



Victoria Government Gazette

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No. G 47 Thursday 22 November 2012

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GENERAL

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As from 22 November 2012

The last Special Gazette was No. 390 dated 21 November 2012.

The last Periodical Gazette was No. 1 dated 14 June 2012.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
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)
-

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
CHRISTMAS PERIOD 2012**

PLEASE NOTE:

The final Victoria Government Gazette (General) for 2012 (G52/12) will be published on
Thursday 27 December 2012.

Copy deadlines:

Private Advertisements	9.30 am on Wednesday 19 December 2012
Government and Outer Budget Sector Agencies Notices	9.30 am on Wednesday 19 December 2012

Office Hours:

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

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

JENNY NOAKES
Government Gazette Officer

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
NEW YEAR WEEK 2013**

Please Note:

The Victoria Government Gazette (General) for New Year week (G1/13) will be published on
Thursday 3 January 2013.

Copy deadlines:

Private Advertisements	9.30 am on Friday 28 December 2012
Government and Outer Budget Sector Agencies Notices	9.30 am on Friday 28 December 2012

Office Hours:

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

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

JENNY NOAKES
Government Gazette Officer

VICTORIA GOVERNMENT GAZETTE

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Re: LENISE MONICA RUDDICK,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 July 2012, are required by the trustees, Darren Mills and Lisa Williams, to send particulars to them, care of the undersigned solicitors, by 24 January 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

AITKEN PARTNERS PTY LTD, solicitors,
Level 1, 114 William Street, Melbourne 3000.

Re: Estate of AILEEN MARJORIE
BALCAM, deceased.

Creditors, next-of-kin or others having claims in respect of AILEEN MARJORIE BALCAM, late of Alcheringa Hostel, 2–14 Boree Drive, Swan Hill, Victoria, married woman, deceased, who died on 11 September 2012, are to send particulars of their claim to the executor, care of the undermentioned legal practitioners, by 28 January 2013, after which the executor will distribute the assets, having regard only to the claims of which he then has notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

Re: Estate of DWIGHT BYRON LUCAS,
deceased.

Creditors, next-of-kin or others having claims in respect of the estate of DWIGHT BYRON LUCAS, late of 16/5 Parnee Street, Swan Hill, Victoria, chef, deceased, who died on 19 February 2012, are to send particulars of their claim to the administrator, care of the undermentioned legal practitioners, by 21 January 2013, after which the administrator will distribute the assets, having regard only to the claims of which he then has notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

Re: Estate of JAMES HENRY RICKARD.

Creditors, next-of-kin or others having claims in respect of the estate of JAMES HENRY RICKARD, late of 72 Cumming Avenue, Birchip, in the State of Victoria, retired, deceased, who died on 12 July 2012, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 15 February 2013, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

Re: ANITA HELEN METZGER, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ANITA HELEN METZGER, late of Cabrini Ashwood, 54 Queens Parade, Ashwood, Victoria, widow, deceased, who died on 12 April 2012, are to send particulars of their claims to the executors, care of the undermentioned solicitors, by 24 January 2013, after which date the executors will distribute the assets, having regard only to the claims of which they then have notice.

E. P. JOHNSON AND DAVIES, solicitors,
52 Collins Street, Melbourne 3000.

JOAN COOK, late of 49 Lynden Street,
Camberwell, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 July 2012, are required by the trustees, Amanda Burbury and Andrea Wardlaw, to send particulars to the trustees by 22 January 2013, care of the undermentioned solicitors, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

FISCHER McCRAE, solicitors,
Level 3, 389 Lonsdale Street, Melbourne 3000.

ARTHUR ROY KING, late of Noel Miller
Centre, 9 Kent Street, Glen Iris, Victoria, retired,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 November 2011, are required by the trustee, Karen Maree Finnin, to send particulars to the trustee by 22 January 2013, care of the undermentioned solicitors, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

FISCHER McCRAE, solicitors,
Level 3, 389 Lonsdale Street, Melbourne 3000.

Re: ALAN DALE MACK, late of 16/349 Beaconsfield Parade, West St Kilda, Victoria, railway worker, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of ALAN DALE MACK, deceased, who died on 27 August 2012, are required by the trustee to send particulars of their claim to the undermentioned firm by 29 January 2013, after which date the trustee will convey or distribute assets, having regard only to the claims of which the trustee then has notice.

KINGSTON LAWYERS PTY LTD, solicitors,
8 Station Road, Cheltenham, Victoria 3192.

Re: ORLANDO GRANDE, late of 41–43 Fintonia Road, Noble Park, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 August 2012, are required to send particulars of their claim to the executor(s), care of the undersigned lawyers, by 12 February 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

LEONARD & ASSOCIATES, lawyers,
Level 1, 82 Thompson Avenue, Cowes,
Victoria 3922.

Re: JEFFERIES EDWARD HARVEY SPENCER, late of 'Valley Springs', 1645 Westernport Road, Heath Hill, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 January 2012, are required by the trustee, Jeffrey Spencer Urie, care of Maddocks, lawyers, 140 William Street, Melbourne, Victoria, to send particulars to the trustee by 21

January 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,
140 William Street, Melbourne 3000.

Re: Estate of BETTY ELLEN KEMP, late of Aged Care Services One (Central Park), 101 Punt Road, Windsor, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 September 2012, are required by the trustee to send particulars to the trustee, care of the undermentioned solicitors, by 22 February 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors,
178 Whitehorse Road, Blackburn 3130.
SM:CH2112039

Re: RONALD IAN HUDSON, late of 5907/7 Riverside Quay, Southbank, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 May 2011, are required by the trustee, Kay Lee Hudson, care of Level 11, 575 Bourke Street, Melbourne, Victoria, to send particulars to the trustee, care of the undermentioned solicitors, by 25 January 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

McKEAN PARK, lawyers,
Level 11, 575 Bourke Street, Melbourne,
Victoria 3000.

SIGNE SIRKKA NAUKKARINEN, late of 14 South Circular Road, Gladstone Park, 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 Tullamarine on 29 August 2012, are required by the executors and trustees of the said deceased, Ian Bruce McNab and Mark Albert Maier, both care of McNab McNab & Starke, of 21 Keilor Road, Essendon, to send particulars to them by 22 January 2013, 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.
Telephone 9379 2819.

Re: EDNA JONES, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 May 2012, are required by the trustees, Mary June Zacher and Richard Neil Brock, to send particulars of such claims to the trustees, care of the undermentioned solicitors, by 22 January 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

McSWINEYS LAWYERS,
57 Reid Street, Wangaratta 3677.

Re: WILHELM SCHAEFER, late of 17 The Heights, Sunbury, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 June 2012, are required by the executor, Equity Trustees Limited of Level 2, 575 Bourke Street, Melbourne 3000, to send particulars to it by 22 January 2013, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

MINTER ELLISON, lawyers,
Rialto Towers, 525 Collins Street,
Melbourne 3000.

Re: JAMES ROBERT SMITH, late of 55 Rose Street, Altona, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 September 2012, are required by the executor, June Margaret Smith, to send particulars of their claim to her, care of the undermentioned solicitors, by 22 January 2013, after which date the executor may convey or distribute the assets, having regard only to the claims of which she may then have notice.

PATRICK CASH & ASSOCIATES, solicitors,
40 Droop Street, Footscray 3011.

OLIVE MAY BURGESS, late of Bannockburn Aged Care, 71 McPhillips Road, Bannockburn, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 15 August 2012, are required by the trustee, Carole Anne Sowerby, to send particulars of their claims to the trustee, in the care of the undermentioned legal practitioner, by 25 January 2013, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

RALPH JAMES SMITH, solicitor,
6 The Centreway, Lara, Victoria 3212.

Re: ANDREW JOSEPH FENNESSY, late of Mercy Place Aged Care, 22 Verona Lane, East Melbourne, Victoria, religious minister, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 June 2012, are required by the executor, Damien John Smith of 34 Campbell Road, Deepdene, Victoria, managing director, to send particulars to him (care of the undersigned) by 22 January 2013, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

RENNICK & GAYNOR, solicitors,
431 Riversdale Road, Hawthorn East, Victoria 3123.

NEVILLE WILLIAM JOHNSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 July 2012, are required by the trustee, Jan Lawre Johnson, to send particulars of such claims to her, in care of the undermentioned lawyers, by 23 January 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: Estate of ILSE RUTH BUCKNER, late of Spurway, 89 Murrumbeena Road, Murrumbeena, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 21 May 2012, are required by the trustees, Alan Rochman and Stanley Todes, care of Roy Jaffit, Rochman & Co., lawyers of Suite 1, Level 1, 368 Hawthorn Road, Caulfield South, Victoria, to send particulars to the trustees by 30 January 2013, after which date the trustees may convey or distribute the assets of the estate, having regard only to the claims of which the trustees have notice.

ROY JAFFIT, ROCHMAN & CO., lawyers,
Suite 1, Level 1, 368 Hawthorn Road, Caulfield
South 3162.

Re: WILMA ELIZABETH NELSON,
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 April 2012, are required by the trustee, Sandhurst Trustees Limited, ACN 004 030 737, of 18 View Street, Bendigo, Victoria, to send particulars to the trustee by 25 February 2013, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

Re: Estate of GINA MARGARET
SCHAPITZ.

Creditors, next-of-kin and others having claims in respect of the estate of GINA MARGARET SCHAPITZ, deceased, late of 5 Darnley Way, Mooroolbark, Victoria, who died on 20 December 2011, are required to send particulars of such claims to the executor, Andreas Paul Schapitz, care of the undermentioned solicitor, by 23 January 2013, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor then has notice.

TERENCE McMULLAN, solicitor,
164 Monbulk Road, Monbulk, Victoria 3793.

WINIFRED MILLER, late of 40–42 School
Road, Trafalgar, in the State of Victoria, home
duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 May 2012, are required by the personal representative, Bronwyn Janet Miller, of 46 Haigh Street, Moe, to send particulars to them, care of the undermentioned solicitors, by 18 January 2013, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

VERHOEVEN & CURTAIN, solicitors,
Suite 4, 46 Haigh Street, Moe 3825.

PEGGY MARJORIE ROWE, deceased.

Creditors, next-of-kin and others having claims against the estate of PEGGY MARJORIE ROWE, late of Unit 6, 103 Dendy Street, Brighton, Victoria, retired, deceased, who died on 11 June 2012, are required to send particulars of their claims to the executors, care of the undermentioned solicitor, by 28 January 2013, after which date the executors will proceed to distribute the assets, having regard only to the claims of which they shall then have had notice.

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

Re: DOROTHY MAY SUMMERS, late of
7–11 Beardsworth Avenue, Chelsea, Victoria,
home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 June 2012, are required by the trustee, Leslie William Summers, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

LEONARD HAROLD COLES, late of
Room 35, Coorabin Hostel Aged Care Facility,
2 Nelson Road, Point Lonsdale, Victoria 3225,
deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 24 February 2012, are required by the executor, Annette Margaret Smith, care of Wollerman Shacklock, lawyers, of 8 Gloucester Avenue, Berwick, Victoria 3806, to send particulars of their claims to them by 28 January 2013, after which date the executor may convey or distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 11 July 2012.

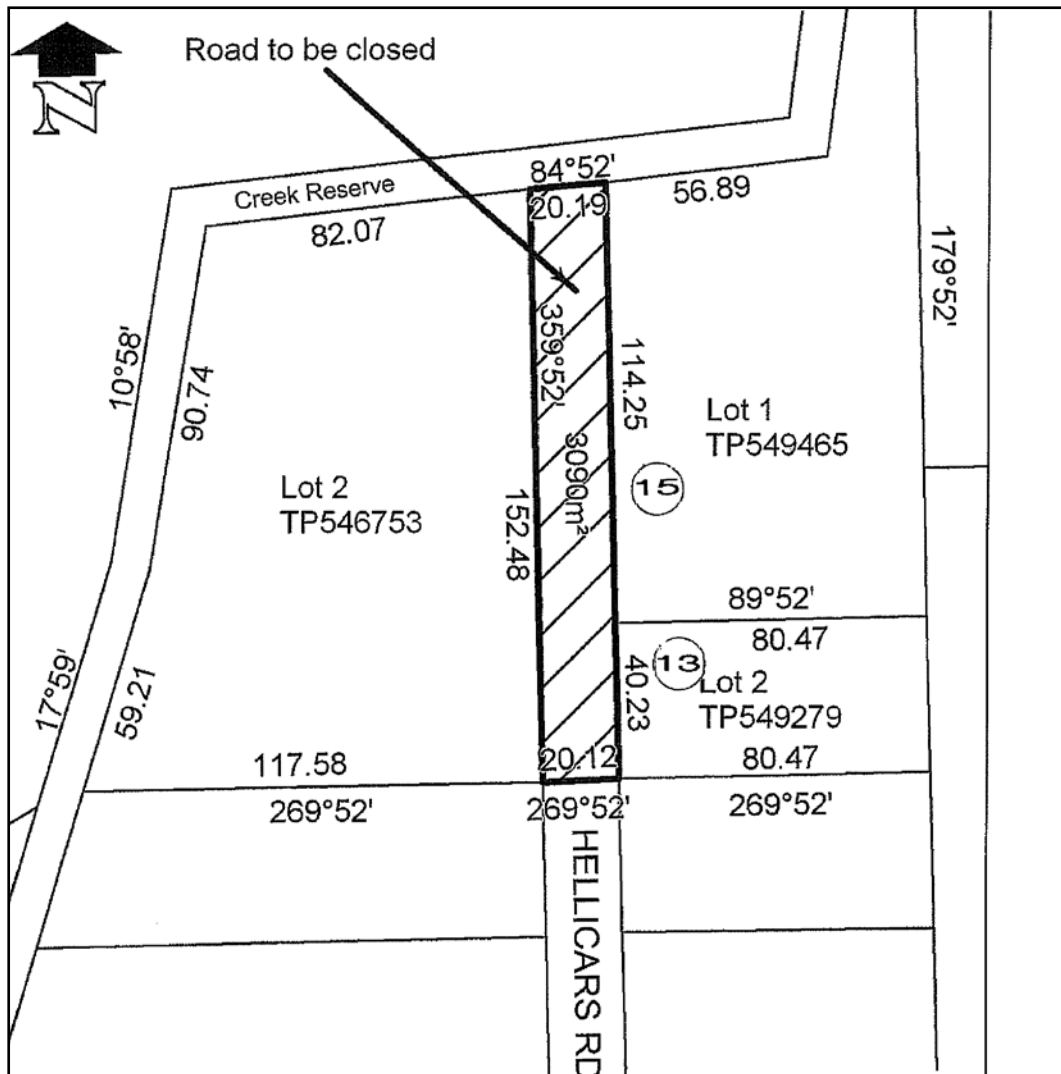
WOLLERMAN SHACKLOCK, lawyers,
8 Gloucester Avenue, Berwick 3806.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



**DISCONTINUANCE AND SALE OF ROAD RESERVE ADJACENT TO
13-15 HELLICARS ROAD, MERRICKS**

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council has formed the opinion that part of the road reserve of Hellicars Road, adjacent to Lot 1 TP549456 and Lot 2 TP549279 (13-15 Hellicars Road), as shown hatched on the plan below, is not reasonably required as a road for public use. The Shire has resolved to discontinue the road (shown hatched) and to sell the land by private treaty to the adjoining land-owner for consolidation with the titles to Lots 1 and 2.



DR MICHAEL KENNEDY (OAM)
Chief Executive Officer



Yarriambiack
SHIRE COUNCIL

Adoption of
Amended Road Management Plan

In accordance with division 5 of the **Road Management Act 2004**, Yarriambiack Shire Council at its ordinary meeting on 14 November 2012 resolved to adopt the amended Road Management Plan (dated July 2012).

Copies of the revised Road Management Plan may be inspected at, or obtained from, the Shire Office at 34 Lyle Street, Warracknabeal; service centres at Rupanyup and Hopetoun; or accessed online by viewing Council's website, www.yarriambiack.vic.gov.au and following the links.

RAY CAMPLING
Chief Executive Officer

Planning and Environment Act 1987

GLENELG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C73

Authorisation A02343

The Glenelg Shire Council has prepared Amendment C73 to the Glenelg Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Glenelg Shire Council as planning authority to prepare the Amendment.

The land affected by the Amendment is all land within and around the settlements of Portland, Heywood, Casterton, Dartmoor, Nelson, Cape Bridgewater, Narrawong, Condah, Sandford, Digby, Merino and Tyrendarra and land throughout the Shire.

The Amendment proposes to introduce the Glenelg Sustainable Settlement Strategy 2012 (GSSS) into the Local Planning Policy Framework at Clause 21.09 and Clause 22.01, including the Glenelg Strategic Framework Map and structure plans for twelve settlements.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, at the following locations: during office hours, at the office of the planning authority, Glenelg Shire Council: Portland Customer Service Centre,

71 Cliff Street, Portland; Casterton Customer Service Centre, 67 Henty Street, Casterton; Heywood Customer Service Centre, 77 Edgar Street, Heywood; or at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 2 January 2013. A submission must be sent to the Glenelg Shire Council, PO Box 152, Portland, Victoria 3305.

MATT BERRY
Planning Manager
Glenelg Shire Council

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C246 – Lara West Growth Area

Authorisation A02375

The City of Greater Geelong Council has prepared Amendment C246 to the Greater Geelong Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the City of Greater Geelong Council as planning authority to prepare the Amendment.

The land affected by the Amendment is bounded by Bacchus Marsh Road, Patullos Road, Windermere Road and O'Hallorans Road, Lara.

The Amendment proposes to rezone the land to the Urban Growth Zone, accompanied by a Precinct Structure Plan, Native Vegetation Precinct Plan and Development Contributions Plan Overlay.

You may inspect the Amendment, supporting documents and explanatory report, free of charge, at the following locations: Greater Geelong City Council, Brougham Street Customer Service Centre, Ground Floor, 100 Brougham Street, Geelong – 8.00 am to 5.00 pm weekdays; Geelong Regional Library, Lara, 5 Walkers Road, Lara; 'Have a Say' section of the City's website, www.geelongaustralia.com.au/council/yoursay; and Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection. For further information call 5272 4820.

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

Panel Hearing

A submission which seeks to change the Amendment and is not accepted by the planning authority will be referred to an independent Panel appointed by the Minister under Part 8 of the Act. If submissions are referred to a Panel, hearings will be held on the following dates:

- Directions Hearing: week of 25 March 2013.
- Panel Hearing: week of 29 April 2013.

Anyone who has made a submission which has been referred to a Panel has an opportunity to be heard. All submitters will be formally advised in writing if a panel hearing is to occur.

Submissions close Monday 24 December 2012.

Submissions must be in writing and sent to: The Coordinator, Strategic Implementation Unit, City of Greater Geelong, PO Box 104, Geelong, Victoria 3220; or by email to strategicplanning@geelongcity.vic.gov.au

PETER SMITH
Coordinator Strategic Implementation

Please be aware that all submissions received will be made publicly available for consideration as part of the planning process. Submissions can be viewed at City of Greater Geelong, Ground Floor, 100 Brougham Street, Geelong, until the end of two months after the Amendment comes into operation or lapses. Anonymous submissions will not be considered.

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for Planning Permit Given Under Section 96C of the Planning and Environment Act 1987

Amendment C268

Planning Permit 337/2012

Masters Store Corio

The land affected by the Amendment/permit application is in two sites:

- The western portion of land at the south-eastern corner of the intersection of Geelong Ring Road and Bacchus Marsh Road, Corio (the 'northern site').

- The western portion of 240 Bacchus Marsh Road, Corio (the 'southern site').

The Amendment proposes to:

- rezone the northern site from Residential 1 to the Business 4 Zone;
- rezone the southern site from Residential 1 to the Business 3 Zone;
- introduce and apply a Development Plan Overlay (DPO26) to the southern site;
- delete the Environmental Significance Overlay (ESO4) from the northern site; and
- amend the City of Greater Geelong Retail Activity Centre Hierarchy contained in Clause 21.07-8 to include the site as a Homemaker Centre.

The application is for a permit to develop a Masters Home Improvement Store and four restricted retail premises on the northern site.

The person who requested the Amendment/permit is Urbis Planning Consultants.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, at the office of the planning authority, Greater Geelong City Council, 100 Brougham Street, Geelong, 8.00–5.00 weekdays; 'Have Your Say' section of the City's website, www.geelongaustralia.com.au/council/yoursay; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 24 December 2012.

A submission must be sent to: The Coordinator, Strategic Implementation Unit, City of Greater Geelong, PO Box 104, Geelong, Victoria 3220; or via email to: strategicplanning@geelongcity.vic.gov.au

PETER SMITH
Coordinator Strategic Implementation

Planning and Environment Act 1987

MACEDON RANGES PLANNING SCHEME

Notice of the Preparation of an
Amendment to a Planning Scheme and
Notice of an Application for Planning Permit
Given Under Section 96C of the
Planning and Environment Act 1987

Amendment C88

Authorisation A02394

Planning Permit Application PLN/2012/194

The land affected by the Amendment is Lot 1 TP 118902N Mount Macedon Road, Woodend, and all land to its west bounded by Mount Macedon Road, Bowen Street, and the Five Mile Creek.

The land affected by the permit application is Lot 1 TP 118902N Mount Macedon Road, Woodend, and part of Recreation Reserve on PS 141100 Parish of Woodend, which abuts the Five Mile Creek.

The Amendment proposes to:

- rezone Lot 1 TP118902N Mount Macedon Road, Woodend, and all land to its west bounded by Mount Macedon Road, Bowen Street and Five Mile Creek from the Rural Living Zone 1 to the Low Density Residential Zone;
- introduce a Design and Development Overlay to control the form and conditions required for development of Lot 1 TP118902N;
- apply Restructure Overlay Schedule 13 (RO13) to Lots 2 and 9 LP9816, being part of 20 Bowen Street, and Lots 1 and 2 TP949814 and Lots 1 and 2 TP199034, known as 1918 Mount Macedon Road, Woodend;
- delete Vegetation Protection Overlay Schedule 9 from Lot 1 TP118902N;
- amend the Schedule to Clause 61.03 to update the list of Scheme Maps to include reference to new Map 24RO; and
- amend the Schedule to Clause 81.01 to list the Ladye Place Restructure Plan as an Incorporated Document in the Planning Scheme.

The application is for a permit to subdivide Lot 1 TP118902N to create 17 low density residential allotments ranging from 4000 sqm to 4.5 hectares, a public open space reserve

abutting Five Mile Creek, a building exclusion zone on land identified as subject to flooding and associated works including a pedestrian footbridge to link within the existing public footpath along Five Mile Creek.

The person who requested the Amendment and the applicant for the permit is Mr Ray Lodder.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: Macedon Ranges Shire Council: Gisborne Administration Centre, 40 Robertson Street, Gisborne, 8.30 am – 5.00 pm weekdays; Woodend Hub, corner High and Forest Streets, Woodend, 9.30 am – 5.00 pm (6.00 pm Wednesday); Kyneton Administration Centre, 129 Mollison Street, Kyneton, 8.30 am–5.00 pm weekdays; Romsey Community Hub, 96–100 Main Street, Romsey 9.30 am – 5.00 pm (6.00 pm Thursday); Macedon Ranges Shire Council's website, www.mrsc.vic.gov.au; and Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 24 December 2012. A submission must be in writing and addressed to Peter Johnston, Chief Executive Officer, Macedon Ranges Shire Council, PO Box 151, Kyneton, Victoria 3444. Written submissions become public documents as part of the amendment process in accordance with the **Planning and Environment Act 1987**.

PETER JOHNSTON
Chief Executive Officer

Planning and Environment Act 1987

MACEDON RANGES PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C90

Authorisation A02421

The Macedon Ranges Shire Council has prepared Amendment C90 to the Macedon Ranges Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Macedon Ranges Shire Council as planning authority to prepare the Amendment.

The land affected by the Amendment is Lot 1 PS 094472, 230 Hamilton Road, New Gisborne.

The Amendment proposes to rezone the land from the Rural Living Zone Schedule 1 (RLZ1) to the Industrial 1 Zone (IN1Z).

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Macedon Ranges Shire Council, 129 Mollison Street, Kyneton 3444 or Council's website at www.mrsc.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 24 December 2012. A submission must be sent to the Macedon Ranges Shire Council, PO Box 151, Kyneton 3444.

PETER JOHNSTON
Chief Executive Officer

Planning and Environment Act 1987

MOIRA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C74

Authorisation A02357

The Moira Shire Council has prepared Amendment C74 to the Moira Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Moira Shire Council as planning authority to prepare the Amendment.

The Amendment applies to the land known 85 Ritchie Road, Cobram, being Lot 2 on TP161987.

The Amendment proposes to alter Schedule 10 to the Development Plan Overlay.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Moira Shire Council, 44 Station Street, Cobram; at the Moira Shire Council website, www.moira.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Friday 28 December 2012. A submission must be sent to the Moira Shire, PO Box 578, Cobram 3644.

GARY ARNOLD
Chief Executive Officer

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C46

Authorisation A02398

The Swan Hill Rural City Council has prepared Amendment C46 to the Swan Hill Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Swan Hill Rural City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is Lot 1 PS 534129S and Lot 2 PS 534129S. The land is located at 85 Hayes Road South, Lake Boga.

The Amendment seeks to:

- rezone the 16.22 hectares from the Farming Zone (FZ) to Residential 1 Zone (R1Z);
- apply a new Design and Development Overlay Schedule 6 to the land; and
- apply a new Development Plan Overlay Schedule 4 to the land.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority,

Swan Hill Rural City Council, 45 Splatt Street, Swan Hill; at the Swan Hill Rural City Council website, www.swanhill.vic.gov.au/quicklinks/consultation; during business hours, at the Lake Boga Post Office, 1 Marraboor Street, Lake Boga; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Friday 21 December 2012. A submission must either be sent to: Planning Department, Swan Hill Rural City Council, PO Box 488, Swan Hill, Victoria 3585, or via email to planning@swanhill.vic.gov.au

DAVID LEAHY
Acting Chief Executive Officer

Planning and Environment Act 1987
WELLINGTON PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C77
Authorisation A02407

VicRoads has prepared Amendment C77 to the Wellington Planning Scheme.

In accordance with section 9(1) of the **Planning and Environment Act 1987**, the Minister for Planning authorised VicRoads as planning authority to prepare the Amendment.

The land affected by the Amendment is Lot 1 TP180126, Lot 1 TP884982 and Lot 1 TP224908.

The Amendment proposes to apply the Public Acquisition Overlay Schedule 1 (PAO1) to the additional land required for the proposed overtaking lane on the Hyland Highway. It also proposes to amend the schedule to Clause 52.17 to exempt the removal of native vegetation, associated with the overtaking lane from a planning permit.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, VicRoads, 120 Kay Street, Traralgon 3844; during office hours, at the office of the

Wellington Shire Council, 70 Foster Street, Sale 3850; or at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 11 January 2013. All submissions must be sent to Regional Director – Eastern Region, VicRoads, PO Box 158, Traralgon 3844.

GARY LIDDLE
Chief Executive – VicRoads



Planning and Environment Act 1987
YARRA PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C170
Authorisation A02409

Yarra City Council has prepared Amendment C170 to the Yarra Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised Yarra City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is the land at 32–68 Mollison Street, Abbotsford, and 61–69 William Street, Abbotsford.

The Amendment makes the following changes:

- rezones land at 32–68 Mollison Street, Abbotsford, from Industrial 1 Zone (IN1Z) to Business 3 Zone (B3Z);
- rezones land at 61–69 William Street, Abbotsford, from part Industrial 1 Zone (IN1Z) and part Residential 1 Zone (R1Z) to Mixed Use (MUZ);
- applies the Incorporated Plan Overlay (IPO) to the subject sites;
- introduces a new Schedule to the Incorporated Plan Overlay (Schedule 2);
- includes the subject sites in the Environmental Audit Overlay (EAO); and

- inserts a new incorporated document into the schedule to Clause 81.01 entitled: '32–68 Mollison Street and 61–69 William Street, Abbotsford. November 2012'.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the offices of the planning authority, Yarra City Council at Richmond Town Hall, 333 Bridge Road, Richmond 3121; Yarra City Council website, www.yarracity.vic.gov.au/planning; and Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Friday 18 January 2013. A submission must be sent to the Yarra City Council, PO Box 168, Richmond 3121, or by email to strategicplanning@yarracity.vic.gov.au

A submission which seeks to change the Amendment and is not accepted by the planning authority will be referred to an independent Panel appointed by the Minister under Part 8 of the **Planning and Environment Act 1987**.

If a submission is referred to a panel, a Directions Hearing and Panel Hearing are to be held on the following dates:

- Directions Hearing: week beginning 4 March 2013
- Panel Hearing: week beginning 8 April 2013.

SHERRY HOPKINS
Coordinator Strategic Planning

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 23 January 2013, 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.

BALLANTYNE, Beverley Elizabeth, late of 27 Sackville Street, Montmorency, Victoria 3094, deceased, who died on 20 August 2012.

KUJADIN, Jovanka, late of Unit 2/7 Hadley Street, Seaford, Victoria 3198, deceased, who died on 9 May 2012.

POTTER, Mary Agnes, late of 37 Station Street, Ferntree Gully, Victoria 3156, deceased, who died on 13 September 1986.

RIGBY, Ronald Peter, late of 26 Bluestone Street, Kensington, Victoria 3031, deceased, who died on 22 September 2012.

SWANSON, Elizabeth Mary, late of Unit 28/17–21 Lauraville Avenue, Werribee, Victoria 3030, retired, deceased, who died on 12 August 2012.

WARREN, Audrey Lillian, late of Room 8, Salford Park Nursing Home, 100 Harold Street, Wantirna, Victoria 3152, home duties, deceased, who died on 12 June 2012.

Dated 14 November 2012

STEWART MacLEOD
Manager

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 23 January 2013, 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.

EDWARDS, Illa, late of Abberfield Private Nursing Home, 378 Bluff Road, Sandringham, Victoria 3191, deceased, who died on 6 September 2012.

HARAPKO, Vasil, late of Brimlea Nursing Home, 21 Railway Parade, Murrumbeena, Victoria 3163, deceased, who died on 5 March 2012.

JOHNSON, Jacqueline Mary, 25 Wilgah Street, St Kilda East, Victoria 3183, retired, deceased, who died on 2 September 2012.

MELVILLE, Peter Jonathon, also known as Peter Johnathon Melville, late of 5 Station Street, Malvern, Victoria 3144, deceased, who died on 10 August 2012.

WALSH, Margaret Denise, late of Roxburgh Nursing Home, 90 Lightwood Crescent, Meadow Heights, Victoria 3048, deceased, who died on 3 June 2012.

WILSON, Lorna Mary, late of Beechworth Health Services, 52 Sydney Road, Beechworth, Victoria 3747, deceased, who died on 19 May 2012.

Dated 19 November 2012

STEWART MacLEOD
Manager

EXEMPTION

Application No. A209/2012

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by McAuley Community Services for Women (the applicant). The application for exemption is to enable the applicant to advertise for and employ only women to work in its women only programs (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavits of Jocelyn Bignold, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 16, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The applicant provides programs for women only, including family violence, mental health, homelessness and return to work after family violence programs. Currently, the applicant has around 40 staff, all of whom are women. In the past, service roles, such as finance officer positions, and trade roles have been filled by men.
- The roles for which the exemption is sought relate to case management and personal support activities. Most of the services are provided in a residential setting. The applicant understands that women who seek these services can feel unsafe having to work with male workers. The women who seek the assistance of the applicant do so when they are most vulnerable. The applicant believes that these direct services ought to be provided by women only.
- No current exemption already applies to the exempt conduct. While it is arguable that the exception contained in section 28 of the Act may apply in respect of these roles, the material before the Tribunal does not allow it to be satisfied that the services can be provided most effectively by women rather than men. In the absence of an exemption the exempt conduct would amount to prohibited discrimination.

- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the **Charter of Human Rights and Responsibilities Act 2006** (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of men who would wish to be employed by the applicant in these roles. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an exemption from the operation of sections 16, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 21 November 2017.

Dated 14 November 2012

A. DEA
Member

Australian Grands Prix Act 1994

DESIGNATED ACCESS AREA

This Notice shall take effect on and from the date of its publication in the Government Gazette.

In accordance with section 32A of the **Australian Grands Prix Act 1994**, as the Minister administering the **Road Safety Act 1986**, the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Australian Grands Prix Act 1994**, we jointly declare that the area, being all of the land coloured yellow on the plan numbered LEGL/95-128 and lodged in the Central Plan Office, is a designated access area for the period commencing at 12.02 am on Tuesday 18 December 2012 and ending at 11.58 pm on Monday 15 April 2013.

Dated 14 November 2012

TERENCE WYNN MULDER MP
Minister for Roads

ANDREW JOHN McINTOSH MP
Minister for Crime Prevention

RYAN JAMES SMITH MP
Minister for Environment and
Climate Change

LOUISE ASHER MP
Minister for Tourism and Major Events

Australian Grands Prix Act 1994

DESIGNATED ACCESS AREA

This Notice shall take effect on and from the date of its publication in the Government Gazette.

In accordance with section 32A of the **Australian Grands Prix Act 1994**, as the Minister administering the **Road Safety Act 1986**, the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Australian Grands Prix Act 1994**, we jointly declare that the area of land at the intersection of Roy Street and Queens Road, being the stratum of land hatched and coloured green on the plan numbered LEGL./95-128 and lodged in the Central Plan Office, and marked on that plan as the 'top boundary of hatched area RL.16.40, bottom boundary of hatched area RL.12.40', is a designated access area for the period commencing at 12.02 am on Tuesday 26 February 2013 and ending at 11.58 pm on Monday 25 March 2013.

Dated 14 November 2012

TERENCE WYNN MULDER MP
Minister for Roads

ANDREW JOHN McINTOSH MP
Minister for Crime Prevention

RYAN JAMES SMITH MP
Minister for Environment and
Climate Change

LOUISE ASHER MP
Minister for Tourism and Major Events

Australian Grands Prix Act 1994

DESIGNATED ACCESS AREA

This Notice shall take effect on and from the date of its publication in the Government Gazette.

In accordance with section 32A of the **Australian Grands Prix Act 1994**, as the Minister administering the **Road Safety Act 1986**, the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Australian Grands Prix Act 1994**, we jointly declare that the area, being all of the land coloured green except for the land coloured green and marked 'Arthur' on the

plan numbered LEGL./95-128 and lodged in the Central Plan Office, is a designated access area for the period commencing at 12.02 am on Tuesday 26 February 2013 and ending at 11.58 pm on Monday 25 March 2013.

Dated 14 November 2012

TERENCE WYNN MULDER MP
Minister for Roads

ANDREW JOHN McINTOSH MP
Minister for Crime Prevention

RYAN JAMES SMITH MP
Minister for Environment and
Climate Change

LOUISE ASHER MP
Minister for Tourism and Major Events

Australian Grands Prix Act 1994

DESIGNATED ACCESS AREA

This Notice shall take effect on and from the date of its publication in the Government Gazette.

In accordance with section 32A of the **Australian Grands Prix Act 1994**, as the Minister administering the **Road Safety Act 1986**, the Minister administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Australian Grands Prix Act 1994**, we jointly declare that the area, being all of the land situated within 1.5 metres east of the Queens Road boundary of Albert Park (as defined in the **Australian Grands Prix Act 1994**) between the points marked A and B on the plan numbered LEGL./95-128 and lodged in the Central Plan Office, is a designated access area for the period commencing at 12.02 am on Tuesday 18 December 2012 and ending at 11.58 pm on Monday 15 April 2013.

Dated 14 November 2012

TERENCE WYNN MULDER MP
Minister for Roads

ANDREW JOHN McINTOSH MP
Minister for Crime Prevention

RYAN JAMES SMITH MP
Minister for Environment and
Climate Change

LOUISE ASHER MP
Minister for Tourism and Major Events

Australian Grands Prix Act 1994

DECLARED AREA

This Notice shall take effect on and from the date of its publication in the Government Gazette.

In accordance with section 27 of the **Australian Grands Prix Act 1994**, as the Ministers administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Australian Grands Prix Act 1994**, we jointly declare that all of the area of Albert Park (as defined in the **Australian Grands Prix Act 1994**) together with the following land surrounded by Albert Park (as so defined), namely, the land shown hatched on the plan numbered LEGL./04-478 and lodged in the Central Plan Office, is the declared area in respect of the year commencing on Friday 7 December 2012 and ending on Saturday 8 December 2013.

Dated 14 November 2012

RYAN JAMES SMITH MP
Minister for Environment and
Climate Change

HUGH FRANCIS DELAHUNTY MP
Minister for Sport and Recreation

LOUISE ASHER MP
Minister for Tourism and Major Events

Australian Grands Prix Act 1994

RACE PERIOD

This Notice shall take effect on and from the date of its publication in the Government Gazette.

In accordance with section 27 of the **Australian Grands Prix Act 1994**, as the Ministers administering the **Crown Land (Reserves) Act 1978** and the Minister administering the **Australian Grands Prix Act 1994**, we jointly declare that the period commencing at 12.01 am on Tuesday 12 March 2013 and ending at 11.59 pm on Monday 18 March 2013, is the race period in respect of the year commencing on Friday 7 December 2012 and ending on Saturday 8 December 2013.

Dated 14 November 2012

RYAN JAMES SMITH MP
Minister for Environment and
Climate Change

HUGH FRANCIS DELAHUNTY MP
Minister for Sport and Recreation

LOUISE ASHER MP
Minister for Tourism and Major Events

Building Act 1993

BUILDING REGULATIONS 2006

Notice of Accreditation

Pursuant to Part 14 of the Building Regulations 2006 a Certificate of Accreditation (Number V12/04) has been issued to Nutex Coatings, 15–19 Black Street, Oakleigh East 3166, by the Building Commission for the Nuclad Exterior Insulation and Finishing System.

The Building Regulations Advisory Committee appointed under Division 4 of Part 12 of the **Building Act 1993**, after examination of an application for the accreditation of Nuclad Exterior Insulation and Finishing System as suitable for use as a wall cladding system in Class 1 and associated Class 10 buildings, has determined that Nuclad Exterior Insulation and Finishing System complies with the following Performance Requirements:

P2.1 and P2.2.2 of Volume Two

of the National Construction Code Series – Building Code of Australia 2011, as adopted by the Building Regulations 2006, to the extent that those Clauses refer to the structural stability, resistance to wind action and rainwater action, and weatherproofing of the system.

Conditions for use are provided on the Certificate.

ANDREA PATSOURIS
Secretary

Building Regulations Advisory Committee

Co-operatives Act 1996

E.S.C. CO-OPERATIVE LTD

ENDEAVOUR HILLS CAMPUS OF

E.S.C. CO-OPERATIVE LTD

MELTON PRIMARY SCHOOL COUNCIL
CO-OPERATIVE LIMITED

On application under section 601AA(2) of the **Corporations Act 2001** (the Act), by the co-operatives named above, notice is hereby given under section 601AA(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-operatives listed above will, unless cause is shown to the contrary, be removed from the

register of co-operatives and the registration will be dissolved.

Dated at Melbourne 22 November 2012

DAVID BETTS
Deputy Registrar of Co-operatives
Consumer Affairs Victoria

Co-operatives Act 1996

SAVIGE ROAD CO-OPERATIVE LTD

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

Dated at Melbourne 22 November 2012

CLAIRE NOONE
Director, Consumer Affairs

Co-operatives Act 1996

YARRA ROAD PRIMARY SCHOOL CO-OPERATIVE LIMITED ROSEWOOD DOWNS P.S. CO-OPERATIVE LTD

On application under section 601AA(2) of the **Corporations Act 2001** (the Act), by the co-operatives named above, notice is hereby given under section 601AA(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 names of the co-operatives 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 22 November 2012

CLAIRE NOONE
Director, Consumer Affairs

Country Fire Authority Act 1958

DECLARATION OF FIRE DANGER PERIOD

In pursuance of the powers conferred by section 4 of the **Country Fire Authority Act 1958**, I, Mick Bourke, Chief Executive Officer of the Country Fire Authority, after consultation with the Secretary to the Department of

Sustainability and Environment, hereby declare the following periods to be the Fire Danger Period in the municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on 1 May 2013.

To commence from 0100 hours on 26 November 2012:

- Mount Alexander Shire Council
- Greater Bendigo City Council
- Central Goldfields Shire Council
- Northern Grampians Shire Council
- West Wimmera Shire Council (remainder)
- Horsham Rural City Council (remainder)
- Loddon Shire Council
- Campaspe Shire Council

MICK BOURKE
Chief Executive Officer

Education and Training Reform Act 2006

NOTICE OF ORDER

Alamanda K-9 College Council

Notice is given that on 13 November 2012 an Order (Ministerial Order No. 610) was made under subsection (1) of section 2.3.2 of the **Education and Training Reform Act 2006** constituting a school council for Alamanda K-9 College.

THE HON. MARTIN DIXON, MP
Minister for Education

Crown Land (Reserves) Act 1978

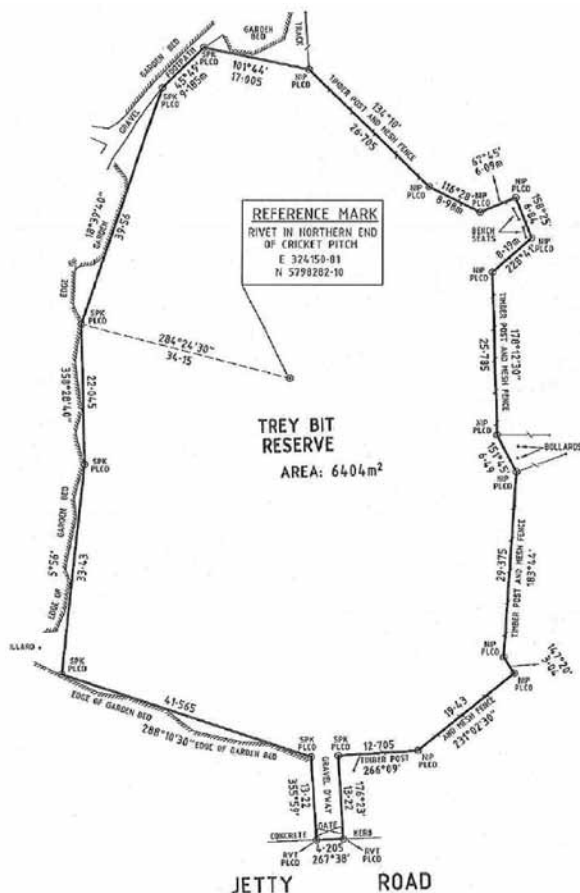
ORDER GIVING APPROVAL TO GRANT A LICENCE UNDER SECTIONS 17B AND 17DA

Under sections 17B and 17DA of the **Crown Land (Reserves) Act 1978**, I, The Hon. Ryan Smith MP, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a licence 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 licence by City of Bayside to Rotary Club of Hampton for the purpose of a farmers' market and associated activities over part of Sandringham Beach Park as described in the Schedule below and, in accordance with section 17B(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

The area of land shown outlined by continuous thick black line on the following plan, being part of the land permanently reserved for public park purposes by Order in Council of 3 September 1888 (vide government gazette of 7 September 1888, page 2783):



File Reference: 1204182
 Dated 12 November 2012

THE HON RYAN SMITH MP
 Minister for Environment and Climate Change

Crown Land (Reserves) Act 1978

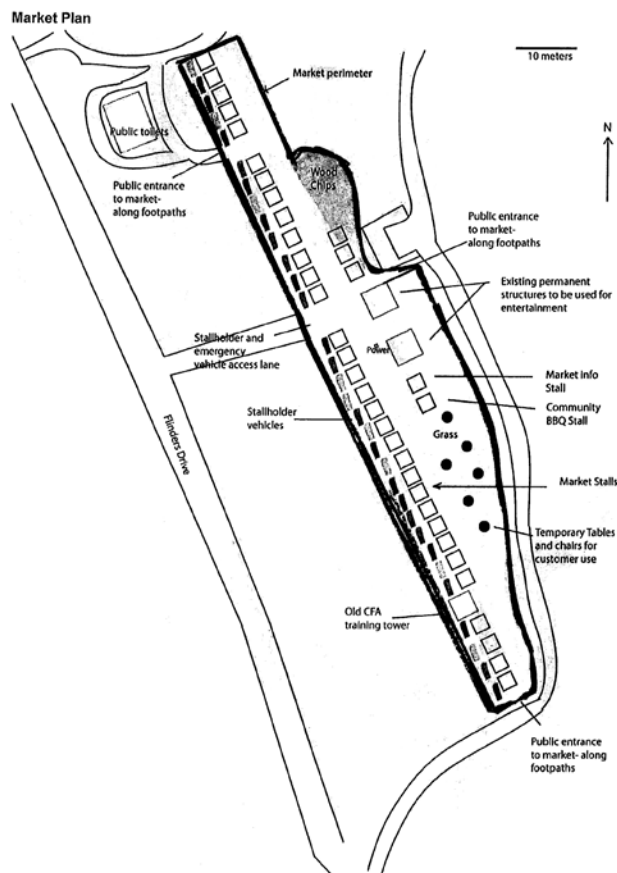
ORDER GIVING APPROVAL TO GRANT LICENCES UNDER SECTIONS 17B AND 17DA

Under sections 17B and 17DA of the **Crown Land (Reserves) Act 1978**, I, Ryan Smith MP, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a Licence 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 licence by the Mornington Peninsula Shire Council for the purposes of a farmers market to be held in a part of the Mornington Park described in the Schedule below and, in accordance with section 17B(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

- there are special reasons which make granting a licence 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**.

SCHEDULE

The land shown by continuous thick black line on the following plan, being part of the land permanently reserved for Public Park and recreation by Order in Council of 27 April 1874 (vide Government Gazette of 1874, page 985).



Reference: 1201927

Dated 12 November 2012

THE HON RYAN SMITH MP
Minister for Environment and Climate Change

PUBLIC NOTICE CONCERNING NEIGHBOURHOOD SAFER PLACES

One public land reserve established under the **Crown Land (Reserves) Act 1978** has been identified as meeting the Country Fire Authority Assessment Guidelines for neighbourhood safer places. As the Minister responsible for the **Crown Land (Reserves) Act 1978**, I consent to the use of the following reserve as a Neighbourhood Safer Place.

Reserve No.	Municipality	Township Name	General Location	Description
0611543	Mount Alexander Shire Council	Castlemaine	corner Mostyn Street and Barker Street, Castlemaine.	Ornamental Gardens 'Victory Park'

Dated 12 November 2012

JENNY PEQUIGNOT
Executive Director, Land

PUBLIC NOTICE CONCERNING NEIGHBOURHOOD SAFER PLACES

Two public land reserves established under the **Crown Land (Reserves) Act 1978** have been identified as meeting the Country Fire Authority Assessment Guidelines for neighbourhood safer places. As the Minister responsible for the **Crown Land (Reserves) Act 1978**, I consent to the use of the following reserves as Neighbourhood Safer Places.

Reserve No.	Municipality	Township Name	General Location	Description
0503046	Golden Plains Shire Council	Cape Clear	Cape Clear Recreation Reserve	Recreation Road, Cape Clear 3351
0606919	Central Goldfields Shire Council	Dunolly	Gordon Gardens Recreation Reserve	41 Market Street, Dunolly

Dated 13 November 2012

JENNY PEQUIGNOT
Executive Director, Land

Environment Protection Act 1970

ENVIRONMENT PROTECTION (FEES) REGULATIONS 2012

The Environment Protection (Fees) Regulations 2012 were made on 23 October 2012.

In accordance with section 32(3)(a)(ii) of the **Interpretation of Legislation Act 1984**, notice is given that these Regulations incorporate the following document:

1. State environment protection policy (Air Quality Management) published in the Victoria Government Gazette No. S240 on 21 December 2001 and as in force from time to time.

A copy of the incorporated document has been lodged with the Clerks of the Parliament and is available for inspection during normal business hours at the Environment Protection Authority, Level 3, 200 Victoria Street, Carlton 3053.

For more information contact the Environment Protection Authority on (03) 9695 2722.

Electricity Industry Act 2000
NOTICE OF VARIATION OF
ELECTRICITY RETAIL LICENCE

TRUenergy Pty Ltd (TRUenergy) (ABN 99 086 014 968) holds Electricity Retail Licence ER_01/1997. TRUenergy underwent a change of name to EnergyAustralia (ABN 99 086 014 968) on 3 October 2012.

The Essential Services Commission gives notice under section 30 of the **Electricity Industry Act 2000** (EIA) that at its meeting of 31 October 2012, pursuant to section 29 of the EIA, it varied the licence ER_01/1997 to reflect this name change. The licence continues on an ongoing basis.

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

Dated 31 October 2012

DR RON BEN-DAVID
Chairperson

Electricity Industry Act 2000
NOTICE OF VARIATION OF
ELECTRICITY RETAIL LICENCE

TRUenergy Yallourn Pty Ltd (TRUenergy Yallourn) (ABN 47 065 325 224) holds Electricity Retail Licence ER_01/1996. TRUenergy Yallourn underwent a change of name to EnergyAustralia Yallourn (ABN 99 086 014 968) on 3 October 2012.

The Essential Services Commission (Commission) gives notice under section 30 of the **Electricity Industry Act 2000** (EIA) that at its meeting of 31 October 2012, pursuant to section 29 of the EIA, it varied the licence ER_01/1996 to reflect this name change. The licence continues on an ongoing basis.

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

Dated 31 October 2012

DR RON BEN-DAVID
Chairperson

Gas Industry Act 2001
NOTICE OF VARIATION OF
GAS RETAIL LICENCE

TRUenergy Pty Ltd (TRUenergy) (ABN 99 086 014 968) holds Gas Retail Licence GR_03/1997. TRUenergy underwent a change of name to EnergyAustralia (ABN 99 086 014 968) on 3 October 2012.

The Essential Services Commission gives notice under section 39 of the **Gas Industry Act 2001** (GIA) that at its meeting of 31 October 2012, pursuant to section 38 of the GIA, it varied the licence GR_03/1997 to reflect this name change. The licence continues on an ongoing basis.

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

Dated 31 October 2012

DR RON BEN-DAVID
Chairperson

**Electricity Industry Act 2000
Gas Industry Act 2001**

ENERGYAUSTRALIA PTY LTD (ABN 99 086 014 968)

PART 1: STANDARD RETAIL CONTRACT TERMS AND CONDITIONS

PREAMBLE

This contract is about the sale of energy to you as a small customer at your premises. It is a standard retail contract that starts without you having to sign a document agreeing to these terms and conditions.

In addition to this contract, the energy laws and other consumer laws also contain rules about the sale of energy and we will comply with these rules in our dealings with you. For example, the National Energy Retail Law and the National Energy Retail Rules ('the Rules') set out specific rights and obligations about energy marketing, payment methods and arrangements for customers experiencing payment difficulties.

You also have a separate contract with your distributor, called a customer connection contract. The customer connection contract deals with the supply of energy to your premises and can be found on your distributor's website.

You may also have a separate Solar Feed-In Agreement and/or Green Options, each of which form a separate contract. The applicable terms and conditions are provided.

More information about this contract and other matters is on our website at energyaustralia.com.au

1. THE PARTIES

This contract is between:

EnergyAustralia Pty Ltd (ABN 99 086 014 968), who sells energy to you at your premises (in this contract referred to as 'we', 'our' or 'us'); and

You, the customer to whom this contract applies (in this contract referred to as 'you' or 'your').

2. DEFINITIONS AND INTERPRETATION

- (a) Terms used in this contract have the same meanings as they have in the National Energy Retail Law and the Rules. However for ease of reference, a simplified explanation of some terms is given at the end of this contract.
- (b) Where the simplified explanations given at the end of this contract differ from the definitions in the National Energy Retail Law and the Rules, the definitions in the National Energy Retail Law and the Rules prevail.

3. DO THESE TERMS AND CONDITIONS APPLY TO YOU?

3.1 These are our terms and conditions

This contract sets out the terms and conditions for a standard retail contract for a small customer under the National Energy Retail Law and the Rules.

3.2 Application of these terms and conditions

These terms and conditions apply to you if:

- (a) you are a residential customer; or
- (b) you are a business customer who is a small customer; and
- (c) you request us to sell energy to you at your premises; and
- (d) you are not being sold energy for the premises under a market retail contract.

3.3 Electricity or gas

Standard retail contracts apply to electricity and gas, but some terms may be expressed to apply only to one or the other. If we are your retailer for both electricity and gas, you have a separate contract with us for each of them.

4. WHAT IS THE TERM OF THIS CONTRACT?

4.1 When does this contract start?

This contract starts on the date you satisfy any pre-conditions set out in the National Energy Retail Law and the Rules, including giving us acceptable identification and your contact details for billing purposes.

4.2 When does this contract end?

- (a) This contract ends:
 - (i) if you give us a notice stating you wish to end the contract – subject to paragraph (b), on a date specified by us of which we will give you at least 5 but no more than 20 business days notice; or
 - (ii) if you are no longer a small customer
 - (A) subject to paragraph (b), on a date specified by us, of which we will give you at least 5 but no more than 20 business days notice; or
 - (B) if you have not told us of a change in the use of your energy – from the time of the change in use; or
 - (iii) if we both agree to a date to end the contract – on the date that is agreed; or
 - (iv) if you start to buy energy for the premises from us or a different retailer under a market retail contract—on the date the market retail contract starts; or
 - (v) if a different customer starts to buy energy for the premises – on the date that customer’s contract starts; or
 - (vi) if the premises are disconnected and you have not met the requirements in the Rules for reconnection – 10 business days from the date of disconnection.
- (b) If you do not give us safe and unhindered access to the premises to conduct a final meter reading (where relevant), this contract will not end under paragraph (a) (i) or (ii) until we have issued you a final bill and you have paid any outstanding amount for the sale of energy.
- (c) Rights and obligations accrued before the end of this contract continue despite the end of the contract, including any obligations to pay amounts to us.

4.3 Vacating your premises

- (a) If you are vacating your premises, you must provide your forwarding address to us for your final bill in addition to a notice under clause 4.2(a)(i) of this contract.
- (b) When we receive the notice, we must use our best endeavours to arrange for the reading of the meter on the date specified in your notice (or as soon as possible after that date if you do not provide access to your meter on that date) and send a final bill to you at the forwarding address stated in your notice.
- (c) You will continue to be responsible for charges for the premises until your contract ends in accordance with clause 4.2 of this contract.

5. SCOPE OF THIS CONTRACT

5.1 What is covered by this contract?

- (a) Under this contract we agree to sell you energy at your premises. We also agree to meet other obligations set out in this contract and to comply with the energy laws.
- (b) In return, you agree:
 - (i) to be responsible for charges for energy supplied to the premises until this contract ends under clause 4.2 even if you vacate the premises earlier; and
 - (ii) to pay the amounts billed by us under this contract; and
 - (iii) to meet your obligations under this contract and the energy laws.

5.2 What is not covered by this contract?

This contract does not cover the physical connection of your premises to the distribution system, including metering equipment and the maintenance of that connection and the supply of energy to your premises. This is the role of your distributor under a separate contract called a customer connection contract.

6. YOUR GENERAL OBLIGATIONS**6.1 Full information**

You must give us any information we reasonably require for the purposes of this contract. The information must be correct, and you must not mislead or deceive us in relation to any information provided to us.

6.2 Updating information

You must tell us promptly if information you have provided to us changes, including if your billing address changes or if your use of energy changes for example, if you start running a business at the premises.

6.3 Life support equipment

- (a) If a person living at your premises requires life support equipment, you must register the premises with us or your distributor. To register, you will need to give written confirmation from a registered medical practitioner of the requirement for life support equipment at the premises.
- (b) You must tell us or your distributor if the life support equipment is no longer required at the premises.

6.4 Obligations if you are not an owner

If you cannot meet an obligation relating to your premises under this contract because you are not the owner you will not be in breach of the obligation if you take all reasonable steps to ensure that the owner or other person responsible for the premises fulfils the obligation.

7. OUR LIABILITY

- (a) The quality and reliability of your electricity supply and the quality, pressure and continuity of your gas supply is subject to a variety of factors that are beyond our control as your retailer, including accidents, emergencies, weather conditions, vandalism, system demand, the technical limitations of the distribution system and the acts of other persons (such as your distributor), including at the direction of a relevant authority.
- (b) To the extent permitted by law, we give no condition, warranty or undertaking, and we make no representation to you, about the condition or suitability of energy, its quality, fitness for purpose or safety, other than those set out in this contract.
- (c) Unless we have acted in bad faith or negligently, the National Energy Retail Law excludes our liability for any loss or damage you suffer as a result of the total or partial failure to supply energy to your premises, which includes any loss or damage you suffer as a result of the defective supply of energy.

8. PRICE FOR ENERGY AND OTHER SERVICES**8.1 What are our tariffs and charges?**

- (a) Our tariffs and charges for the sale of energy to you under this contract are our standing offer prices. These are published on our website and include your distributor's charges. Refer to your Energy Plan Details
- (b) Different tariffs and charges may apply to you depending on your circumstances. The conditions for each tariff and charge are set out in our standing offer prices.

Note: We do not impose any charges for the termination of this contract.

8.2 Changes to tariffs and charges

- (a) If we vary our standing offer prices, we will publish the variation in a newspaper and on our website at least 10 business days before it starts. We will also include details with your next bill if the variation affects you.
- (b) Our standing offer prices will not be varied more often than once every 6 months.

8.3 Variation of tariff due to change of use

If a change in your use of energy means you are no longer eligible for the particular tariff you are on, we may transfer you to a new tariff under our standing offer prices:

- (a) if you notify us there has been a change of use – from the date of notification; or
- (b) if you have not notified us of the change of use – retrospectively from the date the change of use occurred.

8.4 Variation of tariff or type of tariff on request

- (a) If you think you satisfy the conditions applying to another tariff or type of tariff under our standing offer prices, you can ask us to review your current circumstances to see whether that tariff or type of tariff can apply to you.
- (b) If you meet the requirements for another tariff or type of tariff and request us to do so, we must:
 - (i) transfer you to that other tariff within 10 business days; or
 - (ii) transfer you to that other type of tariff from the date the meter is read or the type of meter is changed (if needed).

8.5 Changes to tariffs or type of tariff during a billing cycle

If a tariff applying to you changes during a billing cycle, we will calculate your next bill on a proportionate basis.

8.6 GST

- (a) Amounts specified in the standing offer prices from time to time and other amounts payable under this contract may be stated to be exclusive or inclusive of GST. Paragraph (b) applies unless an amount is stated to include GST. Refer to your Energy Plan Details.
- (b) Where an amount paid by you under this contract is payment for a ‘taxable supply’ as defined for GST purposes, to the extent permitted by law, that payment will be increased so that the cost of the GST payable on the taxable supply is passed on to the recipient of that taxable supply.

9. BILLING**9.1 General**

We will send a bill to you as soon as possible after the end of each billing cycle. We will send the bill:

- (a) to you at the address nominated by you; or
- (b) to a person authorised in writing by you to act on your behalf at the address specified by you.

9.2 Calculating the bill

Bills we send to you (‘your bills’) will be calculated on:

- (a) the amount of energy consumed at your premises during the billing cycle (using information obtained from reading your meter or otherwise in accordance with the Rules); and
- (b) the amount of fees and charges for any other services provided under this contract during the billing cycle; and

- (c) the charges payable for services provided by your distributor, including connection charges if you have asked for a new connection or connection alteration and have not made alternative arrangements with your distributor.

9.3 Estimating the energy usage

- (a) We may estimate the amount of energy consumed at your premises if your meter cannot be read, if your metering data is not obtained (for example, if access to the meter is not given or the meter breaks down or is faulty), or if you otherwise consent.
- (b) If we estimate the amount of energy consumed at your premises to calculate a bill, we must:
 - (i) clearly state on the bill that it is based on an estimation; and
 - (ii) when your meter is later read, adjust your bill for the difference between the estimate and the energy actually used.
- (c) If the later meter read shows that you have been undercharged, we will allow you to pay the undercharged amount in instalments, over the same period of time during which the meter was not read (if less than 12 months), or otherwise over 12 months.
- (d) If the meter has not been read due to your actions, and you request us to replace the estimated bill with a bill based on an actual reading of the meter, we will comply with your request but may charge you any cost we incur in doing so.

9.4 Your historical billing information

Upon request, we must give you information about your billing history for the previous 2 years free of charge. However, we may charge you if we have already given you this information in the previous 12 months, or if you require information going back more than 2 years.

9.5 Bill smoothing

We may, where you agree, arrange for you to pay your bills under a bill smoothing arrangement, which is based on a 12 monthly estimate of your energy consumption.

10. PAYING YOUR BILL

10.1 What you have to pay

You must pay to us the amount shown on each bill by the date for payment (the pay-by date) on the bill. The pay-by date will be no earlier than 13 business days from the date on which we issue your bill.

10.2 Issue of reminder notices

If you have not paid your bill by the pay-by date, we will send you a reminder notice that payment is required. The reminder notice will give you a further due date for payment which will be not less than 6 business days after we issue the notice.

10.3 Difficulties in paying

- (a) If you have difficulties paying your bill, you should contact us as soon as possible. We will provide you with information about payment options.
- (b) If you are a residential customer and have told us that you have difficulty paying your bill, we must offer you the option of paying your bill under a payment plan. However, we are not obliged to do so if you have had 2 payment plans cancelled due to non-payment in the previous 12 months or have been convicted of an offence involving the illegal use of energy in the previous 2 years.
- (c) Additional protections may be available to you under our Customer Hardship Policy and under the National Energy Retail Law and the Rules if you are a customer experiencing payment difficulties due to hardship. A copy of our Customer Hardship Policy is available on our website.

10.4 Late payment fees

If you have not paid a bill by the pay-by date, we may require you to pay a late payment fee, which is part of our standing offer prices published on our website.

We will not charge a late payment fee where it is not permitted under your local State or Territory law.

11. METERS

- (a) You must allow safe and unhindered access to your premises for the purposes of reading and maintaining the meters (where relevant).
- (b) We will use our best endeavours to ensure that a meter reading is carried out as frequently as is needed to prepare your bills, consistently with the metering rules and in any event at least once every 12 months.

12. UNDERCHARGING AND OVERCHARGING**12.1 Undercharging**

- (a) If we have undercharged you, we may recover the undercharged amount from you. If we recover an undercharged amount from you:
 - (i) we will not charge interest on the undercharged amount; and
 - (ii) we will offer you time to pay the undercharged amount in instalments over the same period of time during which you were undercharged (if less than 12 months), or otherwise over 12 months.
- (b) The maximum amount we can recover from you is limited to the amount that has been undercharged in the 9 months immediately before we notify you, unless the undercharge is your fault, or results from your unlawful act or omission.

12.2 Overcharging

- (a) Where you have been overcharged by less than \$50, and you have already paid the overcharged amount, we must credit that amount to your next bill.
- (b) Where you have been overcharged by \$50 or more, we must inform you within 10 business days of our becoming aware of the overcharge and, if you have already paid that amount, we must credit that amount to your next bill. However, if you request otherwise, we will comply with that request.
- (c) If you have stopped buying energy from us, we will use our best endeavours to pay the overcharged amount to you within 10 business days.
- (d) If you have been overcharged as a result of your own fault or unlawful act or omission, we may limit the amount we credit or pay you to the amount you were overcharged in the last 12 months.

12.3 Reviewing your bill

- (a) If you disagree with the amount you have been charged, you can ask us to review your bill in accordance with our standard complaints and dispute resolution procedures.
- (b) If you ask us to, we must arrange for a check of the meter reading or metering data or for a test of the meter in reviewing the bill. You will be liable for the cost of the check or test and we may request payment in advance. However, if the meter or metering data proves to be faulty or incorrect, we must reimburse you for the amount paid.
- (c) If your bill is being reviewed, you are still required to pay any other bills from us that are due for payment and the lesser of: (i) the portion of the bill that you do not dispute; or (ii) an amount equal to the average of your bills in the last 12 months.

13. SECURITY DEPOSITS**13.1 Security deposit**

We may require that you provide a security deposit. The circumstances in which we can require a security deposit and the maximum amount of the security deposit are governed by the Rules.

13.2 Interest on security deposits

Where you have paid a security deposit, we must pay you interest on the security deposit at a rate and on terms required by the Rules.

13.3 Use of a security deposit

- (a) We may use your security deposit, and any interest earned on the security deposit, to offset any amount you owe under this contract:
 - (i) if you fail to pay a bill and as a result we arrange for the disconnection of your premises; or
 - (ii) in relation to a final bill (i.e. a bill we issue when you vacate the premises or when you stop purchasing energy from us at your premises or when you request that your premises be disconnected).
- (b) If we use your security deposit or any accrued interest to offset amounts owed to us, we will advise you within 10 business days.

13.4 Return of security deposit

- (a) We must return your security deposit and any accrued interest in the following circumstances:
 - (i) you complete 1 years' payment (in the case of residential customers) or 2 years' payment (in the case of business customers) by the pay-by dates on our initial bills; or
 - (ii) subject to clause 14.3 of this contract, you stop purchasing energy at the relevant premises under this contract.
- (b) If you do not give us any reasonable instructions, we will credit the amount of the security deposit, together with any accrued interest, to your next bill.

14. DISCONNECTION OF SUPPLY**14.1 When can we arrange for disconnection?**

Subject to us satisfying the requirements in the Rules, we may arrange for the disconnection of your premises if:

- (a) you do not pay your bill by the pay-by date and, if you are a residential customer, you:
 - (i) fail to comply with the terms of an agreed payment plan; or
 - (ii) do not agree to an offer to pay the bill by instalments, or having agreed, you fail to comply with the instalment arrangement;
- (b) you do not provide a security deposit we are entitled to require from you; or
- (c) you do not give access to your premises to read a meter (where relevant) for 3 consecutive meter reads; or
- (d) there has been illegal or fraudulent use of energy at your premises in breach of clause 16 of this contract; or
- (e) we are otherwise entitled or required to do so under the Rules or by law.

14.2 Notice and warning of disconnection

Before disconnecting your premises, we must comply with relevant warning notice requirements and other provisions in the Rules. However, we are not required to provide a warning notice prior to disconnection in certain circumstances (for example, where there has been illegal or fraudulent use of energy at your premises or where there is an emergency or health and safety issue).

14.3 When we must not arrange disconnection

- (a) Subject to paragraph (b), your premises may not be disconnected during the following times ('the protected period'):
 - (i) on a business day before 8.00 am or after 3.00 pm (or 2.00 pm if you're a residential customer whose premises are located in Victoria); or

- (ii) on a Friday or the day before a public holiday; or
 - (iii) on a weekend or a public holiday; or
 - (iv) on the days between 20 December and 31 December (both inclusive) in any year;
 - (v) if you are being disconnected under clause 14.1(a), during an extreme weather event.
- (b) Your premises may be disconnected within the protected period:
- (i) for reasons of health and safety; or
 - (ii) in an emergency; or
 - (iii) as directed by a relevant authority; or
 - (iv) if you are in breach of clause 6.5 of your customer connection contract which deals with interference with energy equipment; or
 - (v) if you request us to arrange disconnection within the protected period; or
 - (vi) if your premises contain a commercial business that only operates within the protected period and where access to the premises is necessary to effect disconnection; or
 - (vii) where the premises are not occupied.

15. RECONNECTION AFTER DISCONNECTION

- (a) We must request your distributor to reconnect your premises if, within 10 business days of your premises being disconnected:
- (i) you ask us to arrange for reconnection of your premises; and
 - (ii) you rectify the matter that led to the disconnection; and
 - (iii) you pay any reconnection charge (if requested).
- (b) We may terminate this contract 10 business days following disconnection if you do not meet the requirements in paragraph (a).

16. WRONGFUL AND ILLEGAL USE OF ENERGY

16.1 Use of energy

You must not, and must take reasonable steps to ensure others do not:

- (a) illegally use energy supplied to your premises; or
- (b) interfere or allow interference with any energy equipment that is at your premises except as may be permitted by law; or
- (c) use the energy supplied to your premises or any energy equipment in a manner that:
 - (i) unreasonably interferes with the connection or supply of energy to another customer; or
 - (ii) causes damage or interference to any third party; or
- (d) allow energy purchased from us to be used otherwise than in accordance with this contract and the Rules; or
- (e) tamper with, or permit tampering with, any meters or associated equipment.

17. NOTICES AND BILLS

- (a) Notices and bills under this contract must be sent in writing, unless this contract or the National Energy Retail Law and the Rules say otherwise.
- (b) A notice or bill sent under this contract is taken to have been received by you or by us (as relevant):
- (i) on the date it is handed to the party, left at the party's premises (in your case) or one of our offices (in our case) or successfully faxed to the party (which occurs when the sender receives a transmission report to that effect); or

- (ii) on the date 2 business days after it is posted; or
 - (iii) on the date of transmission (unless the sender receives notice that delivery did not occur or has been delayed) if sent electronically and the use of electronic communication has been agreed between us.
- (c) Our contact details for you to contact us or send us a notice are as set out in our bill to you, or as notified to you from time to time.

18. PRIVACY ACT NOTICE

We will comply with all relevant privacy legislation in relation to your personal information. You can find a summary of our privacy policy on our website. If you have any questions, you can contact our privacy officer.

19. COMPLAINTS AND DISPUTE RESOLUTION

19.1 Complaints

If you have a complaint relating to the sale of energy by us to you, or this contract generally, you may lodge a complaint with us in accordance with our standard complaints and dispute resolution procedures. Note: Our standard complaints and dispute resolution procedures are published on our website.

19.2 Our obligations in handling complaints

If you make a complaint, we must respond to your complaint within the required timeframes set out in our standard complaints and dispute resolution procedures and inform you:

- (a) of the outcome of your complaint and the reasons for our decision; and
- (b) that if you are not satisfied with our response, you have a right to refer the complaint to Ombudsman your state:

VICTORIA

Energy and Water Ombudsman of Victoria

GPO Box 469D, Melbourne, Victoria 3001

Freecall (except mobile phones): 1800 500 509

Telephone Interpreter Service: 131 450

TTY (for hearing impaired customers): 1800 500 529

SOUTH AUSTRALIA

Energy Industry Ombudsman of South Australia

GPO Box 2947, Adelaide, South Australia, 5001

Freecall (from Australia): 1800 665 565

Freefax: 1800 665 165

Overseas call: 61 8 8216 1888

Overseas Fax: 61 8 8216 1844

www.eiosa.com.au

NSW

Energy and Water Ombudsman of New South Wales

Freecall: 1800 246 545

Freefax: 1800 812291

Mail: PO Box K1343, Haymarket 1240

Online: www.ewon.com.au

Email: omb@ewon.com.au

ACT

Civil and Administrative Tribunal (Energy and Water)

Telephone: (02) 620 777 40

Mail: GPO Box 578, Civic Square, ACT 2608

Email: acatenergycomplaints@act.gov.au

Online: <http://www.acat.act.gov.au/>

QUEENSLAND**Energy Ombudsman of Queensland**

Freecall: 1800 662 837

Mail: PO Box 3640, South Brisbane, QLD 4101

Online: www.eoq.com.auEmail: General Enquiries info@eoq.com.au, Complaints complaints@eoq.com.au**20. FORCE MAJEURE****20.1 Effect of force majeure event**

If either party to this contract cannot meet an obligation under this contract because of an event outside the control of that party ('a force majeure event'):

- (a) the obligation, other than an obligation to pay money, is suspended to the extent it is affected by the force majeure event for as long as the force majeure event continues; and
- (b) the affected party must use its best endeavours to give the other party prompt notice of that fact including full particulars of the event, an estimate of its likely duration, the extent to which the affected party's obligations are affected and the steps being taken to remove, overcome or minimise those effects.

20.2 Deemed prompt notice

If the effects of a force majeure event are widespread, we will be deemed to have given you prompt notice if we make the necessary information available by way of a 24 hour telephone service within 30 minutes of being advised of the event or otherwise as soon as practicable.

20.3 Obligation to overcome or minimise effect of force majeure event

A party that claims a force majeure event must use its best endeavours to remove, overcome or minimise the effects of that event as soon as practicable.

20.4 Settlement of industrial disputes

Nothing in this clause requires a party to settle an industrial dispute that constitutes a force majeure event in any manner other than the manner preferred by that party.

21. APPLICABLE LAW

The laws of the State or Territory in which your premises are located govern this contract.

22. RETAILER OF LAST RESORT EVENT

If we are no longer entitled by law to sell energy to you due to a Retailer of Last Resort (RoLR) event occurring in relation to us, we are required under the National Energy Retail Law and the Rules to provide relevant information (including your name, billing address and metering identifier) to the entity appointed as the relevant designated retailer for the RoLR event and this contract will come to an end.

23. GENERAL**23.1 Our obligations**

Some obligations placed on us under this contract may be carried out by another person. If an obligation is placed on us to do something under this contract, then:

- (a) we are taken to have complied with the obligation if another person does it on our behalf; and
- (b) if the obligation is not complied with, we are still liable to you for the failure to comply with this contract.

23.2 Amending this contract

- (a) This contract may only be amended in accordance with the procedures set out in the National Energy Retail Law.
- (b) We must publish any amendments to this contract on our website.

SIMPLIFIED EXPLANATION OF TERMS

billing cycle means the regular recurrent period for which you receive a bill from us;

business day means a day other than a Saturday, a Sunday or a public holiday;

customer means a person who buys or wants to buy energy from a retailer;

customer connection contract means a contract between you and your distributor for the provision of customer connection services;

designated retailer means the financially responsible retailer for the premises (where you have an existing connection) or the local area retailer (where you do not have an existing connection) for your premises;

disconnection means an action to prevent the flow of energy to the premises, but does not include an interruption;

distributor means the person who operates the system that connects your premises to the distribution network;

emergency means an emergency due to the actual or imminent occurrence of an event that in any way endangers or threatens to endanger the safety or health of any person, or normal operation of the distribution system or transmission system, or that destroys or damages, or threatens to destroy or damage, any property;

energy means electricity or gas;

energy laws means national and State and Territory laws and rules relating to energy and the legal instruments made under those laws and rules;

force majeure event means an event outside the control of a party;

GST has the meaning given in the GST Act (**A New Tax System (Goods and Services Tax) Act 1999** (Cth));

National Energy Retail Law means the Law of that name that is applied by each participating State and Territory;

relevant authority means any person or body who has the power under law to direct us, including the Australian Energy Market Operator and State or Federal Police;

residential customer means a person who purchases energy principally for personal, household or domestic use at their premises;

retailer means a person that is authorised to sell energy to customers;

RoLR event means an event that triggers the operation of the Retailer of Last Resort scheme under the National Energy Retail Law;

Rules means the National Energy Retail Rules made under the National Energy Retail Law;

security deposit means an amount of money paid to us as security against non-payment of a bill in accordance with the Rules;

small customer means: (a) a residential customer; or (b) a business customer who consumes energy at or below a level determined under the National Energy Retail Law;

standing offer prices means tariffs and charges that we charge you for or in connection with the sale and supply of energy. These are published on our website.

PART 2: GREEN OPTION TERMS AND CONDITIONS

If you accept one of our green options, the following terms and conditions apply to the green option ('Green Option Terms and Conditions'):

- (a) You agree to pay the extra amount for your selected green option as shown in your Energy Plan Details. You agree that this amount, which will appear on your electricity bills, will be charged in addition to the electricity tariffs and charges that you're obliged to pay under your Contract.

- (b) We may vary the tariffs and charges of your green option from time to time and we'll use our best endeavours to provide you with notice as soon as practicable, or in any event no later than your next bill, if we vary these tariffs and charges.
- (c) You may switch to another appropriate green option or cancel your green option by giving us at least 30 days' notice. Please note that
 - (i) switching to a different green option won't affect any Contract between you and us; and
 - (ii) if you cancel your green option the Green Option Terms and Conditions will no longer apply to you but there will be no change to any Contract between you and us.
- (d) We'll ensure that for the percentage of the electricity that we sell to you (as applicable to your selected green option and set out in your Energy Plan Details), an equivalent amount of electricity is produced from GreenPower Generators accredited under the National GreenPower Accreditation Program.
- (e) The electricity produced from GreenPower Generators to meet your green option is dispatched into the communal electricity grid and cannot be distinguished from electricity produced from non-renewable sources. We therefore cannot guarantee that any or all of the electricity actually supplied to your premises is partly or exclusively from renewable energy sources.
- (f) However, as our green options are accredited GreenPower products, the rules of the National GreenPower Accreditation Program operate to ensure that we cause the required amount of renewable energy to be produced and dispatched into the communal system.
- (g) If for any reason your green option ceases to be accredited under the rules of the National GreenPower Accreditation Program, or we're no longer able to continue providing the green option, we will notify you of your options as soon as practicable. You may cancel your green option by notifying us.
- (h) For more information on the National GreenPower Accreditation Program please go to www.greenpower.com.au.
- (i) These Green Option Terms and Conditions form a separate contract between you and us and don't limit, vary or exclude the operation of any Contract between you and us for the sale of energy.

These Green Option Terms and Conditions are between:

EnergyAustralia Pty Ltd (ABN 99 086 014 968) (in these Green Option Terms and Conditions referred to as 'we', 'our' or 'us'); and

You, the customer to whom these Green Option Terms and Conditions apply (in these Green Option Terms and Conditions referred to as 'you' or 'your').

Other terms used in these Green Option Terms and Conditions have the same meanings as in the market retail contract for the sale of energy between you and us.

ANNEXURE – VICTORIAN CUSTOMERS

- 1 This Annexure forms part of your Standard Retail Contract Terms and Conditions ('Standing Terms'). To the extent of any inconsistency between this Annexure and the remainder of the Standing Terms, the provisions in this Annexure take precedence over the Standing Terms.
- 2 All references in the Standing Terms to the National Energy Retail Law or the National Energy Retail Rules are taken to be references to any acts, rules, regulations, orders, guidelines, licences or codes, including the Energy Retail Code and the like, that regulate the parties or the energy industry in Victoria, as varied or replaced from time to time (the 'Regulatory Requirements').
- 3 Subject to the Regulatory Requirements, sections 4.2(a)(i) and (vi) of the Standing Terms are replaced with the following provisions:
- (i) if you give us 28 days' notice stating you wish to end the contract;
 - (ii) if the premises are disconnected and you have not met the Regulatory Requirements for reconnection, on the date on which you no longer have a right to be reconnected.
- Under the Regulatory Requirements your liability to pay us for energy consumed may end sooner than provided for in section 4.2(a) of the Standing Terms.
- 4 For the purposes of section 4.3(a) of the Standing Terms, you must also provide us with a notice of the date on which you will, or have, vacated. Section 4.3(c) does not apply and instead you will continue to be responsible for charges for the premises until the later of:
- (i) three business days after the date on which you give us notice of the date on which you intend to vacate, or did vacate the premises under section 4.3(a); or
 - (ii) the date on which you vacate your premises,
- unless the Regulatory Requirements provide that your responsibility for charges ends sooner, in which case, your responsibility ends when provided for in the Regulatory Requirements.
- 5 Notwithstanding section 5.1(b)(i) of the Standing Terms, you will only be responsible for charges even if you vacate the premises earlier if provided for in the Regulatory Requirements.
- 6 For the purposes of section 6.1 of the Standing Terms and subject to section 6.2, the information that we are permitted to require from you is:
- (i) your acceptable identification;
 - (ii) your contact details; and
 - (iii) if your premises are a rental property, the contact details of the property owner or owner's agent.
- 7 Notwithstanding section 6.3 of the Standing Terms, you must register the premises with us and you must tell us if the life support equipment is no longer required at the premises (or if any details change). If you register the premises with us, we must inform the distributor of this and we must also inform them with details of any changes.
- 8 In addition to section 7(c) of the Standing Terms, we cannot limit our liability to you for any breach of this contract by us.
- 9 For the purposes of section 8.2(a) of the Standing Terms, if we vary our standing offer prices, we will publish the variation in a newspaper and on our website at least 1 month before it starts. We will also include details with your next bill if the variation affects you.
- 10 Section 9.3(c) of the Standing Terms is to be read subject to our ability to recover undercharged amounts as set out in section 12.1(b) of the Standing Terms.
- 11 Notwithstanding section 10.3(b) of the Standing Terms, we are not obliged to offer you the option of paying your bill under a payment plan if you have:
- (i) had 2 payment plans cancelled due to non-payment in the previous 12 months and you do not provide reasonable assurance to us that you are willing to meet payment obligations under a further payment plan; or
 - (ii) in your dealings with us, been convicted of an offence involving fraud or theft.

- 12 In addition to section 12.1(a) of the Standing Terms, if the amount we can recover from you is unlimited due to the undercharging being as a result of your unlawful act or omission, we will offer you time to pay the undercharged amount in instalments over the same period of time during which you were undercharged.
- 13 In relation to section 12.1(b) of the Standing Terms, the maximum amount we can recover from you is only limited to 9 months in circumstances in which you have been undercharged as a result of a failure in our billing systems.
- 14 In relation to section 12.2(a) of the Standing Terms, the reference to 'less than \$50' should be '\$50 or less'.
- 15 Section 12.2(d) of the Standing Terms does not apply.
- 16 Notwithstanding section 12.3(b), you are not required to pay us in advance the cost to check your meter, and you will only be required to pay us after the test has been carried out (in circumstances where the test indicates that your meter was not faulty or incorrect).
- 17 For the purposes of section 13.3(a)(i) of the Standing Terms, we may only use your security deposit in accordance with section 13.3(a)(i), if, in addition to the requirements in section 13.3(a)(i), you no longer have the right to be reconnected under the Regulatory Requirements.
- 18 For the purposes of section 13.3(b) of the Standing Terms, if we use your security deposit or any accrued interest to offset amounts owed to us, we will advise you and pay you any balance of the deposit within 10 business days.
- 19 Section 14.1(d) of the Standing Terms does not apply.
- 20 Section 14.2 of the Standing Terms does not apply and instead, we must comply with any disconnection notice and warning provisions in the Regulatory Requirements and may only rely on the exceptions to those disconnection notice and warning provisions which are set out in the Regulatory Requirements.
- 21 Sections 14.3(a)(iv) and (v) and section 14.3(b) of the Standing Terms do not apply. For the avoidance of doubt, you may request disconnection at any time, including during the protected period.
- 22 We must use our best endeavours to comply with our obligations set out in section 15(a) of the Standing Terms.
- 23 Notwithstanding section 22 of the Standing Terms, if we are no longer entitled by law to sell energy to you due to a Retailer of Last Resort (RoLR) event occurring in relation to us, then this contract ends and you are not liable for any termination fee or penalty.

Smart meters – for customers with smart meters only

- 24 Notwithstanding anything in section 8.2(a) of the Standing Terms and Part 2(b) (Green Option terms and conditions) of this contract, we will give you notice of any variation to the amount and/or structure of our retail tariffs which affect you. The notice will be given as soon as practicable and in any event at least 20 business days prior to the variation. This notice is in addition to the publication requirements set out in section 7 of this Annexure.
 - 25 Notwithstanding anything in section 9.3 of the Standing Terms, if we are not able to reasonably or reliably base a bill on actual metering data collected from your smart meter, we may provide you with a bill that is either:
 - (a) prepared using estimated and/or substituted metering data in accordance with the Regulatory Requirements; or
 - (b) if estimated and/or substituted metering data is not available, prepared based on:
 - (i) your historical billing or metering data; or
 - (ii) where we do not have that data, based on the average consumption at the relevant tariff calculated over the period covered by the estimated bill.
-

Equal Opportunity Act 2010NOTICE OF PUBLICATION OF PRACTICE
GUIDELINES

As required by section 150 of the **Equal Opportunity Act 2010**, the Victorian Equal Opportunity and Human Rights Commission gives notice of its publication of Practice Guidelines: 'Guidelines for the recruitment industry and employers: Complying with the Equal Opportunity Act 2010 in recruitment'.

This guideline is for employers and recruitment agencies. It applies to organisations and individuals involved in all aspects of recruitment.

This guideline may be read on the Commission's Internet site: www.humanrightscommission.vic.gov.au/guidelines
Dated 22 November 2012

KAREN TOOHEY
Acting Commissioner

Forests Act 1958REVOCATION OF DETERMINATION OF
FIREFOOD COLLECTION AREAS

I, Paul Bates, Acting District Manager, Murray Goldfields, Department of Sustainability and Environment, as delegate of the Secretary to the Department of Sustainability and Environment, under section 57U of the **Forests Act 1958**, revoke the determination of the firewood collection area described in item 120 of the table in the determination made under section 57U of the **Forests Act 1958** on 29 August 2012 and published in the Government Gazette No. S 295 on 30 August 2012.

This revocation comes into operation on publication of this notice.

Dated 19 November 2012

PAUL BATES
Acting District Manager, Murray Goldfields
Department of Sustainability and Environment
as delegate of the Secretary to the
Department of Sustainability and Environment

Land Act 1958

In accordance with section 137 of the **Land Act 1958**, notice is hereby given that AquaSure Pty Ltd (ACN 135 956 393) has applied for a lease pursuant to section 137AA(4) of the

Land Act 1958 for a term of 30 years or until the Project Deed expires or is terminated in respect of Crown Allotments 2014, 2015, 2016 and 2017 in the Parish of Wonthaggi for the use, operation and maintenance of the Intake and Outlet Structures and Desalination Plant Structures for the purposes of the Victorian Desalination Project.

File Reference: 2020190

Land Acquisition and Compensation Act 1986
FORM 7

S. 21(a)
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Casey City Council declares that by this notice it acquires the following interest in the land described as 61–63 Webb Street, Narre Warren, being the whole of the land in Certificates of Title Volume 7707 Folio 169 and Volume 10055 Folio 932:

The estate in fee simple of Dorothy Mary Gunn and all other interests including those of the Director of War Service Homes (in respect of Volume 7707 Folio 169 only) and of Irene Faye Jones.

Published with the authority of the Casey City Council.

Dated 22 November 2012

For and on behalf of the
Casey City Council
signed MIKE TYLER
Chief Executive Officer

Marine Safety Act 2010

PUBLIC NOTICE

Declaration of
Boating Activity Exemption

I, David Jackson, Dams Land and On-Water Manager of Goulburn–Murray Water, the Waterway Manager for Lake Eppalock, declare under section 203(3) of the **Marine Safety Act 2010** that the Australian Championships proposed by the Victorian Speedboat Club (VSBC) on 24 and 25 November 2012 is exempt from:

1. The requirements to operate a vessel at a speed not exceeding 5 knots within 50 metres of another vessel, the water's edge and fixed or floating structures, as detailed in Clauses 2(c), 3(a) and 3(b) of Notice No. 1 under section 15(2) of the **Marine Act 1988**;
2. The requirements of clause 49.2(n)(iv) (area prohibited to vessels) of Schedule 49 of Notice No. 1 under section 15 of the **Marine Act 1988**;
3. The requirements of Regulation 44(2)(b) of the Marine Safety Regulations 2012, in respect to the requirements for holders of Restricted Marine Licenses to operate a vessel at a speed not exceeding 10 knots or more. This only applies to competitors in Formula Future J3 Class.

The exemptions apply to competitors participating in Victorian Speed Boat Club event from 7.00 am to 5.00 pm on 24 November 2012 and 7.00 am to 5.00 pm on 25 November 2012 at Lake Eppalock within the exclusion zone adjacent to the VSBC in the Derrinal Pool as marked by buoys, provided the stated safety controls and undertakings detailed in the Event Application, VSBC Racing Procedures and APBA Rule Book are adhered to.

Dated 20 November 2012

DAVID JACKSON
Dams Land and On-Water Manager
Goulburn–Murray Water

Marine Safety Act 2010
Section 208(2)

NOTICE OF BOATING ACTIVITY EXCLUSION ZONE

In accordance with section 208(2) of the **Marine Safety Act 2010**, Parks Victoria (the waterway manager for the Yarra River upstream of the Port of Melbourne) gives notice that the waters of the Yarra River within the area detailed below in Table 1 are prohibited to all persons and vessels not registered and approved to take part in the Dragons Boats Victoria, Docklands Cup 2012.

Table 1: Victoria Harbour Exclusion Zone

From 8.30 hours to 11.00 hours, the waters bounded by:

- (i) A line extending from a point 37°49'2.82"S, 144°56'42.9576"E to a point 37°49'6.6972"S, 144°56'22.023"E;
- (ii) A line extending from a point 37°49'6.6972"S, 144°56'22.023"E to a point 37°49'8.9214"S, 144°56'22.6998"E;
- (iii) A line extending from a point 37°49'8.9214"S, 144°56'22.6998"E to a point 37°49'4.584"S, 144°56'43.7208"E;
- (iv) A line extending from a point 37°49'4.584"S, 144°56'43.7208"E to a point 37°49'2.82"S, 144°56'42.9576"E.

From 11.00 hours to 17.00 hours, the waters bounded by:

- (v) A line extending from a point 37°49'2.82"S, 144°56'42.9576"E to a point 37°49'5.07"S, 144°56'31.1208"E;
- (vi) A line extending from a point 37°49'5.07"S, 144°56'31.1208"E to a point 37°49'7.4418"S, 144°56'31.9986"E;
- (vii) A line extending from a point 37°49'7.4418"S, 144°56'31.9986"E to a point 37°49'4.54"S, 144°56'43.7208"E;
- (viii) A line extending from a point 37°49'4.54"S, 144°56'43.7208"E to a point 37°49'2.82"S, 144°56'42.9576"E.

The exclusion zone takes effect from 8.30 am to 5:00 pm on Sunday 2 December 2012.

Dated 22 November 2012

VINCENT WRIGHT
As delegate of Parks Victoria

Marine Safety Act 2010

REGULATION OF NAVIGATION AROUND WORKS

Parks Victoria, as the declared waterway manager for the waters of the Yarra River upstream of the port waters of the Port of Melbourne, under the **Marine Safety Act 2010** (Act), makes the following notice under section 211(1) of the Act.

For the purposes of the works activity proposed by Wesley College Melbourne for maintenance dredging of Wesley College Rowing Landing in their application of 2 November 2012, under section 211(1), Parks Victoria provides the following notice that:

1. prohibits the navigation and other movement of vessels in the works area, excluding Parks Victoria vessels and other vessels involved in the works;
2. specifies the works area as being the Herring Island meander on the Yarra River, as delineated by the line of water communication buoys at both meander entrances;
3. specifies the duration of works applies from 7.00 am 26 November 2012 to 7.00 pm 14 December 2012.

Dated 22 November 2012

BY ORDER OF PARKS VICTORIA

**Mineral Resources
(Sustainable Development) Act 1990**

DEPARTMENT OF PRIMARY INDUSTRIES

Exemption of Land from a Licence

I, David Boothroyd, Manager Earth Resources Tenements, pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act 1990** and under delegation from the Minister for Energy and Resources, hereby exempt all that Crown land situated within the boundaries of exploration licence application 5450 from being subject to a licence application under the **Mineral Resources (Sustainable Development) Act 1990**.

Dated 16 November 2012

DAVID BOOTHROYD
Manager Earth Resources Tenements
Earth Resources Regulation Branch

**MINISTERIAL GUIDELINES:
PORT SAFETY AND
ENVIRONMENT MANAGEMENT PLANS**

November 2012

ACKNOWLEDGEMENTS

The Department of Transport (DOT) would like to acknowledge the assistance of officers from DSE, EPA, TSV, Victoria Police and WorkSafe in the development of these Guidelines.

DOT would also like to thank Victorian commercial trading and local port managers and officers for their participation in workshops and for providing comments on the draft Guidelines.

Abbreviations

AS/NZS	Australian and New Zealand Standard
CoM	Committee of Management
DOT	Department of Transport
DSE	Department of Sustainability and Environment
EPA	Environment Protection Authority
TSV	Transport Safety Victoria
OH&S	Occupational Health and Safety
PMA	Port Management Act 1995
SEMP	Safety and Environment Management Plan
SEPP	State Environment Protection Policy
VWA	Victorian WorkCover Authority, otherwise known as WorkSafe

Expressions used in the Guidelines**‘hazard’***

‘A source of potential harm’ (AS/NZS ISO 31000:2009 Risk management principles and guidelines)

‘Management Plan’

A Safety Management Plan or an Environment Management Plan required by section 91C of the PMA. Referred to collectively as Safety and Environment Management Plans (SEMPs) or Management Plans.

‘must’

In these Ministerial Guidelines, the term ‘must’ is used to identify items/elements of port Management Plans that are mandated by the PMA or other legislation.

‘Prescribed Agencies’

Includes the EPA, TSV and VWA.

‘risk’*

‘The chance of something happening that will have an impact upon objectives. It is measured in terms of consequence and likelihood’ (AS/NZS ISO 31000:2009 Risk management principles and guidelines)

‘Whole of port’

Includes those areas of the port and environs whether under the control of the Port Manager or not, that have the potential to impact, or be impacted by, port activities.

* For the purpose of these guidelines the above terms are defined in accordance with Australian Standard AS/NZS ISO 31000:2009 Risk management principles and guidelines. It should be noted that regulatory agencies, such as EPA, may have slightly different or more specific definitions under their regulatory regimes with which port managers should make themselves familiar.

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1. INTRODUCTION

This chapter:

- Provides background information
- Outlines the purpose of port SEMP's
- Outlines the purpose of the Guidelines

1.1 Background

The **Port Management Act 1995** (PMA) was amended in 2003 to require all ports to have in place a Safety Management Plan and an Environment Management Plan (under Part 6A of the Act), collectively known as SEMP's or Management Plans.

The Management Plans are intended to facilitate the systematic examination of whole of port activities by port managers to ensure that hazards and risks are identified and controlled either by the port manager, or by other responsible parties. Ideally, the Management Plans should identify the roles and responsibilities of the various parties involved and will assist port managers to identify, assess and respond to hazards and risks in a coordinated, effective and practical way.

The requirement for Management Plans was intended to address concerns raised about a fragmented approach to land and marine based safety and environment management and accountability. This was particularly an issue at the interface between land and water in the ports.

In addition to supporting a comprehensive, risk-based approach to safety and environment management by port managers, Management Plans are intended to facilitate integration of the different safety and environmental regimes that already apply, and to address any overlaps or gaps.

The key agencies with responsibility for administration of port safety and environment legislation are EPA, WorkSafe and TSV.

It should be noted that the inclusion of explicit safety and environment requirements in the **Port Management Act 1995** (PMA) does not replace or override general safety and environment legislation. Rather, the intent is to complement existing laws by bringing a whole-of-port perspective to the management of safety and environment in Victorian ports.

1.2 Review 2010

A review of the requirements for the Management Plans was completed in 2010. The review found the original intention of the Management Plans was generally being achieved, but improvements could be made to reduce duplication, improve communication, consolidate certification and auditing, and to make the system more outcomes focused.

After consultation with port managers and the relevant agencies these improvements were implemented through the **Port Management Act 1995** (PMA) amendment, which came into effect on 14 November 2012.

The 3rd edition of the Ministerial Guidelines expands on these changes, including:

- the addition of SEMP objectives, which focus on integration, outcomes and ongoing improvement;
- key performance indicators and monitoring;
- guidance on the form, content and method for preparing an annual report; and
- guidance to avoid duplication with other management plans and systems.

1.3 Changes to Legislation

Since the Ministerial Guidelines were last published, a number of legislative amendments have taken place in Victoria:

- The **Port Services Act 1995** was renamed the **Port Management Act 1995**;
- The **Marine Safety Act 2010** was enacted:

- The **Transport Integration Act 2010** was enacted; and
- The **Marine Act 1988** was renamed the **Marine (Drug, Alcohol and Pollution Control) Act 1988** and a number of provisions were amended or repealed.

1.4 SEMP Objectives

Section 91CA of the PMA sets out the objectives of safety and environmental management planning which SEMP's should address. The objectives are:

- promoting improvements in safety and environmental outcomes at Victoria's ports;
- promoting and facilitating the development, maintenance and implementation of systems that enable compliance with the various safety and environmental duties that apply to the operation of the port; and
- promoting an integrated and systematic approach to risk management in relation to the operation of the port.

The SEMP objectives must be stated in the Management Plans and must also set out key performance indicators through which the port manager can assess the extent to which the implementation of the plan achieves the safety and environmental management planning objectives of the Act.

1.5 Purpose of the Guidelines

Section 91G(1) of the PMA provides that the Minister may issue guidelines in relation to the Management Plans and the annual report.

Section 91G(1)

The Minister may issue guidelines about the following matters in relation to management plans and the annual report:

- a) the form of the plans;
- b) the content of the plans;
- c) the method and process for preparing the plans;
- d) the processes to enable tenants, licensees and service providers in the port to be involved in the preparation and implementation of the plans;
- e) the processes for consultation with people affected by the plans;
- f) the publication and availability of management plans;
- g) the form and content of reports under section 91HB; and
- h) the date by which a report under section 91HB must be prepared.

The purpose of the Guidelines is to assist individual port managers in developing detailed plans for their particular ports.

These Guidelines are broadly structured around the relevant provisions of the PMA and are intended to provide a clear explanation of the requirements for Management Plans and practical advice on their development, implementation, maintenance and review.

Chapters 1, 2 and 3 provide an introduction and context to the specific requirements for Management Plans.

For the requirements of the PMA to be met, the content, methods and processes used in forming the Management Plans must be consistent with these Guidelines, clearly documented and readily auditable from both a safety and environment management perspective (refer to Chapter 5 for specific guidance).

Form, content, method and process matters are addressed in more detail in chapters 4–7 of these Guidelines.

The Guidelines will be reviewed and revised as required and ports informed of any changes. Comment and feedback is encouraged – contact details are provided in Annexe 1.

2. APPLICATION TO VICTORIAN PORTS AND PORT MANAGERS

This chapter:

- describes the responsibilities of the port manager
- describes the expectations and opportunities for cooperation between port managers
- describes the application of the legislation to Victorian ports.

2.1 Application to Victorian ports

2.1.1 Definitions

The requirement under part 6A of the PMA, to develop and implement Management Plans, applies to the port managers of all Victorian ports. Section 3(a) of the PMA categorises and defines Victorian ports as either a ‘commercial trading port’ or a ‘local port’.

Section 3

Definitions

‘commercial trading port’ means the port of Melbourne, the port of Geelong, the port of Portland, the port of Hastings and any other port declared to be a commercial trading port by Order in Council under section 6

‘local port’ means a port declared to be a local port by Order in Council under section 6.

New ports may be declared from time to time under the PMA, as local ports or commercial trading ports, by Order in Council published in the Government Gazette.

The port manager of any newly declared port has 12 months from the date of declaration to have their first Management Plans prepared.

2.1.2 Application to port area(s)

Management Plans must cover the operations of the whole ‘declared’ port area. Section 5 of the PMA sets out the process for declaration.

PMA Section 5

Orders in Council:

- 6) A port consists of the area or areas of lands and waters or lands or waters that are from time to time declared in relation to that port by Order of the Governor in Council under this section.
- 7) An Order of the Governor in Council may describe an area of lands or waters by reference to any map or plan lodged in the Central Plan Office of the Department of Sustainability and Environment.

This requirement does not preclude a port manager from extending its hazard identification and risk management processes to cover other areas it may control, outside the port area(s) as declared under section 5 of the PMA.

The Management Plans may be useful as a framework to meet other legislative requirements, such as requirements for Environment Improvement Plans under the **Environment Protection Act 1970**.

2.2 Responsibilities of port, managers

2.2.1 Definitions

Section 3(a) of the PMA defines ‘port manager’.

Section 3

Definitions

‘port manager’ means:

- a) in the case of a commercial trading port, the person or body who effectively manages, superintends or controls the operation of the port or part of the port, but does not include a tenant or occupier of part of the port unless the tenant or occupier has entered into a port management agreement to manage the operations of that part of the port; or

- b) in the case of a local port, the person or body appointed under section 44A to be the port manager of the port.

In some ports there will be more than one port manager. As at the date of publication, the situation at the four commercial trading ports is as follows:

- Melbourne – the port manager is the Port of Melbourne Corporation (POMC), a statutory corporation established under the PMA and continued under the **Transport Integration Act 2010**.
- Portland – the port manager is a private-sector company that owns the land of the port and manages the port waters.
- Geelong – there are two port managers that are private-sector companies that own and manage the land of the port. There is also a statutory corporation, the Victorian Regional Channels Authority (VRCA), which is the port manager for the port waters of Geelong.
- Hastings – there are two private-sector companies that are port managers. BlueScope Steel Limited manages part of the land of the port and Patrick Stevedoring Pty Ltd manages part of the land of the port under a ‘port management agreement’ with the Port of Hastings Development Authority (POHDA). Patrick Stevedoring Pty Ltd also manages all of the waters of the port under a ‘channel operating agreement’ with the VRCA.

The port manager of a local port is appointed under the PMA and must also be a Committee of Management (CoM) for the purposes of the **Crown Land (Reserves) Act 1978**. These CoMs may be bodies such as Parks Victoria or shire councils or may have been specifically created to manage the local port.

A list of commercial trading ports and local ports and their current port managers is included in Annexe 4.

Management Plans must clearly identify the responsible port manager(s) and the operations for which they are responsible.

2.2.2 Port managers are required to prepare and have audited-management plans for their ports

Section 91C(1)

A port manager must ensure that:

- a) a safety management plan; and
- b) an environment management plan –
are prepared in accordance with Part 6A of the PMA for the port or part of the port that the port manager manages, superintends or controls.

A port manager must ensure that:

- a) the safety management plan; and
- b) the environment management plan –
for the port or part of the port that the port manager manages, superintends or controls are audited in accordance with Part 6A of the PMA.

The PMA sets in place requirements for port managers to develop both a Safety Management Plan and an Environment Management Plan, which may be prepared as a single integrated Safety and Environment Management Plan.

Port managers may refer to existing materials or management systems when preparing a Plan and complying with these Guidelines.

All Management Plans must be audited for compliance with the requirements of section 91D(1) of the PMA and as having been prepared in accordance with these Ministerial Guidelines. Chapter 4 of these Ministerial Guidelines provides further detail on the requirements of section 91D(1).

2.2.3 Cooperation between port managers

Multiple port managers

Where multiple port managers co-exist within the one port, it is expected that all port managers will cooperate to achieve effective coordination of their Management Plans and, in developing Management Plans, will examine opportunities to work together to more effectively control or minimise hazards and risks. This may be achieved with a single Management Plan or multiple Management Plans.

For example, this may involve:

- one port manager taking the lead in the development of the plans for each of the port managers or port managers working together to develop integrated Management Plans
- identifying and actioning management plan tasks which are best done on a whole-of-port basis (for example, agreeing a common hazard identification and risk assessment methodology)
- jointly commissioning and funding projects which support management plan development or implementation
- establishing ongoing arrangements for sharing information, maintaining and revising the Management Plans or coordinating communications with stakeholders. In these situations, port managers should pay particular attention to carefully defining and allocating responsibilities for preparing and implementing the plans as each individual port manager remains ultimately accountable for compliance with the requirements of the PMA as it applies to the area of the port that the port manager manages, superintends or controls.

Port managers in adjacent ports

Where ports are adjacent to one another or in close proximity, there is potential for the operations in one port to impact on the other port. For example, the local ports of Port Phillip and Western Port have port waters that overlap and/or are adjacent to the port waters of the commercial trading ports of Melbourne, Geelong and Hastings respectively.

In such cases, it is expected that port managers will cooperate to achieve effective coordination of their Management Plans and, in developing Management Plans, will examine opportunities to work together to more effectively control or minimise hazards and risks.

Port managers at different ports

Port managers at different ports may choose to cooperate in the development of their Management Plans to achieve scale and scope efficiencies. Local ports with similar operations and geographic proximity may find this approach particularly useful. Cooperation could involve:

- joint engagement of a single contractor to develop Management Plans on behalf of multiple ports
- identifying and actioning management plan tasks which could be carried out on a multiport basis (for example, developing a common hazard identification and risk assessment methodology for a number of ports)
- development of common management systems and procedures (standard operating procedures).

Such approaches may be particularly applicable to local ports. However, care must be taken to make sure that any differences arising from the scope and nature of port operations and from different hazards and levels of risks are taken into account. For example, two ports might have infrastructure in very different states of repair or subject to different types or levels of use.

3. RELEVANT LEGISLATION, AGENCIES AND EXISTING WORK

This chapter:

- provides advice on the application of other relevant Acts
- identifies regulatory agencies that can provide additional advice
- describes how work completed by ports to comply with other safety and environment legislative requirements or standards can be incorporated into port Management Plans

3.1 Statutory duties and obligations

The requirement to prepare Management plans is contained in section 91C of the PMA with safety and environmental planning objectives outlined in section 91CA.

All port managers have general duties, supported by specific legislative requirements, to prevent or reduce hazards or risks to safety and the environment so far as is reasonably practicable.

The safety management and environment management planning objectives should inform the development of plans. To address the objectives, port managers should indicate their awareness of their statutory duties and obligations in relation to safety and environmental management and briefly set out how the duties will be complied with.

The intention of this requirement is to outline what whole-of-port duties the port manager addresses through the Management Plans and how other safety and environmental duties relate to the Management Plans.

In this respect, SEMP's offer an opportunity for ports to identify and potentially detail the processes or actions being taken to meet all relevant legislative obligations.

3.2 Other relevant legislation

The provisions for Management Plans in the PMA recognise the primacy of existing safety and environment legislation.

Section 91A

Definition

In this part—

‘relevant Ministers’ means the Ministers administering the **Coastal Management Act 1995**, the **Dangerous Goods Act 1985**, the **Environment Protection Act 1970**, the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, the **Marine Safety Act 2010**, the **Occupational Health and Safety Act 2004**, and the **Emergency Management Act 1986**.

Section 91B

Application of other Acts

- 1) This Part has effect in addition to, and not in derogation of, any Act referred to in the definition of ‘relevant Ministers’.
- 2) If a provision of this Part is inconsistent with a provision of an Act referred to in the definition of ‘relevant Ministers’, the provision of the Act referred to in the definition prevails to the extent of any inconsistency.

Consequently, port managers should in no way interpret these Guidelines as a reason for not complying with relevant legislation.

The main Victorian legislation covering safety and environment matters with which port managers must comply, as referenced in the PMA, is:

- **Dangerous Goods Act 1985**
- **Emergency Management Act 1986**
- **Environment Protection Act 1970**

- **Marine Safety Act 2010**
- **Occupational Health and Safety Act 2004**
- **Coastal Management Act 1995**

Associated regulations or other instruments under the above Acts must also be complied with. While not explicitly referenced in the PMA, the **Pollution of Waters by Oil and Noxious Substances Act 1986** (POWBONS) is also relevant and must be complied with.

If any part of these Guidelines is inconsistent with the legislation listed above, then that legislation prevails to the extent of any inconsistency.

Some key requirements under these other legislative schemes specifically relevant to Management Plans are outlined in Annexe 3.

Transport Integration Act 2010

The **Transport Integration Act 2010** (TIA) is Victoria's principal transport statute. The TIA provides a common policy framework for use by state and local government bodies when making decisions about the transport system.

Some commercial ports or port managers are identified as a transport body under the TIA. These must have regard to the TIA objectives and principles when developing management plans. Integrated decision making, consultation, environmental sustainability and safety, health and wellbeing are examples of TIA objectives and decision making principles which should inform the management plans.

Other ports or port managers may find the TIA objectives and decision making principles useful in formulating management plans, although there is no statutory requirement for those other ports or port managers to have regard to the TIA.

Local ports are interface bodies rather than transport bodies under the TIA. An interface body is required to have regard to the TIA objectives and principles only where there is a significant impact on the transport system.

Commonwealth and international legislation

Various Commonwealth legislation also applies to the operation of the ports and is relevant to the preparation of the Management Plans. Relevant Commonwealth legislation includes but is not limited to:

- **Maritime Transport and Offshore Facilities Security Act 2003**
- **Navigation Act 1912**
- **Occupational Health and Safety (Marine Industry) Act 1993**
- **Environment Protection and Biodiversity Conservation Act 1999** (e.g. Ramsar Wetlands)
- **Australian Maritime Safety Authority Act (1994)**
- **Environmental Management and Pollution Control Act (1994)**
- **Protection of the sea (Harmful Anti-fouling systems) Act 2006**

A Memorandum of Understanding between WorkSafe and the Australian Maritime Safety Authority (AMSA), among other things, provides guidance on issues such as jurisdictional responsibilities of WorkSafe and AMSA in relation to ship based operations and the transfer of dangerous goods between ship and shore.

There are a number of international conventions to which Australia is a signatory. These may be given effect to by Commonwealth or State legislation. For example, the Convention on the International Regulations for Preventing Collisions at Sea 1972, is given effect by the Victorian **Marine (Drug, Alcohol and Pollution Control) Act 1988**.

3.3 Relevant regulatory agencies

The relevant Victorian Acts and regulations are administered by a range of State regulatory bodies, the most relevant to port managers in the development of the Management Plans being the EPA, WorkSafe, TSV, and Victoria Police.

In addition to DOT, which is responsible for the PMA under which the Management Plans are required, port managers are encouraged to consult with these agencies in the development of their plans.

It is strongly recommended that port managers consult with TSV in relation to development, review and any material changes of the Safety Management Plan relating to marine safety issues.

This will assist in ensuring that the specific safety and environment management planning requirements of the PMA and these Guidelines are met in a way that complements the existing requirements of relevant legislation and their administering agencies.

A robust and comprehensive safety management plan developed in close consultation with TSV may provide useful evidence of demonstrating compliance with the safety duty on port management bodies under the **Marine Safety Act 2010**.

It should be noted, that while agencies may provide advice, the duty to prepare and implement Management Plans under the PMA rests solely with the port manager and not the regulatory agencies. Agency contact details are provided in Annexe 1.

3.4 Avoiding Duplication

Port managers, tenants, licensees and service providers may have undertaken work to meet the requirements of existing safety and environment legislation. This may include plans and assessments required by other legislation, for example:

- dangerous goods risk assessments
- workplace safety audits
- environment improvement plans
- emergency management plans
- major hazard facility safety management systems: safety assessments and risk control measures
- major hazard facility identification of major incidents and major incidents hazards
- maritime security plans
- risk management processes to demonstrate ensuring safety so far as is reasonably practicable under the **Marine Safety Act 2010**.

Port managers are encouraged to use relevant material that they or their tenants, licensees or service providers have developed that will assist in meeting the requirements for Management Plans. Port managers can integrate or cross-reference existing plans and assessments with their Management Plans if this is helpful.

Some port managers or their tenants, licensees or service providers may hold an external management system certification under an international or Australian Standard which may cover a number of the aspects and requirements for Management Plans. Relevant standards include:

- AS/NZS ISO 9000:2006 – Quality management systems – Fundamentals and vocabulary
- AS/NZS ISO 9001: 2008 – Quality management systems – Requirements
- AS/NZS ISO 14001:2004 – Environmental management systems – Requirements with guidance for use
- AS/NZS 4801:2001 – Occupational health and safety management systems – Specification with guidance for use

It is expected that relevant work, such as a current risk assessment, will not need to be repeated or duplicated.

Port managers might consider comparing SEMP requirements with other management systems in order to avoid duplication.

However, certification against Australian Standards management systems, while helpful, does not substitute for the requirement to comply with obligations and duties contained in relevant state legislation.

4. FORM, CONTENT AND METHOD FOR PREPARING MANAGEMENT PLANS

This chapter:

- provides guidance on the form and contents of Management Plans, and the risk management process underpinning their development and implementation

4.1 Form and contents of Management Plans

The PMA sets in place requirements for port managers to develop both an Environment Management Plan and a Safety Management Plan or a combined plan dealing with both safety and environmental management.

All Management Plans must be audited as complying with the requirements of section 91D(1) of the PMA and as having been prepared in accordance with these Ministerial Guidelines.

A list of suggested content headings for inclusion in the Management Plans is provided in Annexe 2. This list is not prescriptive and the form and content of the Management Plans may be varied to ensure they are most useful and appropriate for the scale and nature of the particular port operations.

Port managers may take into account individual circumstances when complying with these Guidelines but must comply with any requirements of the PMA. In particular, section 91D sets out specific requirements which must be dealt with in Management Plans. That is, all of these requirements are mandatory.

The Management Plans are not required to be stand-alone documents. As already stated, they may be integrated or cross-referenced with other port plans and systems, as long as all requirements are met and can be audited.

For example, to help assist the audit process, port managers may wish to develop a summary sheet outlining how requirements of the Management Plans are integrated into an overall risk management system. This approach would be most useful for ports that have only one port manager.

Alternatively, the Management Plans may sit above other port plans or processes that cover the statutory requirements. In this case, cross-reference to the other plans or processes must be made in the Management Plans. This approach would be most useful for ports that have numerous port managers, tenants, licensees and service providers who have varying environmental and safety duties. It is expected that port managers who use this approach would focus the bulk of the Management Plans on how whole of port management processes work to reduce risks and hazards. More detailed risk and hazard analysis of specific port operations would be cross-referenced to the equivalent plans of individual port managers, tenants, licenses and service providers (where relevant).

Refer back to chapter 2.2.2 of the Ministerial Guidelines for more detail about cooperation between port managers.

Section 91D(1)

Safety and environment management plans

A safety management plan and an environment management plan must:

- a) identify by a description, map or plan the area or areas of the port lands and waters to which it applies;

- b) identify the nature and extent of the safety and environmental hazards and risks (as the case requires) associated with the operation of the port;
- c) assess the likely impact of those hazards and risks on the port and the surrounding area;
- d) specify the measures and strategies to be implemented to prevent or reduce those hazards or risks;
- e) nominate the person who is to be responsible for implementing those measures and strategies;
- f) set out the processes to be followed to involve tenants, licensees and service providers in the port with the implementation of the management plan;
- g) set out the procedures to be followed for implementing, reviewing and revising the management plan;
- h) set out those measures (if any) that the port manager intends to implement to eliminate or reduce the safety and environmental risks and hazards (as the case requires) of the port;
- i) set out the key performance indicators through which the port manager can assess the extent to which the implementation of the management plan achieves the safety and environment management planning objectives set out in section 91CA.

Further guidance in relation to each of these requirements is provided below.

4.2 Key Performance Indicators

Section 91D(1)i

4.2.1 Setting KPIs

Key performance indicators (KPIs) must be set by reference to the safety and environmental management planning objectives set out in section 91CA.

The Management Plans must set out whole-of-port key performance indicators (KPIs) through which the port manager can assess and monitor the extent to which implementation of the Management Plans achieve the SEMP.

4.2.2 Measuring KPIs

KPIs must be measurable (either qualitatively or quantitatively) so that the port manager is able to assess the extent to which the implementation of the management plan achieves the safety and environment management plan objectives. KPIs are one of the matters that will be considered in audits, because an audit must determine whether the plan adequately provides for the matters required by section 91D(1), including in respect of KPIs.

The Management Plans are expected to state how port managers will monitor and measure each KPI. There is no offence provision if a KPI is not met, however, port managers are expected to use the annual report to explain why any KPI was not achieved and what improvements or changes will be made as a consequence.

4.2.3 Changing KPIs

Since port operations can change, setting and monitoring KPIs should be considered an evolving process. Over time, KPIs are likely to be adapted, removed or added. The reasoning behind any changes should be explained in the annual report.

4.2.4 KPI examples

It is up to each port to decide what kind of KPIs are most appropriate to achieve the SEMP objective and their various safety and environmental duties. Commercial port managers are encouraged to consider high-level indicators that focus on managing whole of port risks, while local port managers may decide specific targets are of more value.

The following suggestions are provided as examples only:

Example High level goals

- Continuously improve consultation methods with port tenants to share and implement best practice solutions
- Potential effects of extreme climate events are considered during all port infrastructure maintenance and upgrades

Example Specific targets

- Integrated risk management processes will be included in all tenancy agreements by 2030
- Personal water craft accidents will be reduced by 10 per cent every year during the life of the SEMP period (noting this would only be relevant if there was substantial water craft activity at the port).
- Maintain zero per cent work place deaths every year

4.3 Risk management process

Management plans should identify risk management processes, building on the requirements of section 91D (requirements for SEMPs). In developing and identifying risk management measures and strategies to prevent or reduce safety and environmental hazards and risks associated with operations within their port area (land and water) which they manage, superintend or control, port managers may reference other systems and documentation prepared by the port manager for the purposes of other safety and environment related legislation. However, the management plans must be sufficiently detailed to enable the requirements of section 91D to be audited.

Annexe 5 provides an example of a generic process (AS/NZS ISO 31000:2009 Risk management principles and guidelines – Risk Management Process). It is expected that port managers will use this, or a similar risk management process, as a basis for developing and implementing their management plans.

4.4 Description of port areas

A management plan must identify by description, map or plan the area or areas of the port lands and waters to which it applies, see section 91D(1)(a).

The management plan including a detailed description, map, plan (to scale) or a combination of these that accurately identifies the physical boundaries of the port land and waters, must include the boundaries of the declared port areas under section 5 of the PMA and any additional areas to be incorporated in the plan at the discretion of the port manager.

It is expected that this material will identify any areas of the port where responsibility for management or control is shared with another port manager or with a tenant, licensee or service provider and that parties will take up their responsibilities for those areas to the extent that they apply.

The description, map or plan must clearly identify and locate:

- port area boundaries (land and water)
- all key facilities and infrastructure in the port (for example, berths and channels)
- all tenancies and other areas of joint or shared responsibility in the port
- storage areas, specifically those which may contain dangerous goods or hazardous materials
- ecologically significant areas (land and water)
- key facilities and infrastructure vulnerable to extreme climate events (noting this may lead to safety or environmental issues)
- any other key features.

4.5 Identification of hazards and risks

A management plan must identify the nature and extent of the hazards and risks associated with the operation of the port, see section 91D(1)(b).

Management Plans must include a section which identifies the environmental and safety hazards and risks arising from the existence and operation of the port and documents their nature and extent. There will be a wide range of hazards and risks arising from port operations and multiple hazards may exist in one location or arise from one operation. Different hazards and risks may occur at different times or interact to result in a range of unwanted outcomes.

To develop and underpin this section of the plan, the port manager must undertake a comprehensive hazard and risk identification process that identifies the nature and extent of hazards and risks within the port area, including the hazards and risks that could result in an emergency that may be of high consequence.

Where part or parts of the port area are primarily managed or controlled by one or more tenants, the port manager must actively encourage the tenant(s) to undertake this process for that area and must, to the extent possible, incorporate or reference that work in the port management plan. However there may be certain activities or issues over which the port manager is capable of exercising a higher level of control than any individual operator, such as safe access and egress from the port.

The general requirements for the hazard and risk identification process are that:

- the process is systematic
- the nature and extent of the hazards are identified and recorded
- a preliminary assessment is made of the nature and extent of the risks associated with the identified hazards.

An appropriate hazard and risk identification process will assist the port manager in demonstrating that it has taken reasonable steps to identify the hazards, risks and their potential consequences (for example, pollution of the surrounding environment) associated with the port operations.

There are a number of tools and techniques available to assist in the hazard identification process.

Port activity map

A comprehensive activity map of port operations provides a sound basis for a robust risk assessment process.

The activity map should include a list of all ‘significant’ activities that are conducted within the port, including those undertaken by tenants, licensees, service providers or involving members of the public. ‘Significance’ should be assessed in terms of both the importance of the activity to the operation of the port and the potential for hazards or risks to arise from the activity. Both land and water-based activities should be included. The activity map should capture infrequent or unusual activities as well as the more routine operations and tasks. It is recommended that the port manager collect the following data for each activity:

- activity title
- short description of activity (for example, fuelling of ships at the wharf, storage and handling of dangerous goods, etc.); the activity should be broken down into manageable elements where activities are complex
- where the activity takes place
- frequency of occurrence
- parties involved in the activity and their roles
- who has control and management of the activity

- short description of the nature and extent of the hazard or risk (for example, spill of fuel in port waters resulting in risk of marine pollution)
- any other information considered relevant to the identification of hazards and risks.

This process is likely to generate a great deal of detailed information which should be kept to assist the port manager during audit or internal review. However, for the purposes of the management plan, a summary table of the collected information would be a useful way to present relevant information.

Incident data collection

Incident records are likely to be a helpful source of information to assist in identifying hazards and risks in the port. Port managers should review safety and environment incident reports for their ports and should ensure that adequate records are kept.

As the data for individual ports may be limited, it may also be useful to seek data on similar operations in other ports or from relevant industrial operations, depending on the nature of the hazard or risk. This is an area where an exchange of information between ports would be helpful.

Workshop

An initial desktop exercise, followed by a workshop with port operational staff, tenants and service providers, as appropriate, may be the most effective way to draw these and other inputs together to identify hazards and risks in a robust and comprehensive manner. The involvement of a facilitator may be of assistance. The workshop outcomes should be documented.

4.6 Risk assessment

A management plan must assess the likely impact of those hazards and risks on the port and the surrounding area, see section 91D(1)(c).

Effective management of hazards and risks involves a structured and systematic approach to analysing and assessing risk. This enables controls to be targeted to provide efficient, cost-effective solutions that achieve the desired safety and environmental outcomes and compliance with legislative requirements.

Risk assessment includes the process of factoring in the frequency and consequences of an unwanted event or impact.

Figure 1 General risk matrix

Likelihood Label	Consequences Label				
	I	II	III	IV	V
A	Medium	High	High	Very high	Very high
B	Medium	Medium	High	High	Very high
C	Low	Medium	High	High	High
D	Low	Low	Medium	Medium	High
E	Low	Low	Medium	Medium	High

Note: The relationship between consequence and likelihood will differ for each application: the level of risk assigned to each cell needs to reflect this.

Source: Reproduced with permission from SAI Global Ltd under licence 1209-c119 as a modified example from HB 436:2004, as the companion to the superseded Australian Standard AS/NZS 4360:2004.

Full details on the use and application of this diagram are available in the handbook to the superseded Australian Standard.

Risk matrix

A risk matrix is a widely used tool to factor in frequency and consequence and hence to assign a level of risk. An example of a general risk matrix is pictured above.

The risk of an unwanted event might be assessed as 'low', 'medium' or 'high'. This allows the comparison of the risks associated with different unwanted events across the port and is an important input into the process of identifying and implementing controls.

Risk assessment process

The port manager must undertake and document in the management plan an assessment of the hazards and risks identified in the identification stage, using an appropriate risk assessment methodology.

It should include an assessment of the consequences to the port and surrounding areas if a major emergency should occur.

It should be noted that some of the more complex hazards and risks may require the application of more specialised techniques to enable the risk to be effectively assessed.

4.7 Prevention or reduction of hazards or risks and emergency management

A management plan must specify the measures and strategies to be implemented to prevent or reduce those hazards or risks, see section 91D(1)(d).

The identification, selection and implementation of appropriate controls (that is, measures and strategies) for preventing or reducing hazards or risks are the key outputs of the risk management process.

The port manager must ensure that the following general requirements are addressed in the Management Plans:

- identify existing controls to manage risk (that is, a short description of the control measure or strategy which is linked to the hazard or risk that the measure or strategy is intended to prevent or reduce)
- assess the effectiveness of the existing controls
- demonstrate how the risk of major emergencies occurring has been reduced to 'As Low As Reasonably Practical' (ALARP)
- identify how the response and recovery to an emergency is to be managed and what capacity and capability exists to manage emergencies
- identify additional controls which are needed to prevent or reduce the hazard or risk so far as is reasonably practicable
- identify the person(s) responsible for implementing the risk prevention or reduction measure(s)
- identify targets and time frames to implement the risk reduction improvement measures
- establish and maintain systems which identify and monitor the control measures and strategies that are in place and/or are required to be implemented.

Harbour masters

Harbour masters play an important role in preventing or reducing hazards or risks and responding to emergencies in the marine environment at Victoria's commercial trading ports and at a number of local ports. Where a licensed harbour master is required to be engaged under section 220 of the **Marine Safety Act 2010**, port managers should reference the role and responsibilities of harbour masters in Management Plans at ports including, for example, any relevant directions covering port waters.

Hierarchy of controls

In assessing existing and proposed control measures, it may be useful to refer to the concept of a 'hierarchy of controls'. The hierarchy of controls recognises that different types of controls have inherently different effectiveness and/or reliability. Where practicable, the controls at the top end of the hierarchy should be utilised.

Figure 2. Hierarchy of controls

The controls listed below are ranked in order from most to least effective.

- a) elimination of the hazard
- b) substitution of the hazardous substance or plant with an inherently less hazardous one
- c) engineering controls
- d) separation/isolation of personnel from the hazard
- e) use of work aids/changed working conditions
- f) personal protective equipment.

It should be noted that the Occupational Health and Safety Regulations 2007 also contains hierarchies of control for those hazards for which specific regulation has been demonstrated as necessary. For example, there are control provisions covering working at heights, working in confined spaces, operation of cranes, forklifts and other high risk plant, etc. For regulated hazards the specific hierarchies of control should be used. Refer to Chapter 3 – Physical Hazards and Chapter 4 – Hazardous Substances and Materials.

Relevant guides and standards for the reduction of hazards and risks at ports

The following handbooks and guides published by WorkSafe provide useful guidance for reducing hazards and risks within the port environment as a workplace.

- Working safely on the waterfront
- Working safely with general cargo – steel products
- Working safely with containers
- The safety case model for Major Hazard Facilities

WorkSafe's website at: www.worksafe.vic.gov.au includes a range of other publications such as Compliance Codes, WorkSafe Positions, Health and Safety Solutions, OHS Alerts and other material that may be relevant to compliance with OHS law and can be readily downloaded.

The following Australian Standards are also relevant to the reduction of hazards and risks

- AS 3846:2005 – The handling and transport of dangerous cargoes in port areas
- AS/NZS ISO 31000:2009 Risk management principles and guidelines

Having regard to these documents is recommended for port managers as a part of addressing section 91D(1)(d).

Port managers should also comply with performance standards, risk management guidelines and good practice guidelines for marine emergency management.

Risk register

In implementing a risk management process, a large amount of useful data is likely to be generated. It would be expected that port managers will develop a 'risk register' that summarises and documents the hazards, risks and associated controls that are in place in the port.

The inclusion or referencing of a risk register in the management plan will provide a direct link to relevant and concise information relating to all aspects of the risk management process in a consolidated and easily accessible form.

Residual risk and emergency response

It is recognised that the development of Management Plans will not completely eliminate all risks associated with port operations. There will generally be some residual risks (that is, risks remaining after treatment measures have been implemented).

Some ports and port facilities will have in place formal Emergency Management Plans to ensure that emergency response and recovery arrangements are in place to deal with significant residual risks.

Where Emergency Management Plans exist, they must be integrated with or referenced in the Port Safety and Environment Management Plans under the PMA. Where they do not currently exist and where significant residual risk is identified, consideration should be given to the extension of controls under the Management Plans to include emergency response and recovery measures and/or the development of specific Emergency Management Plans.

The port manager should ensure that the following requirements are addressed in the Management Plans in respect to emergency management:

- Endeavour to embrace the whole of port and surrounding communities
- Integrate emergency management arrangements of the port and individual stakeholders into the whole of port marine emergency management plan
- Identify the agencies, organisations and individuals responsible for emergency prevention, mitigation, response and recovery
- Appoint appropriate emergency coordinators that ensure a whole-of-port response to an emergency
- Integrate with municipal and State emergency management arrangements (e.g. any water, pollution or other emergency response plan that may apply)
- Specify emergency response times
- Include a training and exercise regime that ensures a collective response to port emergencies
- Identify critical assets and equipment that may be required in the case of an emergency.

The following standards provide a source of guidance for emergency planning:

- AS 3745-2010 – Planning for emergencies in facilities
- AS/NZS ISO 14001:2004 – Environmental management systems – Requirements with guidance for use
- AS/NZS 4801:2001 – Occupational health and safety management systems – Specification with guidance for use
- Emergency Management Manual Victoria (EMMV).

VicPlan is the Victorian marine pollution contingency plan. It is an integral component of the national arrangements for responding to marine pollution incidents in Australian waters and provides for a coordinated, whole of government approach to these emergencies.

The Management Plans should have regard to VicPlan either directly or through an Emergency Management Plan. Port managers should also consider the regional contingency plan as the mechanism for responding to any pollution incidents in their locale. See Annexe 3 for more information about VicPlan.

4.8 Nomination of responsible person(s)

A management plan must nominate the person who is responsible for implementing the measures and strategies to reduce hazards and risks, see section 91D(1)(e).

The management plan must clearly identify the person(s) who have been allocated responsibility against specific measures and/or strategies. The plans must identify the responsible person(s) by:

- referring to their name(s) in full; and/or,
- referring to a specific position title.

The nominated person and their position should be identified in relevant sections of the plan. The nominated person should be aware of and consent to the nomination and should have the appropriate skills, training and position within the organisation to enable him or her to effectively carry out the responsibility.

It is the responsibility of the port manager to ensure that there is always an appropriate person and position nominated and available to be responsible for each control measure and strategy.

5. ANNUAL REPORT

This chapter:

- provides guidance on the purpose, form and content of the annual report

5.1 Purpose of the annual report

The primary purpose of the annual report is to inform the Minister and prescribed bodies – the EPA, TSV and WorkSafe – about relevant matters. It is intended to be a high level, simple report.

5.2 Annual report form and processes

The report:

- may be a stand-alone report or integrated into an existing annual reporting system;
- must be provided to the Minister for Ports and prescribed agencies annually;
- will not be audited, but will be referred to during the audit process to determine implementation of the Management Plans and compliance with the Guidelines.

5.3 Content of the annual report

The annual report should include an assessment of all KPIs, including any:

- achievements;
- shortfalls, the reason behind any shortfalls and the improvement actions taken or to be taken;
- noteworthy measuring and monitoring methodologies and outcomes;
- changes and the reason behind any changes.

In order to simplify the SEMP audit process and reduce duplication, port managers may include in the annual report:

- the status and level of compliance against any other certified management systems;
- any significant findings and/or outcomes arising from any internal SEMP audits, external safety and environmental audits or audits by relevant regulators.

Other information that should be included in the annual report:

- any major issues with the Management Plans and improvement measures or strategies;
- any reviews of the Management Plans undertaken during the year and any noteworthy findings changes;
- the number and type of consultation meetings undertaken during the year and any noteworthy outcomes, if any;
- any issues with consultation processes and improvement measures and strategies;
- the total number of significant incidents during the year (see below), if any (details of individual incidents are not required in the report);
- any major actions taken to mitigate safety and environmental risks, for example, as a result of a significant incident or near miss.

Incidents that could be reported include:

- Any incident that was reported to a regulatory authority (e.g. TSV, WorkSafe, EPA, etc.);
- Any incident that resulted in a fatality or lost time injury on site;
- Any incident that resulted in offsite impacts (e.g. air emissions, contaminated water release, etc.);
- Safety or environment incidents that resulted in police, fire brigade or ambulance attending the site;
- Any major spill; and

- Any incidents in line with the above that occurred with tenants, licensees or service providers.

The report may be voluntarily expanded to highlight other initiatives such as corporate social responsibility achievements or environmental projects that go over and above legislated requirements.

6. PROCESS

This chapter:

- provides guidance on the process of involving tenants, licensees and service providers in the development and implementation of Management Plans
- provides guidance on processes for implementing, reviewing and revising Management Plans.

Under section 91C(2), the port manager is required to:

- (a) implement the measures or strategies that are specified in the management plan to prevent or reduce hazards and risks associated with the operation of the port;
- (b) follow the processes that are set out in the management plan to involve, tenants, licensees and service providers in the port with the implantation of the management plan; and
- (c) follow the procedures that are set out in the management plan for implementing, reviewing and revising the management plan.

‘Reasonable steps’ may include:

- provision of resources adequate to implement complying Management Plans
- the development and use of suitable management systems to ensure that the currency and effectiveness of the Management Plans are maintained.

6.1 Involvement of tenants, licensees and service providers

A management plan must set out the processes to be followed to involve tenants, licensees and service providers in the port with the implementation of the management plan, see section 91D(1)(f).

6.1.1 General

Management Plans are intended to promote safety and environment risk management and outcomes on a ‘whole-of-port’ basis.

The aim is to ensure that, as far as practicable, effective risk management systems are in place across the whole port. This will only occur if there is appropriate involvement of tenants, licensees and service providers in the development and implementation of Management Plans.

In any given port, commercial trading or local, the port manager will be able to exercise varying levels of control over areas and activities in the port, from full control in common user areas for example, to limited control in leased areas, depending on the specific terms of the lease. It is expected that Management Plans will reflect this reality by incorporating fully developed risk management systems for some parts of the port and by referencing responsibilities and the risk controls in place in other parts of the port.

Port managers may have more limited obligations to conduct hazard and risk identification and assessment processes or implement controls in port areas that are under the primary management or control of tenants, licensees or service providers. However, port managers are expected to take reasonable steps to engage with and influence, within the bounds of their legal and commercial powers, tenants, licensees and service providers to ensure that operations in areas of the port for which those parties have primary control are covered by effective safety and environment risk Management Plans or systems.

For other activities, port managers may have overlapping or concurrent duties with tenants, licensees or service providers, for example port managers may still have to assess and control risks in areas under the nominal control of a tenant, licensee or service provider if the port manager's employees or contractors have access to those areas. It is important to note port managers cannot contract out or delegate their legal obligations.

6.1.2 Taking 'reasonable steps' to involve tenants, licensees and service providers

During audit processes the audit should determine whether the port manager is complying with management plans for the port including whether the engagement processes set out in the plan in accordance with section 91D(1)(f) have been complied with. This relates to all areas of the port, whether directly controlled by the port manager or not.

In taking reasonable steps to involve the relevant port business in the development of management plans, this may be demonstrated by a combination of the following documented actions:

- regular communication and information exchange with tenants, licensees and service providers promoting integrated/coordinated whole of port safety and environment risk management coverage and the benefits of a cooperative approach
- encouragement of tenants, licensees and service providers to participate in workshops and other joint exercises to identify and assess hazards and risks and coordinate implementation of appropriate control strategies
- incorporation of management plan-related requirements into current and/or new tenancy agreements
- incorporation of management plan-related requirements into 'common user agreements', licences and other relevant commercial/access agreements utilised by the port manager
- establishment and maintenance of effective safety and/or environment management committee/s in the port.

Inclusion of management plan requirements in agreements

Port managers are expected to actively encourage and support tenants, licensees and service providers to undertake their own risk management processes and planning. This work should be integrated with, or referenced in, the Management Plans.

When tenant agreements, leases, licences or any other form of agreements to operate in or access areas of the port are entered into, negotiated or reviewed, it is expected that the port manager will take the opportunity to review and incorporate appropriate safety and environment management planning and consultation requirements into the agreement.

It is noted that port managers do not currently have regulatory powers in their own right to compel businesses operating within their ports to comply with safety or environmental requirements, beyond the rights and powers which flow from their commercial/contractual arrangements. The relevant regulatory agencies – TSV, EPA and WorkSafe – are responsible for ensuring that port businesses are operating within the scope of their respective Victorian legislation.

In cases where port managers are unable to obtain cooperation from port tenants, licensees and service providers, despite reasonable efforts to do so, it would be expected that the port manager would seek assistance from the relevant agency.

Port safety and environment committee

Where a port has multiple tenants, licensees and service providers whose operations impact on the broader risk profile of the port, it is expected that the port manager will establish a formal safety and/or environment management or advisory committee or committees to promote information sharing, coordination of effort and whole of port implementation of management plan requirements and directions. Relevant regulatory agencies may also be invited to join these committees.

6.2 Procedures for implementing, reviewing and revising Management Plans

A management plan must set out the procedures to be followed for implementing, reviewing and revising the management plan, see section 91D(1)(g).

The port manager is expected to put in place and document the procedures and processes that it will follow to ensure that Management Plans are effectively implemented. This includes maintaining the currency of the management plan through regular review and revision processes and highlighting any significant points in the annual report.

Management systems

Port managers should ensure that appropriate management systems are in place to provide a formal, documented basis for maintaining the existing controls and implementing the new measures that are identified in the Management Plans.

Effective safety and environment management systems should form key components of a port's overall business management system. Standards in this regard include:

- AS/NZS 4801:2001 – Occupational health and safety management systems, which provides a framework which could be used as a model for developing systems to support Management Plans
- The International Management Code for the Safe Operation of Ships and for Pollution Prevention (the ISM Code), which provides a framework for establishing systems for the safe management and operation of vessels and for pollution prevention, including a Safety Management System (SMS).

Incident register

Port managers are the central information point for all operations within the port area and there is an expectation that they will be informed of safety and environment incidents.

Port managers should consider putting in place agreements or procedures with tenants, licensees and service providers for reporting of safety and environment incidents and maintain a register of incidents. This includes incidents that occur within the port area (for example, on land, water and on vessels) under the control and management of the port manager, port tenants, licensees and service providers. Although it is recognised that port managers may not be in a position to require reporting of incidents from tenants, licensees and service providers they are expected, at a minimum and where possible, to be required to demonstrate that they have taken reasonable steps to encourage cooperation in this process.

The incident register should include:

- a description of the incident
- alleged cause of the incident
- response to the incident and any control measures put in place
- the person and position responsible for incident response
- any proposed amendments to the Management Plans as a result of the incident or follow up investigation.

Environmental monitoring program

Although the incident register is a useful tool in assessing performance of key environment and safety outcomes, it is limited in being able to demonstrate how the Environment Management Plan is contributing to the environment of the port.

An 'environmental monitoring program' is a method that can assist in the difficult task of assessing if environmental health has been maintained and improved as a result of the plan.

A port manager may wish to consider whether an environmental monitoring program would be useful in meeting its statutory obligations.

An environmental monitoring program would involve conducting and documenting regular assessments of the health of ecologically significant areas including:

- land and water areas that are affected by the port's activities, including surrounding areas
- land and water areas that are managed by the port and are affected by external operational or environmental factors.

Emergency asset register

Port managers are expected to maintain an asset register of physical resources that could be made available to support emergency response activities. These resources could be drawn from any individual port stakeholder as part of collective emergency response activities to assist the designated control agency for that emergency. These assets should include:

- emergency harbour towage;
- waterborne firefighting capability that is commensurate with risk and in accordance with the standards endorsed by the nominated marine safety authority and relevant fire services;
- vessel/s that can transport and transfer emergency services personnel to ships from shore;
- vessel/s suitable for command and control platforms on the water;
- any other critical service requirements as determined by the control agency or nominated marine safety authority.

Regulatory compliance register

A 'regulatory compliance register' may also provide an effective management tool for ensuring and monitoring compliance with the range of applicable safety and environment legislation. A typical register would document:

- all key legislation and standards with which the port must comply
- current gaps and non-compliances
- trigger dates for licence renewals, statutory reporting, etc.

Reviews and revision

Section 91D(1)(g) – setting out the procedures to be followed for reviewing and revising the management plan.

It is implicit from section 91D(1)(g) that the port manager should review and as appropriate revise its plan, and port managers will be audited against this requirement. Port managers should update management plans to have appropriate regard to any external and internal developments that may impact on the plan's relevance and ensure that measures and strategies to prevent or minimise risks are being effectively implemented and maintained.

It is recommended that port managers should undertake a review of their Management Plans at least annually. The review process should address the following:

- general currency of information
- performance and adequacy of current controls
- progress in implementation of risk reduction measures
- the need for an update of any or all sections of the plans.

Tenants, licensees and service providers must be encouraged to participate in this review.

Additional reviews should be considered as a result of:

- incidents and 'near miss' incidents
- changes to relevant legislation
- new information about hazards or risks
- changes in the nature, scale or extent of port activities.

Port managers must update Management Plans:

- following regular reviews and audits, demonstrating appropriate consideration has been given to any recommendations for improvement
- when there is any significant change in the nature or scale of an activity conducted at the port
- when significant new hazards or risks are identified/introduced.

When updating Management Plans, port managers should reissue relevant sections of the Management Plans.

Document control

To assist with maintenance and review of the management plan, document control measures should be considered. The management plan should identify:

- author(s) of amendments
- persons authorised to make changes
- amendment and revision dates
- a process for controlling the distribution and update of copies of the management plan.

Plan endorsement

All Management Plans will need to be endorsed on behalf of the port manager by an authorised officer for that purpose. This endorsement should be in the form of a formal review and sign off of plans prior to submission of the Management Plans for audit. All plan updates following internal reviews and audits should be similarly endorsed.

‘Buy in’ by senior port management will give the Management Plans the necessary profile and will assist in achieving organisational commitment. It is suggested that senior port management take a leading role in the development and implementation of the management plan.

It is also desirable that port Management Plans be noted and/or endorsed by major tenants, licensees and service providers.

7. CONSULTATION, PUBLICATION AND AVAILABILITY

This chapter:

- provides guidance on the process for consultation with persons affected by port Management Plans
- provides advice on requirements for keeping copies of documents at the office of the port manager
- outlines measures for the publication and availability of Management Plans.

7.1 The process for consultation

The Minister may issue guidelines about the following matters in relation to management plans:

- (e) the process for consultation with people affected by the plans, see section 91G(1)(e).

It is expected that port managers will consult with the local community and the port manager’s employees in the development and implementation of their Management Plans.

Ports throughout Australia and the world are under increasing pressure from urban communities to address safety, environmental and amenity impacts of port operations both within the port and at the port interfaces.

The importance of balancing economic, social and environmental objectives is identified in the **Transport Integration Act 2010**. Improved communication and understanding between Victoria’s ports, their communities, employees and stakeholders is essential for the ongoing operation and sustainable long-term development of Victorian ports.

For the purposes of these guidelines, people affected by the plans are considered to be those persons and organisations that are or may potentially be impacted by port operations. Examples include:

- residents living near the port
- community groups with a direct interest in port matters
- local councils
- adjacent industry and businesses
- services providers, such as police and emergency service organisations
- people working within the port, in line with occupational health and safety requirements.

Appropriate community consultation is an important ingredient in the effective management of potentially hazardous facilities, such as ports. Community involvement is routinely incorporated in the safety and environment management practices of large industrial operations (for example, petrochemical facilities) and in the development of major new projects.

The community involvement process may vary depending on the location of the port, the activities undertaken within the port boundaries and the extent to which the community may be impacted by the port operation. It is expected that port managers will consult with the local community and its employees in the development and implementation of their management plans. Port managers are encouraged to adopt a range of community engagement mechanisms to ensure that consultation is effective.

Consultation methods should be appropriate to the scale and nature of port operations and responsive to the nature of the identified stakeholders. The use of representative organisations such as local councils, community or business associations or peak bodies may be an effective means of involving large significant numbers of affected people.

Figure 3 describes a 'Public participation spectrum' that identifies various goals and attributes that correspond to different levels of public consultation. A framework such as this may be helpful for port managers in determining a consultation strategy.

Figure 3. Public participation spectrumSource: (c) International Association for Public Participation www.iap2.org**INCREASING LEVEL OF PUBLIC IMPACT**

(Noting that final decision making is generally appropriately done by port managers rather than the public)

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and /or solutions.	To obtain public feedback n analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Tools	<ul style="list-style-type: none"> ● Fact sheets ● Web sites ● Open houses 	<ul style="list-style-type: none"> ● Public comment ● Focus groups ● Surveys ● Public meetings 	<ul style="list-style-type: none"> ● Workshops ● Deliberate polling 	<ul style="list-style-type: none"> ● Citizen Advisory Committees ● Consensus building ● Participatory decision-making 	<ul style="list-style-type: none"> ● Citizen juries ● Ballots ● Delegated decisions

Port managers should ensure that their community consultation process includes:

- a systematic approach to identifying relevant community stakeholders and groups who have or may have an interest in the safety and environmental performance of the port
- clear identification of the purpose and objectives of the consultation process
- design elements which at a minimum meet the public participation goal for the 'consult' level in the 'Public participation spectrum'.

Port managers should also undertake adequate consultation with community stakeholders:

- on any new projects or major changes to existing practices that may have safety and environment implications
- when significant amendments are made to the Management Plans.

7.2 Publication and availability of Management Plans

The Minister may issue guidelines about the following matters in relation to management plans:

- (f) the publication and availability of management plans, see section 91G(1)(f).

Management plans must be made available to prescribed bodies (the EPA, TSV and WorkSafe) and should be made available for public information, accountability and transparency purposes.

It is recognised that Management Plans may contain sensitive material that is not appropriate for release to the general public (for example, security measures required under Commonwealth legislation, commercially sensitive material, etc.). Where this is not the case, the port manager may choose to make the complete Management Plans available to the public.

Where there are concerns about sensitive material, port managers must, at a minimum, publish and make available to the public a suitable summary version of the management plan. This may be in the form of the executive summary laid out in Annexe 2 or an appropriate variation of this. The summary need not contain sensitive material and should not require authorisation in writing by the Minister for inspection.

The Management Plans or the summary documents, as the case may be, should be made available at least electronically (with requests for hard copies dealt with on a case by case basis). Consideration should also be made for ease of access with availability through the internet and/or through the port, local council or other appropriate means.

7.3 Copies of documents for inspection

The port manager must ensure that copies of the following documents are kept at the office of the port manager at the port:

- a) the port safety management plan and the environment management plan for the port
- b) the certificates required to be attached to those plans
- c) audit reports on the management plans prepared under section 91F.

The port manager must ensure that copies of the documents referred to in subsection (4) are available for inspection by a person authorised in writing by the Minister to have access to those documents, see section 91C(4) and (5).

Relevant agencies (for example, DOT, TSV, EPA and WorkSafe) should be advised of the location of the office where the copies of these documents are held. Copies of the Management Plans and audit reports should be available in hard copy for authorised persons to examine.

While not mandated, it is also expected that copies of annual SEMP reports are retained with management plans and audit reports.

Port managers may ask to see the authorisation of persons requesting access to those documents. Port managers may deny access to persons who are not authorised in writing by the Minister.

8. AUDITING OF SEMPs

This chapter:

- provides guidance on the audit objectives, scope and process for auditors and auditees
- provides guidance on the selection of auditors to conduct SEMP audits

8.1 Audit Scope

Audits of compliance requirements are outlined in section 91E of the PMA.

In summary, an audit must be completed by a person who is approved by the Minister under subsection 5 (or an environmental auditor appointed under section 53S of the **Environment Protection Act 1970** for environment management plans of commercial or local ports), and must determine whether:

- a) the management plan(s) adequately provide for the matters required by section 91D(1);

- b) the management plan(s) have been prepared in accordance with these Guidelines under section 91G; and
- c) the port manager is complying with the environment and/or safety management plan for the port.

The audit scope may include a description of:

- The activities undertaken by the port;
- Components of the activities to be considered, where appropriate;
- Occupational health and safety, and segments of the environment to be considered;
- Risks with abnormal operating conditions of the port activity;
- The methodology to meet the audit objectives, including any exclusions; and
- The level of stakeholder involvement.

8.2 The audit process

Ports are likely to expect that auditors should follow the audit process guidelines described in AS/NZS ISO 19011:2003 Guidelines for quality and/or environmental management systems audits.

EPA appointed Industrial Facility auditors should also follow the guidance in EPA Publication 952 and 953¹.

Audit Objectives

The independent audit of the SEMP has several objectives. These are:

- Determine whether the port manager is complying with the SEMP for the port;
- Assess whether the SEMP identifies and addresses the relevant (being high or unacceptable) hazards, risks or threats posed by port activities;
- Assess whether the risks to safety and/or environment are being managed adequately;
- Assess the adequacy of implementation of the SEMP;
- Assess the safety and environmental performance; and
- Identify opportunities for improving performance.

Conducting the Audit

In conducting the audit, the auditor should:

- Review existing information about the activities associated with the whole of port;
- Collect and verify evidence to support findings relating to the audit criteria;
- Assess environment, health and safety monitoring data; and
- Be present during the conduct of the field work undertaken as part of the audit.

If there are separate environmental and health and safety auditors, it is recommended that the auditors conduct the field work of the audit together.

Preparing the Audit Report

Audit report should be concise and informative, with information presented in a way that is easy to interpret and understand. It is expected to contain an accurate record of soundly based observations and of logical deductions.

EPA Publication 952, sections 15.1 to 15.5 and AS/NZS ISO 19011:2003 Guidelines for quality and/or environmental management systems audits may be useful in preparing at least the environmental element of the audit report.

It is recommended that the environment and health and safety components of the audit are included in one report.

¹ EPA appointed Industrial Facility auditors should note the SEMP audits are not statutory 'risk of harm' audits under section 53V of the EP act. Therefore the audit report will not be published on the EPA website. Notification and submission requirements to EPA also do not apply.

Audit Report Recommendations

The implementation of the audit report recommendations is the responsibility of the port manager. The progress of the implementation of the recommendations should be detailed in the port's Annual Report.

Auditor Independence (or Avoiding Conflict of Interest)

A person has a conflict of interest when the person is in a position of trust which requires them to exercise judgment on behalf of others (people, institutions, etc.) and also has interests or obligations of the sort that might interfere with the exercise of that judgment, and which the person is morally required to either avoid or openly acknowledge. Reference: www.unmc.edu/ethics/words.html

An auditor undertaking an audit should be able to demonstrate a sufficient level of independence from the auditee to satisfy a reasonable person that the outcome of the audit will not be influenced by the relationship with the auditee or potential benefits to the auditor or the company for which he or she works.

ANNEXE

ANNEXE 1. CONTACT DETAILS

1. Contact details for relevant agencies

EPA	1300 EPA VIC (1300 372 842)
TSV	Mr Adrian Mnew Deputy Director Commercial Operations Transport Safety Victoria 03 9655 8528
WorkSafe	Mr Shanti Jayamanne, Group Leader – Manufacturing, Logistics and Agriculture Program 03 9565 9444
Vic Pol	Inspector Stephen Guilmartin OIC Water Police & Search and Rescue Squads 03 9399 7500
DSE	Mr Don Hough Director Major Projects and Environmental Approvals 03 9637 8443

2. Contact details for marine pollution response

To report any oil or chemical pollution in State waters call the relevant number:

Region	Phone number
Portland region	(03) 5525 0900 (24 hours)
Port Phillip region	(03) 9644 9777 (24 hours)
Westernport region	(03) 5983 9406 (24 hours)
Gippsland region	(03) 5150 0500 (24 hours)
General marine pollution enquiries	(03) 9655 9797 (9am to 5pm)

3. Contact details for feedback on Guidelines and general SEMP enquiries:

Freight Logistics and Marine Division
Department of Transport
Level 11, 121 Exhibition Street
Melbourne, Victoria 3000
Tel. 03 9655 6169
Email: semp@transport.vic.gov.au

All contact details are accurate as at date of publication. Please contact the Freight, Logistics and Marine Division of the Department of Transport if a contact appears out of date.

ANNEXE 2. POSSIBLE MANAGEMENT PLAN STRUCTURE**Executive summary**

- 1) Purpose of the plan and the SEMP objective
- 2) Port management structure
- 3) Statement of port safety and environmental duties
- 4) Brief description of port
- 5) Brief description of key activities
- 6) List of major tenants, licensees and service providers
- 7) An overview of the plan development, implementation and review process
- 8) Summary of Key Performance Indicators
- 9) Summary of significant hazards/risks and prevention/reduction measures and strategies – in place and proposed
- 10) Summary of process for consultation with people affected by the plans
- 11) Plan endorsement by port management
- 12) Contact details for comments/inquiries

Main body

Introduction

- Purpose of the plan and the SEMP objective
- Port management structure
- Statement of port safety and environmental duties

Description of port areas

- Identification by map and/or description of area(s) of port land/waters where management plan applies
- Identification of key tenancies, facilities, storage areas, and other key features within port

Key Performance Indicators

- Monitoring and measuring process for each KPI

Identification of hazards and risks

- Port activity map
- Identification of the nature and extent of hazards and risks

Risk assessment

- Risk matrix
- Risk assessment process and methodology

Prevention or reduction of hazards or risks

- Existing measures/strategies
- Additional proposed controls
- Control implementation timetable
- Risk register
- Interaction with emergency management, security management, etc.

This section to include nomination of person(s) responsible for implementing and managing management plan provisions

Process requirements

- Processes for involvement of tenants, licensees and service providers in development and implementation

- Implementation procedures for management plan
- Procedures for review and revision (for example, when this will occur, document control)

Consultation, publication and availability

- Processes for consulting with those effected by the management plan
- Details of the publication and availability of plan
- Details of availability of copies of documentation for inspection

Plan endorsement and contact details

- Plan endorsement by port management
- Contact details for comments/inquiries

Attachments

- Audit reports completed by approved auditors

ANNEXE 3. RELEVANT LEGISLATION

This annexe provides more detailed guidance on requirements of other Acts specifically relevant to the preparation of Management Plans. The legislation outlined below is not intended to be comprehensive and is not a substitute for relevant legislation, legal or professional advice.

Transport Integration Act 2010

TIA Objectives:

- Social and economic inclusion
- Economic prosperity
- Environmental sustainability
- Integration of transport and land use
- Efficiency, coordination and reliability
- Safety, health and wellbeing.

TIA Principles

- Integrated decision making
- Triple bottom line assessment
- Equity
- Transport system user perspective
- The precautionary principle
- Stakeholder engagement and community participation
- Transparency.

Environment Protection Act 1970

This Act is administered by the Environment Protection Authority. It sets a legislative framework for the protection of the environment in Victoria, having regard to the principles of environment protection. These principles include:

- the precautionary principle
- intergenerational equity
- improved valuation, pricing and incentive mechanisms (incorporates polluter pays concept)
- conservation of biological diversity and ecological integrity.

The 'precautionary principle' is designed to broadly guide the decision making process in environmental management. It is important for port managers to take this principle into account when developing the environmental component of their Management Plans.

Environment Protection Act 1970

1C. The precautionary principle

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

The **Environment Protection Act 1970** also establishes a broad subordinate legislative framework of regulations and policies. Under this Act, the Governor in Council may, on recommendation of the EPA, declare State Environment Protection Policies (SEPPs) with respect to any elements or segments of the environment. Some of this subordinate legislation has direct implications for the management of ports and port waters. For example, SEPP (Waters of Victoria) has specific requirements for ports to address 'whole-of-port' environmental issues.

State Environment Protection Policy (SEPP)**(Waters of Victoria) clause 47(3)**

Port owners or managers need to develop and implement environment improvement or management plans in conjunction with operators or businesses in ports and port waters and local communities.

These plans need to include effective management practices for port and port related activities, including where relevant, the provision of vessel waste reception facilities, ballast water management, stormwater management, vessel loading and unloading, and containment of wastes from vessel maintenance.

The provision of these plans needs to be incorporated into the operations of business in ports or port waters.

Other requirements of the SEPP (Waters of Victoria) which may be relevant to port activities relate to surface water management and works, dredging, groundwater management, urban stormwater, vessels, aquatic pests, vegetation protection, construction activities and roads.

The EPA, in conjunction with the Department of Transport, administers the **Pollution of Waters by Oil and Noxious Substances Act 1986** (POWBONS) which implements the 'International Convention for the Prevention of Pollution from Ships (MARPOL 73/78)' at a State level. EPA also manages other policies, including noise, air emissions, groundwater, industrial waste and prescribed waste, which may have implications for the way that ports are managed.

Coastal Management Act 1995

An understanding of the requirements of the **Coastal Management Act 1995** is important for port managers, particularly in relation to dredging.

Capital or maintenance dredging at ports may entail environmental and other risks that must be considered in the Management Plans.

Dredging requires consent from the Minister for Environment and Climate Change through the Department of Sustainability and Environment.

Victorian WorkCover Authority

VWA administers the **Occupational Health and Safety Act 2004** and the **Dangerous Goods Act 1985**. The **Occupational Health and Safety Act 2004** in particular requires that 'an employer shall provide and maintain 'so far as practicable' for employees a working environment that is safe and without risks to health'.

Occupational Health and Safety Act 2004

Section 20: The concept of ensuring health and safety

...regard must be had to the following matters in determining what is (or was at a particular time) reasonably practicable in relation to ensuring health and safety –

- a) the likelihood of the hazard or risk concerned eventuating;
- b) the degree of harm that would result if the hazard or risk eventuated;
- c) what the person concerned knows, or ought reasonably to know, about the hazard or risk and any ways of eliminating or reducing the hazard or risk;
- d) the availability and suitability of ways to eliminate or reduce the hazard or risk;
- e) the cost of eliminating or reducing the hazard or risk.

The 'so far as reasonably practicable' test and an understanding of what is 'reasonably practicable' is of central importance to the OH&S regime in Victoria and to port managers in preparing Management Plans under the PMA and these Guidelines.

WorkSafe also administers the associated Occupational Health and Safety Regulations 2007. These regulations impact on ports and port operations. It remains the responsibility of port managers to be aware of the specific OH&S requirements which relate to operations under their management and control.

Dangerous Goods Act 1985

An understanding of the requirements of the **Dangerous Goods Act 1985** is also important for port managers. This Act promotes the safety of persons and property in relation to the manufacture, storage, transfer, transport, sale, purchase and use of dangerous goods and the import of explosives.

There are a number of associated Dangerous Goods (DG) Regulations of which port managers are required to be aware, such as DG (Explosives) Regulations 2000, DG (Transport by Road or Rail) Regulations 2008 and DG (Storage and Handling) Regulations 2000.

Transport Safety Victoria

TSV, other than where indicated, administers the **Marine Safety Act 2010** and the **Marine (Drug, Alcohol and Pollution Control) Act 1988**. The **Marine Safety Act 2010** in particular places new safety duties on port management bodies.

Marine Safety Act 2010

The **Marine Safety Act 2010** commenced on 1 July 2012, replacing the **Marine Act 1998**. The new Act places a duty on port management bodies to ensure safety of marine safety infrastructure operations carried out or supplied by them so far as is reasonably practicable.

The new Act provides for safe marine operations in Victoria by, among other things:

- introducing new objectives and marine safety principles
- including new performance-based safety duties, creating a clear ‘chain of responsibility’ involving all parties who have a role in ensuring safety
- providing an improved framework to ensure vessels are fit for purpose and those who operate them have the skills to do so safely
- providing a greater capacity to set up exclusion zones and establishing temporary traffic management arrangements for events
- providing a number of additional enforcement tools and higher penalties to assist TSV address non-compliance.

Marine (Drug, Alcohol and Pollution Control) Act 1988

This Act, which came into effect on 1 July 2012, provides for safe marine operations in Victoria by:

- prohibiting persons involved in vessel operations from being under the influence of prescribed drugs or impaired by alcohol when undertaking vessel operations. (This includes introducing broader testing powers for drug and alcohol impairment)
- allocating roles, responsibilities and liabilities for responding to marine incidents that have the potential to result in pollution.

An understanding of the **Marine Safety Act 2010**, [Marine Safety Regulations 2012] and the **Marine (Drug, Alcohol and Pollution Control) Act 1988** is important for all port managers.

Marine Pollution Contingency Plan – VicPlan

Under the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, the Secretary of the Department of Transport has functional responsibility for managing the Victorian Marine Pollution Contingency Plan, otherwise known as ‘VicPlan’, which is integrated with the ‘Commonwealth National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances’ and is linked to the **Victorian Emergency Management Act 1986**.

The Secretary of the Department of Transport establishes cooperative arrangements with commercial and local port managers, waterway and coastal and foreshore managers in coastal and inland waters to ensure that appropriate responses are made to all marine pollution incidents in State waters in order to minimise potential harm to the marine environment.

ANNEXE 4. LIST OF CURRENT PORT MANAGERS

The ports and port managers to which the PMA and these guidelines apply as at the date of publication are set out below:

Commercial trading ports and the port managers

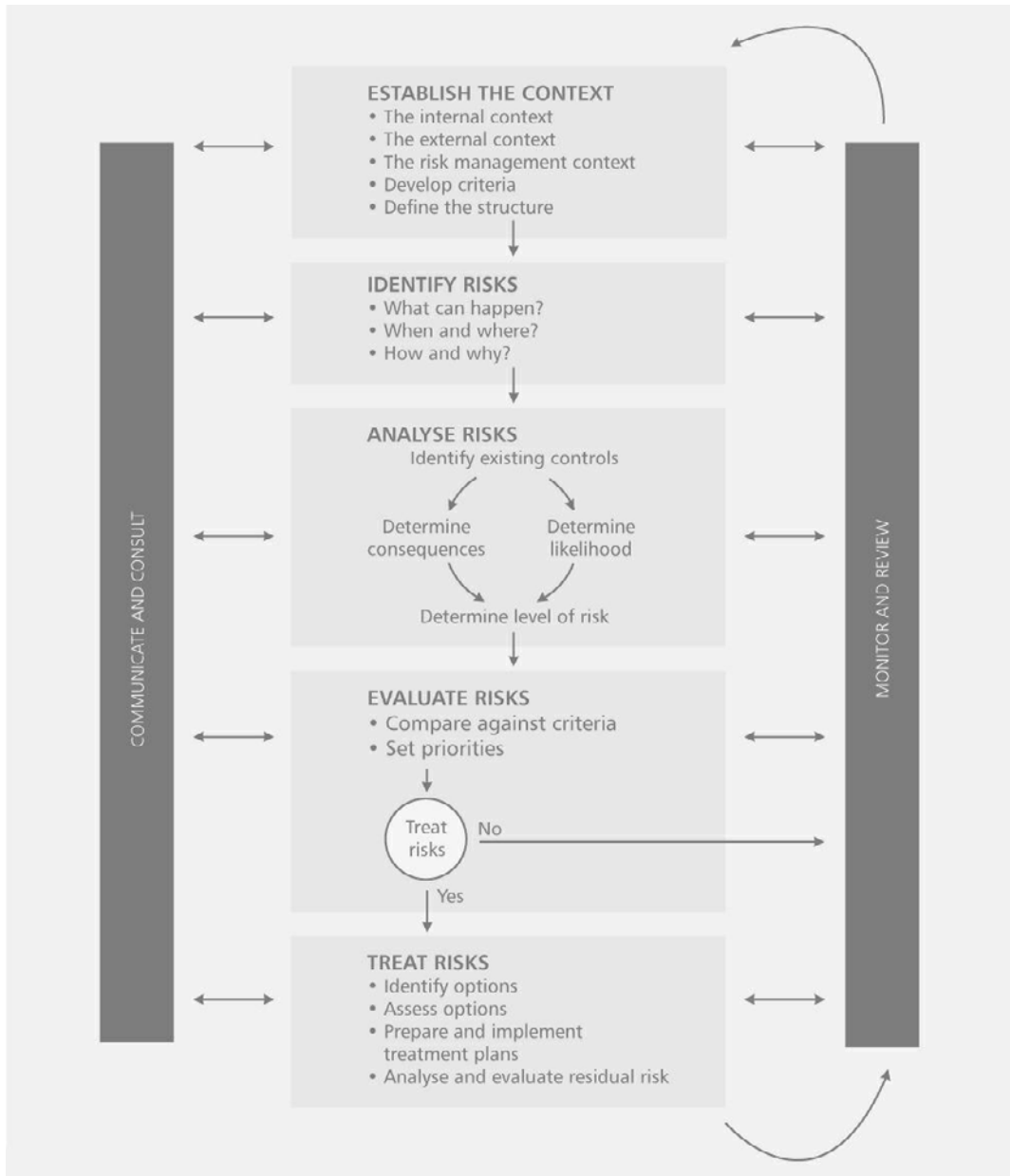
Port	Port manager(s)
Port of Portland	Port of Portland P/L
Port of Geelong	GeelongPort Pty Ltd GrainCorp Limited VRCA
Port of Melbourne	Port of Melbourne Corporation
Port of Hastings	Patrick Stevedoring Pty Ltd BlueScope Steel Limited

Local ports and the port managers

Port	Port manager(s)
Portland Bay	Glenelg Shire Council
Port Fairy	Moyne Shire Council
Warrnambool	Warrnambool City Council
Port Campbell	Parks Victoria
Apollo Bay	Colac–Otway Shire Council
Barwon Heads	Barwon Coast CoM
Lorne	Great Ocean Road Coast CoM
Port Phillip	Parks Victoria
Western Port	Parks Victoria
Anderson Inlet	Gippsland Ports CoM
Corner Inlet and Port Albert	Gippsland Ports CoM
Gippsland Lakes	Gippsland Ports CoM
Snowy River	Gippsland Ports CoM
Mallacoota	Gippsland Ports CoM

New ports may be declared under the PMA from time to time as local ports or commercial trading ports by Order in Council published in the Government Gazette. The identified port manager(s) of any newly declared port has 12 months from date of declaration to comply with part 6A of the PMA.

ANNEXE 5. GENERIC RISK MANAGEMENT PROCESS



Risk Management Process

Reproduced by permission from SAI Global Ltd under licence 1209-c119 as a modified example from the superseded Australian Standard – AS/NZS 4360:2004. Full details on the use and application of the diagram are available in the superseded Standard. The relationships between the risk management principles, framework and process is also outlined in the current standard – AS/NZS ISO 31000:2009 Risk management principles and guidelines.

ANNEXE 6. RELATIONSHIP OF SEMPS TO CERTIFIED MANAGEMENT SYSTEM STANDARDS

Some port managers will have externally certified safety and environment management systems. It is expected that these management systems would be certified to AS/NZS 4801:2001 and ISO 14001:2004 and consequently undergo regular external audits in order to maintain certification. Some port managers' organisations may also have integrated management systems that include ISO 9001:2008 requirements.

If the requirements of these Guidelines can be incorporated into the port manager's existing certified safety and environmental management system(s), then this can be referred to in management plans to avoid duplication.

Conformance to the above does not eliminate the need for Port Manager to undertake.

1. Annual reporting (chapter 5 of this guideline);
2. Consultation requirements (chapter 7); and
3. Auditing of the SEMP (chapter 8).

Note that having a certified safety and environmental management system is, in itself, not sufficient to meet the requirements of these Guidelines. The organisation's safety and environmental management system(s) must demonstrate that "whole of port" considerations of these Guidelines have been included.

However, incorporating these Guidelines into existing safety and environmental management systems should avoid duplication of documentation.

Further information

It is recommended that port managers periodically refer to DOT, EPA, TSV, WorkSafe and other relevant websites for up to date information about the various regulatory schemes applying to ports.

Subordinate Legislation Act 1994

NOTICE OF DECISION

(Section 12)

Dangerous Goods (Storage and Handling) Regulations 2012

I, Gordon Rich-Phillips, Assistant Treasurer and Minister responsible for administering the **Dangerous Goods Act 1985**, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to make the proposed Dangerous Goods (Storage and Handling) Regulations 2012 (the proposed Regulations).

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Regulations. The objectives of these regulations are to:

- provide for the safe storage and handling of dangerous goods;
- revoke the Dangerous Goods (Storage and Handling) Interim Regulations 2011.

The RIS was advertised in the Government Gazette and The Herald-Sun seeking public comment. The 28 day public comment period started on 13 September 2012 and ended on 11 October 2012 (although several submissions were accepted after this date). Written submissions in response to the RIS were received and considered.

After consideration of the submissions received, I have decided that the proposed Regulations should be made with amendments, including:

- adopting a more performance based trigger for review of controls, thereby ensuring reviews only occur when necessary and are more targeted and cost effective. This approach is also more consistent with the Occupational Health and Safety Regulations 2007 (OHS Regulations);
- excluding major hazard facilities (MHF) from the requirement to notify the Authority of the presence of dangerous goods. They must already notify the Authority under the MHF licensing regime under the OHS Regulations;
- excluding small quantities of spa sanitiser products used in non-workplaces as they pose only minimal risk, similar to the current exclusion of small quantities of pool chlorine;
- clarifying that businesses need only maintain one register to cover both dangerous goods and hazardous substances;
- extending the length of time (from six months to 12 months) duty holders have to meet new obligations imposed by incorporated documents;
- allowing the Authority to exclude specific dangerous goods or classes of dangerous goods from the coverage of the regulations, provided the Authority is satisfied that the storage and handling of those dangerous goods will not create a significant danger to persons or property.

The proposed Regulations will reduce regulatory burden on businesses while maintaining Victoria's strong safety regime in relation to the storage and handling of dangerous goods.

Dated 12 November 2012

GORDON RICH-PHILLIPS MLC
Assistant Treasurer

Veterinary Practice Act 1997

VETERINARY PRACTITIONERS REGISTRATION BOARD OF VICTORIA

ABN 88 393 171 326

Determination of Fees

Under section 86 of the **Veterinary Practice Act 1997**, I, Roslyn Anne Nichol, President of the Veterinary Practitioners Registration Board of Victoria, determine that the prescribed fees for the provisions of the **Veterinary Practice Act 1997** shall be in accordance with this Schedule for the period 1 January 2013–31 December 2013.

SCHEDULE

PROVISION	FEE (\$)
Registration under section 6	
New General Registration (incl application fee)	445.00
New General Registration <u>from 1 July in any year</u> (incl application fee)	292.50
Re-Registration (incl application fee)	445.00
Re-Registration <u>from 1 July in any year</u> (incl application fee)	292.50
Registration as a Specialist under NRVV (incl application fee)	645.00
Registration as a Specialist under NRVV <u>from 1 July in any year</u> (incl application fee)	382.50
Registration under section 7	
Specific Registration (incl application fee)	445.00
Application fees	
Assessment of General and Specific Registration	120.00
Fast-track application fee (in addition to registration fee)	75.00
Registration under section 7A	
Non-Practising Registration	60.00
Non-Practising conversion to General Registration (incl application fee)	385.00
Non-Practising conversion to General Registration <u>from 1 July in any year</u> (incl application fee)	212.50
Registration under section 8	
Endorsement as a Specialist	525.00
Endorsement as a Specialist <u>from 1 July in any year</u>	382.50
Renewal of Registration (section 12)	
Annual General Renewal	305.00
Late General Renewal (up to 31 March fee <u>additional to annual renewal</u>)	50.00
Specialist Renewal (annual)	405.00
Specialist Late Renewal (up to 31 March fee <u>additional to annual renewal</u>)	50.00
Hardship Renewal	150.00
Restoration under section 13	
General Restoration (after 31 March and up to two years) (incl application fee)	425.00
General Restoration <u>from 1 July in any year</u> (incl application fee)	272.50
Specialist Restoration (after 31 March and up to two years) (incl application fee)	525.00
Specialist Restoration <u>from 1 July in any year</u> (incl application fee)	382.50
Other fees	
Letters of professional standing	50.00
Letters of professional standing (for each additional one at same time)	10.00
Replacement certificate of registration (General or Specialist)	60.00

Replacement renewal card (General or Specialist)	25.00
Handbook – Act and Guidelines (incl postage and GST)	20.00
Posters (incl postage and GST)	15.00
Extracts/Copies of the Register	
Full copy	1625.00
Subscriber annual update	406.25
Partial copy	812.50
Multiple extracts	406.25
Single extracts	25.00

Approved by the Board 3 October 2012

ROSLYN A. NICHOL BVSc
President
Veterinary Practitioners Registration Board of Victoria

Accident Compensation Act 1985**NOTICE OF SCHEDULE OF FEES AND COSTS FOR REFERRALS OF
MEDICAL QUESTIONS TO THE MEDICAL PANELS**

Pursuant to section 63(7) of the **Accident Compensation Act 1985**, I give notice of the following schedule of fees and costs (including GST) for referrals of medical questions to the Medical Panels. This notice takes effect on 1 December 2012 and is effective until 30 November 2013.

Service	Remuneration from 1 December 2012	
For all work associated with any one referral of a standard or complex nature, as determined by the Convenor, of a medical question or questions.	<i>Presiding Member</i> \$1215.50 for standard referrals \$1822.70 for complex referrals	<i>Non-Presiding Member</i> \$839.30 for standard referrals \$1013.10* or \$839.30* for complex referrals * depending on the level of contribution required as determined by the Convenor
Any work which arises from a previous referral and does not require a new examination.	\$411.40	\$202.40
Worksite assessments, inclusive of all reasonable travelling expenses associated with attending a worksite within 50 kms of the member's normal place of practice.	\$834.90	
Non-attendance by claimant or cancellation of examination.	\$506.00	\$404.80
Work performed at the request of the Convenor that is not otherwise remunerated under this schedule.	\$404.80 per hour	
Neuro-psychiatric assessment.	\$1215.50	

Dated 12 November 2012

THE HON GORDON RICH-PHILLIPS MLC
Assistant Treasurer

Wrongs Act 1958**NOTICE OF SCALE OF FEES AND COSTS FOR REFERRALS OF
MEDICAL QUESTIONS TO MEDICAL PANELS UNDER PART VBA**

Pursuant to section 28LXA(1) of the **Wrongs Act 1958**, I give notice of the following scale of fees and costs, fixed on the recommendation of the Convenor, for referrals of medical questions under Part VBA. This notice takes effect on 1 December 2012 and is effective until 30 November 2013.

Item	Service	Fee or Cost (GST inclusive)
Administration MPW001	Administration cost in association with any reference to Medical Panel	\$1,590.60
Presiding Member MPW002	All work in association with any one standard referral	\$1,215.50
Member/Consultant MPW004	All work in association with any one standard referral	\$839.30
All Members/Consultants MPW006	Cancellation within three days of examination or claimant non-attendance	\$404.80
Interpreter MPW007	Cost for each examination or cancellation on day of examination or claimant non-attendance	At cost
Registered Health Practitioner MPW008	Attendance before Medical Panel of Registered Health Practitioner	\$809.60
Neuro-Psychiatric Examiner MP009	All work in association with a neuro-psychiatric examination	\$1,215.50
Investigations MPW010	Cost of medical investigations and/or reports requested by a Medical Panel	At cost
Presiding Member MPW018	Cancellation within three days of examination or claimant non-attendance	\$506.00
Presiding Member MPW021	All work in association with any referral of a complex nature as determined by the Convenor of Medical Panels	\$1,822.70
Member/Consultant MPW024	All work in association with any referral of a complex nature as determined by the Convenor of Medical Panels	\$1,013.10

Dated 13 November 2012

THE HON ROBERT CLARK MP
Attorney-General

Planning and Environment Act 1987
Section 7(5)

MINISTERIAL DIRECTION

I, Matthew Guy, Minister for Planning, under section 7(5) of the **Planning and Environment Act 1987** amend the Ministerial Direction on the Form and Content of the Planning Schemes under the section as follows:

1. In Annexure 2 to the Direction
 - 1.1 Replace the template Schedule to the Bushfire Management Overlay with a new template Schedule to the Bushfire Management Overlay as at Attachment 1.

MATTHEW GUY MLC
Minister for Planning

Attachment 1

[INSERT PLANNING SCHEME NAME] PLANNING SCHEME

~~2.0~~
C-

SCHEDULE [NUMBER] TO THE BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO/WMO**[number].

1.0
~~2.0~~
C-

Statement of the bushfire protection objectives to be achieved

2.0
~~2.0~~
C-

Permit requirement

3.0
~~2.0~~
C-

Application requirements

4.0
~~2.0~~
C-

Modification to Clause 52.47 standards

Clause 52.47	Modified Requirement
Standard	
Insert standard number	Insert modified requirement

5.0
~~2.0~~
C-

Conditions

6.0
~~2.0~~
C-

Referral of application

7.0
~~2.0~~
C-

Exemption from notice and review

8.0
~~2.0~~
C-

Decision guidelines

9.0
~~2.0~~
C-

Date for the application of the transitional provision clause 44.06-8

Planning and Environment Act 1987
BRIMBANK PLANNING SCHEME
Notice of Approval of Amendment
Amendment C53 (Part 1)

The Minister for Planning has approved Amendment C53 (Part 1) to the Brimbank Planning Scheme.

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

The Amendment applies the Environmental Significance Overlay, Schedule 6 to places of biological significance that were identified in the Brimbank Natural Heritage Strategy 1997 (updated 2006).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Brimbank City Council, Keilor Office, Old Calder Highway, Keilor, or the Sunshine Harvester Customer Service Centre, 301 Hampshire Road, Sunshine.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
BRIMBANK PLANNING SCHEME
Notice of Approval of Amendment
Amendment C141

The Minister for Planning has approved Amendment C141 to the Brimbank Planning Scheme.

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

The Amendment corrects a number of zoning and overlay anomalies, updates local policy and inserts a new Incorporated Document into the scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Brimbank City Council: Brimbank City Council, Keilor Office Customer Service Centre, Old Calder Highway, Keilor; and Brimbank City Council, Sunshine Harvester Customer Service Centre (part of the library complex), 310 Hampshire Road, Sunshine.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
CORANGAMITE PLANNING SCHEME
Notice of Approval of Amendment
Amendment C30

The Minister for Planning has approved Amendment C30 to the Corangamite Planning Scheme.

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

The Amendment implements the Corangamite Shire Tourism Opportunity Study 2010 by rezoning various sites identified for tourism development; amending Clauses 21.04-1 and 22.03-4 to update local planning policy for tourism development; amending Schedule 1 to the Rural Activity Zone; introducing new Schedules 5, 6, 7, 8 and 9 to the Special Use Zone; introducing a new Schedule 5 to the Design and Development Overlay, and amending the schedule to Clause 61.03.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Corangamite Shire Council, 131 Manifold Street, Camperdown.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
DAREBIN PLANNING SCHEME
Notice of Approval of Amendment
Amendment C105

The Minister for Planning has approved Amendment C105 to the Darebin Planning Scheme.

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

The Amendment:

- amends Clause 21.05 of the Municipal Strategic Statement to give reference to the Tree Assessments as new incorporated documents;
- amends Schedule 3 to the Vegetation Protection Overlay, Mount Cooper, Bundoora – Significant Vegetation to reflect the recommendations of ‘Assessment of Trees for VPO Update in Mount Cooper Estate, Bundoora 3 December 2009’;
- amends Schedule 4 to the Vegetation Protection Overlay, Springthorpe – Significant Vegetation to reflect the recommendations of ‘Assessment of Trees for VPO Update in Springthorpe Estate, Macleod 16 May 2010’;
- amends Maps No. 8VPO and 9VPO to extend VPO4 across all of Springthorpe Estate; and
- amends the Schedule to Clause 81.01 to delete superseded documents relating to vegetation protection on the two estates and include ‘Assessment of Trees for VPO Update in Springthorpe Estate, Macleod 16 May 2010’, and ‘Assessment of Trees for VPO Update in Mount Cooper Estate, Bundoora 3 December 2009’ as new incorporated documents.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Darebin City Council, 274 Gower Street, Preston.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
GANNAWARRA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C26

The Minister for Planning has approved Amendment C26 to the Gannawarra Planning Scheme. The Amendment comes into operation on the date this notice is published in the Government Gazette.

The Amendment:

- rezones land at 13–15 Burgoyne Street, Kerang (Lot 2 LP91847, Lot 1 TP163773, Allotment 2 Section 11 and Allotment 3C Section 11, Township of Kerang), from part Public Use Zone 2 – Education, part Public Park and Recreation Zone and part Residential 1 Zone to Public Use Zone 3 – Health and Community;
- rezones land at 99 Shadforth Street, Kerang, from part Public Park and Recreation Zone and part Residential 1 Zone to Public Use Zone 3 – Health and Community;
- rezones land at Crown Allotment 3A, Section 11, Township of Kerang, Shadforth Street, Kerang, from Public Park and Recreation Zone to Public Use Zone 3 – Health and Community;
- amends the Schedule to the Public Use Zone to require that the use and development of a Residential aged care facility on this land must be undertaken by or on behalf of KDH. The Schedule also requires that the development must include a public open space area of at least 0.2 hectares; and
- applies the Environmental Audit Overlay (EAO) to the land currently occupied by Nancarrow Park at Crown Allotment 3A, Section 11, Township of Kerang, Shadforth Street, Kerang.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Gannawarra Shire Council, Patchell Plaza, 47 Victoria Street, Kerang.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
GREATER DANDENONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment C133

The Minister for Planning has approved Amendment C133 to the Greater Dandenong Planning Scheme.

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

The Amendment rezones land at 90–92 Clarke Road, Springvale South, 94–96 Clarke Road, Springvale South, 98–100 Clarke Road, Springvale South, and 168–222 Clarke Road, Springvale South, from Public Park and Recreation Zone and Special Use 2 Zone to Green Wedge Zone, and applies the Environmental Audit Overlay to all the land.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Greater Dandenong City Council, 39 Clow Street, Dandenong.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
GREATER SHEPPARTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C163

The Greater Shepparton City Council has approved Amendment C163 to the Greater Shepparton Planning Scheme.

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

The Amendment rezones land at 7977 Goulburn Valley Highway, Kialla, from the Residential 1 Zone to the Business 4 Zone.

The Amendment was approved by the Greater Shepparton City Council on 9 November 2012 in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 23 April 2012. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Greater Shepparton City Council, 90 Welsford Street, Shepparton.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987
HOBSONS BAY PLANNING SCHEME
Notice of Approval of Amendment
Amendment C91

The Minister for Planning has approved Amendment C91 to the Hobsons Planning Scheme.

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

The Amendment introduces the following changes:

- rezones the following properties from Industrial 1 Zone to Residential 1 Zone:
 - 15–21 Aitken Street, Williamstown
 - 23 Aitken Street, Williamstown
 - 25 Aitken Street, Williamstown;

- rezones the following properties from Industrial 3 Zone to Residential 1 Zone:
 - 27 Aitken Street, Williamstown
 - 21 Ann Street, Williamstown
 - 23 Ann Street, Williamstown;
- amends the Hobsons Bay Planning Scheme maps so that Schedule 35 of the Heritage Overlay (HO35) applies only to land at 25 Aitken Street and is removed from the adjoining property at 23 Aitken Street;
- amends the Schedule to the Heritage Overlay within the Hobsons Bay Planning Scheme so that HO35 refers only to land at 25 Aitken Street and not 23 Aitken Street;
- amends the Hobsons Bay Planning Scheme maps so that Schedule 8 of the Heritage Overlay (HO8) applies to land at 23 Aitken Street; and
- applies the Design and Development Overlay Schedule 11 – Precinct 20 Former Port Phillip Woollen Mills and Surrounds to 23 Ann Street, Williamstown.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Hobsons Bay Council, 115 Civic Parade, Altona.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Approval of Amendment

Amendment C174

The Minister for Planning has approved Amendment C174 to the Hume Planning Scheme.

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

The Amendment removes the Heritage Overlay (HO63: Timber Chalet, Former Greenvale Hospital – Providence Road, Greenvale) from the land known as 125 Providence Road, Greenvale.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Hume City Council, 1079 Pascoe Vale Road, Broadmeadows.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

LATROBE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C80

The Minister for Planning has approved Amendment C80 to the Latrobe Planning Scheme.

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

The Amendment inserts an incorporated document titled ‘NovaPower, Network Support Substation, November 2012’ in the Schedule to Clause 52.03 (Specific Sites and Exclusions) and Clause

81.01 (Incorporated Documents), to provide for the use and development of land at 73–83 Eastern Road, Traralgon, for a Network Support Substation.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Latrobe City Council, 141 Commercial Road, Morwell.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

MACEDON RANGES PLANNING SCHEME

Notice of Approval of Amendment

Amendment C81

The Minister for Planning has approved Amendment C81 to the Macedon Ranges Planning Scheme.

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

The Amendment alters the planning scheme maps and the Schedule to the Heritage Overlay so that the Macedon Ranges Planning Scheme is consistent with the Victorian Heritage Register.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Macedon Ranges Shire Council, 129 Mollison Street, Kyneton.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

MOONEE VALLEY PLANNING SCHEME

Notice of Approval of Amendment

Amendment C123

The Minister for Planning has approved Amendment C123 to the Moonee Valley Planning Scheme.

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

The Amendment makes minor mapping corrections to zoning maps and the Incorporated Plan Overlay maps throughout Moonee Valley.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C79

The Minister for Planning has approved Amendment C79 to the Nillumbik Planning Scheme.

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

The Amendment:

- rezones part of 36A, 36–44 and 50 Graysharps Road, Hurstbridge, from Public Use Zone: Schedule 2 (PUZ2) to Public Park and Recreation Zone (PPRZ);
- rezones part of 36A, 42 and 50 Graysharps Road, Hurstbridge, from Public Use Zone: Schedule 2 (PUZ2) to Public Use Zone: Schedule 6 (PUZ6); and
- rezones part of 42 Graysharps Road, Hurstbridge, from PPRZ to PUZ6.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Nillumbik Shire Council, Civic Drive, Greensborough.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

Notice of Approval of Amendment

Amendment C45

The Minister for Planning has approved Amendment C45 to the Swan Hill Planning Scheme.

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

The Amendment affects land at Lot 2 PS623960, Parish of Castle Donnington; Crown Allotment 41, Section A, Parish of Castle Donnington; and Lot 1 TP160073.

The Amendment rezones the site of the proposed Renewable Energy Facility at Blackwire Reserve from Public Use Zone 5 (Cemetery/Crematorium) and Public Use Zone 6 (Local Government) to Farming Zone; rezones part of the adjacent substation site from Public Use Zone 6 (Local Government) to Public Use Zone 1 (Service & Utility); amends Subclauses 21.08-2 and 21.10-1 in the Municipal Strategic Statement to provide policy support for solar power generation at Blackwire Reserve; and amends the Schedule to the Farming Zone to allow a smaller minimum subdivision area for a Renewable Energy Facility at Blackwire Reserve.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Swan Hill Rural City Council, 45 Splatt Street, Swan Hill.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

Planning and Environment Act 1987

YARRA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C158

The Minister for Planning has approved Amendment C158 to the Yarra Planning Scheme.

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

The Amendment applies the Heritage Overlay to 10 Kelso Street, Cremorne, on an interim basis until 31 May 2013.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Yarra City Council, 333 Bridge Road, Richmond.

JOHN PHILLIPS
Acting Director
Planning and Building Systems
Department of Planning and
Community Development

ORDERS IN COUNCIL

County Court Act 1958

CONTINUATION OF RIGHT TO A JUDICIAL PENSION
FOR A RETIRED COUNTY COURT JUDGE

Order in Council

The Governor in Council, under section 14(3A) of the **County Court Act 1958**, determines that the right of

Michael John Strong

to a judicial pension shall not be suspended by reason of the operation of section 14(3A)(b)(i) of that Act, while he holds any office or place of profit as a part-time Examiner at the Australian Crime Commission.

Dated 20 November 2012

Responsible Minister:
ROBERT CLARK MP
Attorney-General

BONNIE TAYLOR
Acting Clerk of the Executive Council

Land Act 1958

APPROVAL BY THE GOVERNOR IN COUNCIL TO
THE SALE OF CROWN LAND BY PRIVATE TREATY

Order in Council

The Governor in Council under sections 99A(1)(a) and 99A(2) of the **Land Act 1958** approves the sale by private treaty of Crown Allotments 2010, 2012 and 2018, Township of Tatura, Parish of Toolamba West and located at Brown Street, Tatura.

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

Dated 20 November 2012

Responsible Minister:
GORDON RICH-PHILLIPS MLC
Assistant Treasurer

BONNIE TAYLOR
Acting Clerk of the Executive Council

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PRICING FOR SPECIAL GAZETTE, PERIODICAL GAZETTE AND VICTORIAN LEGISLATION

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