



Victoria Government Gazette

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GENERAL

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As from 19 July 2007

The last Special Gazette was No. 170 dated 17 July 2007.

The last Periodical Gazette was No. 1 dated 14 June 2007.

How To Submit Copy

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

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

- 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

Land Act 1958

Notice is hereby given that Sandhurst Sports Club Pty have applied for a lease pursuant to Section 134A of the **Land Act 1958** for a term of 50 years in respect of a section of Government Road (McCormicks Road) approximately 180 metres north of Wedge Road lying between Crown Portions 48 and 49 in the Parish of Lyndhurst for the purpose of constructing an underpass under McCormicks Road, Skye.

VICTORIA POLICE

Homicide of Kath Bergamin
Reward \$100,000

The co-operation of the public is sought to establish the identity of the person or persons responsible for the disappearance and homicide of Kath BERGAMIN who was last seen at her residential address in Wangaratta on 18 August 2002. Her remains have never been recovered.

A reward of up to One Hundred Thousand Dollars (\$100,000) will be paid at the discretion of the Chief Commissioner of Police, for information leading to the apprehension and subsequent conviction of the person or persons responsible for Kath BERGAMIN's death.

The Director of Public Prosecutions will consider, according to established guidelines, the granting of indemnification from prosecution to any person who provides information leading to the identity of the principal offender or offenders in this matter.

Any Information given will be treated as confidential and may be given at any time to Crime Stoppers via telephone number, toll free – 1800 333 000, or the Homicide Squad, Level 9, 412 St Kilda Road, Melbourne on telephone number (03) 9865 2770 during normal business hours.

CHRISTINE NIXON
Chief Commissioner of Police

DISSOLUTION OF PARTNERSHIP

In accordance with section 41 of the **Partnership Act 1958**, Victoria, Amanda Jane Macwhirter hereby provides public notification of her retirement from the partnership of N. M. & A. J. Macwhirter trading as Apex Security, effective from 23 February 2007.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership heretofore subsisting between Joshua Leon Abra of 4/16 Belmont Avenue, Glen Iris, Zane Adrian Francis of 31 Bobberit Wynd, Sydenham and Jamie John Gilchrist of 10 Ronald Street, Mitcham, carrying on business as Jx2 Technology, ABN 54 696 473 206, has been dissolved as of 1 July 2007.

EULALIE IRENE FORSTER, late of 101 Lewisham Road, Prahran, retired, deceased, who died on 9 March 2007.

Creditors, next-of-kin and all others having claims in respect of the estate of the deceased are required by the executor, Stanley James Kelly of 8 Riordan Court, Mornington, retired, to send particulars of their claims to him in the care of the undermentioned solicitors prior to 17 September 2007, after which date he will distribute the assets of the estate, having regard only to the claims of which he then has notice.

ASHFORDS, lawyers,
Level 27, 101 Collins Street, Melbourne 3000.

Re: ELSIE LORRAINE BANER, late of Glenarm Nursing Home, Burgoyne Street, Kerang, Victoria, artist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 March 2007, are required by the trustee, Joe Pino of 213 Campbell Street, Swan Hill, Victoria, solicitor, to send particulars to the trustee by 21 September 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

BASILE PINO & CO., solicitors,
213 Campbell Street, Swan Hill 3585.

Re: Estate of KENNETH NUTTER BALDWIN, deceased.

Creditors, next-of-kin and other persons having claims against the estate of Kenneth Nutter Baldwin, late of 18 Lynwood Crescent, Lower Plenty in the State of Victoria, gentleman, deceased, who died on 24 November 2006,

are required to send particulars of their claims to the executors, Richard Damien Baldwin and Christopher John Southall, care of the undermentioned solicitors by 30 October 2007, after which date the executors will distribute the assets, having regard only for the claims of which they then have had notice.

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

Re: WILMOT GERTRUDE MILLARD, late of 370 York Street, Sale, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of deceased, who died on 19 April 2007, are required by the trustees, Jeffrey Peter Rose of 4/575 Bourke Street, Melbourne, Victoria, lawyer, and Robert Andrew Bardley of 4/575 Bourke Street, Melbourne, Victoria, lawyer, to send particulars to the trustees by 17 September 2007, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

DIBBS ABBOTT STILLMAN, lawyers,
Level 4, 575 Bourke Street, Melbourne 3000.

Re: RITA LAVINIA CHRISTIANNA COPLEY, late of Amity Pineview Gardens Nursing Home, 300 Springvale Road, Donvale, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 January 2007, are required by the personal representatives, Nancy Beatrice Dowdle and Beverly Eileen McArdle, to send particulars to them care of the undermentioned solicitors by 30 September 2007, after which date the personal representatives may convey or distribute the assets of the deceased, having regard only to the claims of which they then have notice.

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

Creditors, next-of-kin and others having claims in respect of the estate of DAWN MAY FLORANCE, late of Romawi Road, Forge Creek in the State of Victoria, deceased, who died on 23 April 2007, are to send particulars of their claims to the administrators care of Engel & Partners Pty of 109 Main Street, Bairnsdale,

by 19 September 2007, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

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

GRACE MILLER, late of Corryong Nursing Home, Jephcott Avenue, Corryong, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 January 2006, are required by the administratrix, Cheryl Elizabeth Miller of 5 Ruskin Avenue, Croydon, Victoria, to send particulars to her in care of G. J. Long & Co., solicitors, PO Box 7, Corryong 3707 by 31 October 2007, after which date the administratrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

Dated 10 July 2007

G. J. LONG & CO., solicitors,
PO Box 7, Corryong 3707.

Re: BERYL MARGARET CHARLES, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 February 2007, are required by the trustee, Norma Margaret Clarke, to send particulars to her care of the undersigned by 20 September 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: JOAN IRIS ASKELL, late of Unit 1, 15 Jurang Street, Balwyn, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 April 2007, are required by the trustee, James Hopper, to send particulars to the trustee by 19 October 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

JAMES HOPPER & ASSOCIATES, lawyers,
1st Floor, 409 Whitehorse Road, Balwyn 3103.

Re: ROBERT DEREK GREENFIELD, late of Narracan Gardens Aged Care, Moe, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 February 2007, are required by the trustee, Clem D'Alessandro, to send particulars to the trustee care of the undermentioned solicitors by 27 September 2007, after which date he will convey or distribute the assets, having regard only to the claims of which he then has notice.

LITTLETON HACKFORD &
D'ALESSANDRO, solicitors,
256A Commercial Road, Morwell.

Re: WILLIAM JOSEPH CORNFOOT, late of 18–22 McGlynn Avenue, South Morang, in the State of Victoria.

Creditors, next-of-kin and others having claim in respect of the estate of the above deceased, who died at South Morang on 8 February 2007, are required by the administrators and trustees of the said deceased, Leslie David Russell and Betty Isabel Child, both care of McNab McNab & Starke of 21 Keilor Road, Essendon, to send particulars to them by 17 September 2007, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

MCNAB MCNAB & STARKE, solicitors,
21 Keilor Road, Essendon 3040.

Re: EVELYN DAWN TIMPSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of EVELYN DAWN TIMPSON, late of 55 Walpole Street, Kew, Victoria, retired, deceased, who died on 26 December 2006, are required to send particulars in writing of their claims to the executor care of the below mentioned solicitors by 17 September 2007, after which date they will distribute the assets of the deceased, having regard only to the claims of which they then have notice.

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

Re: HEATHER WINIFRED BOWEN ALLEN, late of Unit 6, Villa Serena, 2 Riverwalk Way, Robina, Queensland, home duties, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 4 April 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 the 17 September 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.

JOHN JOSEPH FORREST, late of Barjarg Homestead, Barjarg, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 September 2006, are required by the applicants for grant of representation in the estate, Patricia Barnewall Forrest, Frederick John Forrest, Timothy Joseph Forrest and John Joseph Forrest the younger, care of the undermentioned firm of solicitors, to send particulars to them by 17 September 2007, after which date the said applicants may convey and distribute the assets, having regard only to the claims of which they then have notice.

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

Estate of HAZEL FRANCES FORD, late of 7/561 Glenhuntly Road, Elsternwick, Victoria, but formerly of 25 Elizabeth Street, Elsternwick, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 June 2007, are required by the executor, ANZ Executors & Trustee Company Limited, ACN 006 132 332, of 100 Queen Street, Melbourne, Victoria, to send particulars to it by 19 September 2007, after which date it may convey or distribute assets, having regard only to the claims of which it then has notice.

MILLS OAKLEY LAWYERS,
121 William Street, Melbourne.

Re: Estate of JANINA PAWLIKOWSKI.

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

PAWLIKOWSKI, late of 14 Scott Avenue, St Albans, Victoria, pensioner, deceased, who died on 22 May 2007, are required to send particulars of such claims to the executor care of the undermentioned solicitors by 17 September 2007, after which date the executor will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

PIETRZAK, solicitors,
222 La Trobe Street, Melbourne.

Re: HARRY FREDERICK DOBSON, late of Unit 2, 43 Mayona Road, Montmorency, Victoria, retired, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased are required by Mark Charles Dobson, the executor of the estate of the said deceased, to send particulars of such claims to him care of the undermentioned solicitors by the date being two calendar months from the date of this advertisement, after which date they will distribute the estate, having regard only to the claims of which they then have notice.

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

Re: PEGGY SHEILA PETTIT, late of Room 4, 124 Maroondah Highway, Croydon, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 June 2007, are required by the executor, Peter Van Lierop, to send particulars to him care of the undermentioned legal practitioners by 12 January 2008, 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,
225 Maroondah Highway, Ringwood 3134.

Re: ANTHONY JOHN ROACH, late of 9 Imperial Avenue, Bayswater, Victoria, bricklayer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 February 2007, are required by the trustees, Kayley Lynne Roach and Margaret

Frances Hamilton, the natural guardian of Mia Angelique Hamilton-Roach, the infant child of the deceased, to send particulars to the trustees care of the undermentioned solicitors by 30 September 2007, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

W. CAREW HARDHAM & GARTLAN,
solicitors,
974 Main Road, Eltham 3095.

Re: GWENYTH CLAIRE DUNN.

Take notice that Carol Margaret Viney and John Allen, the executors named in the Will dated 19 February 2003 of GWENYTH CLAIRE DUNN, deceased late of 22-24 Palmerston Street, Camberwell, Victoria, will 14 days after date of publication of this advertisement, apply to the Supreme Court of Victoria for a Grant of Probate of that Will.

WAKEFIELD & VOGRIG, lawyers,
38 Queen Street, Warragul.

Re: SHEILA MERLYN KRUSE, late of 389 Alma Road, South Caulfield, Victoria.

Creditors, next-of-kin and others having claims in respect of the deceased, who died on 3 May 2007, are required to send particulars of their claims to Equity Trustees Limited of GPO Box 2307, Melbourne 3001 by 13 October 2007, after which date the executor may convey or distribute the assets, having regard only to the claims of which they may then have notice.

WILLS & PROBATE VICTORIA, lawyers,
Level 3, 20-22 McKillop Street, Melbourne.

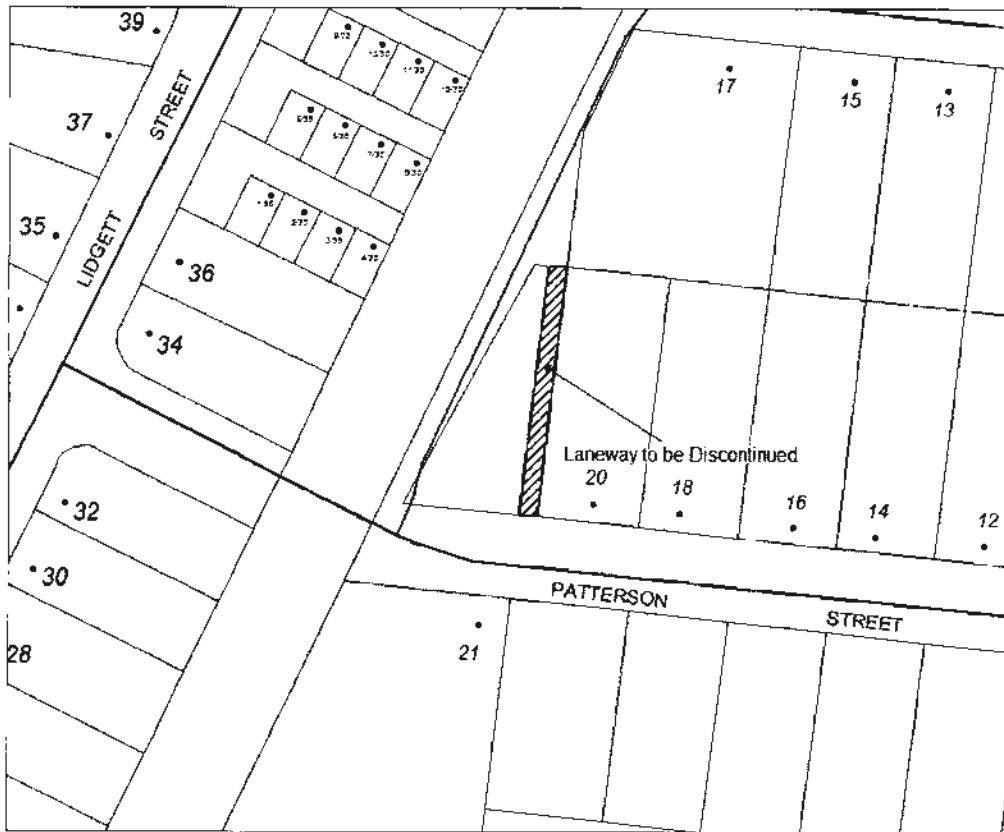
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

MOORABOOL SHIRE COUNCIL

Road Discontinuance

At its meeting held on Wednesday 4 July 2007, Moorabool Shire Council, acting under the provisions of section 206 and Clause 3 of Schedule 10 of the **Local Government Act 1989**:

1. formed the opinion that the unnamed laneway off Patterson Street, township of Bacchus Marsh (being the land shown hatched on the plan below), is not reasonably required as a road for public use; and
2. resolved to discontinue the unnamed laneway and transfer the land from the laneway to the abutting property owner.



ROBERT DOBRZYNSKI
Chief Executive Officer



New Penalties Adopted as part of
General Local Law 2004

Brimbank City Council adopted, at its Council meeting (Number 246) on 26 June 2007, the following new penalties as part of its General Local Law 2004.

1. Local Law on the spot penalties – \$220.
2. Failure to collect an abandoned shopping trolley when notified – \$220.
3. Failure to comply with a 'Notice to Comply' – \$420.
4. Green sign parking penalties – \$55.

NICK FOA
Chief Executive Officer



PUBLIC NOTICE

Local Law No. 1

Notice is hereby given that the Wimmera Regional Library Corporation intends to make Local Law No. 1 pursuant to the **Local Government Act 1989**.

The purpose and general purport of this Local Law is to regulate:

- (i) proceedings at meetings of the Library Board and Committees;
- (ii) proceedings for the election of the Chair and Deputy Chair;
- (iii) usage of the common seal of the Library Board; and
- (iv) operation and use of libraries.

Copies of the proposed Local Law are available for viewing at any branch of the Corporation during opening hours or by phoning Headquarters on (03) 5382 1777 during office hours.

Any person may make a submission in writing to the Corporation relating to the proposed Local Law.

Submissions should be addressed to the Chief Executive Officer and should be received at the Corporation within 14 days of the date of this publication.

A person who has made a written submission is entitled to be heard in relation to their written submission before a meeting of the Corporation. Any person who wishes to be heard must notify the Corporation of their request to be heard within 14 days of the date of this publication. The person is entitled to appear in person or by a person acting on his or her behalf. The day, time and place of meeting will be notified to every person who has made a request to be heard.

PHILIPPA O'HALLORAN
Chief Executive Officer

SHIRE OF CAMPASPE

The Shire of Campaspe intends to amend its Road Management Plan.

The purpose of the Amendments to the Road Management Plan is:

- to establish a management system for the road management function which is based on policy and operational objectives and available resources, and
- to adjust the relevant standard in relation to the discharge of duties in the performance of these road management functions.

A copy of the proposed Amendments to the Road Management Plan may be inspected or obtained from the Shire of Campaspe's Customer Service Centres, or www.campaspe.vic.gov.au

Any person who is aggrieved by the proposed amendments to the Road Management Plan may make a submission on the amendments to Council within a period of 28 days after the day on which notice is given.



Public Holidays Act 1993

The Council has previously determined in accordance with the provisions of Section 7(1b) of the **Public Holidays Act 1993** that a full public holiday will apply throughout the municipal district for Melbourne Cup Day.

The Melbourne Cup Day for 2007 falls on Tuesday 6 November 2007.

In accordance with Section 9(a) of the **Public Holidays Act 1993** a full day bank holiday will apply throughout the municipal district on 6 November 2007. The public holiday applies to persons not covered by Federal Awards.

BILL BRAITHWAITE
Chief Executive Officer

Planning and Environment Act 1987

GREATER DANDENONG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C83

Authorisation AO0657

The Greater Dandenong Council has prepared Amendment C83 to the Greater Dandenong Planning Scheme.

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

The Amendment affects land known as 6–10 Leonard Avenue, Noble Park, the rear of 2–4 and 6–10 Leonard Avenue, Noble Park and 1 Noble Street, Noble Park. The Amendment proposes to change the Greater Dandenong Planning Scheme to rezone the affected land in Noble Park from the Residential 2 Zone (R2Z) to the Business 1 Zone (B1Z).

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, City of Greater Dandenong Council Offices, 39 Clow Street, Dandenong; and at the Department of Sustainability and Environment (DSE), Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 24 August 2007.

All submissions should be clearly marked “Submission to Amendment C83 to the Greater Dandenong Planning Scheme” and must be sent to: Mr Jody Bosman, Manager Planning and Design, City of Greater Dandenong, PO Box 200, Dandenong, Victoria 3175.

MR JODY BOSMAN
Manager Planning and Design

Planning and Environment Act 1987

GREATER SHEPPARTON PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C79

Authorisation A A0579

The Greater Shepparton Council has prepared Amendment C79 to the Greater Shepparton Planning Scheme.

The lands affected by the Amendment located along Wyndham Street from Balaclava Road to the north and Raftery Road to the South and defined in five precincts as follows:

- Shepparton Town Entry North – Wyndham Street from Balaclava Road to Knight Street, Shepparton;
- Shepparton Civic North – Welsford Street from Knight Street to Wyndham Street, Shepparton;
- Lakeside – Wyndham Street from Sobraon Street to the railway line;
- Shepparton South Village – Wyndham Street from the railway line to Broken River; and
- Kialla Park Boulevard – Wyndham Street from the Broken River to Raftery Road, Shepparton.

The Amendment proposes to:

- Include the land identified in the five precincts of the “City of Greater Shepparton Urban Design Framework – Shepparton North and South Business Areas” in the Design and Development Overlay;
- Introduce new Schedules 3, 4, 5, 6, and 7 to the Design and Development Overlay to provide urban design controls to the nominated precincts;
- Amend Clause 21.04 in the Municipal Strategic Statement to give recognition to the “City of Greater Shepparton Urban Design Framework – Shepparton North and South Business Areas”;

- Amend Clause 21.10 to include the 'Urban Design Framework – Shepparton North and South Business Areas' and 'Shepparton Southern Gateway Landscape Strategy' as Reference Documents;
- Amend Clauses 22.03, 22.04, 22.05, 22.07 and 22.09 to include reference to 'Urban Design Framework – Shepparton North and South Business Areas';
- Amend Schedule 2 (Airport Environs) to the Design and Development Overlay to include reference to the 'Urban Design Framework – Shepparton North and South Business Areas' and minor Amendments to the existing schedule;
- Amend Clause 61.03 to include new Overlay maps DDO17, DDO18 and DDO22 into the Planning Scheme;
- Amend 26DDO to include Kialla Park Boulevard precinct nominated in DDO7;
- Insert a new Planning Scheme map 17DDO to identify part Shepparton Town Entry – North precinct nominated in DDO3 and Shepparton Civic – North precinct nominated in DDO4;
- Insert a new Planning Scheme map 18DDO to identify part Shepparton Town Entry – North precinct nominated in DDO3; and
- Insert a new Planning Scheme map 22DDO to identify Lakeside precinct nominated in DDO5 and Shepparton South Village precinct nominated in DDO6.

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, 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 20 August 2007. A submission must be sent to the: Greater Shepparton City Council, Locked Bag 1000, Shepparton 3632.

COLIN KALMS
Manager
Planning and Development



Planning and Environment Act 1987

MILDURA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C38

Authorisation A685

The Mildura Rural City Council has prepared Amendment C38 to the Mildura Planning Scheme.

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

The Amendment applies to land identified in the Vision for the Mildura–Irymple Interface: Mildura Irymple Interface Study (May 2006) and the Industrial Land Strategy Update (Dec 2006) and includes areas on Benetook Avenue, Mildura, Fifteenth Street, Mildura, Red Cliffs – Meringur Road, Thurla and Kulkyne Way, Karadoc.

The Amendment proposes to:

1. Rezone land affected by the Amendment within the Rural City as follows:
 - Approximately 4 ha of land [the former Council depot site] known as 1138 Benetook Avenue located on the east side of Benetook Avenue between Fourteenth Street and Eleventh Street from Public Use Zone, Local Government to Industrial 1 Zone.
 - Approximately 68 ha of land on the east and west sides of Benetook Avenue between Fourteenth Street and Fifteenth Street from Business 4 Zone and Farming Zone to Industrial 3 Zone.
 - Approximately 4 ha of land known as Lot 20, PS2272, Sec 29, Blk F, located on the north-west corner of Fourteenth Street and Benetook Avenue from Business 4 Zone to Industrial 3 Zone.
 - Approximately 15 ha of land on the north and south sides of Fifteenth Street between Benetook Avenue and Cowra Avenue from Farming Zone to Business 4 Zone.
 - Approximately 30 ha of land on the north side of Fifteenth Street between Cowra Avenue and Sandilong Avenue; and to part of the south side between Cowra and Sandilong Avenue from Farming Zone to Special Use Zone, Schedule 8.
 - Land known Part Lot 2 PS 97110 Sec 35 Blk F located on the north side of Fifteenth Street Mildura between Benetook Avenue and Cowra Avenue from Farming Zone to Public Park and Recreation Zone.
 - Approximately 205 ha of land known as CA 8, Parish of Yatpool located on the south side of Kulkynne Way, Kardoc from Farming Zone to Industrial 1 Zone.
 - Approximately 68 ha of land known as Part CA 51, Parish of Guinquam located on the south side of the Redcliffs–Meringur Road, Thurla from Farming Zone to Industrial 1 Zone.
 - Approximately 260 ha of the land known as part of the Old Irymple township [‘Block H’], bounded by Redcliffs Avenue, extension of Twenty Third Street and unnamed streets in the area from Industrial 1 Zone to Public Use Zone, Local Government.
 - Land along Benetook Avenue between Fifteenth Street and Seventeenth Street; and along Seventeenth Street between Benetook Avenue and Deakin Avenue (Sturt Highway) from Residential 1 Zone and Farming Zone to Road Zone, Category 1.
2. Include land affected by the Amendment, or part thereof in a Design and Development Overlay, Public Acquisition Overlay and Development Contribution Plan Overlay.
3. Amend the Schedule of Incorporated documents to include the Development Contributions Plan No. 3 for Mildura Rural City Council.
4. Modify the MSS to reflect the directions and recommendations of Council’s adopted strategic documents listed above.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Planning Authority, Mildura Rural City Council, 108–116 Madden Avenue, Mildura; Mildura Rural City Council, Oke Street, Ouyen; Mildura Rural City Council Library, Alfred Deakin Centre, Deakin Avenue and Irymple, Fifteenth Street; Mildura Rural City Council website – www.mildura.vic.gov.au/planning; Department of Sustainability and Environment, Corner Taylor Street & Midland Highway, Epsom, Bendigo; and the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne 3002.

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

A public information session will be held on Monday 30 July 2007 from 6.00 p.m. – 7.00 p.m. at the Council Chambers, corner Deakin Avenue and Ninth Street.

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

The closing date for submissions is Monday 27 August 2007.

A submission must be sent to: General Manager Assets & Development, Mildura Rural City Council, PO Box 105, Mildura, Victoria 3502.

PHIL PEARCE
Chief Executive Officer

Planning and Environment Act 1987
MOONEE VALLEY PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C80
Authorisation A0718

The Moonee Valley Council has prepared Amendment C80 to the Moonee Valley Planning Scheme.

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

The land affected by the Amendment is 1018–1028 Mt Alexander Road, Essendon.

The Amendment proposes to apply a heritage overlay (HO353) to the site at 1018–1028 Mt Alexander Road, Essendon and amend the schedule at Clause 43.01 to include a reference to HO353.

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, Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds 3039; 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 5.00 p.m. 21 August 2007. A submission must be sent to the Moonee Valley City Council, PO Box 126, Moonee Ponds 3032.

PETER BLACK
Chief Executive Officer

Planning and Environment Act 1987
NORTHERN GRAMPPIANS PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C18
Authorisation A0678

The Northern Grampians Shire Council has prepared Amendment C18 to the Northern Grampians Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Northern Grampians Shire Council as Planning Authority to prepare the Amendment. The Minister also authorised the Council to approve the Amendment under section 35B of the Act.

The Amendment is comprised in five (5) sections and would affect all land in the Rural Living Zone, crown land in Stawell bounded by Mary Street and Elizabeth Street known as Crown Allotment 2009, Parish of Stawell, all land in the Vegetation Protection Overlay, land in Stawell bounded by Crowlands Road, Hawthorn Street, and Vine Street, known as Crown allotments 3 and 4, Section 149, Parish of Stawell and land known as No. 10 Errington Road, Stawell and more particularly described as Crown Allotments 1 and 1A, Section 243, Parish of Stawell.

The Amendment proposes to:

The first section of the Amendment makes changes to all the schedules in the Rural Living Zone. Minimum subdivision areas in each schedule do not change, however the Area/Dimensions/Distance for minimum area for which no permit is required to use land for a dwelling (hectares);

minimum area for which no permit is required to alter or extend an existing dwelling (square metres); minimum setback from a road (metres); minimum setback from a boundary (metres); and minimum setback from a dwelling not in the same ownership (metres) will be amended to be the same for all 5 schedules. This change is expected to reduce the number of permit applications for dwellings and outbuildings received by Council, to achieve surety for purchasers by establishing criteria for reasonable impact in the zone.

The second section of the Amendment rezones crown land in Stawell bounded by Mary Street and Elizabeth Street known as Crown Allotment 2009, Parish of Stawell from an Industrial 1 Zone to a Public Use Zone 5 to allow for the expansion of the Stawell Cemetery.

The third section of the Amendment corrects an anomaly with the numbering of the schedule to the Vegetation Protection Overlay (VPO). Currently there is only 1 Schedule to the VPO, which is incorrectly titled Schedule 2. All VPO maps are already marked as being VPO 1.

The fourth section of the Amendment rezones land in Stawell bounded by Crowlands Road, Hawthorn Street, and Vine Street, known as Crown allotments 3 and 4, Section 149, Parish of Stawell, from a Public Use Zone 1 (Service and Utility) to a Residential 1 Zone. This part of the Amendment corrects an anomaly in the scheme as the land is used for residential purposes. This part of the Amendment will also reduce the number of permit applications received by Council.

The fifth section of the Amendment rezones land known as No. 10 Errington Road, Stawell and is more particularly described as Crown Allotments 1 and 1A, Section 243, Parish of Stawell from an Industrial 1 Zone to a Rural Living Zone 1. This section of the Amendment corrects an anomaly in the scheme whereby the land has historically been and continues to be used for rural residential purposes.

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 planning authority, the Northern Grampians Shire Council, Town Hall, Main Street, Stawell 3380 and Municipal Offices, Napier Street, St. Arnaud 3478; at the Western Region Office, Department of Sustainability and Environment, 402–406 Mair Street, Ballarat 3350; at the South West Region Office, Department of Sustainability and Environment, Corner Lt Malop & Fenwick Streets, Geelong 3220; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne 3002.

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

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

The closing date for submissions is 20 August 2007. A submission must be sent to the Northern Grampians Shire Council.

Signature for the Planning Authority

NEIL HAYDON
Manager Planning and Building Services

Creditors, next-of-kin and others having claims against the estate of any of the under-mentioned 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 20 September 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.

BARTLE, Harold, late of Brimlea Nursing Home, 21 Railway Parade, Murrumbena, Victoria 3163, who died on 4 June 2007.

FENTON, Lorna Doris, late of 25 Anstey Street, South Perth, WA 6151, retired, and who died on 6 February 2007.

FLETCHER, John Edward, late of 19 Owens Avenue, Glen Waverley, Victoria 3150, retired, and who died on 25 April 2007.

KING, Raymond Leonard, formerly of 11 Armstrong Street, Springvale, Victoria 3171, but late of Springvale Nursing Home, 340–344 Springvale Road, Springvale, Victoria 3171, retired, and who died on 13 February 2007.

McCOURT, James, late of 12 Birdie Street, Mount Waverley, Victoria 3149, pensioner, and who died on 29 April 2007.

ROACH, Anne Josephine, formerly of 6 Remuera Street, Caulfield South, Victoria 3162, but late of 6 Buckley Street, Seaspray, Victoria 3851, pensioner, and who died on 1 July 2007.

SIERPINSKI, Longin Peter, late of 43 Queen Road, Lilydale, Victoria 3140, who died on 14 May 2007.

SIGGINS, Gordon, late of Flat 6, 39 Somerset Street, Richmond, Victoria 3121, who died on 10 November 2006.

SIMONS, Colin Douglas, late of 85 Karingal Drive, Frankston, Victoria 3199, salesman, and who died on 26 June 2007.

SOBEY, Myrtle Isabella, late of 12 Joseph Avenue, Bellbowrie, Queensland 4070, pensioner, and who died on 16 February 2007.

Dated 12 July 2007

MARY AMERENA
Manager
Executor and Trustee Services

EXEMPTION

Application No. A190/2007

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act) by the Mallee Sexual Assault Unit Inc. The application for exemption is to enable the applicant to advertise for and employ an Indigenous counsellor to provide family violence support to Indigenous clients.

Upon reading the material tendered in support of the application by Joanne Sheehan, the deponent of the affidavit in support of the application, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ an Indigenous counsellor to provide family violence support to Indigenous clients.

In granting this exemption the Tribunal noted:

- The Applicant service is funded by the Department of Human Services Victoria.
- The Applicant aims to provide family violence support to Indigenous women and their children in Robinvale.
- The Applicant service is part of a rural and remote initiative.
- The Department of Human Services supports employment by the Applicant of an Indigenous worker to provide the family violence support to Indigenous clients.
- An exemption in similar terms was granted by the Tribunal in 2003 and expired on 10 July 2006. Services provided under that exemption have been provided under contract by the Murray Valley Aboriginal Cooperative but are in future to be provided by the Applicant.

The Tribunal hereby grants an exemption from the operation of sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to advertise for and employ Indigenous counsellors only to provide family violence support to Indigenous clients.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 18 July 2010.

Dated 11 July 2007

C. McKENZIE
Deputy President

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

APPOINTMENT OF
AUTHORISED OFFICER

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following person, employed in the Public Service, as an authorised officer for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act. This appointment remains in force until revoked or until 30 June 2009.

Name of person: Peter John Corbet
Dated 8 July 2007

ANTHONY GERARD BRITT
Manager Animal Standards

Livestock Disease Control Act 1994
APPOINTMENT OF INSPECTOR

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following person, who holds a position under the provisions of the **Public Administration Act 2004**, as an inspector for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock. This appointment remains in force until revoked or until 30 June 2009.

Name of person: Peter John Corbet
Dated 8 July 2007

ANTHONY GERARD BRITT
Manager Animal Standards

Prevention of Cruelty to Animals Act 1986
APPROVAL OF INSPECTOR

I, Peter John Bailey, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following person, who is an inspector of livestock under the provisions of the **Livestock Disease Control Act 1994**, as an inspector for the purposes of Part 2 of the **Prevention of Cruelty to Animals Act 1986**. This approval remains in force until revoked or until 30 June 2009.

Name of person: Peter John Corbet
Dated 10 July 2007

PETER JOHN BAILEY
Executive Director Biosecurity Victoria

**Alpine Resorts (Management)
(Amendment) Act 2004**

NOTICE OF ENDORSED STRATEGIC
MANAGEMENT PLANS

In accordance with section 56(E) of the **Alpine Resorts (Management) (Amendment) Act 2004**, the Minister for Environment has approved the Strategic Management Plans for the:

1. Mt Hotham Alpine Resort;
2. Mt Buller & Mt Stirling Alpine Resort; and
3. Falls Creek Alpine Resort.

A copy of the Alpine Resort Strategic Management Plan can be inspected at the office of the respective Alpine Resort Management Board.

JUDY BACKHOUSE
Executive Director
Public Land
Department of Sustainability
and Environment

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.

West Wimmera Cemetery Trust

PAULINE IRELAND
Acting Assistant Director
Food Safety and Regulatory Activities

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 Government Gazette and will be published on the internet.

Foster Cemetery Trust

PAULINE IRELAND
Acting Assistant Director
Food Safety and Regulatory Activities

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.

Box Hill Cemetery Trust

PAULINE IRELAND
Acting Assistant Director
Food Safety and Regulatory Activities

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.

The Shepparton Cemetery Trust

PAULINE IRELAND
Acting Assistant Director
Food Safety and Regulatory Activities

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 ABC Developmental Learning Centre – Numurkah, Licence Number 10704 ("the service") is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

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

1. the number of staff members as set out in regulation 24 are caring for or educating the children;

2. no more than two nominated staff members are employed in place of qualified staff; and
3. the nominated staff members are undertaking a course to attain a post-secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 28 February 2008.

Dated 10 July 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 Chiltern and District Preschool, Licence number 4050 ("the Service") is exempt from the qualified staff members requirements as set out in regulation 24 of the Children's Services Regulations 1998.

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

1. the number of staff members as set out in regulation 24 are caring for or educating the children;
2. no more than two nominated staff members are employed in place of qualified staff; and
3. the nominated staff members are undertaking a course to attain a post-secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 28 February 2008.

Dated 10 July 2007

HON LISA NEVILLE MP
Minister for Children

Conservation Forests and Lands Act 1987

The Minister for Water, Environment and Climate Change has prepared a variation to a Code of Practice made under Part Five of the **Conservation Forests and Lands Act 1987**.

From 1 August 2007, the Code of Forest Practices for Timber Production, Revision No. 2, November 1996 is revoked, and will be replaced by the Code of Practice for Timber Production 2007.

Copies of the revised Code are available free of charge from the Victorian Government Information Centre (telephone 13 16 86), and from all major regional offices of the Department of Sustainability and Environment. The document is also available for download in portable document format (.pdf) from the website <http://www.dse.vic.gov.au/forestry/code/>

Co-operative Housing Societies Act 1958

SECTION 59(8)

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

Cobden & District Co-operative Housing Society Limited (In Liquidation)

Dated 12 July 2007

AMY CHILTON
For Registrar of
Co-operative Housing Societies

Co-operatives Act 1996

KARINGAL PARK SECONDARY COLLEGE
CO-OPERATIVE LIMITED

On application under section 601 AA (2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601 AA (4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and their registration will be dissolved.

Dated at Melbourne 19 July 2007.

MELANIE SABA
Assistant Registrar of Co-operatives
Consumer Affairs Victoria

Co-operatives Act 1996

KENT PARK PRIMARY SCHOOL
COUNCIL BUILDING
CO-OPERATIVE LIMITED

On application under section 601 AA (2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby

given under section 601 AA (4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and their registration will be dissolved.

Dated at Melbourne 19 July 2007.

MELANIE SABA
Assistant Registrar of Co-operatives
Consumer Affairs Victoria

Co-operatives Act 1996

MOUNT DANDENONG MUSIC CENTRE
CO-OPERATIVE LIMITED

On application under section 601 AA (2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601 AA (4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and their registration will be dissolved.

Dated at Melbourne 19 July 2007.

MELANIE SABA
Assistant Registrar of Co-operatives
Consumer Affairs Victoria

Co-operatives Act 1996

PAKENHAM CONSOLIDATED SCHOOL
CO-OPERATIVE LIMITED

On application under section 601 AA (2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601 AA (4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and their registration will be dissolved.

Dated at Melbourne 19 July 2007.

MELANIE SABA
Assistant Registrar of Co-operatives
Consumer Affairs Victoria

Dental Practice Board of Victoria

On 17 July 2007, following a formal hearing, the Dental Practice Board of Victoria found that Dr Walter Hohlweg had engaged in unprofessional conduct of a serious nature. The Board determined that a condition be imposed requiring Dr Hohlweg's practice undergo an audit of infection control practices by a person approved by the Board at regular three monthly intervals for a period of three years.

Nurses Act 1993

NURSES BOARD OF VICTORIA

Re: Patricia McDonald
Identification number 1502984
registered in division 3

Following a formal hearing into the professional conduct of Patricia McDonald, a Panel appointed by the Nurses Board of Victoria found, on 29 June 2007, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

1. Pursuant to s. 48(e) of the Act, Ms McDonald to provide reports that are satisfactory to the Board at three, six and 12 months' time.

LOUISE MILNE-ROCH
Registrar

Public Holidays Act 1993

PUBLIC HOLIDAYS NOTICE

I, Tim Holding, Acting Minister for Small Business, acting under section 8 of the **Public Holidays Act 1993** –

- (a) declare that Australia Day, Saturday 26 January 2008, shall not be a public holiday; and
- (b) appoint Monday 28 January 2008 as a public holiday to apply throughout the whole of the State of Victoria and to all persons to whom and bodies to which the Act applies.

Dated 6 July 2007

TIM HOLDING MP
Acting Minister for Small Business

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 22 August 2007.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 16 August 2007.

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

Eighteenth Decelda Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW528 and TOW076 which authorises the licensed vehicles to be managed, controlled and operated from a depot situated at 570 Boronia Road, Wantirna to change the depot address to 17 Havelock Road, Bayswater.

Dated 19 July 2007

STUART SHEARER
Director

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 22 August 2007.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 16 August 2007.

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

Brittari Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW697 and TOW490 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 570 Wantirna Road, Wantirna to change the depot address to 17 Havelock Road, Bayswater.

Dated 19 July 2007

STUART SHEARER
Director

Transport Act 1983

TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 22 August 2007.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 16 August 2007.

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

Wantirna Bodyworks (Vic) Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW523, TOW688, TOW742 and TOW026 which authorises the licensed vehicles to be managed, controlled and operated from a depot situated at 570 Wantirna Road, Wantirna to change the depot address to 17 Havelock Road, Bayswater.

Dated 19 July 2007

STUART SHEARER
Director

Water Act 1989

WIMMERA CATCHMENT
MANAGEMENT AUTHORITY

Pursuant to section 203 of the **Water Act 1989**, notice is hereby given that the Wimmera Catchment Management Authority have declared flood levels for Warracknabeal as shown on Plan No. 590074. These flood levels will supersede existing Warracknabeal flood levels on Plan No. 147008. The newly declared flood levels will be used for planning and building purposes and are based on the Wimmera Catchment Management Authority's best estimate of a flood event which has a probability occurrence of 1% in any one year.

M. THOMPSON
Chief Executive Officer

Water Industry Act 1994

NOTICE OF AMENDMENT TO THE CUSTOMER SERVICE CODE FOR METROPOLITAN
RETAIL AND REGIONAL WATER BUSINESSES

The Essential Services Commission (“Commission”) gives notice under section 4F(4) of the **Water Industry Act 1994** (Vic) (“Act”) that it has, pursuant to sections 4F(1) and 4F(3) of the Act and in accordance with clause 15 of the Water Industry Regulatory Order 2003, amended the Customer Service Code for Metropolitan Retail and Regional Water Businesses (“Code”).

The Amendments primarily reflect recommendations from the review of water business’s hardship policies conducted by the Commission. The Amendments take effect from 11 July 2007.

A copy of the Code is available on the Commission’s website located at <http://www.esc.vic.gov.au> or a copy may be obtained by calling the Commission’s reception on 1300 664 969.

Dated 11 July 2007

GREG WILSON
Chairperson

Retirement Villages Act 1986

SECTION 39

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. X300072B pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 6 February 2001 on Certificate of Title Volume 10889, Folio 579, 580 and 581 under the **Transfer of Land Act 1958**, is cancelled.

Dated 13 July 2007

GEOFF BROWNE
Acting Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Retirement Village Charge

I hereby declare that the charge No. AD086627W pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 1 September 2004 on Certificate of Title Volume 10324, Folio 982 under the **Transfer of Land Act 1958**, is extinguished in so far as it affects the part of the land identified as B on the attached survey plan.

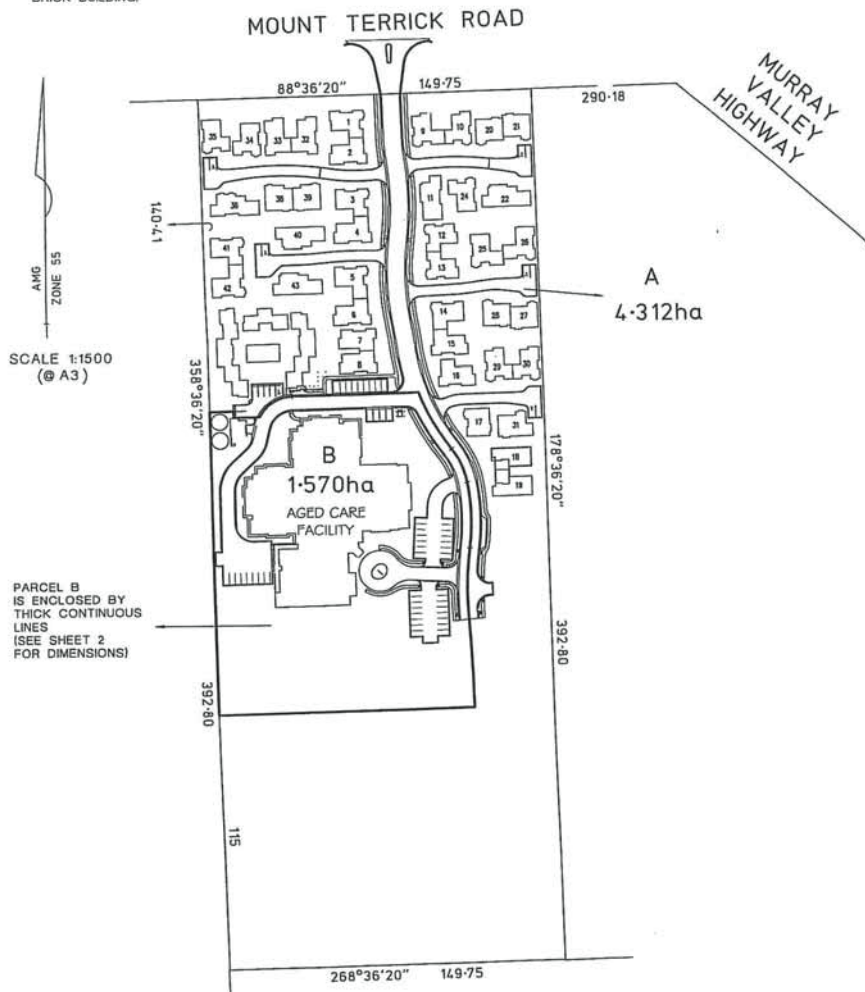
SURVEY PLAN

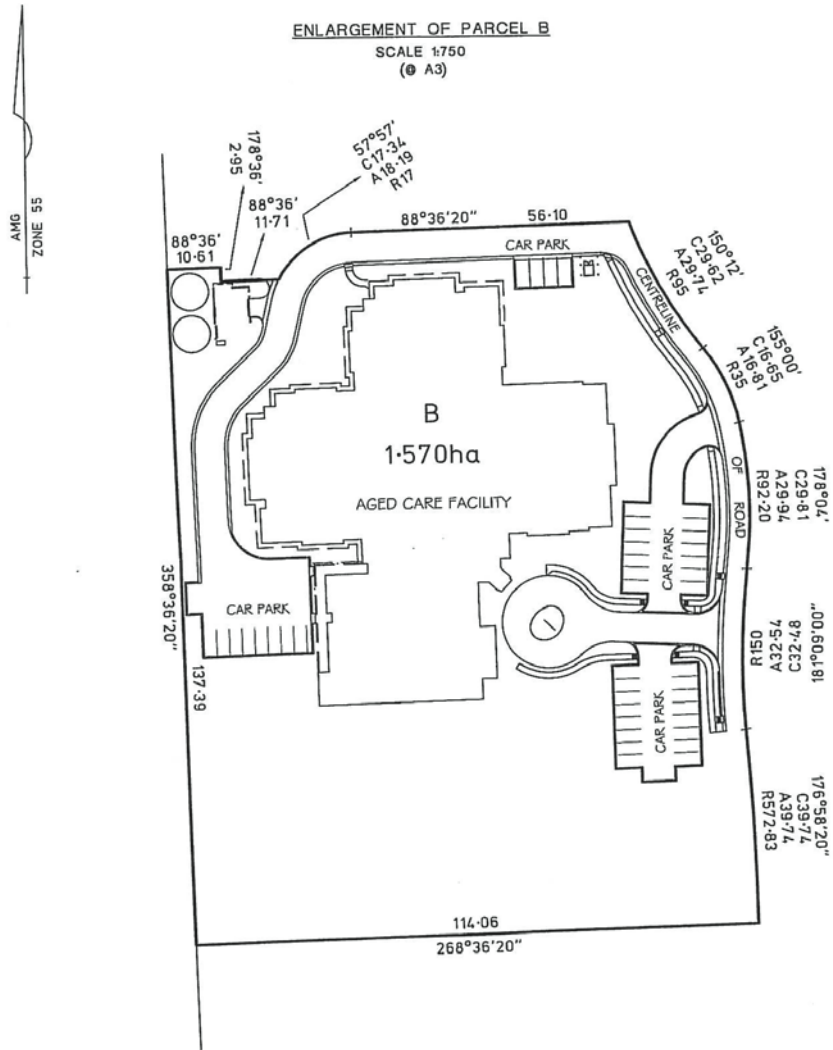
APPLICATION FOR EXTINGUISHMENT OF CHARGE AND/OR CANCELLATION OF NOTICE
RESIDENTIAL CARE FACILITY AND/OR RETIREMENT VILLAGE
RETIREMENT VILLAGES ACT 1986 SECTIONS 47 & 48

COUNTY OF GUNBOWER
PARISH OF WHARPARILLA

NOTES

1. THE SUBJECT SITE IS LOT 2 PS 408204W (C/T VOL. 10324 FOL. 982 AND COMPRISES PARCELS A & B. THE TOTAL SITE AREA IS 5.882ha.
2. PARCEL A DEFINES THE LAND AND BUILDINGS COMPRISING THE INDEPENDENT LIVING UNITS COMPONENT OF THE SITE.
3. PARCEL B DEFINES THE LAND AND BUILDINGS COMPRISING THE RESIDENTIAL CARE FACILITY COMPONENT OF THE SITE.
4. THE AGED CARE FACILITY COMPRISES A SINGLE STOREY BRICK BUILDING.





Dated 25 June 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. T588051W pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 7 March 1995 on Certificate of Title Volume 08555, Folio 476, under the **Transfer of Land Act 1958**, is cancelled in so far as it affects the part of the land identified as A on the survey plan.

SURVEY PLAN

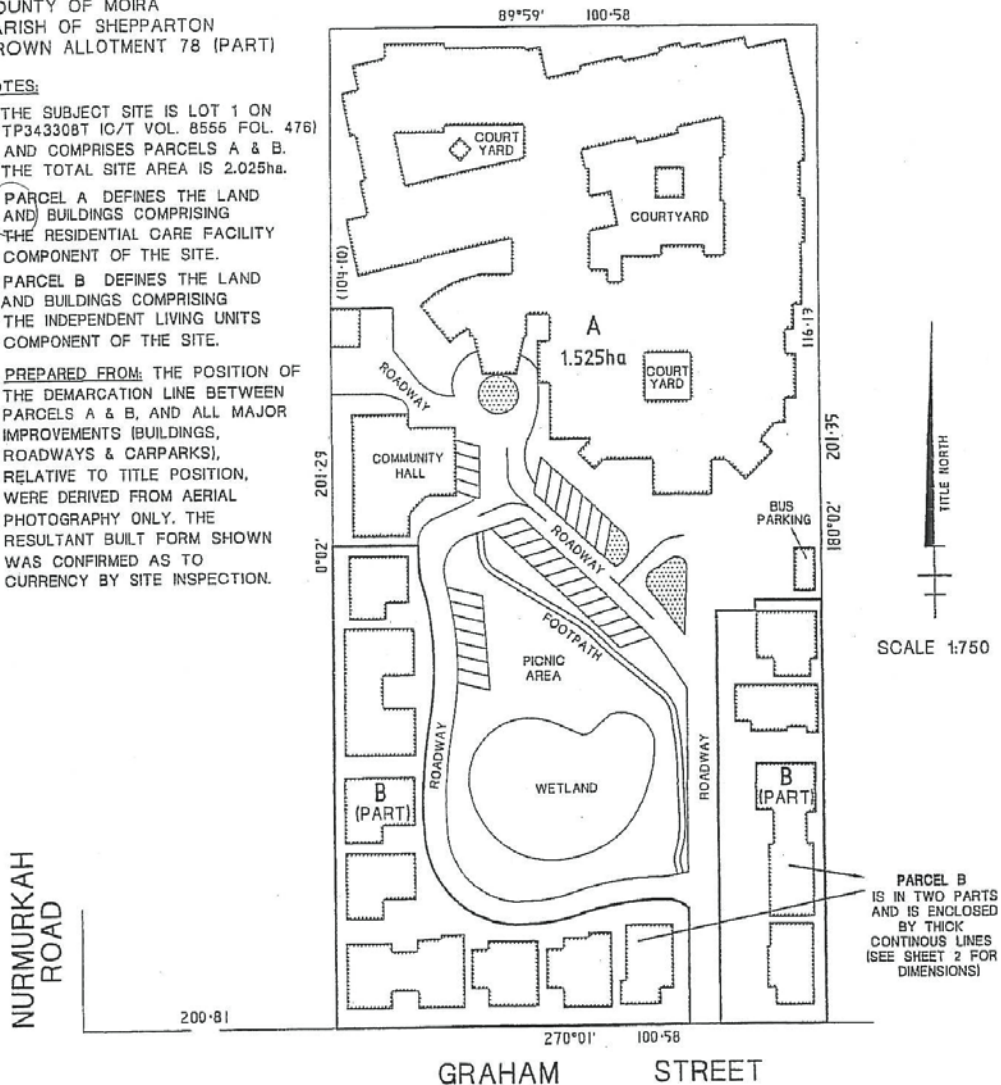
APPLICATION FOR EXTINGUISHMENT OF CHARGE AND/OR CANCELLATION OF NOTICE
RESIDENTIAL CARE FACILITY AND/OR RETIREMENT VILLAGE
RETIREMENT VILLAGES ACT 1986 SECTIONS 47 & 48

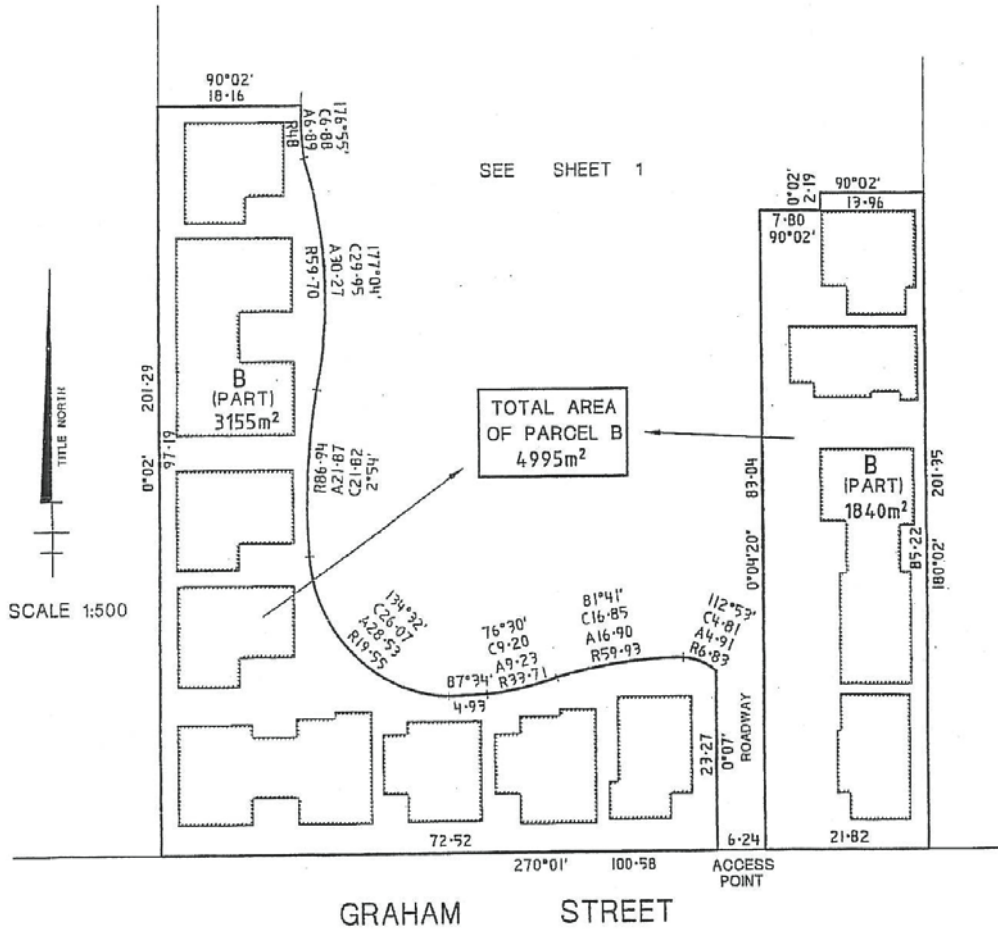
AVE MARIA COMMUNITY VILLAGE
25 GRAHAM STREET, SHEPPARTON 3630

COUNTY OF MOIRA
PARISH OF SHEPPARTON
CROWN ALLOTMENT 78 (PART)

NOTES:

1. THE SUBJECT SITE IS LOT 1 ON TP343308T IC/T VOL. 8555 FOL. 476) AND COMPRISES PARCELS A & B. THE TOTAL SITE AREA IS 2.025ha.
2. PARCEL A DEFINES THE LAND AND BUILDINGS COMPRISING THE RESIDENTIAL CARE FACILITY COMPONENT OF THE SITE.
3. PARCEL B DEFINES THE LAND AND BUILDINGS COMPRISING THE INDEPENDENT LIVING UNITS COMPONENT OF THE SITE.
4. PREPARED FROM: THE POSITION OF THE DEMARCATION LINE BETWEEN PARCELS A & B, AND ALL MAJOR IMPROVEMENTS (BUILDINGS, ROADWAYS & CARPARKS), RELATIVE TO TITLE POSITION, WERE DERIVED FROM AERIAL PHOTOGRAPHY ONLY. THE RESULTANT BUILT FORM SHOWN WAS CONFIRMED AS TO CURRENCY BY SITE INSPECTION.





Dated 14 June 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. AD086626Y pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 1 September 2004 on Certificate of Title Volume 10324, Folio 982, 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.

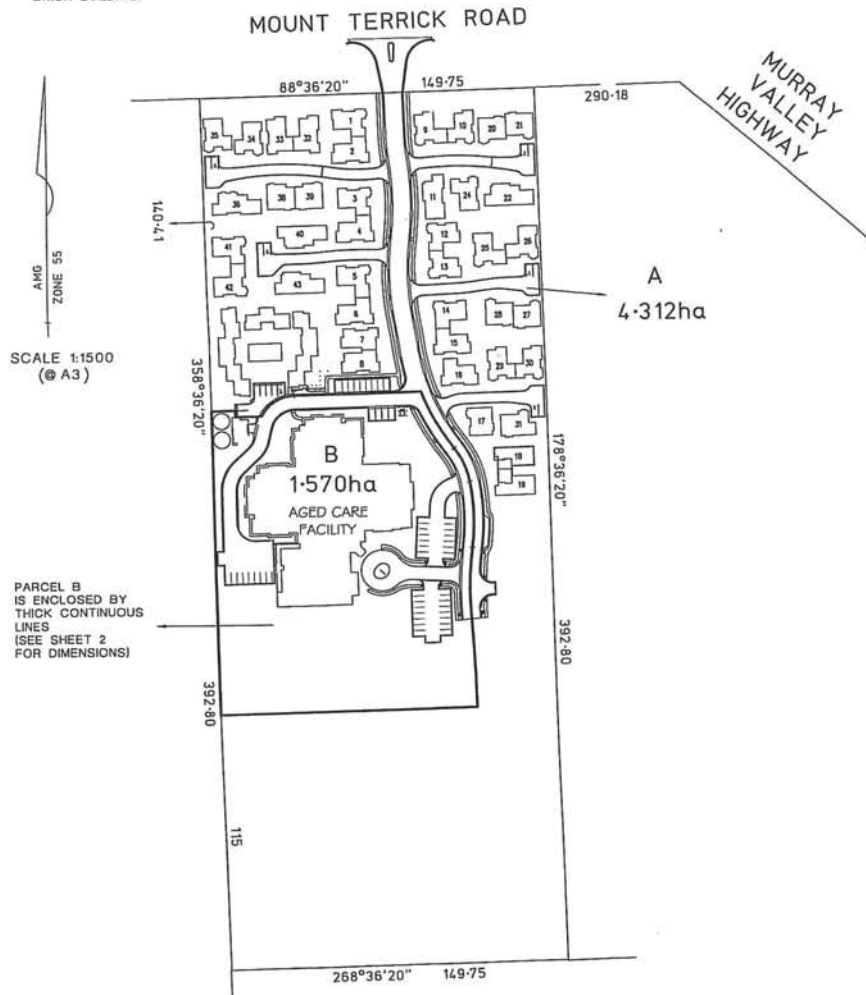
SURVEY PLAN

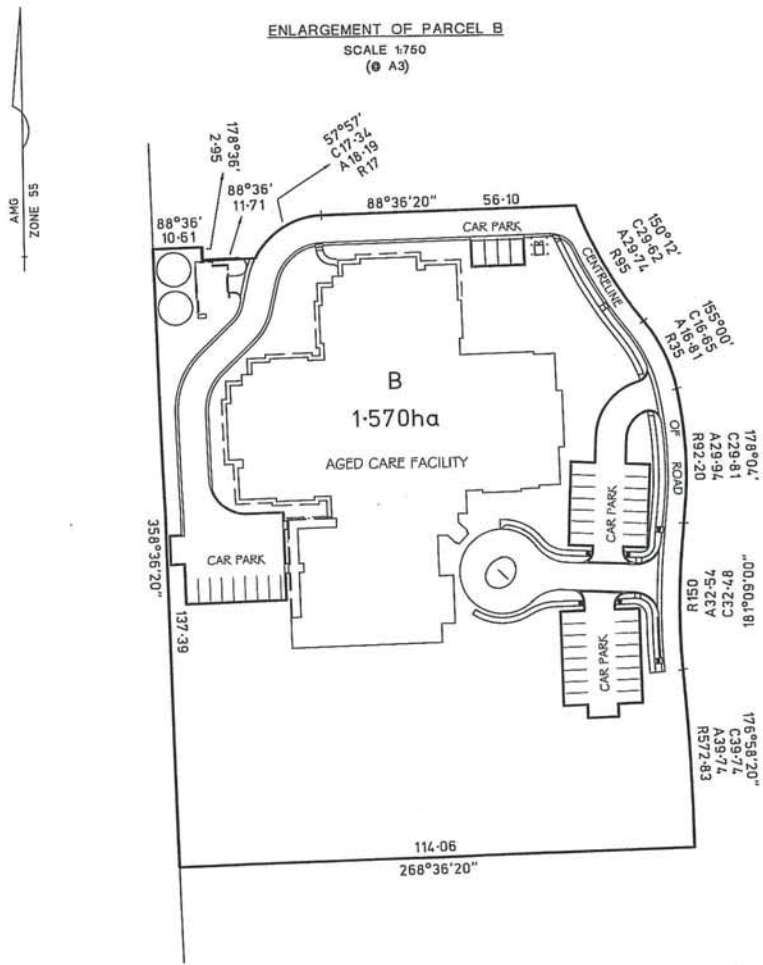
APPLICATION FOR EXTINGUISHMENT OF CHARGE AND/OR CANCELLATION OF NOTICE
RESIDENTIAL CARE FACILITY AND/OR RETIREMENT VILLAGE
RETIREMENT VILLAGES ACT 1986 SECTIONS 47 & 48

COUNTY OF GUNBOWER
PARISH OF WHARPARILLA

NOTES

1. THE SUBJECT SITE IS LOT 2 PS 406204W (C/T VOL. 10324 FOL. 982 AND COMPRISES PARCELS A & B. THE TOTAL SITE AREA IS 5.882ha.
2. PARCEL A DEFINES THE LAND AND BUILDINGS COMPRISING THE INDEPENDENT LIVING UNITS COMPONENT OF THE SITE.
3. PARCEL B DEFINES THE LAND AND BUILDINGS COMPRISING THE RESIDENTIAL CARE FACILITY COMPONENT OF THE SITE.
4. THE AGED CARE FACILITY COMPRISES A SINGLE STOREY BRICK BUILDING.





Dated 25 June 2007

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986
SECTION 48

Cancellation of Retirement Village Notice

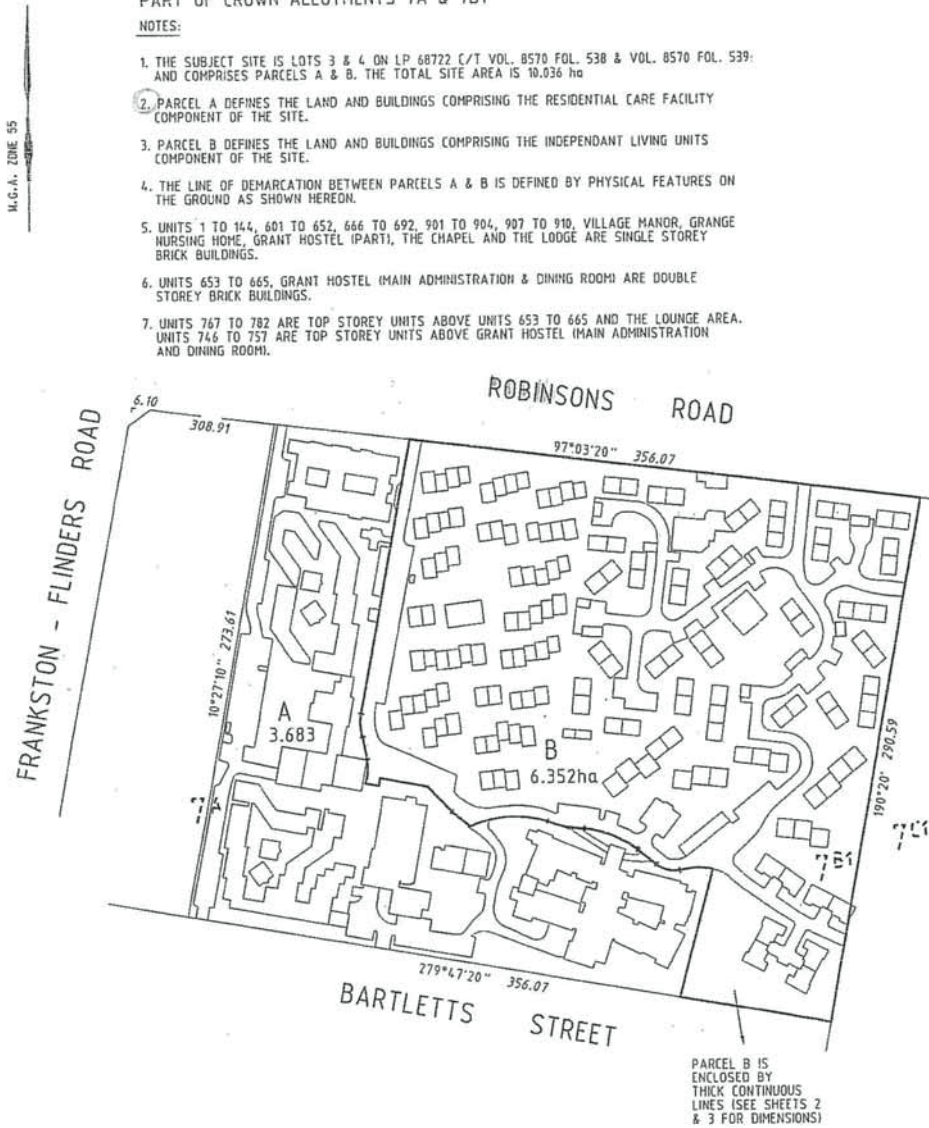
I hereby declare that the Retirement Village Notice No. M918873A pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 2 July 1987 on Certificate of Title Volume 08570, Folios 538 and 539, under the **Transfer of Land Act 1958**, is cancelled in so far as it affects the part of the land identified as A on the survey plan.

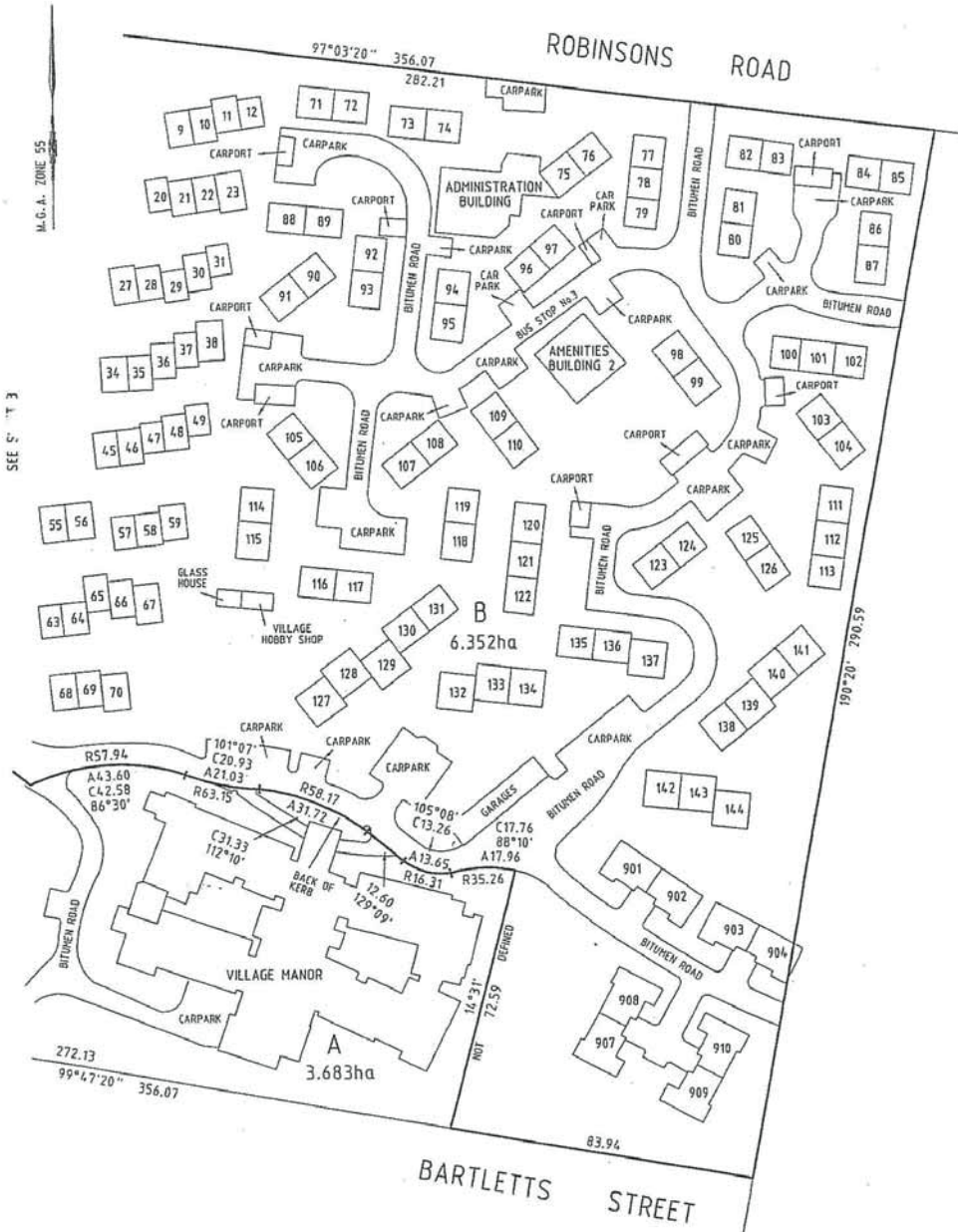
APPLICATION FOR EXTINGUISHMENT OF CHARGE AND/OR CANCELLATION OF NOTICE RESIDENTIAL CARE FACILITY AND/OR RETIREMENT VILLAGE RETIREMENT VILLAGES ACT 1986 SECTIONS 47 & 48

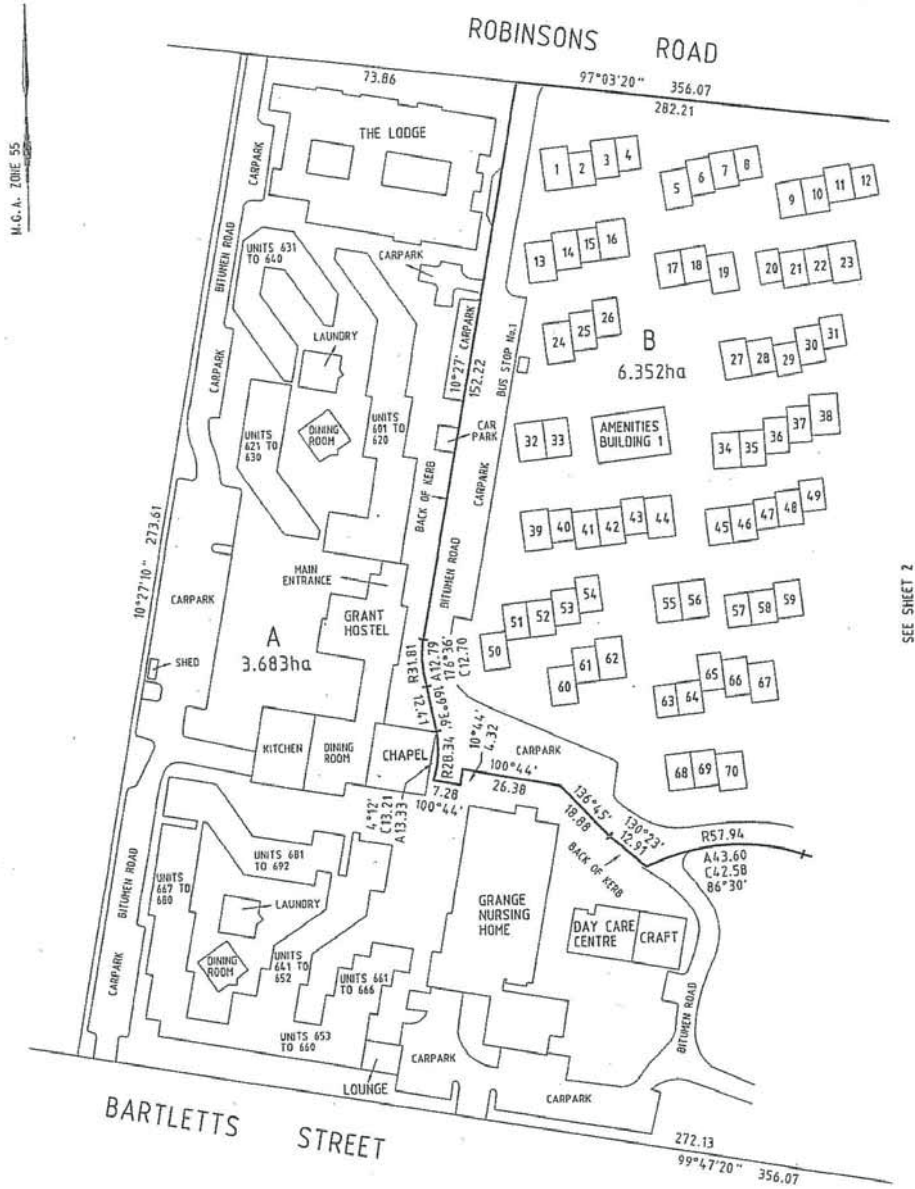
COUNTY OF MORNINGTON
PARISH OF FRANKSTON
PART OF CROWN ALLOTMENTS 7A & 7B1

NOTES:

1. THE SUBJECT SITE IS LOTS 3 & 4 ON LP 68722. C/T VOL. 8570 FOL. 538 & VOL. 8570 FOL. 539; AND COMPRISES PARCELS A & B. THE TOTAL SITE AREA IS 10.036 ha
2. PARCEL A DEFINES THE LAND AND BUILDINGS COMPRISING THE RESIDENTIAL CARE FACILITY COMPONENT OF THE SITE.
3. PARCEL B DEFINES THE LAND AND BUILDINGS COMPRISING THE INDEPENDANT LIVING UNITS COMPONENT OF THE SITE.
4. THE LINE OF DEMARCATION BETWEEN PARCELS A & B IS DEFINED BY PHYSICAL FEATURES ON THE GROUND AS SHOWN HEREON.
5. UNITS 1 TO 144, 601 TO 652, 666 TO 692, 901 TO 904, 907 TO 910, VILLAGE MANOR, GRANGE NURSING HOME, GRANT HOSTEL (PART), THE CHAPEL AND THE LODGE ARE SINGLE STOREY BRICK BUILDINGS.
6. UNITS 653 TO 665, GRANT HOSTEL (MAIN ADMINISTRATION & DINING ROOM) ARE DOUBLE STOREY BRICK BUILDINGS.
7. UNITS 767 TO 782 ARE TOP STOREY UNITS ABOVE UNITS 653 TO 665 AND THE LOUNGE AREA. UNITS 746 TO 757 ARE TOP STOREY UNITS ABOVE GRANT HOSTEL (MAIN ADMINISTRATION AND DINING ROOM).







M.C.A. ZONE 55

SEE SHEET 2

Dated 25 June 2007

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Land Acquisition and Compensation Act 1986

FORM 7

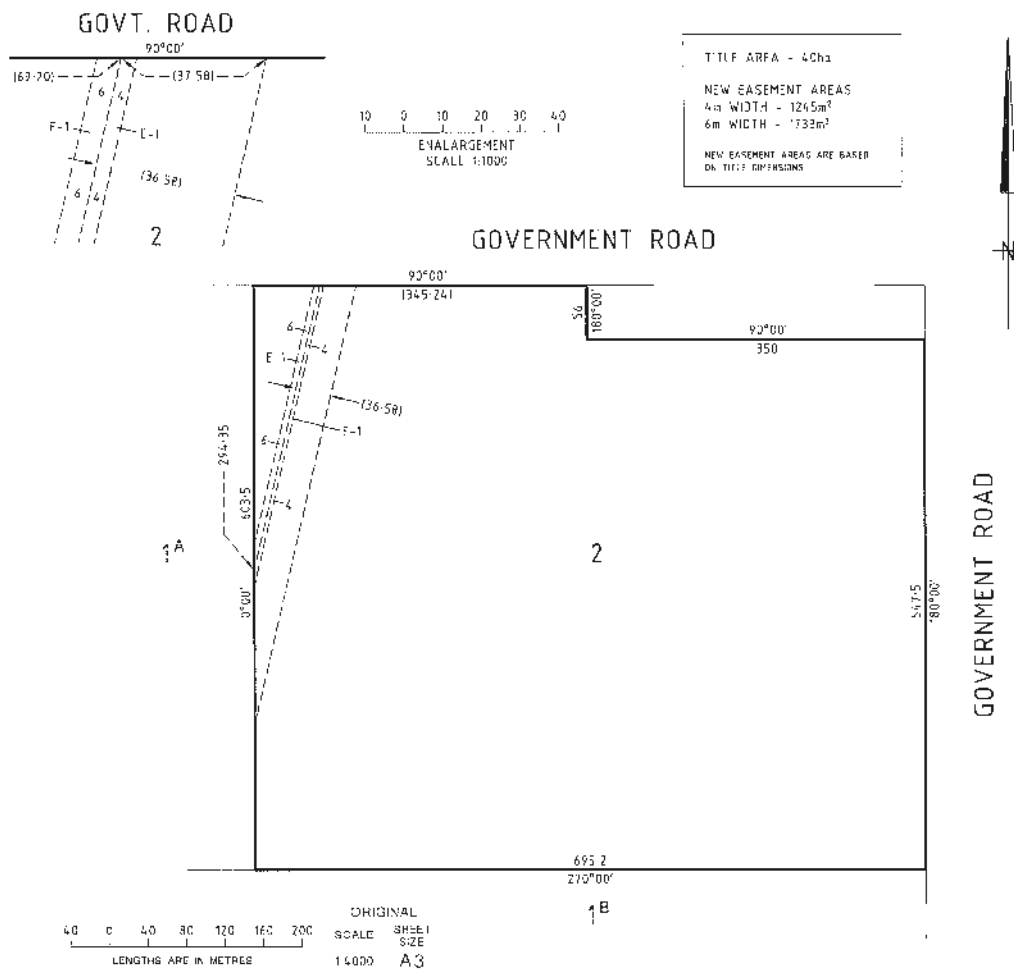
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 09529, Folio 158 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plan.



Published with the authority of Central Highlands Region Water Authority.
Dated 19 July 2007

PAUL O'DONOHUE
for and on behalf of
Central Highlands Region Water Authority
Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986
FORM 7

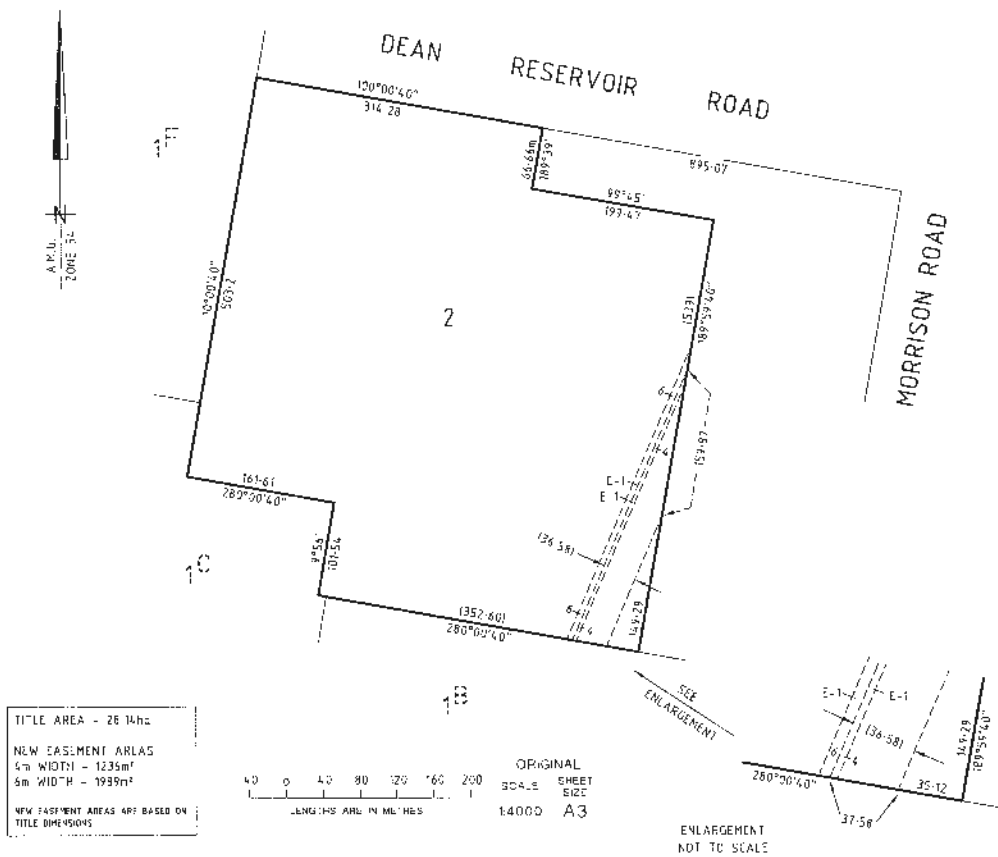
S. 21
 Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 10366, Folio 232 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plan.



Published with the authority of Central Highlands Region Water Authority.
 Dated 19 July 2007

PAUL O'DONOHUE
 for and on behalf of
 Central Highlands Region Water Authority
 Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

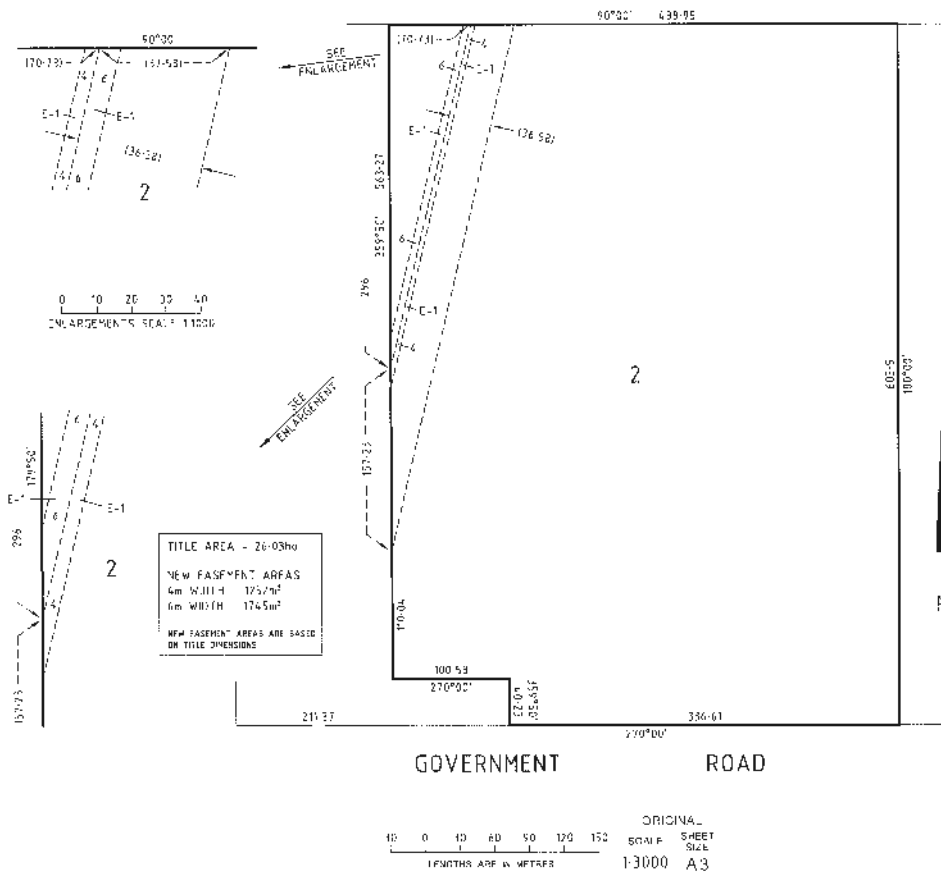
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 08989, Folio 673 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plan.



Published with the authority of Central Highlands Region Water Authority.
Dated 19 July 2007

PAUL O'DONOHUE
for and on behalf of
Central Highlands Region Water Authority
Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

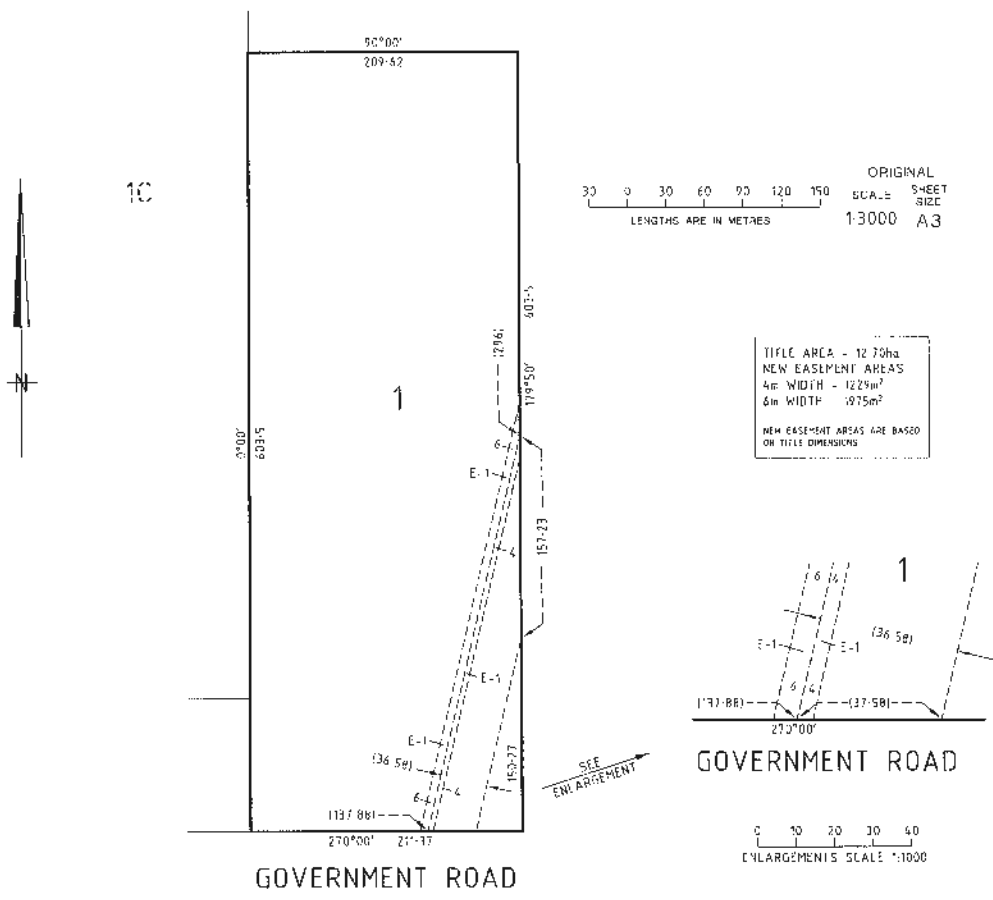
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 08683, Folio 705 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plan.



Published with the authority of Central Highlands Region Water Authority.
Dated 19 July 2007

PAUL O'DONOHUE
for and on behalf of
Central Highlands Region Water Authority
Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

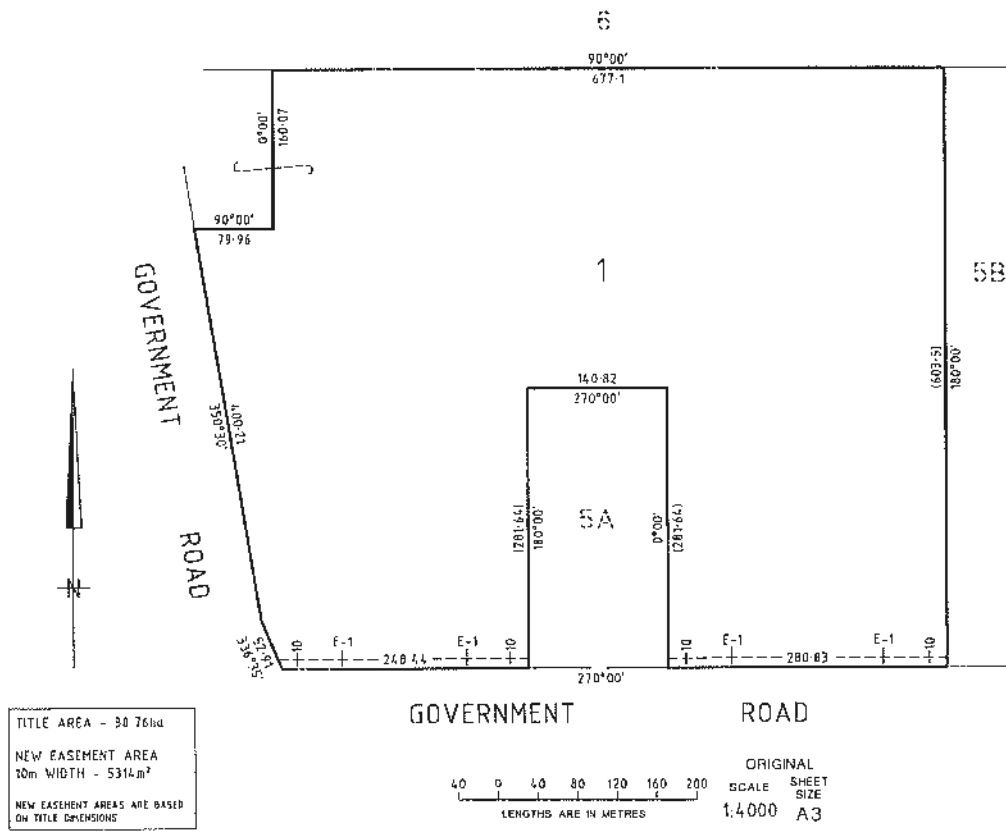
S. 21
Reg. 16

Notice of Acquisition

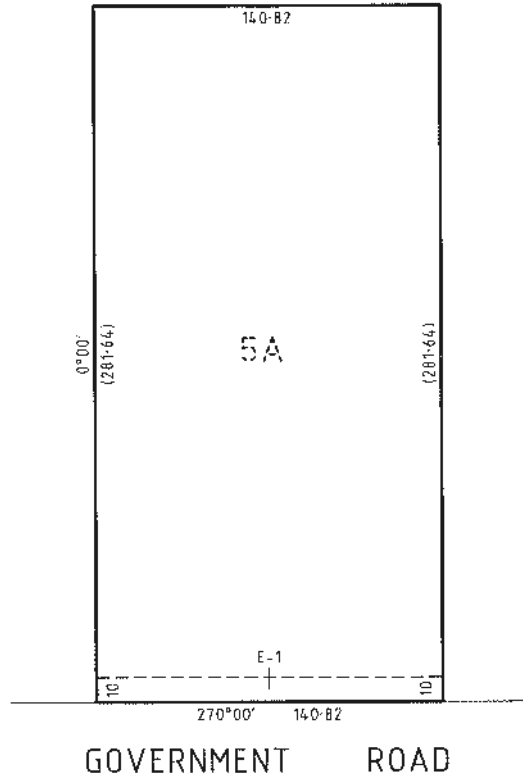
Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificates of Title Volume 09945, Folio 826 and Volume 09945, Folio 827 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plans.



5



TITLE AREA - 3.966ha
NEW EASEMENT AREA
10m WIDTH - 408m²
NEW EASEMENT AREAS ARE BASED ON
TITLE DIMENSIONS

20 0 20 40 60 80 100 ORIGINAL
SCALE SHEET
1:2000 SIZE
A3
LENGTHS ARE IN METRES

Published with the authority of Central Highlands Region Water Authority.
Dated 19 July 2007

PAUL O'DONOHUE
for and on behalf of
Central Highlands Region Water Authority
Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

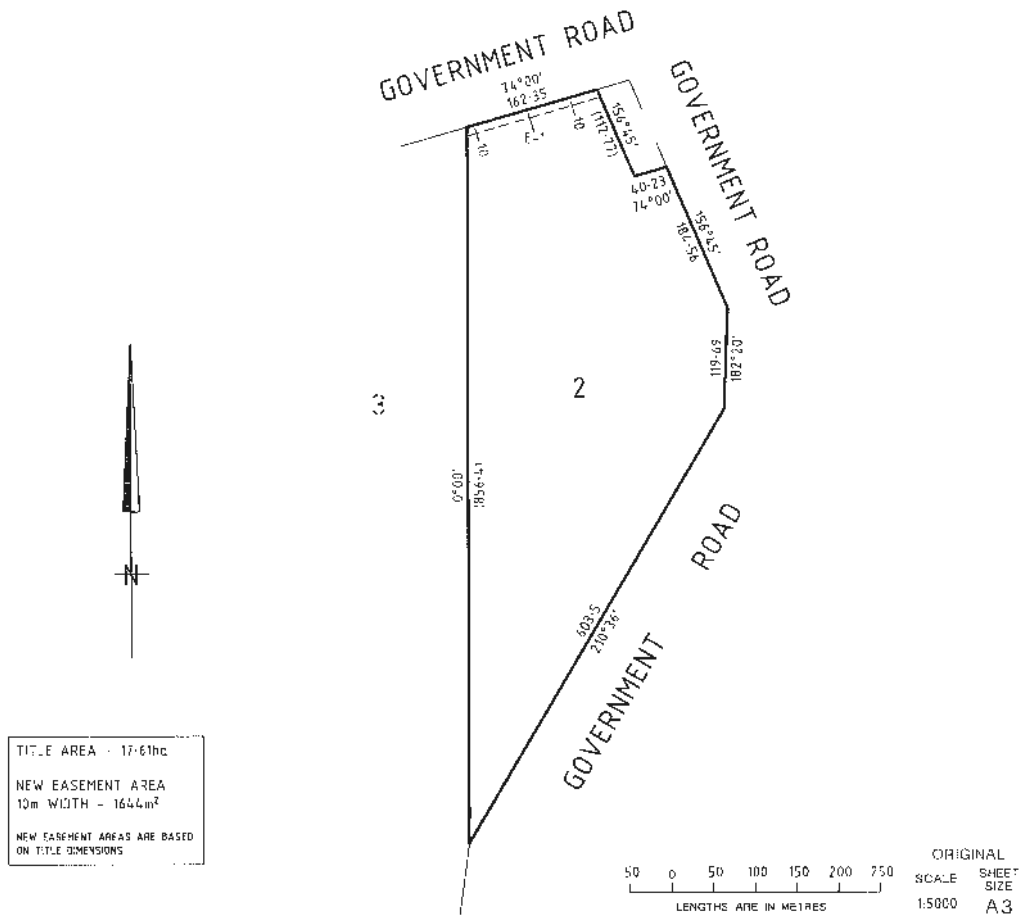
S. 21
Reg. 16

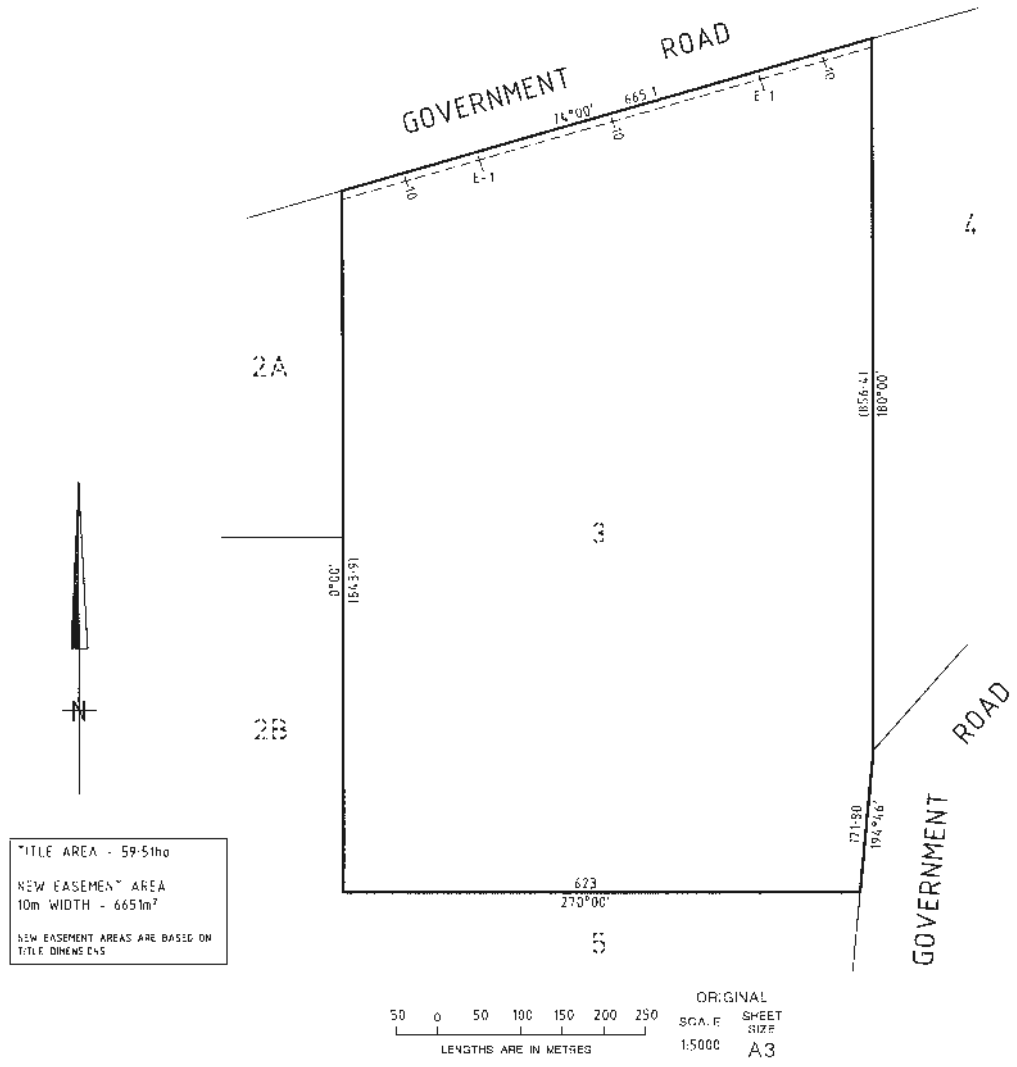
Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificates of Title Volume 09361, Folio 377 and Volume 08049, Folio 172 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plans.





Published with the authority of Central Highlands Region Water Authority
 Dated 19 July 2007

PAUL O'DONOHUE
 for and on behalf of
 Central Highlands Region Water Authority
 Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986
FORM 7

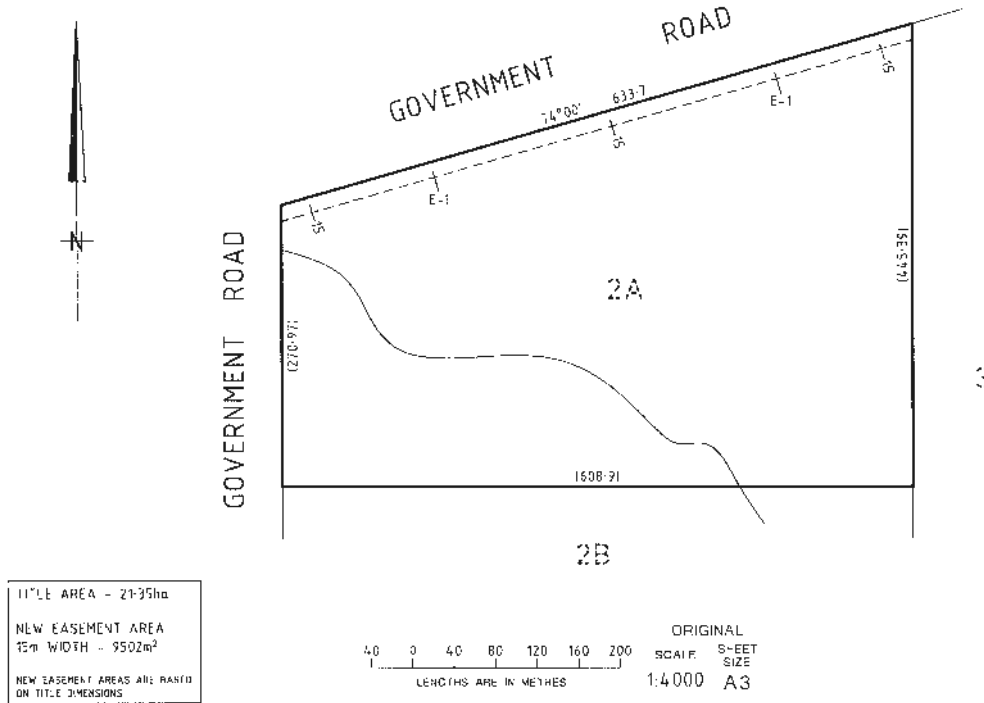
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 03240, Folio 969 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plan.



Published with the authority of Central Highlands Region Water Authority.
Dated 19 July 2007

PAUL O'DONOHUE
for and on behalf of
Central Highlands Region Water Authority
Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

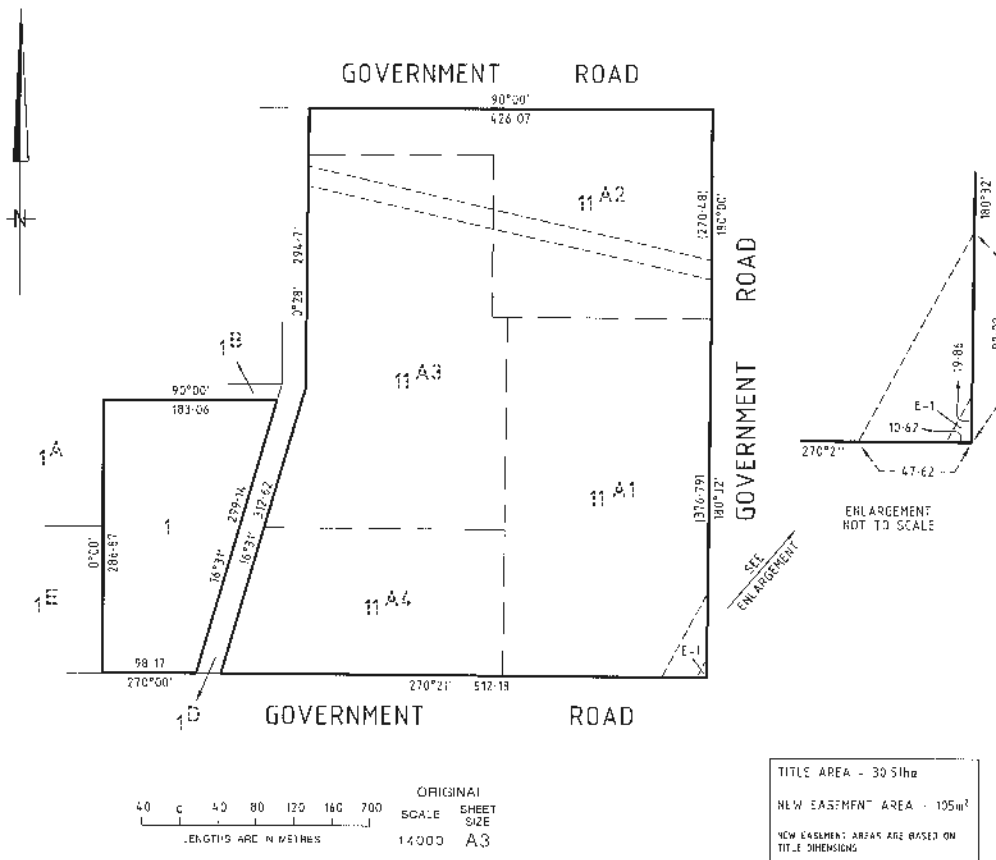
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Authority, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Vic. 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 10346, Folio 981 ("Land"):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked "E-1" on the attached plan.



Published with the authority of Central Highlands Region Water Authority.
Dated 19 July 2007

PAUL O'DONOHUE
for and on behalf of
Central Highlands Region Water Authority
Acting CHW Project Director, Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

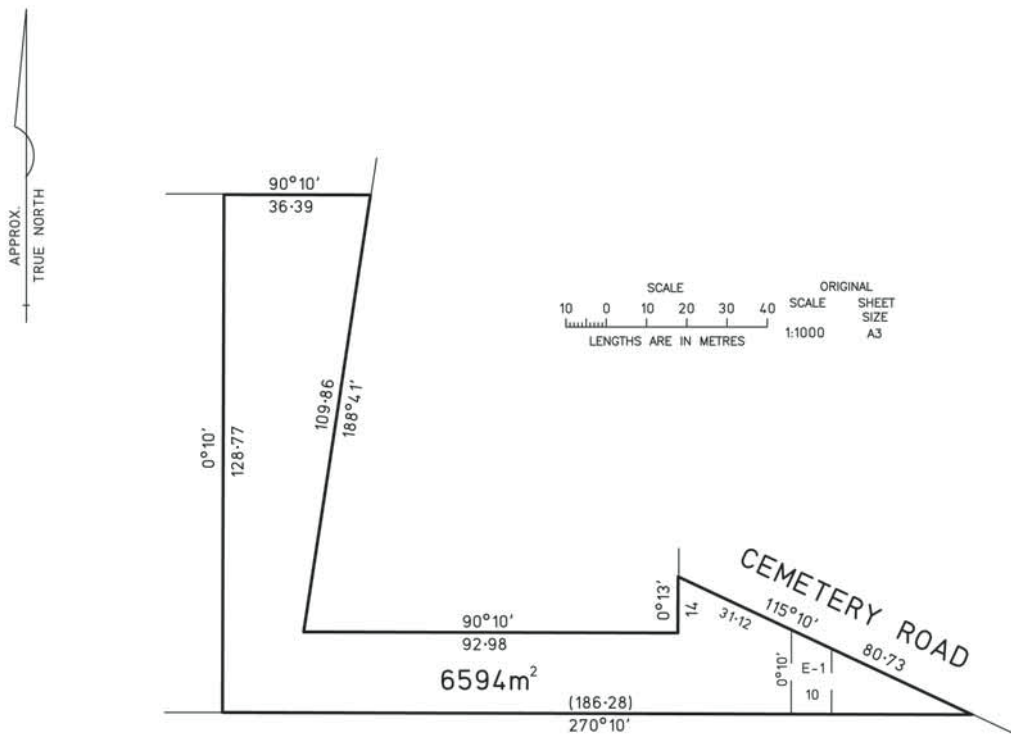
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Coliban Region Water Authority, ABN 96 549 082 360, of 37-45 Bridge Street, Bendigo 3550, declares that by this notice it acquires the following interest in the land described as:

Easement for the purposes of a pipeline for water over that piece of land being portion of the land comprised and described in Certificate of Title Volume 10015, Folio 238 and being the area marked "E-1" on the Plan annexed hereto ("the land").



Published with the authority of Coliban Region Water Authority.
Dated 5 June 2007

CHERYL FITZGERALD
Corporate Secretary
for and on behalf of
Coliban Region Water Authority

Drugs, Poisons and Controlled Substances Act 1981**NOTICE UNDER SECTION 14A(1) OF
THE DRUGS, POISONS AND CONTROLLED SUBSTANCES ACT 1981**

Pursuant to section 14A(1) of the **Drugs, Poisons and Controlled Substances Act 1981**, I, Bronwyn Pike, Minister for Health, hereby approve for the purposes of authorisation under section 13(1)(c), the Schedule 4 poisons set out below, in preparations for topical use in the eye, by registered optometrists whose registration is endorsed by the Optometrists Registration Board of Victoria under section 23(1) of the **Health Professions Registration Act 2005**.

This approval takes effect from 1 July 2007.

Aciclovir	Indomethacin
Amethocaine	Ketorolac
Apraclonidine	Ketotifen
Atropine	Latanoprost
Bacitracin	Levobunolol
Betaxolol	Levocabastine
Bimatoprost	Lignocaine
Brimonidine	Lodoxamide
Brinzolamide	Neomycin
Carbachol	Ofloxacin
Chloramphenicol	Olopatadine
Ciprofloxacin	Oxybuprocaine
Cyclopentolate	Phenylephrine
Dexamethasone	Pilocarpine
Diclofenac	Polymyxin
Dipivefrin (dipivefrine)	Prednisolone
Dorzolamide	Proxymetacaine
Fluorometholone	Sodium cromoglycate
Flurbiprofen	Tetracycline
Framycetin	Timolol
Gentamicin sulfate	Tobramycin
Gramicidin	Travoprost
Homatropine	Tropicamide
Hydrocortisone	Vidarabine

Dated 29 June 2007

HON BRONWYN PIKE MP
Minister for Health

Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 17th day of April 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (the “Commission”)

and

PORT OF MELBOURNE CORPORATION (“PoMC”)

BACKGROUND:

- A. PoMC is established by the PS Act. As a designated Channel Operator PoMC employs the Harbour Master for the Port of Melbourne. The Harbour Master is licensed by the Director of Marine Safety who is the regulatory authority for marine safety in the Port of Melbourne.
- B. The parties have entered into this memorandum of understanding in order to provide for consultation and co-operation between them and the integration and co-ordination of their activities in regard to the Harbour Master’s directions.
- C. This memorandum is not intended to deal with the Commission’s role in regulating PoMC, particularly in relation to licensing or price and access regulation for prescribed services pursuant to the PS Act.
- D. This memorandum is also not intended to be used to interpret any legislative responsibilities of PoMC, the Director of Marine Safety or the Commission.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the background:

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

“**MA**”; means the **Marine Act 1988** (Vic);

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

“**port waters**” means the port waters of Melbourne 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**”:

- (a) in clause 3 – has the same meaning as in the ESC Act;
- (b) otherwise – means the port industry in the Port of Melbourne in so far as it is concerned with channel access and marine safety.

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 the regulated industry are closely integrated and better informed;
- (b) avoid overlap or conflict between regulatory schemes (either existing or proposed) affecting the regulated industry;
- (c) provide for sharing information between the parties in the context of their respective roles in relation to the regulated industry; and
- (d) promote the adoption of a best practice approach to regulation.

3. The role of the Commission

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

- (a) to perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
 - (b) to advise the relevant Minister on matters relating to the economic regulation of regulated industries, including reliability issues;
 - (c) when requested by the Minister to do so, to conduct an inquiry into any systemic reliability of supply issues related to a regulated industry or other essential service specified by the Minister in the request;
 - (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
 - (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.
- 3.4 The Commission has specific statutory functions under Part 3, Division 4 of the PS Act to make access determinations about declared channels.

4. The role of PoMC

- 4.1 PoMC is a body corporate with perpetual succession.
- 4.2 The objectives of PoMC are:
- (a) to manage and develop the port of Melbourne in an economically, socially and environmentally sustainable manner;
 - (b) to ensure that essential port services of the port of Melbourne are available and cost effective;

- (c) to ensure, in co-operation with other relevant responsible bodies, that the port of Melbourne is effectively integrated with other systems of infrastructure in the State;
 - (d) to facilitate, in co-operation with other relevant responsible bodies, the sustainable growth of trade through the port of Melbourne; and
 - (e) to establish and manage channels in port of Melbourne waters for use on a fair and reasonable basis.
- 4.3 For the purposes of coordinating regulatory functions, the relevant functions of PoMC are:
- (a) to manage and, in accordance with standards developed by the Director of Marine Safety, to dredge and maintain channels in port of Melbourne waters;
 - (b) to provide and maintain, in accordance with the standards developed by the Director of Marine Safety, navigation aids in connection with navigation in port of Melbourne waters; and
 - (c) generally, to direct and control, in accordance with the **Marine Act 1988**, the movement of vessels in port of Melbourne waters.
- 4.4 PoMC must carry out its functions, including those identified under 4.3, in a manner that:
- (a) is safe and secure;
 - (b) is environmentally sustainable;
 - (c) is effective and efficient;
 - (c) is commercially sound; and
 - (e) has regard for the persons living or working in the immediate neighbourhood of the Port of Melbourne.
- 4.5 PoMC has specific statutory obligations under Part 3A of the MA to engage a harbour master.
- 4.6 A harbour master has, in relation to the port waters for which he or she is the harbour master, such functions as are conferred on a harbour master by the MA.
- 4.7 The functions of a harbour master may be limited by a condition imposed by the Director of Marine Safety on his or her licence.
- 4.8 A harbour master's licence may contain a condition that makes the exercise of his or her functions subject to any directions given from time to time to the harbour master by the Director of Marine Safety.
- 4.9 PoMC may, having first consulted with the harbour master engaged by PoMC for the port waters and obtained the approval of the Director of Marine Safety, authorise a person to act as assistant harbour master for the port waters to exercise the harbour master's functions under the MA. An authorisation may be general or may apply only to the exercise of such functions as are specified in the instrument of authorisation.

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with PoMC:
- (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 PoMC 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 the regulated industry.
- 5.3 Each party having regard to their respective roles in relation to the regulated industry will:
- (a) consult with and involve the other in the performance of any function relevant to harbour management or channels 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 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 mutual 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 PoMC is Ms Gladys Hu. 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 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 17th day of April 2007)
GREG WILSON
Chairperson

THE COMMON SEAL of the)
PORT OF MELBOURNE CORPORATION)
was duly affixed by the Chairman on the)
3rd day of May 2007)
BILL SCALES
Chairman

Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 20th day of June 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (“Commission”)

and

DEPARTMENT OF HUMAN SERVICES (the “Department”)

BACKGROUND:

- A. The Commission is an independent statutory authority established by the ESC Act.
- B. The Department 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 Department and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.
- D. This memorandum is intended to replace the memorandum of understanding entered into by the parties dated 28 November 2003.

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**

“**Minister**” means:

- (a) in the context of a specific Act to which reference is made – the Minister administering that Act: or
- (b) in clauses 3.1 (except paragraph (b)) and 5.1 – the Minister administering the ESC Act;
- (c) in clause 3.1(b) – the relevant Minister responsible for the legislation which declares the regulated industry;
- (d) in clause 4.3 (c) – the Minister administering the **Safe Drinking Water Act 2003**.

“**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 and public health 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 perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
- to advise the relevant Minister on matters relating to the economic regulation of regulated industries, including reliability issues;
- 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;
- to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
- to make determinations in accordance with the ESC Act;
- 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;
- 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; and
- to administer the ESC Act.

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

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

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

3.4 The Commission has a specific role in determining matters at the request of the Department in the formulation of Community Service Arrangements between the Department and energy retailers (section 49 of the **Electricity Industry Act 2000** and section 51 of the **Gas Industry Act 2001**).

4. The role of the Department

4.1 The Department currently has a number of functions which are relevant to regulated industries and regulatory activities of the Commission:

- (a) through its Concessions Unit, the Department administers legislation and funding arrangements for the provision of concessions and grants to improve the affordability of energy and water services to low income households;
- (b) through its Public Health Group, the Department administers legislation relating to the safety and quality of drinking water supplies in Victoria in

- conjunction with the Environment Protection Authority, public health aspects of water discharged to the environment, reclaimed water schemes and water reuse schemes; and
- (c) through its Public Health Branch, the Department administers legislation in relation to licensing of persons who are in the business of a pest control operator and apply pesticides for certain purposes, including pest control.
- 4.2 The Department's function in relation to concessions and grants include:
- (a) development and monitoring of Community Services Agreements being agreements for the provision of community services within the meaning of Part 2 Division 7 of the **Electricity Industry Act 2000** and section 49 of the **Gas Industry Act 2001**;
- (b) administration of Orders made under water legislation; and
- (c) promoting awareness of concessions and grant entitlements.
- 4.3 The Department's functions in relation to the safety and quality of drinking water supplies in Victoria include:
- (a) administering the **Health (Fluoridation) Act 1973** in relation to the optimum levels of fluoride for drinking water supplies for the protection of dental health;
- (b) administering the **Food Act 1984** in relation to water carting activities, the use of water for food manufacturing (including bottled water) and in relation to the safety of drinking water supplies in Victoria;
- (c) administering the **Safe Drinking Water Act 2003** and its regulations, including:
- i monitoring and enforcing compliance with the Act and regulations;
- ii reporting on the performance of water supply bodies in relation to drinking water quality issues;
- iii investigating and reporting on any aspect of drinking water quality;
- iv making recommendations to the Minister on any matter relating to drinking water quality;
- v promoting awareness and understanding of drinking water quality issues; and
- vi maintaining a register of variations, exemptions and undertakings.
- 4.4 In conjunction with the Environment Protection Authority, the Department's functions in relation to the public health aspects of water discharged into the environment, reclaimed water schemes and water reuse schemes in Victoria include:
- (a) considering measures to ameliorate the public health risks associated with reclaimed water schemes and water reuse schemes; and
- (b) assessing the merits of works approval submissions, in particular those relating to water reuse schemes and to public health aspects of discharges from water treatment facilities and wastewater treatment plants.
- 4.5 The Department's functions in relation to health and safety aspects of grain handling in Victoria include licensing of persons who are in the business of a pest control operator and apply pesticides for certain purposes, including domestic pests control (such operators may sometimes also apply pesticides in relation to pests that eat grain and/or be involved in the treatment of grain).
- 5. How the parties will consult**
- 5.1 Where relevant, the Commission will, as early as practicable, consult with Department:

- (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 Department 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 Paul Fearon, Chief Executive Officer and the contact officer for the Department is Ms Gill Callister, Executive Director, Office for Children for concessions and grant matters, and Dr Jim Hyde, Acting Director, Public Health for all other matters. 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 20th day of June 2007)
 GREG WILSON
 Chairperson

THE CORPORATE SEAL of the)
 SECRETARY TO THE DEPARTMENT)
 OF HUMAN SERVICES was affixed in the)
 presence of:)
 FRAN THORN
 Secretary to the
 Department of Human Services
 Witness

Essential Services Commission Act 2001

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

PARTIES:

ESSENTIAL SERVICES COMMISSION (the “Commission”)

and

VICTORIAN ENERGY NETWORKS CORPORATION (“VENCorp”)

BACKGROUND:

- A. VENCorp is a prescribed agency for the purposes of the ESC Act.
- B. The parties have entered into this memorandum of understanding to provide for consultation between them and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.
- C. This memorandum does not deal with the Commission’s regulatory functions in so far as they involve regulating VENCorp, including in relation to retail gas market rules developed by VENCorp, VENCorp’s costs of its retail competition services and VENCorp’s electricity transmission licence.
- D. This memorandum is intended to replace the memorandum of understanding entered into by the parties dated 16 December 2003.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the background:

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

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

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

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

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

2. Objectives and purpose of this memorandum

This memorandum seeks to:

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

3. The role of the Commission

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

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

- (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
 - (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (h) to advise the Minister in relation to any other matter referred to the Commission by the Minister; and
 - (i) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.
- 3.4 The Commission has specific statutory functions under sections 62 and 64 to 69 of the GI Act relating to approval of a scheme for the development of gas retail market rules, the rules themselves, amendments to rules, related cost recovery and broader cost recovery for VENCORP for its retail competition services. Those specific functions are outside the scope of this memorandum.

4. The role of VENCORP

- 4.1 VENCORP has broad powers in relation to the operation of the Victorian gas transmission system, the management and development of the Victorian wholesale and retail gas market, system planning for the gas and electricity industries and operations and communications during gas and electricity emergencies.
- 4.2 The specific functions of VENCORP are set out in the GI Act and the EI Act and include:
- (a) specifying security standards for the gas transmission system;
 - (b) control of the security of the gas transmission system;
 - (c) control of the operation of the gas transmission system;
 - (d) collection of information about the gas transmission system;
 - (e) monitoring and reviewing the capacity of the gas transmission system and the trends for demand for the injection of gas into, and the withdrawal of gas from, that system;

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

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with VENCORP:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.

- 5.2 VENCORP will, if requested in writing by the Commission to do so, and subject to any confidentiality obligations owed to any party at contract or at law, consult with the Commission:
- (a) in relation to any matter specified by the Commission which is relevant to its objectives or functions; and
 - (b) in respect of a matter specified by the Commission which may impact on a regulated industry.
- 5.3 The Commission will, if requested in writing by VENCORP to do so, consult with VENCORP in respect of a matter specified by VENCORP which may impact on VENCORP's functions in Victoria.
- 5.4 Each party having regard to their respective roles in relation to each regulated industry will:
- (a) consult with and involve the other in the performance of any function that has or is likely to have material implications for the other;
 - (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory or decision making processes;
 - (c) on written request, provide the other with timely advice on regulatory matters for which it is responsible;
 - (d) provide the other with timely relevant information on industries or industry issues for which both parties have some responsibility;
 - (e) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
 - (f) exchange details of annual work programs to the extent that they are relevant to the role of the other;
 - (g) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;
 - (h) identify opportunities to 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 VENCORP is Mr John Howarth. 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 themselves (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;
 - (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and

- (c) arranges (in conjunction with the other’s contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of the Chairperson of the Commission and the Chief Executive Officer of VENCorp of the parties no less frequently than annually.

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

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

7. Use and disclosure of information

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

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

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

EXECUTED AS A MEMORANDUM BY:

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

Signed for VICTORIAN ENERGY)
 NETWORKS CORPORATION)
 by an authorised officer in the presence of:)
 MATT ZEMA
 Authorised Officer
 PAUL FEARON
 Witness

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

Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 24th day of May 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION (the "Commission")

and

THE VICTORIAN WORK COVER AUTHORITY (the "Authority")

BACKGROUND:

- A. The Commission is the statutory authority responsible for administering the ESC Act.
- B. The Authority is the statutory authority responsible for administering various legislation including but not limited to the OHS Act, the **Dangerous Goods Act 1985**, the **Equipment (Public Safety) Act 1994**, the **Road Transport (Dangerous Goods) Act 1995**, the **Accident Compensation Act 1985**, the **Accident Compensation (WorkCover Insurance) Act 1993** and the **Workers Compensation Act 1958**.
- C. The Authority is a prescribed agency for the purposes of the ESC Act.
- D. 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.
- E. This memorandum is intended to replace the memorandum of understanding entered into by the parties dated 8 December 2003.
- F. This memorandum does not deal with the Commission's functions in regard to the Authority as a statutory insurer which involve advising the Minister for WorkCover under section 10B of the ESC Act.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the Background and Parties sections:

"OHS Act" means the **Occupational Health and Safety Act 2004** (Vic);

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

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

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

2. Objectives and purpose of this memorandum

2.1 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 occupational health and safety legislation and regulatory practice in its decision making in relation to regulated industries.

2.2 This memorandum sets out the common understanding between the parties as a voluntary statement of intent and contains the serious commitment of both parties at the time the memorandum is signed and for the duration of the memorandum. The memorandum is not intended to create legally enforceable obligations between the parties.

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 established under the **Accident Compensation Act 1985** (Vic) and is the manager of Victoria's workplace safety system.
- 4.2 The Authority's statutory functions are spelt out in several Acts of Parliament including:

- (a) health, safety and welfare in the workplace under the OHS Act;
 - (b) workers compensation and the rehabilitation of injured workers under the **Accident Compensation Act 1985** (Vic.) and the **Accident Compensation (WorkCover Insurance) Act 1993** (Vic.);
 - (c) employer insurance under the **Accident Compensation (WorkCover Insurance) Act 1993** (Vic.);
 - (d) regulating explosives and other dangerous goods under the **Dangerous Goods Act 1985** (Vic.); and
 - (e) regulating high risk equipment used in public places and on private premises under the **Equipment (Public Safety) Act 1994** (Vic.).
- 4.3 The specific functions of the Authority most relevant to this memorandum are those set out in the OHS Act and include:
- (a) to monitor and enforce compliance with the OHS Act and regulations;
 - (b) to inquire into and report to the Minister within the time specified by the Minister upon any matters referred to it by the Minister;
 - (c) to make recommendations to the Minister with respect to –
 - i the operation and administration of the OHS Act and the regulations; and
 - ii regulations or codes of practice which it or the Minister proposes should be made or approved;
 - (d) to examine, review and make recommendations in relation to existing and proposed registration or licensing schemes relating to occupational health safety and welfare;
 - (e) to provide advice to and co-operate with Government departments, public authorities, trade unions, employer organizations and other interested persons in relation to occupational health safety and welfare;
 - (f) to formulate and disseminate standards specifications or other forms of guidance for the purpose of assisting employers self-employed persons and employees to maintain appropriate standards of occupational health safety and welfare;
 - (g) to promote education and training and approve courses in occupational health and safety;
 - (h) to devise in co-operation with educational authorities or bodies courses in relation to occupational health safety and welfare;
 - (i) to recommend to the Minister the establishment of public inquiries into any matter relating to occupational health and safety;
 - (j) to collect and disseminate information on occupational health safety and welfare;
 - (k) to initiate and encourage research into occupational health safety and welfare and any other functions assigned to it by or under the OHS 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 Brian Cook. 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 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.

- 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 With respect to any information supplied by one party to the other in connection with this memorandum designated as confidential, each party agrees to:
- (a) protect the confidential information in a reasonable and appropriate manner and in accordance with any applicable professional standards;
 - (b) use and reproduce confidential information only for the purposes set out in this memorandum; and
 - (c) not disclose or otherwise make available confidential information other than to its personnel who have a need to know the information to give effect to the purposes set out in this memorandum.
- 7.3 This paragraph shall not apply to information which is:
- (a) publicly known;
 - (b) already known to the receiving party;
 - (c) disclosed by either party to a third party without restriction.
- 8. Privacy**
- 8.1 The Authority and the Commission respectively:
- (a) assure each other that any Personal or Health Information as defined in the Privacy Legislation disclosed by one to the other in connection with this memorandum has been collected in accordance with applicable Privacy Legislation, that the individual to whom the information relates has been aware of the identity of the organisation collecting the information and of the other matters of which the individual is required to be informed under applicable Privacy Legislation, and that the disclosure of the information to, and its use by, the organisation to which it is disclosed is authorised by the individual or by law;
 - (b) agree not to use, disclose, store, transfer or handle Personal Information collected in connection with this memorandum except in accordance with applicable Privacy Legislation; and
 - (c) agree to co-operate with any reasonable request of the other relating to the protection of Personal Information or the investigation of a complaint about the handling of Personal Information.
- 8.2 Privacy Legislation means laws in respect of privacy and the protection of personal and health information including, without limitation, the **Information Privacy Act 2000** (Vic.), the **Health Records Act 2001** (Vic.) and the **Privacy Act 1988** (Cth).

9. Amendment or Variation

- 9.1 This memorandum is effective from the date of signing and continues until the earlier of:
- (a) 3 months from the date of one party's notice in writing to the other notifying of its intention to withdraw from this memorandum; and
 - (b) immediately where both parties notify each other in writing of their intention to withdraw from it.
- 9.2 This memorandum may be amended, varied or modified by a further memorandum in writing duly executed by the parties.

EXECUTED AS A MEMORANDUM BY:

THE COMMON SEAL of the)
ESSENTIAL SERVICES COMMISSION)
was affixed pursuant to the authority of the)
COMMISSION THE 24th DAY OF MAY 2007)
GREG WILSON
Chairperson

EXECUTED by the)
VICTORIAN WORKCOVER AUTHORITY)
by its Chief Executive Officer)
on the 24th day of May 2007)
GREG TWEEDLY
Chief Executive

Interpretation of Legislation Act 1984
 NOTICE OF INCORPORATED MATERIAL
 Livestock Disease Control Regulations 2006

Notice is given under section 32(3) of the **Interpretation of Legislation Act 1984** that the following documents contain matter incorporated by the Livestock Disease Control Regulations 2006 –

Statutory Rule Provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 37(1)(a)	Australian and New Zealand Standards Diagnostic Procedures as approved by the Primary Industries Standing Committee as amended and in force from time to time	Whole document
Regulation 37(1)(b)	Australian Standard Diagnostic Techniques for Animal Diseases published by the Standing Committee on Agriculture and Resource Management (SCARM) in 1993 as amended and in force from time to time	Whole document
Regulation 37(2)	AS ISO/IEC 17025–2005 General requirements for the competence of testing and calibration laboratories published 6 December 2005 as amended and in force from time to time	Whole document
Regulation 48(1)(b)	Australian Standards Diagnostic Techniques for Animal Diseases published by the Standing Committee on Agriculture and Resource Management (SCARM) in 1993 as amended and in force from time to time	Part P Bacteriological Examination of dead in shell embryos for Pullorum disease. Culture test carried out on chickens for Pullorum disease

Copies of the incorporated material were lodged with the Clerk of the Legislative Assembly and the Clerk of the Legislative Council on 11 January 2007.

JOE HELPER MP
 Minister for Agriculture

Crown Land (Reserves) Act 1978
 ORDER GIVING APPROVAL TO GRANT OF A LEASE
 UNDER SECTIONS 17D AND 17DA

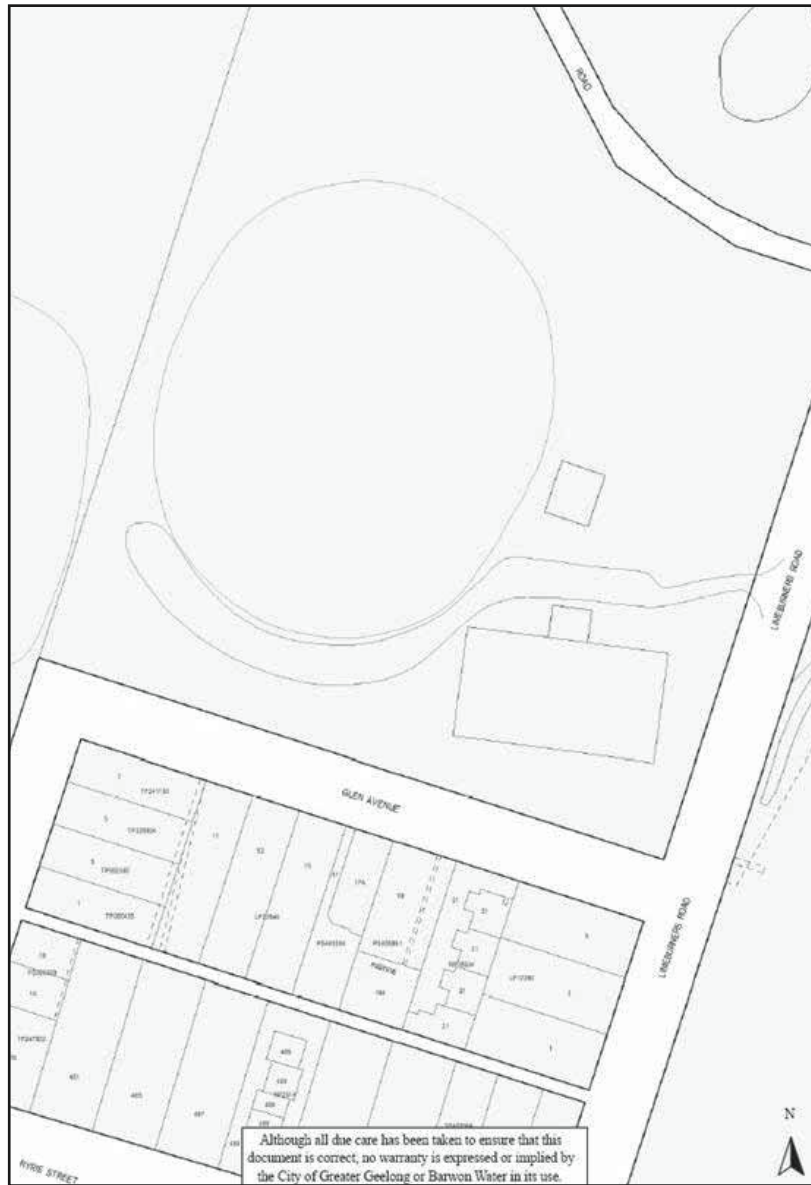
Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Justin Madden MLC, Minister for Planning, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease to the Eastern Districts Tennis Club Incorporated by the Greater Geelong City Council as the Committee of Management, for the purpose of 'Tennis Clubrooms and associated activities' over the area of Crown land being part of Howard Glover 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 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 land shown hatched on the following plan being portion of Allotment 24B, Section 86A, City of Geelong, Parish of Corio being part of the remaining Crown land in the City of Geelong, Parish of Corio permanently reserved for the purpose of Public Park and Recreation by Order in Council of 26 October 1982.



Dated 27 June 2007

JUSTIN MADDEN MLC
Minister for Planning

Occupational Health and Safety Act 2004
VICTORIAN WORKCOVER AUTHORITY

Notice of Issue of Major Hazard Licence

On 5 July 2007, a licence under Chapter 6 of the Occupational Health and Safety Regulations 2007 was issued to Paper Australia Pty Ltd and authorises the facility located at Maryvale Road via Morwell Victoria, 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 July 2012.

The following conditions are attached to the licence:

By the 1st of July for the next successive 3 years, Paper Australia Pty Ltd must demonstrate to the Authority by written report that:

- (a) performance monitoring of the maintenance management system within the Operations Management System demonstrates the effectiveness of the adopted major incident engineering control measures.
- (b) results obtained by implementing the Major Hazards Risk Reduction Action Plan and Search For the Future (being components of the Maryvale OHS Strategic Plan) have reduced risk so far as is reasonably practicable.

The following Schedule 9 materials were authorised by the licence:

From Table 1 of Schedule 9

Material	UN Nos Included Under Name
Acetylene	1001
Chlorine	1017
LP Gas	1075, 1011
Oxygen	1072, 1073
Sodium Chlorate (solid)	1495
Natural Gas	1971

From Table 2 of Schedule 9

Material	Description
Flammable materials	Liquids which meet the criteria for Class 3 Packing Group II or III
Oxidising materials	<ul style="list-style-type: none"> ● Oxidising material listed in Appendix 5 of the ADG code ● Oxidising materials that meet the criteria for Class 5.1 Packing Group I or II

GREG TWEEDLY
 Chief Executive

Victoria Racing Club Act 1871**VICTORIA RACING CLUB REGULATIONS 2006****Schedule of Proposed Admission Charges**

The Board of Victoria Racing Club Limited has resolved that the following Schedule of Admission Charges applies for the 2007/2008 racing season.

Victoria Racing Club Limited
General Admission Charges – 2007/2008 Racing Season

		2007/08
Non-feature Days:		\$
Saturday/Public Holiday	– Full	10.00
	– Concession	6.00
Sunday/Midweek	– Full	7.00
	– Concession	4.00
Feature Days:		
Ascot Vale Stakes Day (September Saturday)	– Full	20.00
	– Concession	11.00
Turnbull Stakes Day (October Saturday)	– Full	20.00
	– Concession	11.00
Victoria Derby Day	– Full	55.00
	– Concession	26.00
	– Children	8.00
Melbourne Cup Day	– Full	50.00
	– Concession	26.00
	– Children	8.00
VRC Oaks Day	– Full	52.00
	– Concession	26.00
	– Children	8.00
Emirates Stakes Day	– Full	30.00
	– Concession	15.00
	– Family (2 adults + 2 Children)	50.00
	– Children	Free
New Years Day	– Full	15.00
	– Concession	8.00
Lightening Stakes Day	– Full	15.00
	– Concession	8.00
Super Saturday	– Full	25.00
	– Concession	12.00
Sires Produce Day	– Full	15.00
	– Concession	8.00

The above Schedule was sent to the Minister for Racing on 10 May 2007 pursuant to Regulation 7(2) of the Victoria Racing Club Regulations 2006, has now been reviewed and has not been disallowed.

The above Schedule will come into operation on 1 August 2007.

DALE G. MONTEITH
Chief Executive

Petroleum Act 1998
CORRIGENDUM
STATE OF VICTORIA

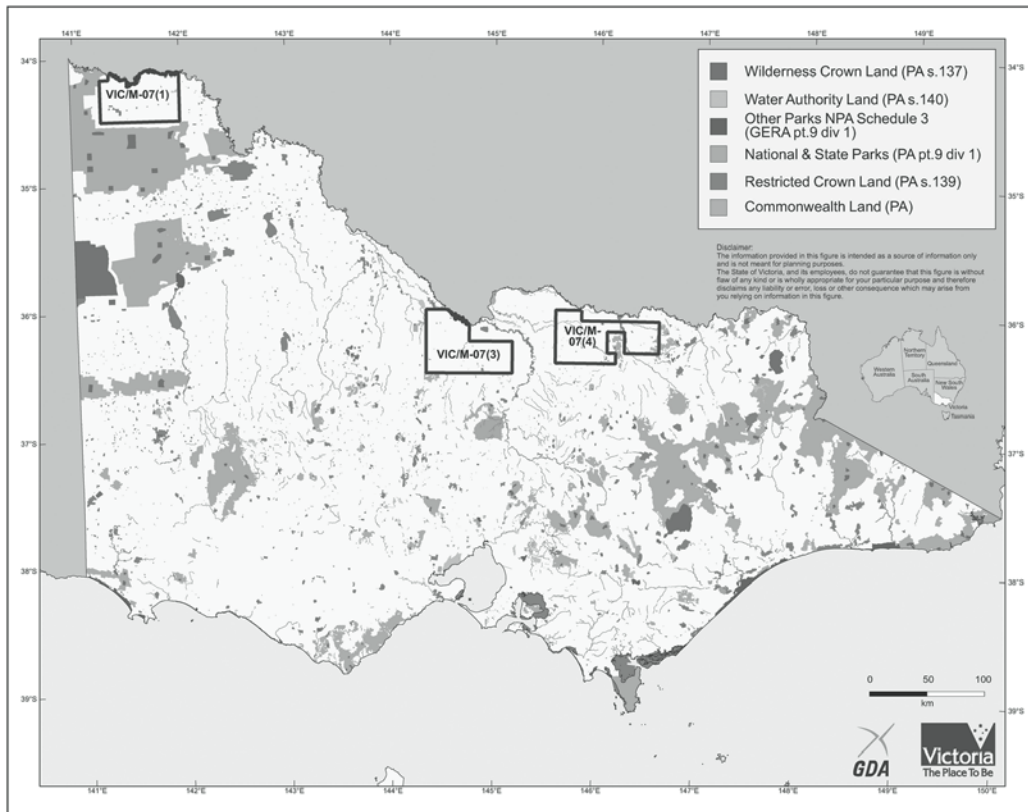
In Government Gazette No. G 19 dated 10 May 2007, page 805, under ‘Notice of Invitation for Applications for Petroleum Exploration Permits (Onshore Murray Basin)’ the included map was incorrect:

Area VIC/M-07(2) is removed from the notice of invitation due to a procedural error. The other areas are unaffected by this Notice.

RICHARD ALDOUS
 Executive Director, Minerals and Petroleum Division
 Pursuant to the Instrument of Delegation

Petroleum Act 1998
STATE OF VICTORIA
DEPARTMENT OF PRIMARY INDUSTRIES
 Notice of Invitation for Applications for Petroleum Exploration Permits
 (Onshore Murray Basin)

Applications are invited under section 19 of the **Petroleum Act 1998** (the Act) for the grant of petroleum exploration permits in respect of four onshore areas designated as VIC/M-07 (1), VIC/M-07 (3) and VIC/M-07 (4) in the Murray Basin, in the State of Victoria, in accordance with the map below.



APPLICATIONS

Applications and supporting data should be submitted in duplicate in accordance with the provisions of Part 3 and Part 7 of the Act as follows:

1. Completed application form. Please contact Nadine Gregory, Tenements Officer for a copy of the application form on +61-3-9658 4427 or email Nadine.Gregory@dpi.vic.gov.au;
2. Details of the relevant technical qualifications of the applicant and details of the relevant technical qualifications of its employees;
3. Details of the relevant technical advice available to the applicant;
4. Details of the financial resources available to the applicant;
5. Full details of the proposed exploration work program to be carried out with estimated expenditure in Australian dollars for each of the five (5) years. A work program is a document that outlines the work that is intended to be done under the exploration permit. The work program should outline how the work is to be structured and the extent of the work. The work program should also set out the proposed timelines for the various phases of the work;
6. Details of any matter required by the Minister to enable the Minister to assess the application;
7. Evidence of the applicant's ability to comply with the Act; and
8. Details of any other matters that the applicant wishes the Minister to consider, e.g. technical assessment of the petroleum potential of the area and the concepts underlying its proposed exploration work program, with sufficient detail to support the program.

NATIVE TITLE

Applicants should note that because the application areas VIC/M-07(1), VIC/M-07(3) and VIC/M-07(4) contain Crown land, the future act provisions under Part 2, Division 3 of the **Native Title Act 1993** (NTA) must be addressed before a petroleum exploration permit is granted over the particular application area.

Accordingly, applicants should consider the consequences the NTA may have on their exploration rights and any future production rights. Information on Native Title can be found at <http://www.dpi.vic.gov.au/DPI/nrenmp.nsf/childdocs/-A48C1BB7CE3591DF4A256A8000169DF8-617E72CCD1C18D264A256A800016C10F?open>.

Applicants should note that application areas VIC/M-07(1) and VIC/M-07(3) are subject (at least in part) to the following Native Title Claims:

- Area VIC/M-07(1) – claim number VID6002/00 by the Latji Latji and Wergaia peoples.
- Area VIC/M-07(3) – claim number VIC6001/00 by the Dja Dja Wurrung peoples.

SPECIAL NOTES

If a petroleum exploration permit is granted, applicants should be aware that, before conducting any exploration activities, they must make themselves familiar with (and refer to) the following legislation:

- **Petroleum Act 1998** (Vic.);
- **Conservation, Forests and Lands Act 1987** (Vic.);
- **National Parks Act 1975** (Vic.);
- **Wildlife Act 1975** (Vic.);
- **Flora and Fauna Guarantee Act 1988** (Vic.);
- **Archaeological and Aboriginal Relics Preservation Act 1972** (Vic.);
- **Aboriginal and Torres Strait Islander Heritage Protection Act 1984** (Cth);
- **Aboriginal Heritage Act 2006** (Vic).

SELECTION CRITERIA

Applicants should refer to sections 18–27 and 96–99 of the Act.

The factors that will be considered in assessing applications will be:

- The key objects of the work program;
- The financial and technical resources available to the applicant;
- The extent to which the applicant's technical assessment supports the proposed work program; and
- The likelihood that the proposed work program will be carried out.

Please note that exploration wells to be drilled and geophysical survey activities (3D, 2D and gravity) will be considered as key objects. Please also note that when the Minister grants a petroleum exploration permit, he will declare any exploration wells and geophysical survey activities (3D, 2D and gravity) that were listed in the proposed work program to be the key objects of the work program. If a petroleum exploration permit is granted, the key objects can only be varied in extraordinary circumstances and if the variation relates to equal or superior work.

AVAILABILITY OF DATA

Copies of the basic exploration data pertaining to the advertised areas can be ordered from GeoScience Victoria (GSV) by contacting Terry Smith +61–3–96584544 or email terry.smith@dpi.vic.gov.au. GSV is now located at the ANZ Bank Building, Level 9, 55 Collins Street, Melbourne, Victoria 3000.

LODGMENT OF APPLICATIONS AND CLOSING DATE

Applications together with the relevant data must be lodged by 4.00 p.m. [EST] on Thursday 30 August 2007 and submitted to: The Tender Box Manager, Department of Primary Industries, 1 Spring Street, Melbourne, Victoria, 3000. Attention: Manager Petroleum Tenements, Minerals and Petroleum Regulation.

Applications received after the closing time and date will not be considered.

The following special instructions should be observed:

- An application for an authority is not transferable;
- Each application must be accompanied by a non refundable fee of A\$3,000 payable to the Department of Primary Industries through an Australian Bank or by an Australian bank cheque;
- Two (2) copies of the application and supporting data must be submitted;
- The application (2 copies), supporting data (2 copies) and cheque should be enclosed in an envelope or package, clearly marked "Application for Area VIC/M–07 (–) Commercial-in-Confidence. Attention: Manager Petroleum Tenements, Minerals and Petroleum Regulation";
- This envelope or package should then be enclosed in a plain covering envelope or package and delivered by hand or posted to the address above;
- The original application and supporting data cannot be amended by the provision of additional information.

Made under the **Petroleum Act 1998**

Dated 16 July 2007

RICHARD ALDOUS
Executive Director, Minerals and Petroleum Division
Pursuant to the Instrument of Delegation

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C110

The Minister for Planning has approved Amendment C110 to the Cardinia Planning Scheme.

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

The Amendment rezones all land zoned Rural in the municipality to a Farming Zone.

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

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

Planning and Environment Act 1987

COLAC OTWAY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C56

The Minister for Planning has approved Amendment C56 to the Colac Otway Planning Scheme.

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

The Amendment extends the sunset provisions of Schedule 5 to the Environmental Significance Overlay by a further two years.

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 Colac Otway Shire Council, 2-6 Rae Street, Colac.

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 C96

The Minister for Planning has approved Amendment C96 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 95-103 Pakington Street from part Industrial 1 Zone and part Residential 1 Zone to part Mixed Use Zone and part Residential 1 Zone, at 15 Collins Street from Industrial 1 Zone to Residential 1 Zone and part of 87 and 89-93 Pakington Street from Industrial 1 Zone to Business 4 Zone. It applies the Environmental Audit Overlay to 95-103 Pakington Street and the Design and Development Overlay to those parts of the land being included within the Residential 1 Zone. It amends the schedule to Clause 22.08 "Retail Frontages" and the schedule to Clause 52.28-4 "Gaming".

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

Permit No.: 1628/2004

Description of land: 95-103 Pakington Street, Geelong West.

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 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

HORSHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C32

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

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

The Amendment rezones land at the south-east corner of Remlaw Road and Curran Road, Horsham from Rural Zone to part Residential 1 Zone and part Public Use Zone 6 (Local Government).

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 Horsham Rural City Council, Municipal Offices, Roberts Avenue, Horsham.

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

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C68

The City of Kingston Council approved Amendment C68 to the Kingston Planning Scheme on 25 June 2007.

The Amendment proposes to:

- introduce Schedule 14 to the Design and Development Overlay – ‘Former Nylex Site Residential Design’ (DDO14) to Lot 2 of the property mentioned above, where the Residential 1 Zone currently exists; and
- replace the existing Schedule 5 to the Development Plan Overlay (DPO5) with a new schedule and to remove the existing DPO5 from Lot 2 of the former Nylex site.

The Amendment was approved by the City of Kingston Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 30 April 2007. The authorisation has not been withdrawn.

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

8 Nicholson Street, East Melbourne; and at the offices of the City of Kingston Council, Level 1, 1230 Nepean Highway, Cheltenham.

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

Planning and Environment Act 1987

KINGSTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C92

The Minister for Planning has approved Amendment C92 to the Kingston Planning Scheme.

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

The Amendment removes an Environmental Audit Overlay affecting 1 Clyve Avenue, Mentone as an environmental audit has been undertaken for the site and found the land to be suitable for residential purposes.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne and at the offices of the Kingston City Council, 1230 Nepean Highway Cheltenham.

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

Planning and Environment Act 1987

LODDON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C20

The Minister for Planning has approved Amendment C20 to the Loddon Planning Scheme.

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

The Amendment rezones all land zoned Rural in the municipality to a Farming Zone.

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

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

Planning and Environment Act 1987
MURRINDINDI PLANNING SCHEME

Notice of Approval of Amendment
Amendment C12

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

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

The Amendment implements the Kinglake Flowerdale Integrated Strategy Plan March 2003 in Kinglake West, Pheasant Creek and Flowerdale by:

- rezoning land in the Broadford – Flowerdale, Whittlesea – Yea, Moores, Long Gully and Broome Road areas from Farming Zone (FZ) to Rural Living (RLZ);
- rezoning the Flowerdale Hotel, the Hazeldene store and adjoining store from Farming Zone (FZ) to Business 1 Zone (B1Z);
- rezoning land in Forest Road from Farming Zone (FZ) to Rural Living (RLZ);
- rezoning land on the northern and western sides of King Parrot Creek Road from Low Density Residential (LDRZ) to Rural Living (RLZ);
- rezoning land in the Whittlesea – Yea, Silver Creek and (north of) Forest Road areas from Farming Zone (FZ) to Township Zone (TZ);

- rezoning land on the eastern side of Whittlesea – Yea Road, south side of Nicols Road and western side of Pheasant Creek Road from Farming Zone (FZ) to Rural Living (RLZ);
- applying the Environmental Significance Overlay 2 (ESO2) to the western side of Pheasant Creek Road;
- applying the Design and Development Overlay 1 (DDO1) to the King Parrot Creek environs in the Silver Creek area, south of Flowerdale;
- applying the Development Plan Overlay 6 (DPO6) to land in the Kinglake West and Pheasant Creek areas;
- amending Clauses 21.08 (Kinglake Strategies) and 21.09 (Other Townships Strategies), to implement strategic directions outlined in the Kinglake Flowerdale Integrated Strategy;
- amending Clause 21.12 by including the Kinglake Flowerdale Integrated Strategy Plan March 2003 as a reference document;
- amending the Schedule to the Low Density Residential Zone (LDRZ);
- amending the Schedule to the Rural Living Zone (RLZ);
- inserting Schedule 2 (Pheasant Creek Road Buffer Area) to the Environmental Significance Overlay (ESO);
- inserting Schedule 1 (King Parrot Creek Environs) to the Design and Development Overlay; and
- inserting new Schedule 5 (Rural Living Zone, Kinglake West and Pheasant Creek) to the Development Plan Overlay.

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; North East Region Office, 89 Sydney Road, Benalla; and at the offices of the Murrindindi Shire, Perkins Street, Alexandra.

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

Planning and Environment Act 1987

TOWONG PLANNING SCHEME

Notice of Approval of Amendment

Amendment C22

The Minister for Planning has approved Amendment C22 to the Towong Planning Scheme.

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

The Amendment rezones all land zoned Rural in the municipality to a Farming Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at: the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the Department of Sustainability and Environment, North East Regional Office, 35 Sydney Road, Benalla; and at the offices of the Shire of Towong, 32 Towong Street, Tallangatta.

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

Planning and Environment Act 1987

WELLINGTON PLANNING SCHEME

Notice of Approval of Amendment

Amendment C42

The Minister for Planning has approved Amendment C42 to the Wellington Planning Scheme.

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

The Amendment makes minor changes to zonings and overlays to correct mapping errors and ensure that the planning controls reflect existing land use. It also removes the Development Plan Overlay where it is no longer required because the appropriate subdivision and development has already occurred.

A copy of the Amendment can be inspected, free of charge, during office hours, at: the Department of Sustainability and Environment,

Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the Gippsland Region Office, 71 Hotham Street, Traralgon; and at the offices of the Wellington Shire Council, 70 Foster Street, Sale.

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

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C57 Part 2

The Minister for Planning has approved Amendment C57 Part 2 to the Whitehorse Planning Scheme.

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

The Amendment implements the Review of Neighbourhood Character Implementation Recommendations, Part 2 Review Areas, July 2004 by:

- including land in Box Hill in a new Schedule 2 to the Neighbourhood Character Overlay (NCO);
- updating the Local Planning Policy Framework at Clauses 21.04, 21.05 and 22.03 to reflect the application of the NCO to this area; and
- updating Clause 61.03 to reflect inclusion of a new map in the Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne and at the offices of the Whitehorse City Council, Planning Office, Service Centre, 379 Whitehorse Road, Nunawading.

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

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C41

The Casey City Council has resolved to abandon Amendment C41 to the Cardinia Planning Scheme.

The Amendment proposed to include lots 1–3 LP41796 on the north-east corner of Beaconsfield Emerald Road and Holm Park Road, Beaconsfield to include the land within a Public Acquisition Overlay to allow the acquisition of the land by Council for public open space to be used for a district sports reserve.

The Amendment lapsed on 2 July 2007.

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 Lapsing Amendment

Amendment C98

The Greater Geelong City Council has resolved to abandon Amendment C98 to the Greater Geelong Planning Scheme.

The Amendment proposes to rezone part of the Ford Factory site from Industrial 2 zone to Comprehensive Development zone. The planning permit proposed the construction of a homemaker centre with associated warehousing and car parking.

The Amendment lapsed on 12 June 2007.

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

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

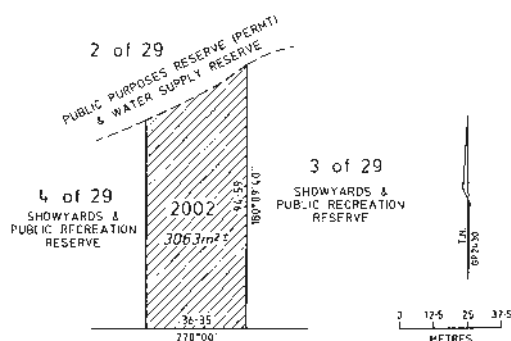
Order in Council

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

BOROKA – The temporary reservation by Order in Council of 29 June 1953 of an area of 1.366 hectares, more or less, of land in the Parish of Boroka as a site for State School purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 10 November, 1927 revoked as to part by various Orders, so far only as the portion containing 1840 square metres shown as Crown Allotment 2012, Parish of Boroka on Original Plan No. 122447 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 03550).

NATHALIA – The temporary reservation by Order in Council of 14 June 1995 of an area of 1420 square metres, more or less, of land being Crown Allotment 4, Section 29, Township of Nathalia, Parish of Barwo as a site for Showyards and Public Recreation. – (Rs 1094).

NATHALIA – The temporary reservation by Order in Council of 1 April 1952 of an area of 13.355 hectares, more or less, of land in the Township of Nathalia, Parish of Barwo as a site for Show Yards and Public Recreation, so far only as the portion containing 3063 square metres, more or less, being Crown Allotment 2002, Township of Nathalia, Parish of Barwo as indicated by hatching on plan hereunder. – (GP2430) (Rs 1094).



ORBOST EAST – The temporary reservation by Order in Council of 13 September 1921 of various portions of Crown land in the Parishes of

Orbost, Orbost East, Bete Bolong South, Waygara and Newmeralla as sites for Public purposes, less any authorised excisions, so far only as the portions containing 1.484 hectares, more or less, being Crown Allotments 2006, 2007 and 2008, Parish of Orbost East as shown cross-hatched on Plan No. LEGL./07–035 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 2595).

SKIPTON – The temporary reservation by Order in Council of 11 November 1873 of an area of 2.023 hectares, more or less, of land in the Parish of Skipton (formerly being part of allotment 18, section 15A) as a site for State School purposes. – (0513735).

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

Dated 17 July 2007

Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

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

BRANXHOLME – The temporary reservation by Order in Council of 22 May 1899 of an area of 1.32 hectares, more or less, of land in the Township of Branxholme, Parish of Branxholme as a site for Watering purposes. – (Rs 674).

DARKBONEE – The temporary reservation by Order in Council of 9 April 1907 of an area of 18.12 hectares, more or less, of land in the Parish of Darkbonee as a site for Supply of Gravel, revoked as to part by Orders in Council of 13 July 1920 and 18 September 1956 so far as the balance remaining containing 13.57 hectares, more or less. – (Rs 2167).

GLENORCHY – The temporary reservation by Order in Council of 16 September 1878 of an area of 13.45 hectares of land in Section 16,

Township of Glenorchy, Parish of Glenorchy as a site for a Pound, revoked as to part by Order in Council of 24 April 1939 so far as the balance remaining containing 4.05 hectares, more or less. – (Rs 35098).

LANCEFIELD – The temporary reservation by Order in Council of 31 March 1981 of an area of 6 hectares, more or less, of land being Crown Allotment 50A, Parish of Lancefield as a site for Conservation of an Area of Natural Interest, so far only as the portion containing 8000 square metres, more or less, being Crown Allotment 2005, Parish of Lancefield as shown on Plan No. LEGL./07–017 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 11332).

LILLIPUT – The temporary reservation by Order in Council of 1 December 1890 of an area of 2.63 hectares of land in Section M, Parish of Lilliput as a site for Public Recreation, revoked as to part by Order in Council of 9 March 1940 so far only as the portion containing 1008 square metres being Crown Allotment 2005, Parish of Lilliput as indicated by hatching on plan published in the Government Gazette of 24 May, 2007 page 964. – (Rs 04355).

NYPO – The temporary reservation by Order in Council of 26 July 1910 of an area of 4022 square metres, more or less, of land in the Parish of Nyppo (formerly part Crown Allotment 5A) as a site for a Public Hall. – (Rs 1118).

TINAMBA – The temporary reservation by Order in Council of 17 November 1970 of an area of 14.41 hectares of land in the Parish of Tinamba as a site for Public Recreation, revoked as to part by Order in Council of 12 May 1981 so far only as the portion containing 580 square metres being Crown Allotment 2003, Parish of Tinamba as indicated by hatching on plan published in the Government Gazette of 24 May 2007 page 964. – (Rs 9392).

TINAMBA – The temporary reservation by Order in Council of 8 July 1981 of an area of 1100 square metres of land being Crown Allotment 188D, Parish of Tinamba as a site For Ambulance Station, so far only as the portion containing 500 square metres being Crown Allotment 2005, Parish of Tinamba as indicated by hatching on plan published in the Government Gazette of 24 May 2007 page 965. – (Rs 11805).

WATCHEM – The temporary reservation by Order in Council of 15 September 1890 of an area of 38.445 hectares, more or less, of land in the Parish of Watchem as a site for Watering purposes, revoked as to part by Orders in Council of 18 April 1902 and 5 July 1921 so far as the balance remaining. – (Rs 232).

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

Dated 17 July 2007

Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

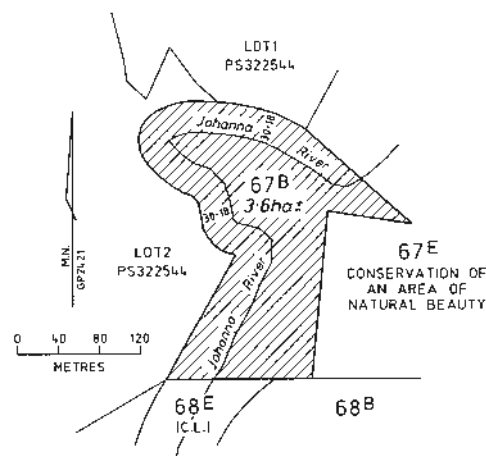
TEMPORARY RESERVATION OF CROWN LANDS

Order in Council

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

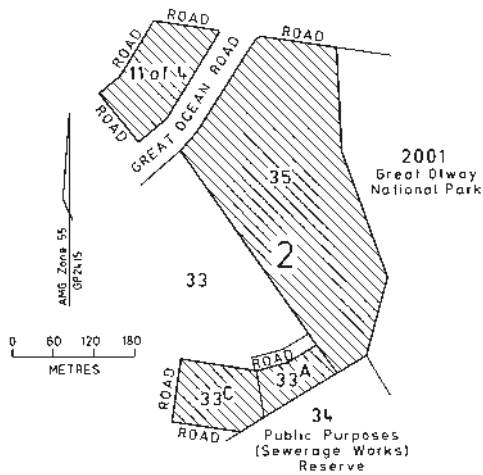
MUNICIPAL DISTRICT OF THE COLAC OTWAY SHIRE COUNCIL

AIRE – Conservation of an area of natural beauty, 3.6 hectares, more or less, being Crown Allotment 67B, Parish of Aire as indicated by hatching on plan hereunder. – (GP2421) (0511918).



**MUNICIPAL DISTRICT OF THE SURF
COAST SHIRE COUNCIL**

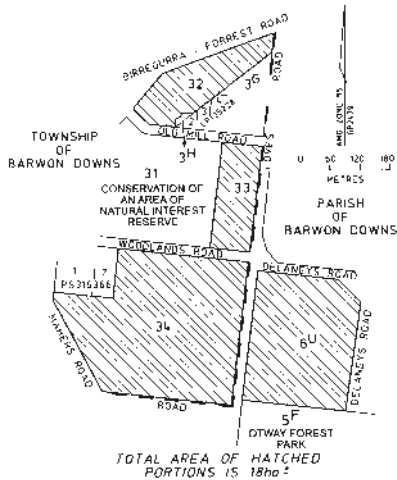
ANGLESEA – Conservation of an area of natural interest, total area 11.3 hectares, more or less, being Crown Allotments 33A, 33C & 35, Section 2, and Crown Allotment 11, Section 4, Township of Anglesea, Parish of Jan Juc as indicated by hatching on plan hereunder. – (GP2415) (052016266).



Total Area of Hatched Portions - 11.3ha²

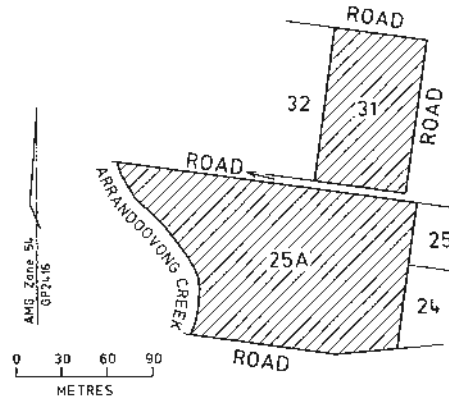
**MUNICIPAL DISTRICT OF THE COLAC
OTWAY SHIRE COUNCIL**

BARWON DOWNS – Conservation of an area of natural interest, total area 18 hectares, more or less, being Crown Allotments 32, 33 and 34, Township of Barwon Downs and Crown Allotment 6U, Parish of Barwon Downs as indicated by hatching on plan hereunder. – (GP2429) (0511950).



**MUNICIPAL DISTRICT OF THE
SOUTHERN GRAMPIANS SHIRE COUNCIL**

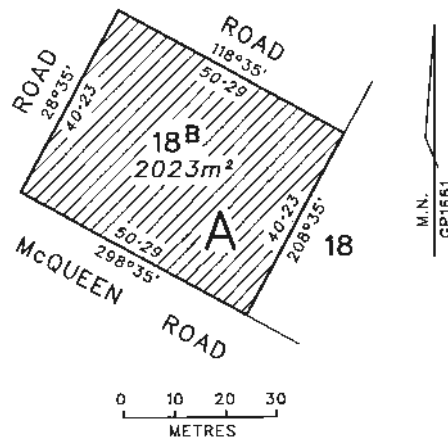
BRANXHOLME – Preservation of an area of ecological significance, total area 1.92 hectares, more or less, being Crown Allotments 25A and 31, Township of Branxholme, Parish of Branxholme as indicated by hatching on plan hereunder. – (GP2416) (032016264).



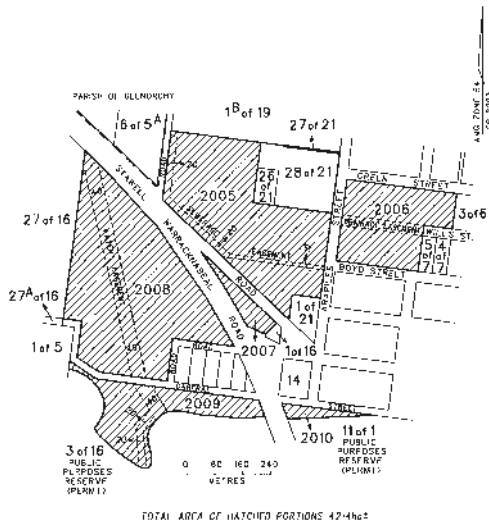
Total Area of Hatched Portions - 1.92ha²

**MUNICIPAL DISTRICT OF THE
NORTHERN GRAMPIANS SHIRE COUNCIL**

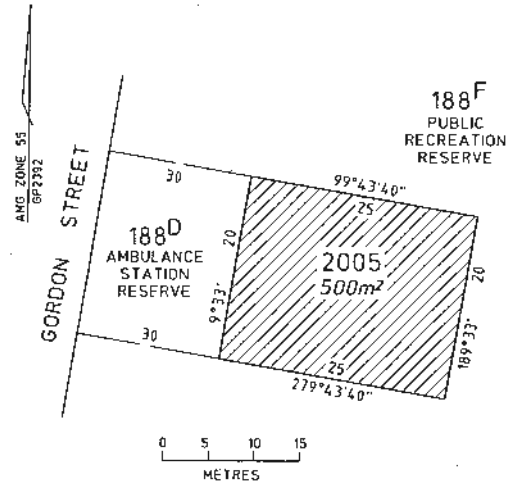
DARKBONEE – Public purposes (Regional Park) in particular (a) to provide opportunities for informal recreation associated with the enjoyment of natural or semi-natural surroundings; (b) to protect and conserve biodiversity, natural and cultural features and water supply catchments; and (c) for minor resource use which is not inconsistent with paragraphs (a) and (b); 2023 square metres, being Crown Allotment 18B, Section A, Parish of Darkbonee as indicated by hatching on plan hereunder. – (GP1661) (06L6-3879).



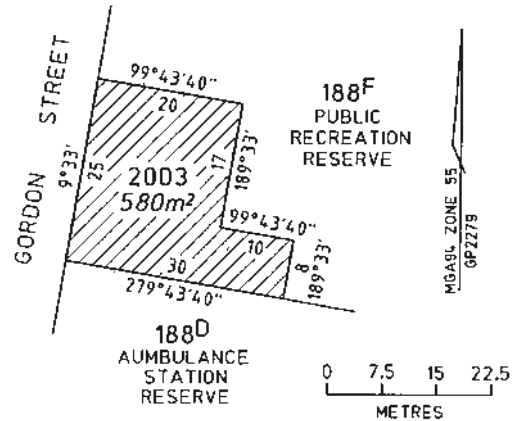
MUNICIPAL DISTRICT OF THE NORTHERN GRAMPAINS SHIRE COUNCIL
GLENORCHY – Conservation of an area of natural interest, total area 42.4 hectares, more or less, being Crown Allotments 2005, 2006, 2007, 2008, 2009 and 2010, Township of Glenorchy, Parish of Glenorchy as indicated by hatching on plan hereunder. – (GP2293) (02P020324).



of Tinamba as indicated by hatching on plan hereunder. – (GP2392) (Rs 9392).

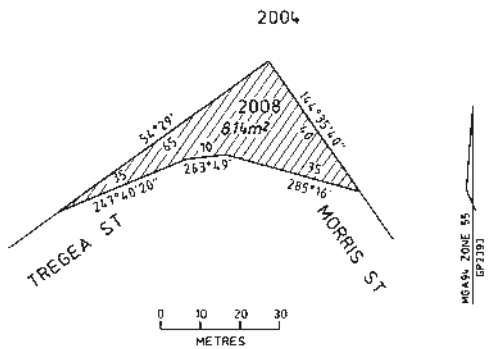


TINAMBA – Public purposes (Ambulance Station), 580 square metres, being Crown Allotment 2003, Parish of Tinamba as indicated by hatching on plan hereunder. – (GP2279) (Rs 11805).



MUNICIPAL DISTRICT OF THE CORANGAMITE SHIRE COUNCIL

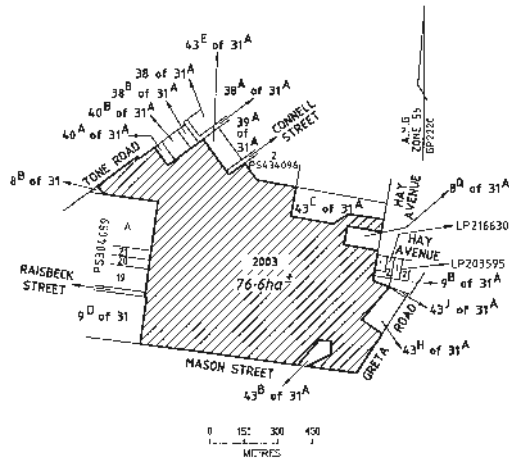
PORT CAMPBELL – Public Recreation and Camping purposes, area 814 square metres, being Crown Allotment 2008 Township of Port Campbell, Parish of Paaratte as indicated by hatching on plan hereunder. – (GP2393) (2015589).



MUNICIPAL DISTRICT OF THE WELLINGTON SHIRE COUNCIL

TINAMBA – Public Recreation, 500 square metres, being Crown Allotment 2005, Parish

MUNICIPAL DISTRICT OF THE WANGARATTA RURAL CITY COUNCIL
WANGARATTA SOUTH – Preservation of an area of ecological significance, 76.6 hectares, more or less, being Crown Allotment 2003, Parish of Wangaratta South as indicated by hatching on plan hereunder. – (GP2220) (11P202710).



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

Dated 17 July 2007

Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
AMENDMENT OF TEMPORARY
RESERVATION – TIMOR

Order in Council

The Governor in Council under Section 4(1) of the **Crown Land (Reserves) Act 1978** amends the following Order in Council:

TIMOR – Order in Council made on 8 May 2007 and published in the Government Gazette on 10 May, 2007 page – 818 of the temporary reservation of an area of 16.9 hectares, more or less, of land in the Township of Timor, Parish of Bet Bet as a site for the Conservation of an area of historic and cultural interest by deletion of the description “Crown Allotments 2001 and 2002” and the substitution thereof of the description “Crown Allotment 2001”. – 06L6–10922.

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

Dated 17 July 2007

Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

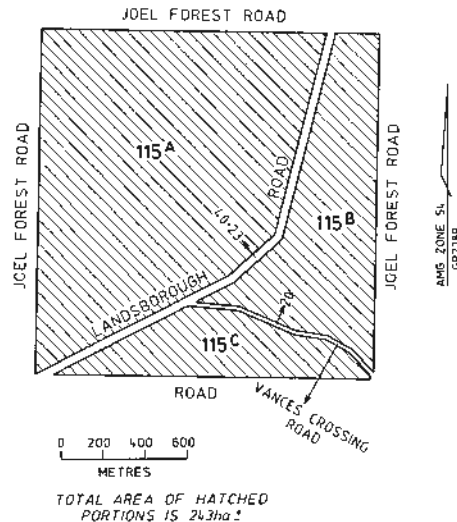
Crown Land (Reserves) Act 1978

PERMANENT RESERVATION OF CROWN
LAND

Order in Council

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

MUNICIPAL DISTRICT OF THE
NORTHERN GRAMPIANS SHIRE COUNCIL
JOEL JOEL – Preservation of an area of ecological significance, total area 243 hectares, more or less, being Crown Allotments 115A, 115B and 115C, Parish of Joel Joel as indicated by hatching on plan hereunder. – (GP2389) (Rs 5862).



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

Dated 17 July 2007

Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Land Act 1958

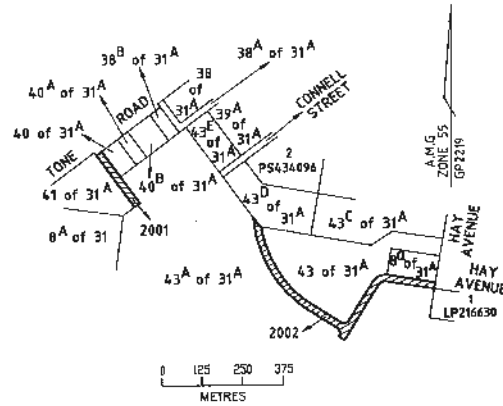
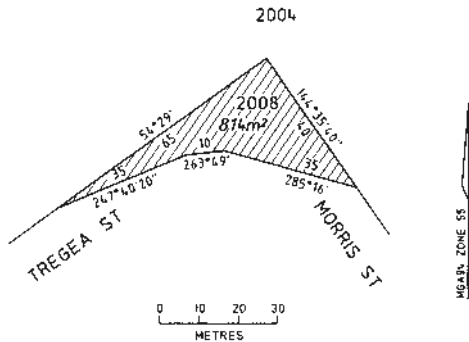
CLOSURE OF UNUSED ROAD

Order in Council

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

MUNICIPAL DISTRICT OF THE
CORANGAMITE SHIRE COUNCIL

PORT CAMPBELL – The road in the Township of Port Campbell, Parish of Paaratte being Crown Allotment 2008 as indicated by hatching on plan hereunder. – (GP2393) (2015589).



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

Dated 17 July 2007
Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

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

Dated 17 July 2007
Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

Land Act 1958
CLOSURE OF UNUSED ROAD
Order in Council

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

MUNICIPAL DISTRICT OF THE
WANGARATTA RURAL CITY COUNCIL
WANGARATTA SOUTH – The portions of road in the Parish of Wangaratta South being Crown Allotments 2001 and 2002 as indicated by hatching on plan hereunder. – (GP2219) (11P202710).

Crown Land Reserves Act 1978
CAULFIELD RACECOURSE RESERVE
(Amendment) Regulations No.1 2007

The Governor in Council, under Section 13 of the **Crown Land (Reserves) Act 1978**, being satisfied that there are special reasons justifying the Regulations, approves the making of the following Regulations by the Trustees of the Caulfield Racecourse Reserve:

Dated 17 July 2007

Responsible Minister
JUSTIN MADDEN MLC
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

The Trustees of the Caulfield Racecourse Reserve make the following Regulations:

Dated 17 July 2007

Trustees:

PB Lawrence
EMP Tanner
FJ Granter
TC Reynolds
Justice S Marshall
MS Bell (nee Burney)
PC Young
IJ MacDonald

1. Title

These Regulations may be cited as the Caulfield Racecourse Reserve (Amendment) Regulations No.1 2007.

2. Objective

The objective of these Regulations is to amend the Caulfield Racecourse Reserve Regulations 1931 to provide for increased admission charges to the Caulfield Racecourse Reserve at certain times.

3. Authorising Provisions

These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.

4. Amendments relating to Admission Charges

For regulation XVII of the Caulfield Racecourse Reserve Regulations 1931 substitute –

“REGULATION XVII
(ADMISSION CHARGES)

The Melbourne Racing Club may levy the following (or at its discretion, lesser) charges for admission upon persons other than members or members’ visitors’ pass-holders of the said Club.

	\$
For the admission of each person to all of the first, fourth and sixth divisions on Caulfield Cup Day	60.00
For the admission of each person to all of the first, fourth and sixth divisions on Caulfield Guineas Day	50.00
For the admission of each person to all of the first, fourth and sixth divisions on Blue Diamond Stakes Day	40.00
For the admission of each person to all of the first, fourth and sixth divisions on other race days	30.00
For the admission to the eighth division of every motor vehicle (or \$50.00 per annum)	2.00

The Committee of the Melbourne Racing Club, or any person duly authorised in writing by that Committee, may exempt any person wholly or partially from the payment of all or any of such charges or may reduce the same from time to time, and furthermore, the Club may levy such charges as it determines from time to time for access to reserved seats and private or corporate suites.

(ADMISSION AND ACCESS)

Members of the Melbourne Racing Club and Holders of Members’ visitors’ passes, upon production of their badges or passes, shall be admitted to any part of the said divisions with the exception of the third and seventh divisions without payment of any of the above charges for admission.”

¹The Caulfield Racecourse Reserve Regulations 1931 were made on 13 October 1931 (Government Gazette: 21 October 1931) by the Trustees of the Caulfield Racecourse Reserve, being the land reserved for Racing, Recreation and Public Park purposes and premises being Allotment A at Caulfield in the Parish of Prahran, County of Bourke and last amended by the Trustees on 24 October 2006 (Government Gazette: 26 October 2006).

Crown Land (Reserves) Act 1978
APPOINTMENT OF TRUSTEES
TO THE CAULFIELD RACECOURSE RESERVE TRUST
Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council in accordance with section 12 of **Crown Land (Reserves) Act 1978**, and under the terms and conditions of Crown Grant Volume 7275 Folio 814, appoints NIKOLAOS STAIKOS, STEVEN TANG and HELEN WHITESIDE as trustees of the Caulfield Racecourse Reserve Trust.

The terms and conditions of the appointments are set out in the attached Schedule.

Dated 3 July 2007

Responsible Minister
JUSTIN MADDEN
Minister for Planning

RUTH LEACH
Clerk of the Executive Council

SCHEDULE

- 1. Appointment Arrangements**
The appointments are part-time.
 - 2. Period of Appointment**
All appointments are from the date of the Order in Council to when the Councillors' positions become vacant as a result of local council elections or resignation from the Glen Eira Council.
 - 3. Duties and responsibilities of the position**
The functions of the Trust are contained in section 15 of the Act.
 - 4. Termination Arrangements**
The appointees' positions on the Trust become vacant as a result of local council elections or resignation from the Glen Eira Council.
 - 5. Payment Provisions**
Not applicable.
 - 6. Superannuation Obligations**
Not applicable.
 - 7. Travel and Personal Expenses Arrangements**
Not applicable.
 - 8. Leave Arrangements**
There are no leave provisions for these part-time statutory positions.
 - 9. Prior Service**
Not applicable.
-

Local Government Act 1989

ALTERATION OF WARD BOUNDARIES OF THE KNOX CITY COUNCIL

Order in Council

The Governor in Council under Section 220Q(k) of the **Local Government Act 1989** alters the ward boundaries of the Knox City Council as described in plan LEGL./07-309 lodged in the Central Plan Office.

Under Section 220S(1)(a) of the **Local Government Act 1989** this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of the Knox City Council, and shall continue to have effect from the election day for that election.

Dated 17 July 2007

Responsible Minister

RICHARD WYNNE MP

Minister for Local Government

RUTH LEACH

Clerk of the Executive Council

Local Government Act 1989

ALTERATION OF
ELECTORAL STRUCTURE OF THE KINGSTON CITY COUNCIL

Order in Council

The Governor in Council under Section 220Q(k), 220Q(l), 220Q(m) and 220Q(n) of the **Local Government Act 1989** alters the boundaries and number of the wards, gives names to the wards and alters the number of councillors assigned to each ward of the Kingston City Council as described in plan LEGL./07-310 lodged in the Central Plan Office.

Under Section 220S(1)(a) of the **Local Government Act 1989** this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of the Kingston City Council, and shall continue to have effect from the election day for that election.

Dated 17 July 2007

Responsible Minister

RICHARD WYNNE MP

Minister for Local Government

RUTH LEACH

Clerk of the Executive Council

Prevention of Cruelty to Animals Act 1986

MAKING OF THE CODE OF PRACTICE FOR THE
HUSBANDRY OF CAPTIVE EMUS (VICTORIA) (REVISION 1)

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council under section 7(1) of the **Prevention of Cruelty to Animals Act 1986**:

- revokes the Code of Practice for the Husbandry of Captive Emus (Victoria) made by Governor in Council on 11 April 1995 and published in the Government Gazette G45 on 16 November 1995; and
- makes the attached Code of Practice for the Husbandry of Captive Emus (Victoria) (Revision 1).

This Order takes effect on the date of its publication in the Government Gazette.

Dated 13 March 2007

Responsible Minister:

JOE HELPER

Minister for Agriculture

RUTH LEACH
Clerk of the Executive Council

**CODE OF PRACTICE FOR THE
HUSBANDRY OF CAPTIVE EMUS (VICTORIA)
(Revision 1)**

Table of Contents

Section

- 1. Introduction**
- 2. Housing**
- 3. Equipment**
- 4. Protection from predators and hazards**
- 5. Food and Water**
- 6. Handling, fencing and yard facilities**
- 7. Special requirements**
 - 7.1 Inspections
 - 7.2 Health
 - 7.3 De-clawing
 - 7.4 Transportation
 - 7.5 Records
- 8. Hatchery Management**
- 9. Humane slaughter**

1. INTRODUCTION

- 1.1 This Code is intended as a guide for all people responsible for the welfare and husbandry of emus that are bred and/or reared in captivity.
- 1.2 The Code is based on the knowledge and technology available at the time of publication and may need to be varied in the future. The emu industry is evolving rapidly and it is inevitable that stock handlers will encounter circumstances with emus that are not currently covered by this Code. When this occurs it is essential that commonsense prevail and that previous experience with stock be utilised to the fullest to ensure the welfare of the birds.
- 1.3 Emus are kept in situations that vary from extensive grazing to close confinement and housing. Whatever the form of husbandry, owners, managers and handlers of emus have a responsibility for the health, welfare and considerate treatment of the birds under their control.
- 1.4 The basic behavioural, anatomical and physiological needs of emus are considered in this document, irrespective of the degree of intensive husbandry practised, or the climatic conditions to which the emus are exposed.
- 1.5 The importance of competent stock sense in animal welfare cannot be over-emphasised.
- 1.6 The basic requirements for the well-being of emus are:
 - appropriate and sufficient food and water to sustain health and vitality;
 - sufficient area to maintain their well-being and in which to exhibit normal behaviour;
 - protection from predation;
 - protection from disease, including disease that can be exacerbated by management practices;
 - protection from extremes of climate, particularly during certain phases of their lives;
 - and protection from pain, distress, suffering and injury.
- 1.7 There is a considerable diversity of opinion on the maximum stocking density that is allowable for different classes of emus. The densities outlined in this Code are conservative, but are based on the experience gained from farming emus under a variety of conditions.
- 1.8 Emus have been studied in natural conditions for many years, but have been managed in confined conditions only for the last 15–20 years; consequently this Code should be reviewed at least every three years until a better understanding is gained of the needs of captive-bred emus.
- 1.9 Emus are protected in Victoria in accordance with the **Wildlife Act 1975**. People with the appropriate licence from the Department of Sustainability and Environment are permitted to keep, rear and sell native animals specified in the Wildlife Regulations 2002.

2. HOUSING

Minimum standard

- Emus that are kept in yards or an extensive range must be provided with adequate shade and protection from the elements.
- Where breeding pairs are housed under free-range conditions, the range must be inspected daily and all chicks removed from the range as they hatch.
- Where breeding pens are utilised, wire netting (rabbit netting) to a height of 450 mm must be provided on all fences to prevent the chicks escaping or being injured by emus housed in adjacent pens.
- From 5 to 12 weeks of age chicks housed together in groups must be provided with access to an outside run providing 5 m² per chick.

Recommended practice

- 2.1 All emus need to be protected from extremes of climate.
- 2.2 Persons intending to erect new housing and yards, or to modify housing that has been used for other species should seek advice from the Department responsible for agriculture and others with appropriate expert knowledge. Well-designed and constructed buildings and yards with adequate drainage can provide an ideal environment for rearing and breeding emus.
- 2.3 The type of housing and yard dimensions required by emus will vary with the geographic location of the emu farm, the age of the emus, the management practices to be employed and the stocking density. The stocking density should be reviewed regularly and adjusted, according to the age of the birds, the flock size, the house or paddock conditions, the behavioural needs of the birds and the likely occurrence of disease.
- 2.4 The following recommendations are to be used as a guide and will vary with different constructions for brood houses, constructions for chicken runs and for birds in open range. They will also be dependant on drainage, vegetation, tree cover, soil type and management.

Chicks (0–12 weeks old)

- 2.5 General

Emu chicks may be reared extensively under natural conditions, or intensively in buildings in which acceptable levels of temperature, humidity, fresh air, light and hygiene can be achieved and maintained. Chicks require special attention until they lose their 'stripe' appearance, which usually occurs by 12 weeks of age.
- 2.6 Natural conditions

Eggs may be incubated by the male under field conditions in either breeding pens or under open range conditions. The hen could attack her own chicks once they hatch. It is therefore recommended that either the hen be removed before the first chicks hatch, or the chicks be removed to a rearing shed.
- 2.7 Intensive rearing
 - 2.7.1 Floors and other surfaces

Floors and other surfaces should be designed, constructed and maintained so that they are non-slip, minimise the risk of injury and disease, and adequately support emu chicks so that they can stand and move freely. Deep litter floors should be checked frequently to ensure they are dry and friable. The litter should not be allowed to become caked, wet, or excessively dusty. Chicks should not be allowed to walk on bare concrete or wire floors.
 - 2.7.2 Space

Stocking density should be reviewed periodically and adjusted, taking into account the age of chicks, flock size, temperature, ventilation, lighting, quality of housing and occurrence of disease. Chicks should have access to extensive runs at an early age, but due consideration should be given to the climatic conditions. Heating should be provided to give chicks a minimum temperature of 20°C and a mean temperature of 25°C in the first 4 weeks of life. Overheating can be dangerous to chicks. The temperature at floor level under a brooder to which they are confined should be 20–28°C. Chicks should be raised under gas or electric brooders that can provide a temperature range of 25°C–32°C across the floor, to allow chicks to move to the most comfortable temperature.

Under these management and housing conditions, it is recommended that chicks be housed in groups of up to 50 for the first 4 weeks of life at a shed density of up to 3 chicks per m². Chicks should be given access to an outside run from 2 days of age. This run should be covered to protect chicks from predation until chicks are 4 weeks old. From 5 to 12 weeks of age chicks can be housed together in groups of up to 200–400 at the same shed density with access to an outside run.

2.7.3 Lighting

Where emus do not have access to daylight, they should be exposed to artificial light for at least eight hours per day. The effect of abnormally long periods of light (in excess of 16 hours) on the growth of chicks is uncertain and may be detrimental. A 'blackout' training period each day is recommended from one day of age to prevent panic should lighting fail.

For the first few days after hatching, young chicks reared away from their father require a high light intensity of about 40 lux over the food and water so they can learn to find it. That light intensity may then be reduced to a minimum of 20 lux once birds are eating and drinking.

2.7.4 Ventilation

Where chicks are reared intensively, fresh air is required at all times to prevent the accumulation of water vapour, heat, ammonia, hydrogen sulphide, carbon dioxide, carbon monoxide and dust particles. The presence of ammonia may be a problem where there is poor ventilation, and it is usually a reliable indicator of the build up of noxious gasses. In enclosed buildings, ammonia levels should not be allowed to exceed 20 parts per million (ppm) of air, measured at bird level, without immediate corrective action being taken (a level of 10–15 ppm of ammonia in the air can be detected by smell. An ammonia level of 25–35 ppm will cause eye and nasal irritation in humans). Ideally ammonia levels should be measured using an ammonia meter.

Juvenile (blackhead) emus (12 weeks to 6 months old)

- 2.8 Young emus require protection from the extremes of temperature, rain and wind. At this age, emus may be kept in groups of up to 250 and should be housed initially in sheds or other shelter or outside with effective windbreaks.
- 2.9 The maximum density for emus at this age should be 2 per m². Those kept inside should be provided with an outside run of at least 40 m² per chick.
- 2.10 Older blackhead chicks should be reared entirely in open conditions, with effective windbreaks or other shelter. Stocking rates for birds in these conditions should vary from 175 per hectare for dry or bare conditions to 250 per hectare for lush or irrigated conditions.

Yearling emus (6–18 months old)

- 2.11 Yearlings should be housed in open conditions at stocking rates from 100 per hectare for dry or bare conditions to 175 per hectare for lush or irrigated conditions.

Mature emus

2.12 Free range

Emus that have not previously been socialised together before 12 months of age should ideally not be housed together after that age. Where they must be grouped together they should be housed at stocking rates from 18 per hectare for dry or bare conditions to 24 per hectare for lush or irrigated conditions.

2.13 Breeding pairs

Where emus are kept as breeding pairs under optimal conditions, each pair should be provided with a minimum pen size of 400 sq m. This area should be securely fenced. In low rainfall areas and where there is little vegetation, these dimensions should be increased; a pen size of 2,500 sq m has been found to be satisfactory for a breeding pair.

3. EQUIPMENT

Minimum standard

- All equipment to which emus have access must be designed and maintained to avoid injury or pain to the birds.

Recommended practice

- 3.1 Feeders and waterers should be checked for efficient operation every day. Feeders and waterers should be located well away from fence lines to avoid injury if conflicts occur while birds are eating or drinking or when they run along fences. Water should be kept cool during hot weather. Insulation or burial of pipes and regular flushing of troughs assist in keeping water cool.
- 3.2 Automated hatchery equipment should have adequate back-up systems, which should include an alarm system or generator in case of a power failure.

4. PROTECTION FROM PREDATORS AND HAZARDS

Minimum standard

- Emus must be protected from predators and, where necessary, from each other.

Recommended practice

- 4.1 Electric fences can be used to discourage predators and are particularly useful in affording protection to young emus. Outside runs should be covered to protect chicks from predators until chicks are 4 weeks old.
- 4.2 Accommodation should be sited where it is safe from the effects of fires and floods.
- 4.3 Buildings in which birds are housed should incorporate sufficient exits to allow for emergency evacuation of the building.
- 4.4 Yards should be designed so emus can be evacuated readily in case of an emergency.
- 4.5 Fire-fighting equipment should be available. Fire hoses should be capable of delivering water of sufficient volume and pressure to effectively control a fire in any building or part of any building.
- 4.6 When planning new buildings, the use of construction materials with a high fire resistance should be considered. All electrical and fuel installations should be planned and fitted to minimise the fire risk.
- 4.7 The use of toxic substances (for example herbicides and pesticides) should be in such a manner as to avoid any risk to emus.

5. FOOD AND WATER

Food

Emus in the wild feed largely on high quality food such as succulent herbage, seeds, insects, fruit and other flora.

Minimum standard

- Emus must have daily access to adequate quantities of appropriate food to maintain their health and vitality. This period for newly hatched chicks may be extended to not more than 48 hours.

Recommended practice

- 5.1 Emus, other than newly hatched chicks, should have *ad libitum* access to adequate quantities of appropriate food. There should always be at least one week's feed supply on hand.
- 5.2 Emus should receive a diet containing complete balanced nutrients to meet their requirements. Emus should not be provided with food that is detrimental to their health. Young chicks should not be fed fibrous or coarse food as it may become impacted and cause an obstruction. Commercial chick rations are available from commercial suppliers. Chopped lucerne can be mixed with rations and can stimulate birds to eat.

- 5.3 Medicated food or water should be supplied only under the supervision of a veterinarian familiar with emus, as the overuse or mixing of medicaments, or the medicament itself, may cause toxic injury.
- 5.4 Where it is proposed to slaughter emus that have received medications, professional advice should be sought to ensure that chemical residues do not contaminate the carcass.
- 5.5 When using mechanical systems for delivery of food, alternative methods of feeding should be available. There should be enough food on hand, or ready means of obtaining food, in the event of failure of supply.
- 5.6 Where chicks and yearlings are reared in groups of over 100, multiple feed points should be provided in each pen.
- 5.7 Mouldy feed should be removed from feeders.

Water

Minimum standard

- An emergency delivery system must be able to deliver adequate supplies of water in the event of a power failure.
- Emus must be provided with access to sufficient drinkable water to meet their physiological requirements.

Recommended practice

- 5.8 When an emu farm is first established, or when a new water source is accessed, the water should be tested for mineral content and microbiological contamination and advice obtained as to its suitability for emus. As the composition of water from bores, dams or water holes may alter with changes in flow or evaporation, the water may require more frequent monitoring to ascertain its continued suitability.
- 5.9 Where chicks and yearlings are reared in groups of over 100 birds, multiple water points should be provided in each pen.

6. HANDLING, FENCING AND YARD FACILITIES

Minimum standard

- Internal fences for adult emus must be adequate to contain them to the enclosure.
- A perimeter fence must prevent escape and provide the recommendations in section 6.1

Recommended practice

- 6.1 Boundary fences are to be constructed to confine birds of 3 months or more of age in accordance with the requirements of the licensing authorities and as follows for minimum construction standards –
 - 6.1.1 Minimum height of 1.8 metres.
 - 6.1.2 Line posts to be of treated pine, hardwood, metal or such other material of adequate strength and durability, to be securely fixed at a maximum spacing of 10 metres between line posts.
 - 6.1.3 Strainer posts of pressure treated pine or hardwood of no less than 125 mm diameter or of a metal or such material of equivalent adequate size, strength and durability. Strainer posts must be securely fixed in the ground and braced.
 - 6.1.4 Deer or Emu wire, chain mesh or other wire must be properly strained and fixed to the line posts to the side of the fence and fixed in such a way as to prevent movement of emus in or out of the farm.
 - 6.1.5 Gates must be the same height and materials as the fence.

- 6.2 All fences in handling yards and on transportation facilities should have smooth sides with no projections or ‘footholds’ and should be solid sided so that the emus cannot see outside the confines of the yard or race. It is preferable for handling yards to be covered or roofed. Conventional yards can be used if some form of cladding such as plywood, tarpaulin or hessian is placed on the inside of the rails so that a solid, non-see-through barrier is presented to the emus. Emus will behave in a more orderly manner when placed in such an enclosed environment.

7. SPECIAL REQUIREMENTS

Minimum standard

- Emus must be inspected at least daily.
- A stock-person competent to inspect emus must be involved to detect the early signs of distress or disease in the birds and for the cause to be identified for prompt and appropriate remedial action to be provided.

Recommended practice

7.1 Inspections

- 7.1.1 Once birds reach 12 months they start to form social hierarchies. Introducing non-socialised birds into such groups should be minimised to avoid the potential for aggression and injury.
- 7.1.2 The frequency and level of inspection should be related to the likelihood of risk to the welfare of the emus in relation to food, water, protection against natural disasters, predators and the likelihood of diseases. More frequent inspections may be required during hot weather, during outbreaks of disease, or when groups of emus have been mixed. Recommended frequency of inspections for chicks <2 months of age is three times a day, chicks 2–6 months of age twice a day and adults once a day.
- 7.1.3 Daily checks should be made of the effectiveness of any automated feeding or watering systems where these have been installed.

7.2 Health

- 7.2.1 All persons responsible for the care of emus should be made aware of the signs of ill-health. These include separation from other emus, lethargy, refusal to eat, changes in faeces or urine/urates, coughing, panting, lameness, and swellings on the body or legs. If unable to identify and correct the causes of ill health, the manager should seek advice from a veterinarian – preferably one familiar with emus.
- 7.2.2 Emu farmers should operate an effective program to prevent infectious disease, and internal and external parasitism. Particular attention should be paid to the stocking densities used for yearling and adult groups as aggressive behaviour and injuries may occur during the breeding season, when the stocking density is high.
- 7.2.3 Sick and injured emus should be treated as soon as possible and isolated if necessary. Records of sick animals, deaths, treatment given and response to treatment should be maintained to assist disease investigations.
- 7.2.4 Dead emus should be removed promptly and, if not required for post-mortem examination, disposed of in a hygienic manner, for example, by deep burial.
- 7.2.5 Emus with an incurable sickness, injury or painful deformity should be slaughtered humanely without delay.
- 7.2.6 Newly acquired stock should be quarantined from existing stock for four to six weeks to minimise the risk of introduction of disease.

7.3 De-clawing

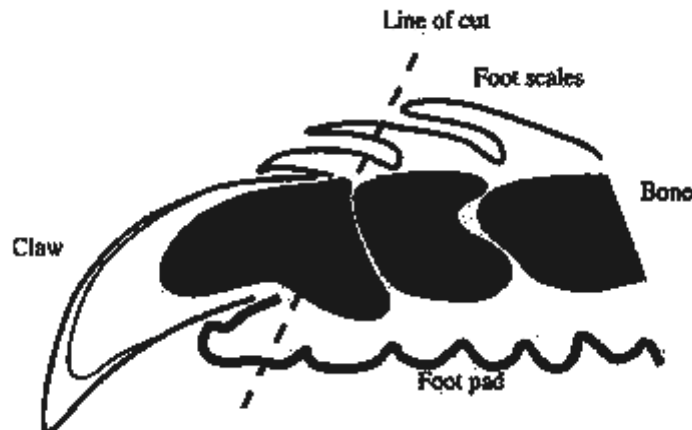
Minimum standard

- De-clawing must not be carried out on chicks over 36 hours of age.
- De-clawing must be conducted by a skilled operator.
- Emus must be kept in facilities where natural aggression is effectively managed.
- Declawed chicks must be housed on clean litter, rubber matting or similar soft material until healing has occurred.

Recommended practice

- 7.3.1 If emus are kept in extensive conditions it may be necessary for emus to be de-clawed. If this procedure is deemed necessary to reduce aggression and stereotypic behaviours that can contribute to social stress and skin damage, it should be carried out as soon after hatching as possible, preferably within 24 hours and no later than 36 hours.
- 7.3.2 De-clawing involves the removal of the distal or last phalangeal (bony part of the toe) joint using sharp clean shears, a beak trimming machine or other suitable device, angled to retain the bottom part of the last phalanx within the foot pad. The aim is to remove the nail and growth point as outlined in the following diagram. De-clawing by either of these methods will minimise the risk of both acute and chronic pain resulting from tissue and nerve damage.

Diagram of a microscope slide section of an Emu's toe



7.4 Transportation

Recommended practice

- 7.4.1 The duration of all journeys should be as short as possible, as transportation can be a stressful experience.
- 7.4.2 The successful transportation of adult emus starts with orderly, well-disciplined husbandry practices which are imposed on emu chicks from when they are a day old, so that the emus become used to being handled and moved about the farm. When possible, the transport of emus during extremes of temperature should be avoided. When temperatures are above 30°C, extra care with provision of ventilation is required.
- 7.4.3 Chicks up to 12 weeks of age should be transported in groups of no more than 20, with partitions placed between adjacent groups. The transport vehicle should be dimly lit and provide fresh air, but the chicks should be protected from chilling and extremes in temperature.

- 7.4.4 Yearling and adult emus should be transported in vehicles which are fully enclosed, but which provide sufficient ventilation for the comfort of the birds. The transport vehicle should be divided into compartments, each containing no more than 10 emus, and should be dimly lit. The floor surfaces should provide a firm but soft footing for the birds eg. rough rubber matting or rubber matting with mesh on it. It should be capable of absorbing or draining away any moisture associated with faeces and urine. The housing density in the transport vehicle should be varied with the size and age of the emus so that a comfortable environment is provided. It is recommended that the densities do not exceed 8 birds per m² for birds less than 7 kg weight, 3 birds per m² for birds weighing 25–30 kg and 2 birds per m² for mature birds of 35–45 kg live weight.
- 7.4.5 Transport vehicles, cages, crates and compartments should be cleaned thoroughly and disinfected after delivery of each consignment of emus.
- 7.5 Records
- The maintenance of good records is an integral part of good farm management. Adequate records will assist in the detection of any husbandry, health or breeding problems. Accurate information should be kept on the sources of all stock, general husbandry practices, and the case history and treatment of any diseased or injured birds.

8. HATCHERY MANAGEMENT

Recommended practice

- 8.1 Incubators should be well ventilated. Soiled or heavily contaminated eggs should not be placed into an incubator. These eggs should be culled or cleaned and disinfected as soon as possible after being picked up from the nest site.
- 8.2 Chicks should be brooded within 24 hours of hatching. Weak, deformed or unthrifty emus should be humanely destroyed.
- 8.3 Chicks in brooders should be inspected at least once every 12 hours and action taken to correct problems as they occur.
- 8.4 Hatchery waste, including unhatched embryos, should be treated quickly and effectively to ensure rapid destruction. Hatchery waste should not be stored or allowed to accumulate in the vicinity of the incubators. Hatchers should be thoroughly disinfected between hatches.

9. HUMANE SLAUGHTER

Minimum standard

- Emus must be killed humanely.
- The method of slaughter of emus in licensed abattoirs must be humane and must adhere to the standard outlined in 'The Australian Standard for Hygienic Production of Ratite (Emu/Ostrich) Meat for Human Consumption'.

Recommended practice

- 9.1 Emus of all ages may need to be killed for a variety of health and production reasons.
- 9.2 Acceptable methods of humane killing are electrical stunning followed by bleeding out, neck dislocation or decapitation.
- 9.3 A bird that is mobile and cannot be restrained should be shot with a firearm, preferably a shotgun when the bird is in close range (<30m), aiming for the brain. If the bird is >30 metres from the shooter, a shot to the centre of the chest using a centre-fire rifle and ammunition appropriate for the size of the bird (eg. .243 for larger birds) should be used.
- 9.4 Birds should be checked to ensure they are dead. The following observations should be made – absence of movement, absence of rhythmic respiratory movements, absence of a heartbeat and absence of eye protection reflex or 'blink' when the cornea is touched.
- 9.5 Emus that can be safely and humanely handled and restrained can be slaughtered using electrical stunning or captive bolt stunning to cause unconsciousness prior to bleeding out.

**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:

79. *Statutory Rule:* Estate Agents (Fees) Regulations 2007
Authorising Act: Estate Agents Act 1980
Date of making: 17 July 2007
80. *Statutory Rule:* Heritage (Historic Shipwrecks) Regulations 2007
Authorising Act: Heritage Act 1995
Date of making: 17 July 2007

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