Rule:* Accident Compensation (Employer Claim Report Revocation) Regulations 2007
Authorising Act: Accident Compensation Act 1985
Date of making: 15 May 2007

**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, 505 Little Collins Street, Melbourne on the date specified:

31. *Statutory Rule:* Legal Profession (Amendment) Regulations 2007
Authorising Act: Legal Profession Act 2004
Date first obtainable: 17 May 2007
Code C
32. *Statutory Rule:* Subordinate Legislation (Amendment) Regulations 2007
Authorising Act: Subordinate Legislation Act 1994
Date first obtainable: 17 May 2007
Code A

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