



Victoria Government Gazette

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No. G 28 Thursday 12 July 2012

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GENERAL

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As from 12 July 2012

The last Special Gazette was No. 242 dated 10 July 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)
-

VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

The legal practice conducted by Mark Francis Stratmann, trading as Hunter News at 77 Kennedy Street, Hamilton, and 57 Henty Street, Casterton, has ceased trading from 30 June 2012. The legal practice conducted by Mark Francis Stratmann has been transferred to M. F. Stratmann Pty Ltd (ACN 156 240 550), an incorporated legal practice trading as Stratmann & Co. effective 1 July 2012.

Re: JANET ROSALIE SHEPHERD, late of Werft Str. 1 30926, Seelze, Germany, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 November 2011, are required by the trustee, Edward William Russell, to send particulars to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he has notice.

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

Re: COLIN TERRY WARD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 February 2012, are required by the trustee, Graham John Fountain, care of 44 Douglas Street, Noble Park, Victoria, to send particulars to the trustee by 24 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: Estate of PAUL JACOB HARRISON, late of 4 Annears Road, Blackwall, Tasmania, master mariner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 July 2010, are required by the trustee, Iaan Graeme Forbes Dick, to send particulars of their claims to the trustee, care of

the undermentioned legal practitioners, by 10 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

BRENDAN HOLLAND & MICHAEL CAHIR,
legal practitioners,
130 Balcombe Road, Mentone 3194.

Re: ARETI KARANGES, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 December 2011, are required by the trustee, Carrol Ann Bond, to send particulars of their claims to the trustee, care of the undermentioned legal practitioners, by 14 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

Dated 6 July 2012

BULLARDS, solicitors,
221 Queen Street, Melbourne 3000.

Re: Estate of MAJELLA CATHERINE AHEARN, deceased.

Creditors, next-of-kin and other persons having claims against the estate of MAJELLA CATHERINE AHEARN, late of 6 Elaine Avenue, Alfredton, in the State of Victoria, retired bank officer, deceased, who died on 20 April 2012, are required to send particulars of their claims to the executor, Christopher John Southall, care of the undermentioned solicitors, by 30 September 2012, after which date the executor will distribute the assets, having regard only for the claims of which he then has had notice.

C. J. SOUTHALL, solicitor,
191 Greville Street, Prahran 3181.

Re: PHYLLIS MAY BATTYE, late of Glenlyn Nursing Home, 34 Finchley Avenue, Glenroy, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 April 2012, are required by the trustee, Thomas Lazarides, to send particulars

to the trustee, care of the undermentioned solicitors, within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: ASYAT MEKHAEL, late of 7 Rubicon Street, Dallas, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 April 2012, are required by the administrator to send particulars to the administrator, care of the undermentioned solicitors, within sixty days from the publication hereof, after which date the administrator may convey or distribute the assets, having regard only to the claims of which the administrator has notice.

DE MARCO LAWYERS,
794A Pascoe Vale Road, Glenroy 3046.

Re: CHARLOTTE VIRGINIA AGNES ZAETTA, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of CHARLOTTE VIRGINIA AGNES ZAETTA, late of Unit 305, 14–17 Prospect Hill Road, Camberwell, Victoria and formerly of 234 Treetops Crescent, Mollymook, in the State of New South Wales, business administrator, deceased, who died on 17 March 2012, are required by the executor to send particulars of their claim to her, care of the undermentioned solicitors, by 22 December 2012, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which she then shall have notice.

DONALD & RYAN LAWYERS, solicitors,
304 High Street, Kew 3101.

Re: Estate of MARY ELLEN WILKINSON, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of MARY ELLEN WILKINSON (in the Will and Codicil called Mary Ellen Josephine Wilkinson), late of ECU, Swan Hill District Hospital, Splatt Street, Swan

Hill, Victoria, home duties, deceased, who died on 27 March 2012, are to send particulars of their claim to the executor, care of the undermentioned legal practitioners, by 17 September 2012, 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: WARWICK RUSSELL PATTERSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 April 2012, are required by the trustee, Karen Ann Patterson, care of Featherbys Lawyers, 14 Ninth Avenue, Rosebud, Victoria, solicitor, to send particulars to the trustee by 13 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

FEATHERBYS LAWYERS,
14 Ninth Avenue, Rosebud 3939.

Re: JOHN BALFOUR McCULLOCH FINDLAY, late of 478 Burwood Highway, Wantirna South, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 December 2011, are required by the executor, Robert John Forrest, to send particulars to him, care of the undermentioned solicitors, by 21 September 2012, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

FORREST & CO., solicitors,
18 Glenora Avenue, Croydon 3136.

Re: MARY MARGARET BAILEY, late of corner Somerville Road and Fairlie Street, Yarraville, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 March 2012, are required by the trustee, Brian George Bailey, care of Gadens

Lawyers, 62 Robinson Street, Dandenong 3175, to send particulars to the trustee by 13 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

GADENS LAWYERS,
62 Robinson Street, Dandenong 3175.

Re: Estate NORMAN LEIGH WHITLOCK, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 March 2012, are required by the trustee, Beverley Kay Whitlock, to send particulars to her, care of the undermentioned solicitors, by 13 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: WILLIAM GOULD WILSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 April 2012, are required by the trustee, Gloria Aileen Wilson, to send particulars to her, care of the undermentioned practitioners, by 13 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: PAULINE GARDA BUCKNILL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 December 2011, are required by the trustee, Catherine Anne Bucknill, to send particulars to the trustee, care of her undermentioned solicitors, by 11 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

MAURICE MAXIM GOOEY, late of 45–51 Elliott Street, Mordialloc, medical practitioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 May 2012, are required by the trustee, care of Harris & Chambers Lawyers, of 1/23 Melrose Street, Sandringham 3191, to send particulars to them by 13 September 2012, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

HARRIS & CHAMBERS LAWYERS,
1/23 Melrose Street, Sandringham 3191.

Re: KEVAN MOYSEY BRADSHAW, late of 4 Collins Street, Kew, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 March 2012, are required by the executor, Margherita Dorothy Bradshaw, care of James Higgins & Co., 443 Little Collins Street, Melbourne, to send particulars of their claims to the executor, care of the undermentioned solicitors, by 12 September 2012, after which date the executor will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

JAMES HIGGINS & CO., solicitors,
443 Little Collins Street, Melbourne 3000.

Re: RUSSELL LEONARD JONES, late of 19 Brynor Crescent, Glen Waverley, Victoria, international banker, 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 executor, Sasha Blanche Bennetts, of 443 Little Collins Street, Melbourne, to send particulars of their claims to the executor by 12 September 2012, after which date the executor will convey or distribute the assets, having regard only to the claims of which the executor then has notice.

JAMES HIGGINS & CO., solicitors,
443 Little Collins Street, Melbourne 3000.

Re: CONCETTINA LOVISOTTO, late of 109 Pigdon Street, Carlton North 3054.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 9 November 2011, are required by the executors, Massimo Lovisotto and Marco Lovisotto, to send particulars of their claim to them, care of the undermentioned solicitors, by 12 September 2012, after which date the said executors may distribute the assets, having regard only to the claims of which they then have notice.

LACHLAN PARTNERS LEGAL, lawyers,
Level 34, 360 Collins Street, Melbourne 3000.

Re: ANNE PHILOMENA HARRISON (also known as Anne Philomena McGrath), late of 7 Malabar Road, Blackburn, Victoria, retired teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 February 2012, are required by the trustees, Maura Elizabeth Cerato and Mary Elizabeth Claessens, to send particulars to the trustees, care of the undermentioned solicitors, by 14 September 2012, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

MAHONS with Yuncken & Yuncken, solicitors,
178 Whitehorse Road, Blackburn 3130.
CD:2120353

Re: BRETT RAYMOND KILLMIER, late of 1 Fern Court, Launching Place, Victoria, lithographic photographer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 March 2012, are required by the administrator, Rose Heather Killmier, to send particulars to the administrator, care of the undermentioned solicitors, by 14 September 2012, after which date the administrator may convey or distribute the assets, having regard only to the claims of which the administrator then has notice.

MAHONS with Yuncken & Yuncken, solicitors,
178 Whitehorse Road, Blackburn 3130.
CD:2120671

ALWYNNE BERYL JONA, late of 3/771 Malvern Road, Toorak, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 April 2012, are required by the trustees, Peter Cowen, Maxwell Burley and Michael Lawrence, to send particulars to the undermentioned lawyer by 31 December 2012, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MORRIS MARGOLIS, lawyer,
Suite 7, 1097–1111 High Street, Armadale 3143.

JEAN ANNIE ADCOCK, late of Johnson Goodwin Homes, Camp Street, Donald, Victoria 3480, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 5 March 2012, are required by the trustees, Keith Noel Adcock and Leslie James Adcock, care of the undermentioned solicitors, to send particulars of their claims to them by 28 September 2012, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

RADFORD LEGAL, barristers and solicitors,
14 Napier Street, St Arnaud, Victoria 3478.

Re: ADRIAN LUCAS MITCHELL, late of 41 Johnstone Street, Malvern, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 September 2011, are required to send particulars of their claims to the administrator, care of Level 3, 20–22 McKillop Street, Melbourne, Victoria 3000, by 12 October 2012, after which date the administrator may convey or distribute the assets, having regard only to the claims of which she may then have notice.

WILLS & PROBATE VICTORIA, lawyers,
Level 3, 20–22 McKillop Street, Melbourne
3000.

Re: EUPHEMIA JESSIE ROBINA
McDONALD, late of The Mews Nursing Home,
2A Warburton Road, East Camberwell, Victoria,
widow, deceased.

Creditors, next-of-kin and others having
claims in respect of the estate of the deceased,
who died on 13 March 2012, are required by the
executor, Anthony Patrick Joyce, of 419 Collins
Street, Melbourne, Victoria, to send particulars
to him, by 13 September 2012, after which date
Anthony Patrick Joyce may convey or distribute
the assets, having regard only to the claims of
which he then has notice.

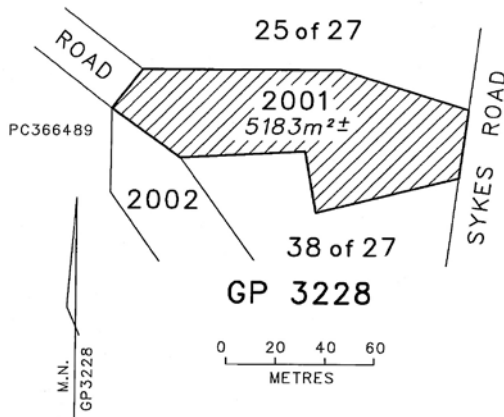
WISEWOULD MAHONY, lawyers,
419 Collins Street, Melbourne 3000.

PROCLAMATIONS**Land Act 1958****PROCLAMATION OF ROAD**

I, Alex Chernov, Governor of Victoria with the advice of the Executive Council and under section 25(3)(c) of the **Land Act 1958** proclaim as road the following land:

**MUNICIPAL DISTRICT OF THE
CITY OF BALLARAT**

SCOTCHMANS – The land At Scotchmans, Parish of Buninyong being Crown Allotment 2001, shown by hatching on plan GP3228 hereunder. – (GP3228) – (0503874)



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

Given under my hand and the seal of Victoria on 10 July 2012

(L.S.)

ALEX CHERNOV
Governor
By His Excellency's Command
RYAN SMITH
Minister for Environment and
Climate Change

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

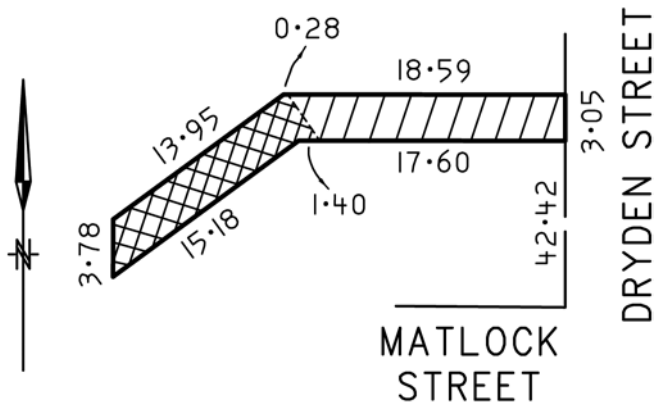


BOROONDARA
City of Harmony

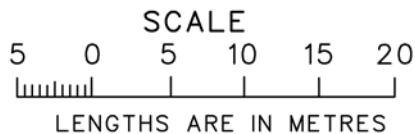
Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Boroondara City Council has formed the opinion that the road adjoining 47 and 49 Matlock Street, 19 Dryden Street and 24 Maling Road, Canterbury, and shown by hatching and cross-hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road shown by cross-hatching is to be sold subject to the right, power or interest held by Boroondara City Council in the road in connection with any drains or pipes under the control of that authority in or near the road.



PARISH OF BOROONDARA
CROWN SECTION 8
CROWN PORTION A (PART)



PHILLIP STORER
Chief Executive Officer

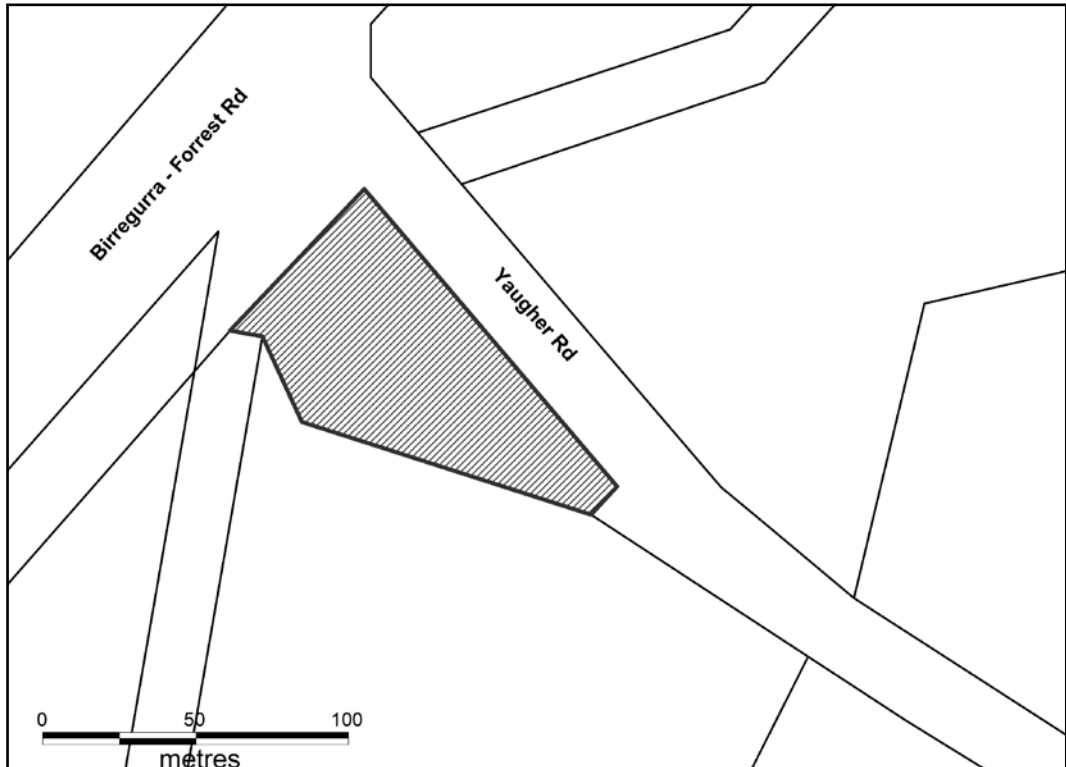
COLAC OTWAY SHIRE

Discontinuance of Part of Yaugher Road Road Reserve, Forrest

Notice is hereby given that the Colac Otway Shire Council, on 27 June 2012, resolved (in part) that Council:—

- (1) Having conducted statutory procedures to discontinue a triangular shaped portion of the Yaugher Road road reserve of 6228 metres square in area and received no submissions in regard to the proposal hereby resolves this portion of road reserve be discontinued pursuant to clause 3, schedule 10 of the **Local Government Act 1989**.

The location of the portion of road reserve to be discontinued is shown on the plan below.



A public consultation process was conducted in accordance with the provisions of the **Local Government Act 1989** to ensure there was community support for the discontinuance.

The discontinued portion of road reserve will be transferred to the abutting property owner in exchange for a portion of land abutting the Birregurra–Forrest Road, Forrest.

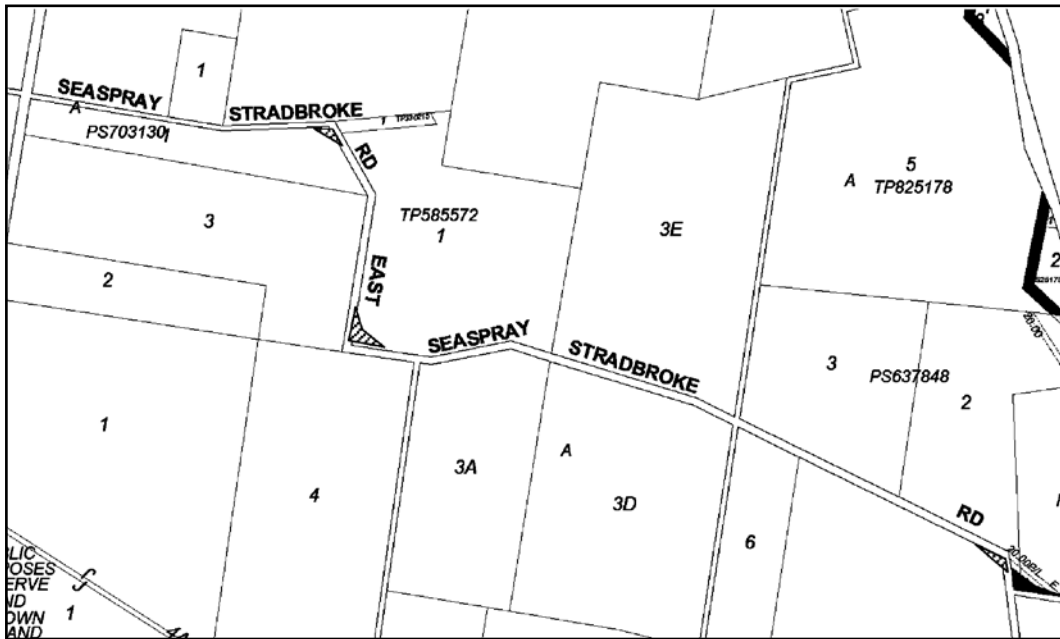
The discontinuance shall take effect from the date of publication of this notice.

ROB SMALL
Chief Executive Officer

WELLINGTON SHIRE COUNCIL

Public Highway Declaration

Pursuant to section 204(1) of the **Local Government Act 1989** ('the Act') the Wellington Shire Council, at its meeting on 15 May 2012, resolved to declare the 3 (three) sections of Seaspray-Stradbroke Road East, Stradbroke, through Lot 1 TP274967H and Lot 1 TP585572X Section A Parish of Wulla Wullock and Lot 1 TP888276N Section 2 Parish of Wulla Wullock, as shown hatched on the plan below, as a Public Highway for the purposes the Act.



Dated 2 July 2012

DAVID MORCOM
Chief Executive Officer

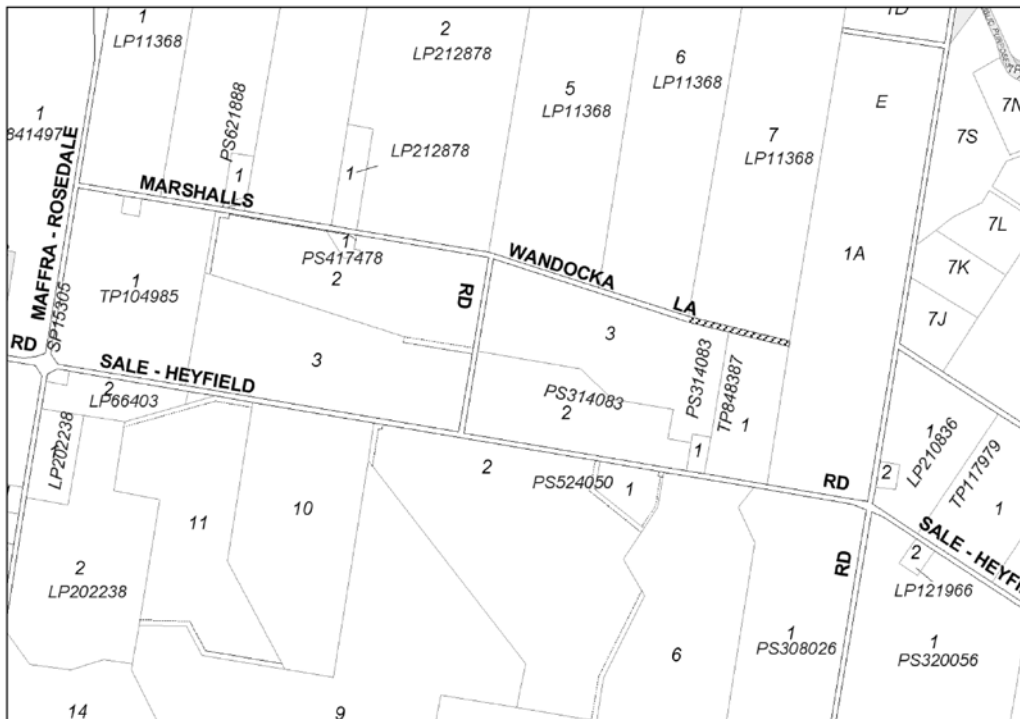
WELLINGTON SHIRE COUNCIL

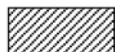
Road Discontinuance (Part)

Wandocka Lane, Denison

Pursuant to section 206 and clause 3 of schedule 10 of the **Local Government Act 1989**, the Wellington Shire Council, after consultation with relevant Statutory Authorities, advertising its intention as well as serving notice on the registered proprietors of the land and owners and occupiers of land abutting the Road (part) abutting Lot 7 on LP 11368 in the Parish of Denison, resolved at its meeting on 3 April 2012 as follows:-

- (a) that the eastern section of Wandocka Lane abutting Lot 7 on LP 11368 in the Parish of Denison, as shown hatched on the plan hereunder, shall be discontinued upon publication of this resolution in the Government Gazette;
- (b) the land contained in the said Road (part) be disposed of to the abutting land owner in accordance with Wellington Shire Council Policy 4.3.1 Sale and Exchange of Land.



 ROAD TO BE DISCONTINUED

Dated 5 July 2012

DAVID MORCOM
Chief Executive Officer

MONASH CITY COUNCIL

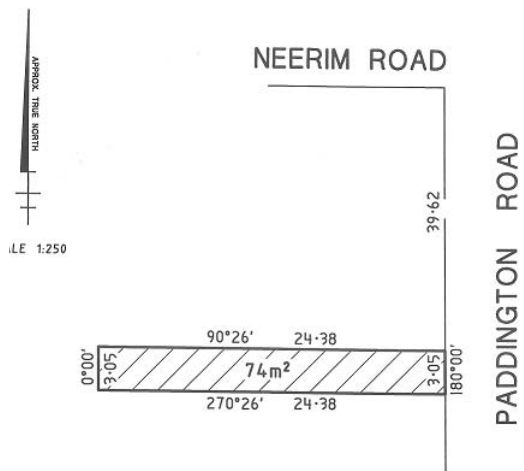
Erratum

Road Discontinuance

This notice supersedes the notice which appeared on page 649 of the 29 March 2012 edition of the Victoria Government Gazette (G13) in relation to this road discontinuance.

At its meeting on 31 January 2012 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Monash City Council:

- formed the opinion that the road abutting 607–615 Neerim Road and 1A Paddington Road, Hughesdale (shown hatched on the plan below and being the whole of the land contained in Certificate of Title Volume 2663 Folio 493 ('the Road')), is not reasonably required as a road for public use; and
- resolved to discontinue the Road and either retain or sell the land from the discontinued Road to the abutting owner.



DR ANDI DIAMOND
Chief Executive Officer

YARRA CITY COUNCIL

Roads and Council Land Local Law

Notice is given that at a meeting of Yarra City Council (Council) held on 3 July 2012, Council made a local law titled 'Roads and Council Land Local Law' (the Local Law).

The following information about the Local Law is provided in accordance with section 119(3) of the **Local Government Act 1989** (the Act):

Purpose of the Local Law

The purposes of the Local Law are to:

- provide for the peace, order and good government of the municipal district of Yarra City Council
- promote a physical and social environment that is accessible, inclusive and free from health hazards, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community
- prevent and suppress nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district, and
- prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life and the environment of the municipal district.

General purport of the Local Law

The Local Law revokes Roads and Council Land Local Law No. 2 of 2002 and:

- creates offences relating to:
 - vehicles in recreational reserves
 - vegetation at intersections that obstructs the clear view of drivers or pedestrians
 - vegetation that overhangs a road or footway at a height of less than 2.7 m
 - vegetation that encroaches onto any adjacent road, footway or Council land
 - bulk rubbish containers on a road, footway or Council land, and doing other things that encroach or obstruct the free use of roads, footways and Council land
 - the fencing of vacant land
 - the fencing of land on which a dilapidated dwelling exists and the securing of such dwelling
 - vehicle crossings
 - toy vehicles on roads, footways and Council land
 - shopping trolleys on roads, Council land, footways and car parks vested in Council
 - street parties
 - dog excrement
 - camping, the occupation of caravans, tents or similar structures on roads, footways and Council land and the use of vehicles on roads, footways and Council land as a place of permanent or temporary accommodation

- busking
 - commercial fitness activities
 - the exercising of dogs or other animals for commercial gain
 - damaging, interfering with or destroying Council assets
 - the occupation of roads, footways or Council land for the purposes of commercial filming
 - the display of goods and the placement of advertising signs and specified furniture on a road, footway or Council land
 - the sale of goods from a road, footway, Council land, vacant land or land which is not ordinarily occupied by the seller
 - the soliciting or collection of gifts or subscriptions on a road, footway, Council land or from door to door
 - spruiking
 - the numbering of allotments
 - spoil on roads
 - the use of a road by large vehicles
 - the repair and display of vehicles
 - noisy vehicles
 - trailers which are not attached to a registered motor vehicle
 - the failure to maintain a safe environment, and
 - vehicle parking permits.
- provides for the administration and enforcement of the Local Law and empowers Council and Authorised Officers to issue Notices to Comply, act in urgent circumstances and impound things, and
 - provides for infringement notices to be served on those whom an Authorised Officer has reason to believe is guilty of an offence.

Copies of the Local Law are available from and may be inspected at the Richmond Town Hall (333 Bridge Road, Richmond) during office hours, and can be viewed on Council's website at www.yarracity.vic.gov.au/Your-Council/Governance/Local-Laws/

For more information, please contact Paul Bean, Manager – Compliance, on 9205 5369 or at Paul.Bean@yarracity.vic.gov.au

VIJAYA VAIDYANATH
Chief Executive Officer

YARRA CITY COUNCIL

Environment Local Law

Notice is given that at a meeting of Yarra City Council (Council) held on 3 July 2012, Council made a local law titled 'Environment Local Law' (the Local Law).

The following information about the Local Law is provided in accordance with section 119(3) of the **Local Government Act 1989** (the Act):

Purpose of the Local Law

The purposes of the Local Law are to:

- provide for the peace, order and good government of Yarra City Council
- promote a physical and social environment that is accessible, inclusive and free from health hazards, in which the residents of the municipal district can enjoy a quality of life that meets the general expectations of the community
- prevent and suppress nuisances which may adversely affect the enjoyment of life within the municipal district or the health, safety and welfare of persons within the municipal district, and

- prohibit, regulate and control activities which may be dangerous or unsafe or detrimental to the quality of life and the environment of the municipal district.

General purport of the Local Law

The Local Law revokes Environment Local Law No. 3 of 2002 and:

- creates offences relating to:
 - removing, damaging, destroying or lopping significant trees
 - the use of land for the storage of specified machinery, the storage, assembly or dismantling of vehicles and the repair of motor vehicles
 - land which is unsightly, dangerous or detrimental to the general amenity of the area in which it is located
 - the presence of vermin or noxious weeds on land
 - the use of land or an adjacent nature strip in a manner that constitutes or is likely to constitute a fire hazard or source of fuel for a fire
 - circuses, carnivals and festivals
 - noise in Council Parks and Gardens
 - the conduct of an occasional event in Council's Parks and Gardens
 - hot air balloons
 - signs erected on Council land, interference with the quiet enjoyment of Council land and the carrying out of specified activities on Council land
 - the installation of a gate by an owner or occupier of land whose land abuts any of Council's Parks and Gardens
 - smoking a tobacco product in a smoke-free area
 - dilapidated buildings
 - the keeping of heavy motor vehicle on land in a residential area
 - awnings and verandas
 - building works
 - the disposal of disused refrigerators and other compartments
 - waste collection
 - street litter
 - the transportation of waste
 - the storage of trade waste
 - trade waste hoppers
 - the screening of bins and hoppers
 - camping and the occupation of caravans, tents and like structures on land
 - the keeping of animals and birds on specified land
 - the housing of animals
 - the removal from land of roosters or another animals which are causing a nuisance to others
 - the feeding of animals or birds in public places
 - drains
 - fires in the open air
 - the use of incinerators
 - the burning of certain materials
 - the extinguishment of fires, and
 - the use of recreational vehicles.

- provides for the administration and enforcement of the Local Law and empowers Council and Authorised Officers to issue Notices to Comply, act in urgent circumstances and impound things, and
- provides for infringement notices to be served on those whom an Authorised Officer has reason to believe is guilty of an offence.

Copies of the Local Law are available from and may be inspected at the Richmond Town Hall (333 Bridge Road, Richmond) during office hours, and can be viewed on Council's website at www.yarracity.vic.gov.au/Your-Council/Governance/Local-Laws/

For more information, please contact Paul Bean, Manager – Compliance, on 9205 5369 or at Paul.Bean@yarracity.vic.gov.au

VIJAYA VAIDYANATH
Chief Executive Officer

MELBOURNE CITY COUNCIL

Notice of Making of a Local Law

Notice is given pursuant to sections 119 of the **Local Government Act 1989** that the Melbourne City Council ('Council') has made a new local law pursuant to Part 5 of the **Local Government Act 1989** known as the Activities (Smoking and Miscellaneous Amendment) Local Law 2012 ('the Local Law').

Purpose: The purposes of the Local Law are to:

1. manage public places to enhance their enjoyment by the general public by introducing an ability to prohibit the smoking of tobacco products in and around children's playgrounds, childcare centres and other public places prescribed by the Council (including the matters to be considered by the Council in contemplating prescribing a location); and
2. provide for the peace, order and good government of the municipality.

General Purport: The general purport of the Local Law is as follows:

1. Adding new definitions for 'acceptable no smoking sign', 'child care centre', 'children's playground', 'smoke', 'smoke free area' and 'tobacco product'.
2. Inserting a new Part 3A and schedule 2:
 - 2.1. prohibiting the smoking of a tobacco product in a smoke free area;
 - 2.2. defining a smoke free area as the area in and around children's playgrounds, childcare centres and other public places prescribed by the Council;
 - 2.3. providing guidelines the Council must consider in deciding to prescribe an area as a smoke free area;
 - 2.4. providing an ability to erect signs in respect to smoke free areas; and
 - 2.5. providing ability for an authorised officer of Council to direct a person smoking a tobacco product in a smoke free area to extinguish and dispose of a tobacco product.
3. Adding an infringement penalty of one penalty unit for smoking a tobacco product in a smoke free area.
4. Removing clauses 14.3 to 14.6 as they have been superseded by the operation of the **Infringements Act 2006**.
5. Making minor and consequential changes.

A copy of the Local Law can be obtained from the Council Offices (Front Desk, Melbourne Town Hall Administration Building, Swanston Street, Melbourne). Office hours are generally 8.00 am to 6.00 pm Monday to Friday excepting public holidays.



BOROONDARA
City of Harmony

Planning and Environment Act 1987
BOROONDARA PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C138
Authorisation A02030

Boroondara City Council has prepared Amendment C138 to the Boroondara Planning Scheme.

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

The land affected by the Amendment is Kew Junction Major Activity Centre, as shown in the Kew Junction Structure Plan.

The Amendment proposes to give effect to the 'Kew Junction Structure Plan' as updated on 28 December 2011.

The Amendment proposes to:

- introduce a new Clause 22.17 'Kew Junction Policy';
- introduce a new Schedule 14 to Clause 43.02 Design and Development Overlay (DDO14) for the Kew Junction Major Activity Centre;
- make ancillary changes to Clause 21.05, 21.06, 21.07 and 21.08 of the Municipal Strategic Statement (MSS) and Clause 22.08 and 22.10 of the Local Planning Policy Framework; and
- rezone land at 259, 261–267 and part 299 High Street, Kew, from Residential 1 Zone to Business 1 Zone.

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: Boroondara City Council, Camberwell Offices, Planning Counter, First floor, 8 Ingelsby Road, Camberwell; 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 31 August 2012. A submission must be sent to the Strategic Planning Department, City of Boroondara, Private Bag 1, Camberwell, Victoria 3124.

PHIL STORER
Chief Executive Officer



BOROONDARA
City of Harmony

Planning and Environment Act 1987
BOROONDARA PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C139
Authorisation A02029

Boroondara City Council has prepared Amendment C139 to the Boroondara Planning Scheme.

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

The land affected by the Amendment is the Glenferrie Major Activity Centre as shown in the 'Glenferrie: Heart of Hawthorn Activity Centre Structure Plan' as well as 84 Hawthorn Grove, 1, 3 and 5 Vicars Street, 1 Bowen Street and 1/2 and 2/2 Johnson Street, Hawthorn.

The Amendment proposes to give effect to the 'Glenferrie: Heart of Hawthorn Structure Plan, 2010', as updated on 28 December 2011.

The Amendment proposes to:

- introduce a new Clause 22.18 'Glenferrie Major Activity Centre Policy';
- introduce a new Schedule 15 to Clause 43.02 Design and Development Overlay (DDO15) for the Glenferrie Major Activity Centre;
- make ancillary changes to Clause 21.05, 21.06, 21.07 and 21.08 of the Municipal Strategic Statement (MSS) and Clause 22.08 and 22.10 of the Local Planning Policy Framework (LPPF);

- amend the Schedule to Clause 34.02 Business 2 Zone to remove maximum floor space provisions for office and shop uses affecting land bounded by Burwood Road, Kent Street, Oxley Street and James Street, Hawthorn;
- rezone part of 821–825 Glenferrie Road from Residential 1 to Business 2;
- rezone part of 228–236 Barkers Road from Residential 1 to Business 2;
- rezone 84 Hawthorn Grove from Business 2 to Residential 1;
- rezone 765–771 Glenferrie Road from Business 2 to Business 1;
- rezone part of 739–741 Glenferrie Road from Residential 1 to Business 1;
- rezone part of 1/2 and 2/2 Johnson Street from Business 2 to Residential 1;
- rezone 1 Bowen Street, and parts of 1, 3 and 5 Vicars Street from Business 2 to Residential 1;
- rezone 786–808 Glenferrie Road from Business 2 to Business 1;
- rezone 5–11 Park Street from Residential 1 to Business 1;
- rezone 593–603 Glenferrie Road from Residential 1 to Business 2; and
- apply an Environmental Audit Overlay to 228–236 Barkers Road and 593–603 Glenferrie Road.

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, Boroondara City Council, Camberwell Offices, Planning Counter, First floor, 8 Inglesby Road, Camberwell; Hawthorn Library Customer Service, 564 Glenferrie Road, Hawthorn; 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 31 August 2012. A submission must be sent to the Strategic Planning Department, City of Boroondara, Private Bag 1, Camberwell, Victoria 3124.

PHIL STORER
Chief Executive Officer

Planning and Environment Act 1987

CARDINIA 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 C72

Authorisation A02277

Planning Permit Application T090192

The land affected by the Amendment and application is CA 85, 8 Drake Court, Bunyip.

The Amendment proposes to:

- rezone the part of the land inside the UGB from Farming Zone (Schedule 1) to a Low Density Residential Zone;
- remove the Environmental Significance Overlay applying to that part of the land proposed to be rezoned to Low Density Residential;
- apply the Design and Development Overlay (Schedule 1) and Vegetation Protection Overlay (Schedule 1) to land proposed to be rezoned to Low Density Residential; and
- introduce a site specific control under Clause 52.03 to allow the creation of a lot less than 40 hectares in the Green Wedge Zone (Schedule 1) and associated incorporated document (Site specific control CA85, 8 Drake Court, Bunyip, March 2012) at Clause 81.01.

Concurrent with the preparation of the planning scheme Amendment is a planning permit application made pursuant to section 96A(1) of the **Planning and Environment Act 1987** that affects the subject land. The planning permit application proposes the subdivision of the land into fourteen (14) lots, creation of a reserve, creation of an easement and vegetation removal.

The person who requested the Amendment is Christopher C. Morris and Associates on behalf of E. S. and G. S. Jakobi.

The applicant for the permit is Christopher C. Morris and Associates on behalf of E. S. and G. S. Jakobi.

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, Cardinia Shire Council, Henty Way, Pakenham; 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 or by the granting of the permit may make a submission to the planning authority.

The closing date for submissions is 13 August 2012. A submission must be sent to the Cardinia Shire Council, PO Box 7, Pakenham 3810.

TRACEY PARKER
Manager Planning Policy and Projects

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 13 September 2012, 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.

ASSAD, Layla, late of Hilltop Aged Care Facility, 7–17 Montague Street, Preston, Victoria 3072, pensioner, deceased, who died on 24 July 2011.

GILL, Isobel Anne, late of Bupa Edithvale, 256 Station Street, Edithvale, Victoria 3196, pensioner, deceased, who died on 25 March 2012.

HOLLY, Catherine Elizabeth, also known as Catherine Elizabeth Holly-Clarke, late of Apartment 711, 255 Elizabeth Street, Melbourne, Victoria 3000, retired, deceased, who died on 10 December 2011.

KARANIKAS, Adamos, also known as Adam, late of 465 Glenburnie Road, Eden Park, Victoria 3757, deceased, who died on 22 March 2012.

PERKS, Patricia, late of Bupa Edithvale, 256 Station Street, Edithvale, Victoria 3196, sales assistant, deceased, who died on 8 March 2012.

SMALLACOMBE, Christine Ann, late of 131 Primrose Street, Essendon, Victoria 3040, deceased, who died on 23 February 2012.

STEELE, John, late of 106 Tarakan Street, Wodonga, Victoria 3690, deceased, who died on 13 April 2012.

Dated 5 July 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 17 September 2012, 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.

BILYJ, Katerina, late of Room 38 Heritage Lakes, 879 Plenty Road, South Morang, Victoria 3752, retired, deceased, who died on 9 April 2012.

BURLING, Donalda, late of St John of God Services, 13 Lancaster Road, Mooroolbark, Victoria 3138, deceased, who died on 12 February 2012.

COBBETT, Margaret Elaine, late of Wallace Lodge, Narracan Gardens, 17 Amaroo Way, Newborough, Victoria 3825, deceased, who died on 2 March 2012.

FENNESSY, James Joseph, late of 10 Medway Street, Box Hill North, Victoria 3129, deceased, who died on 22 January 2012.

WRIGHT, Jean Audrey, late of 7 Kernot Street, Geelong East, Victoria 3219, retired, deceased, who died on 30 January 2012.

Dated 9 July 2012

STEWART MacLEOD
Manager

Agent-General and Commissioners for Victoria Act 2007

I, Louise Asher, Minister for Innovation, Services and Small Business, under section 11(1) of the **Agent-General and Commissioners for Victoria Act 2007**, direct the Agent-General for

Victoria in London to perform functions and duties under the Act and represent Victoria in both the United Kingdom and Europe.

Dated 30 June 2012

THE HON LOUISE ASHER MP
Minister for Innovation, Services and
Small Business
Minister for Tourism and Major Events

Children's Services Act 1996

NOTICE OF EXEMPTION

Pursuant to section 6 of the **Children's Services Act 1996**, I declare that regulation 52A of the Children's Services Regulations 2009 (Regulations) does not apply in respect of a children's service as specified in Schedule A until 1 January 2014.

This exemption remains in force until 31 December 2013.

SCHEDULE A

A children's service as specified in regulation 52A(1) of the Regulations that is:

- a standard children's service licensed to care for and educate fewer than 25 children at any one time; or
- an approved associated children's service approved to care for and educate fewer than 25 children at any one time; or
- an integrated service with a standard service component licensed to care for and educate fewer than 25 children at any one time.

Dated 28 June 2012

WENDY LOVELL MP
Minister for Children and
Early Childhood Development

Food Act 1984

REGISTRATION OF A FOOD SAFETY PROGRAM TEMPLATE

I, Pauline Ireland, as delegate to the Secretary to the Department of Health, under section 19DB of the **Food Act 1984** (the Act) –

1. state that the food safety program template described and identified as **Centrel Pty Ltd BP Regional Food Safety Management System Version 1** (the template) is registered for use; and
2. specify that the template is suitable for use by food businesses trading as BP Regional that are carried out at, on or from class 2 food premises.

In this instrument –

'**class 2 food premises**' means food premises declared to be class 2 food premises under section 19C of the Act.

This instrument takes effect on the date it is published in the Government Gazette.

Dated 5 July 2012

PAULINE IRELAND
Assistant Director
Food Safety and Regulation

Petroleum Act 1998 (Vic.)

STATE OF VICTORIA

Notice Under Section 194(1) of the **Petroleum Act 1998** (Vic.)

Release of Interpretive Information

I, David Boothroyd, as the Delegate of the Minister for Energy and Resources, in accordance with section 194(1) of the **Petroleum Act 1998**, hereby give notice that:

1. I propose to make available all petroleum interpretive information submitted to the Minister prior to the 1 July 2007. This includes information, contained in documents, that in the opinion of the Minister contains an opinion or conclusion that is at least partly based on information relating to the sub-soil or petroleum in part of an area to which a petroleum exploration permit or a petroleum lease applied.
2. Interested persons are invited to submit a notice of objection to the release of the information within 45 days of this notice.

Please Note:

As required by section 194(2) of the **Petroleum Act 1998**, the only grounds on which a person may object to the release of interpretive information are that the release of the information:

- (a) would disclose a trade secret; or
- (b) would, or could reasonably be expected to, adversely affect the lawful business, commercial or financial affairs of the person.
3. If a person does not make an objection in accordance with this invitation, the person will be taken to have consented to the information being made available or publicly known.

Dated 6 July 2012

DAVID BOOTHROYD
Acting Director Earth Resources Regulation
Delegate of the Minister for
Energy and Resources

Agricultural and Veterinary Chemicals (Control of Use) Act 1992

APPOINTMENT OF AUTHORISED OFFICER

I, Anthony Gerard Britt, Director Animal Biosecurity and Welfare in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following persons who are employed in the Public Service, as authorised officers for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Stephanie Marija Andreato	Rodney Terrence Badman	Cameron Marc Bell
Paul Douglas Beltz	Geoffrey Keith Bennett	John William Bodey
Matthew Damien Bollen	Tracey Leigh Bradley	Kirsty Anne Bredin
Tyrone Jason Cain	Andrew Keith Cameron	Veronica Jane Campbell
Jeffrey Glen Cave	David Lloyd Champness	Adam Henry Cockayne
Lauren Anne Conochie	Peter John Corbet	Mark Andrew Corrigan
Johanna Lee Cunningham	Fiona Elizabeth Dean	Marnie Elise Dortmans
George Mason Downing	Leanna Rani Dries	Piotr Andrzej Fabijanski
Benjamin Anthony Fahy	Linda Cherie Fahy	Virgil Anthony Fahy
Megan Diane Filtness	John Gerard Gibney	Gerard Anthony Goodyear
Russell David Goodman	Stephen Leonard Green	Simon Andrew Hall
John Thomas Harkin	Alisa Jane Heck	Tanyth Hellings
Ian Richard Learmonth Holmes	Rachael Anne Holmes	Leanne Horstman
Garry Christopher Howarth	Dianne Margaret James	Michael James Jeffers
Rebecca Leanne Keeley	Lachlan Conrad King	Alison Margaret Lee
Roger Ian MacInnes	Trevor James Makin	Shiralee Manning
Amy Charmaine Martin	Daniel Minnett Martin	Danielle Maver
Rachel Elizabeth McGee	Iain Robert McLaren	Hugh Warwick Chorley Millar
Steven John Moore	Karin Maree Morgan	Deborah Jayne Morrison
Geoffrey Morsby	Leanne Kay Mulraney	Adrian James Murray
Gordon Alan Nash	Stephen James Nee	Dwane Gordon O'Brien
Roger Donald Paskin	Catherine Anne Pawsey	Sally Catherine Peacock
Stephen Mills Pefanis	Dianne Elizabeth Phillips	Malcolm James Ramsay
Amanda Ring	Joseph Lewis Riordan	Alan Roderick Ross
John Douglas Ryan	Sally Elizabeth Salmon	Georgia Lucinda Sands
Megan Scott	Amy Christina Sluggett	Stephen Douglas Snelson
Berwyn Terese Squire	Gary Robert Stone	Robert John Suter
Craig Andrew Swain	Stephen Hamilton Tate	Wendy Alice Thom
Paul Anthony Tulk	Susan Elizabeth Vaughan	Claire Louise Wade

James Barry Walsh	Scott Ward	Leon Edmund Watt
Lynda Rachel Holley	Christopher James Werner	Peter Gordon White
Natarsha Nicole Williams	Duncan James Worsfold	Christopher Button

Dated 25 June 2012

ANTHONY GERARD BRITT
Director Animal Biosecurity and Welfare

Agricultural and Veterinary Chemicals (Control of Use) Act 1992

APPOINTMENT OF AUTHORISED OFFICERS

I, Russell William McMurray, Director Plant Biosecurity and Product Integrity in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following person employed in the Public Service, as an authorised officer for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Anthony Gerard Britt

Dated 26 June 2012

RUSSELL WILLIAM McMURRAY
Director Plant Biosecurity and Product Integrity

Domestic Animals Act 1994

AUTHORISED OFFICER

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 6 of the **Domestic Animals Act 1994** and of my respective powers to appoint authorised officers under section 71 of the **Domestic Animals Act 1994**, hereby appoint the following persons, who hold positions under the provisions of the **Public Administration Act 2004**, as authorised officers for the purposes of all of the provisions of the **Domestic Animals Act 1994**. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Tracy Helman

Steven John Moore

Catherine Anne Pawsey

Lily Petreska

Dated 30 June 2012

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following persons, who hold positions under the provisions of the **Public Administration Act 2004**, as inspectors for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Stephanie Marija Andreato	Rodney Terrence Badman	Cameron Marc Bell
Paul Douglas Beltz	Geoffrey Keith Bennett	John William Bodey
Matthew Damien Bollen	Tracey Leigh Bradley	Kirsty Anne Bredin
Tyrone Jason Cain	Andrew Keith Cameron	Veronica Jane Campbell
Jeffrey Glen Cave	David Lloyd Champness	Adam Henry Cockayne
Lauren Anne Conochie	Peter John Corbet	Mark Andrew Corrigan
Johanna Lee Cunningham	Fiona Elizabeth Dean	William John Dixon
Marnie Elise Dortmans	George Mason Downing	Leanna Rani Dries
Piotr Andrzej Fabijanski	Benjamin Anthony Fahy	Linda Cherie Fahy
Virgil Anthony Fahy	Megan Diane Filtness	John Gerard Gibney
Gerard Anthony Goodyear	Russell David Goodman	Stephen Leonard Green
Simon Andrew Hall	John Thomas Harkin	Alisa Jane Heck
Tanyth Hellings	Ian Richard Learmonth Holmes	Rachael Anne Holmes
Leanne Horstman	Garry Christopher Howarth	Dianne Margaret James
Michael James Jeffers	Rebecca Leanne Keeley	Lachlan Conrad King
Alison Margaret Lee	Roger Ian MacInnes	Trevor James Makin
Shiralee Manning	Amy Charmaine Martin	Daniel Minnett Martin
Danielle Maver	Rachel Elizabeth McGee	Iain Robert McLaren
Hugh Warwick Chorley Millar	Steven John Moore	Karin Maree Morgan
Deborah Jayne Morrison	Geoffrey Morsby	Leanne Kay Mulraney
Adrian James Murray	Gordon Alan Nash	Stephen James Nee
Dwane Gordon O'Brien	Ian Gordon Parks	Roger Donald Paskin
Catherine Anne Pawsey	Sally Catherine Peacock	Stephen Mills Pefanis
Dianne Elizabeth Phillips	Steven Forest Roland Price	Malcolm James Ramsay
Amanda Ring	Joseph Lewis Riordan	Alan Roderick Ross
John Douglas Ryan	Sally Elizabeth Salmon	Georgia Lucinda Sands
Megan Scott	Amy Christina Sluggett	Stephen Douglas Snelson
Berwyn Terese Squire	Gary Robert Stone	Robert John Suter
Craig Andrew Swain	Stephen Hamilton Tate	Wendy Alice Thom

Paul Anthony Tulk	Susan Elizabeth Vaughan	Claire Louise Wade
James Barry Walsh	Scott Ward	Leon Edmund Watt
Lynda Rachel Holley	Christopher James Werner	Peter Gordon White
Natarsha Nicole Williams	Duncan James Worsfold	Christopher Button

Dated 25 June 2012

ANTHONY GERARD BRITT
Manager Animal Standards

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTOR

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following person, who holds a position under the provisions of the **Public Administration Act 2004**, as an inspector for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Anthony Gerard Britt

Dated 30 June 2012

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTOR

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following persons, who hold positions under the provisions of the **Public Administration Act 2004**, as inspectors for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** in respect of bees. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Russell David Goodman

Daniel Minnett Martin

Joseph Lewis Riordan

Dated 25 June 2012

ANTHONY GERARD BRITT
Manager Animal Standards

Prevention of Cruelty to Animals Act 1986

APPROVAL OF GENERAL INSPECTORS

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following persons, who are inspectors of livestock under the provisions of the **Livestock Disease Control Act 1994**, as general inspectors for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. Such approval remains in force until revoked or until 30 June 2015.

Name of person

Stephanie Marija Andreato	Rodney Terrence Badman	Cameron Marc Bell
Paul Douglas Beltz	Geoffrey Keith Bennett	John William Bodey
Matthew Damien Bollen	Tracey Leigh Bradley	Kirsty Anne Bredin
Anthony Gerard Britt	Tyrone Jason Cain	Andrew Keith Cameron
Veronica Jane Campbell	Jeffrey Glen Cave	David Lloyd Champness
Lauren Anne Conochie	Peter John Corbet	Mark Andrew Corrigan
Johanna Lee Cunningham	Fiona Elizabeth Dean	Marnie Elise Dortmans
George Mason Downing	Leanna Rani Dries	Piotr Andrzej Fabijanski
Benjamin Anthony Fahy	Linda Cherie Fahy	Virgil Anthony Fahy
Megan Diane Filtness	John Gerard Gibney	Gerard Anthony Goodyear
Stephen Leonard Green	Simon Andrew Hall	John Thomas Harkin
Alisa Jane Heck	Ian Richard Learmonth Holmes	Rachael Anne Holmes
Leanne Horstman	Garry Christopher Howarth	Dianne Margaret James
Michael James Jeffers	Rebecca Leanne Keeley	Lachlan Conrad King
Alison Margaret Lee	Roger Ian MacInnes	Trevor James Makin
Shiralee Manning	Amy Charmaine Martin	Danielle Maver
Rachel Elizabeth McGee	Iain Robert McLaren	Steven John Moore
Karin Maree Morgan	Deborah Jayne Morrison	Leanne Kay Mulraney
Adrian James Murray	Gordon Alan Nash	Stephen James Nee
Dwane Gordon O'Brien	Roger Donald Paskin	Catherine Anne Pawsey
Sally Catherine Peacock	Stephen Mills Pefanis	Dianne Elizabeth Phillips
Malcolm James Ramsay	Alan Roderick Ross	John Douglas Ryan
Sally Elizabeth Salmon	Georgia Lucinda Sands	Megan Scott
Amy Christina Sluggett	Stephen Douglas Snelson	Berwyn Terese Squire
Gary Robert Stone	Robert John Suter	Craig Andrew Swain
Stephen Hamilton Tate	Wendy Alice Thom	Paul Anthony Tulk
Susan Elizabeth Vaughan	Claire Louise Wade	James Barry Walsh
Leon Edmund Watt	Lynda Rachel Holley	Christopher James Werner
Peter Gordon White	Natarsha Nicole Williams	Duncan James Worsfold
Christopher Button		

Dated 30 June 2012

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Prevention of Cruelty to Animals Act 1986

APPOINTMENT OF SPECIALIST INSPECTORS

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to appoint specialist inspectors under section 18A of the **Prevention of Cruelty to Animals Act 1986**, hereby appoint the following persons, as specialist inspectors for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Rodney Terrence Badman	Anthony Gerard Britt	Andrew Keith Cameron
Piotr Andrezej Fabijanski	John Thomas Harkin	Michael James Jeffers
Alison Margaret Lee	Danielle Maver	Roger Donald Paskin
Catherine Anne Pawsey	John Douglas Ryan	Sally Elizabeth Salmon
Stephen Hamilton Tate		

Dated 30 June 2012

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Prevention of Cruelty to Animals Act 1986

POWER TO FILE CHARGES

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of **Prevention of Cruelty to Animals Act 1986** and of my respective powers to authorise persons under section 24ZW of the **Prevention of Cruelty to Animals Act 1986**, hereby authorise the following persons, who are employees in the Public Service in Victoria to file a charge for an offence under Part 2 or Part 2A of the Act or an offence under the regulations relating to Part 2 or Part 2A of the Act. Such authorisation remains in force until revoked or until 30 June 2015.

Name of person

Rodney Terrence Badman	Anthony Gerard Britt	Adam Henry Cockayne
Emily Clare Gibson	Tanyth Hellings	Geoffrey Morsby
Chrisanthi Paganis	Roger Donald Paskin	Amanda Ring
Stephen Hamilton Tate	Scott Ward	Sharon Ashley Webb

Dated 30 June 2012

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Prevention of Cruelty to Animals Act 1986

APPOINTMENT OF AUTHORISED OFFICERS

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to appoint authorized officers under section 35 of the **Prevention of Cruelty to Animals Act 1986**, hereby appoint the following persons, as authorised officers for the purposes of Part 3 of the **Prevention of Cruelty to Animals Act 1986**. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Alan William Fried

Mariko Chin Yin Lauber

Danielle Maver

Stephen Hamilton Tate

Dated 30 June 2012

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Prevention of Cruelty to Animals Act 1986

APPROVAL OF GENERAL INSPECTOR

I, Peter Walsh, Minister for Agriculture and Food Security in the Department of Primary Industries, pursuant to the powers, duties and functions given to me under the **Prevention of Cruelty to Animals Act 1986** by the Premier's Administration of Acts General Order dated 22 February 2011 and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following person, who is an inspector of livestock under the provisions of the **Livestock Disease Control Act 1994**, as a general inspector for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. Such approval remains in force until revoked or until 30 June 2015.

Name of person

Hugh Warwick Chorley Millar

Dated 1 July 2012

PETER WALSH
Minister for Agriculture and Food Security

Prevention of Cruelty to Animals Act 1986

APPOINTMENT OF SPECIALIST INSPECTOR

I, Peter Walsh, Minister for Agriculture and Food Security in the Department of Primary Industries, pursuant to the powers, duties and functions given to me under the **Prevention of Cruelty to Animals Act 1986** by the Premier's Administration of Acts General Order dated 22 February 2011 and of my respective powers to appoint specialist inspectors under section 18A of the **Prevention of Cruelty to Animals Act 1986**, hereby appoint the following person, as specialist inspector for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

Hugh Warwick Chorley Millar

Dated 1 July 2012

PETER WALSH
Minister for Agriculture and Food Security

Prevention of Cruelty to Animals Act 1986

POWER TO FILE CHARGES

I, Peter Walsh, Minister for Agriculture and Food Security in the Department of Primary Industries, pursuant to the powers, duties and functions given to me under the **Prevention of Cruelty To Animals Act 1986** by the Premier's Administration of Acts General Order dated 22 February 2011 and of my respective powers to authorise persons under section 24ZW of the **Prevention of Cruelty to Animals Act 1986**, hereby authorise the following person, who is an employee in the Public Service in the Department of Primary Industries to file a charge for an offence under Part 2 or Part 2A of the Act or an offence under the regulations relating to Part 2 or Part 2A of the Act. Such authorisation remains in force until revoked or until 30 June 2015.

Name of person

Hugh Warwick Chorley Millar

Dated 1 July 2012

PETER WALSH
Minister for Agriculture and Food Security

Livestock Disease Control Act 1994

APPOINTMENT OF INSPECTORS

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following persons, who hold positions under the provisions of the **Public Administration Act 2004**, as inspectors for the purposes of the provisions of sections 32, 109, 116, 117 and 118 of the **Livestock Disease Control Act 1994** and in respect of all livestock. Such appointment remains in force until revoked or until 30 June 2015.

Name of person

William John Dixon

Ian Gordon Parks

Steven Forest Roland Price

Dated 25 June 2012

ANTHONY GERARD BRITT
Manager Animal Standards

Retirement Villages Act 1986

SECTION 39

Cancellation of Retirement Village Notice

I hereby declare that pursuant to section 9 of the **Retirement Villages Act 1986**, Retirement Village Notice T587718K, registered on 7 March 1995, on Certificate of Title Volume 06602 Folio 316, under the **Transfer of Land Act 1958**, is cancelled.

Dated 4 July 2012

CLAIRE NOONE
Director
Consumer Affairs Victoria

Conservation, Forests and Lands Act 1987**NOTICE OF MAKING OF A LAND MANAGEMENT AGREEMENT**

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Edward James Brady and Judith Ann Brady entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement BRA004 – Site 1 Crown Allotment 19 Parish of Boola Boola	Volume 2632 Folio 373 and Volume 9386 Folio 481

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Robert Peter Campbell Thomson and Jane Louise Thomson entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement THO009 – Site 2 Lot 1 on TP164458U Parish of Wonga Wonga South	Volume 9112 Folio 189

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Neil Frederick King, Kerry Maree Nicholson, Peter James Walkley and Peter Walkley Superannuation Pty Ltd entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement WAL016 – Site 4 Lot 2 on PS512358A Parish of Toongabbie South	Volume 10844 Folio 644

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Maxwell Graham Cameron entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement CAM005 – Site 1 Crown Allotment 37A on TP76778Q Parish of Darnum	Volume 10385 Folio 808

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and A. E. Edney Holdings Pty Ltd entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement EDN001 – Sites 1 and 2 Lot 2 on PS547110S Parish of Drumdemara	Volume 10961 Folio 386
Agreement EDN001 – Site 3 Lot 4 on PS345404A Parish of Leongatha	Volume 10266 Folio 080

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Martin Schack entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement SCH005 – Sites 1, 2 and 3 Lots 1 and 2 on TP080551W Parish of Woorarra	Volume 9418 Folio 790

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Martin Ross Stone and Christine Edith Stone entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement STO005 – Site 1 Lot 3 on PS526625A Parish of Dumbulk	Volume 10839 Folio 620

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and David Paul Quinn and Barbara Ann Quinn entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement QUI002 – Site 1 Lot 1 on PS149588U Parish of Leongatha	Volume 9621 Folio 696

Notice is given under section 80 of the **Conservation Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Steven John McDonald and Jaclyn Marion Currie entered into a Land Management Agreement in respect of the land set out in the Schedule.

SCHEDULE

Site Location	Title Details Volume/Folio
Agreement MCD006 – Site 1 Lot 1 on PS422689B Parish of Leongatha	Volume 10466 Folio 669

Copies of these agreements are available for public inspection between the hours of 9.00 am and 4.00 pm at the offices of: Environmental Policy and Climate Change, Department of Sustainability and Environment, 8 Nicholson Street, East Melbourne 3002.

GREG WILSON

Secretary to the Department of Sustainability and Environment

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
0800072	Benalla Rural City	Parish of Lima	2567 Midland Highway, Swanpool 3673	Swanpool Public Hall Reserve
0700292	Surf Coast Shire	Parish of Duneed	755 Reservoir Road, Mt Moriac 3240	Mt Moriac Racecourse & Recreation Reserve

Dated 2 July 2012

PETER WATKINSON

Executive Director, Public Land Division

Geographic Place Names Act 1998**NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES**

The Registrar of Geographic Names hereby gives notice of the registration of the undermentioned place names.

Road Naming:

Change Request Number	Road Name	Locality	Proposer and Location
41906	Victoria Road	Harcourt	Mount Alexander Shire Council Formerly known as Midland Highway between the former Calder Highway and the Calder Freeway.
41908	Diggers Way	Elphinstone	Mount Alexander Shire Council Between the Pyrenees Highway and Malmsbury–Elphinstone Road.
42641	Raphael Lane	Chinkapook	Swan Hill Rural City Council The road traverses south west from William Street.

Feature Naming:

Change Request Number	Place Name	Naming Authority and Location
42418	Boyle Bridge	Northern Grampians Shire Council Formerly known as Boyles Bridge over the Avon River on the Wimmera Highway, Marnoo East See map at www.dse.vic.gov.au/namingplaces

Office of Geographic Names

Land Victoria
570 Bourke Street
Melbourne 3000

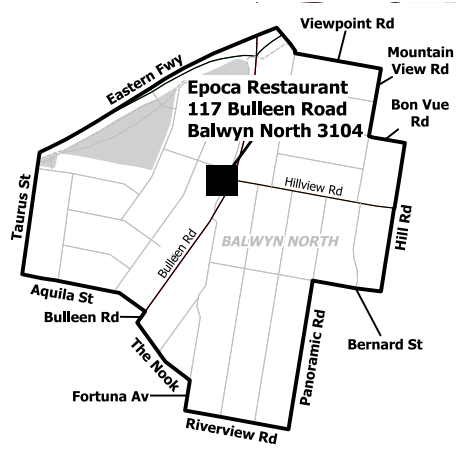
JOHN E. TULLOCH
Registrar of Geographic Names

Liquor Control Reform Act 1998**LIQUOR LICENSING POLL****Balwyn North Neighbourhood**

The Victorian Commission for Gambling and Liquor Regulation (VCGLR) has received an application for a restaurant and cafe licence for Epoca Restaurant, 117 Bulleen Road, Balwyn North. As the application for a licence is in a 'dry area', the VCGLR, pursuant to clause 17 of Schedule 3 of the **Liquor Control Reform Act 1998**, has ordered a poll of electors in the neighbourhood surrounding the above premises. The VCGLR determines this neighbourhood. The Victorian Electoral Commission (VEC) will conduct the poll entirely by post.

1. The neighbourhood indicated by the VCGLR

The Epoca Restaurant poll is within the following boundaries:



2. The resolution to be submitted to the electors

Electors in the licensing poll neighbourhood will be asked to vote 'yes' or 'no' with respect to the following resolution:

'That a restaurant and cafe licence be granted in the neighbourhood of the premises situated at 117 Bulleen Road, Balwyn North'.

3. Persons entitled to vote in the poll

All electors who reside within the neighbourhood indicated, and who were enrolled on the electoral roll used for State elections at 5.00 pm on Thursday 14 June, must vote in the poll.

Copies of the official roll for the poll may now be inspected at the Victorian Electoral Commission, Level 11, 530 Collins Street, Melbourne.

4. Voting is compulsory

Electors enrolled in the licensing poll neighbourhood at 5.00 pm on Thursday 14 June are obliged to vote. The penalty for failing to vote without a valid and sufficient reason will be \$70.00 from Sunday 1 July 2012.

5. Postal voting

The poll will be conducted entirely by post. Ballot papers will be mailed to all eligible electors from Tuesday 24 July. To be included in the count, completed ballot papers must be received by the VEC by 5.00 pm on Monday 13 August.

6. Early voting

If you will be away when the ballot packs are mailed out, please call 131 832 to arrange an early postal vote.

KEEGAN BARTLETT
Election Manager

Occupational Health and Safety Act 2004**WORKSAFE VICTORIA**

Notice of Issue of Major Hazard Facility Licence

On 8 July 2012, a licence under Chapter 6 of the Occupational Health and Safety Regulations 2007 was issued to Paper Australia Pty Ltd and authorises the facility located at Australian Paper Maryvale, Traralgon West Road, Morwell, Victoria 3840 to be operated as a major hazard facility.

The Major Hazard Facility Licence was issued for a term of 5 years and will expire on 7 July 2017.

The licence does not include conditions.

The following Schedule 9 materials were authorised by the licence:

From Table 1 of Schedule 9

Material	UN Nos. included under Name
Acetylene	1001
LP Gas	1075, 1011
Oxygen	1072, 1073
Natural Gas	1971

From Table 2 of Schedule 9

Material	Description
Flammable materials	Liquids which meet the criteria for Class 3 Packing Group II or III
Oxidising materials	Oxidising material listed in Appendix A of the ADG code Oxidising materials that meet the criteria for Class 5.1 Packing Group I or II

The small quantities of other Schedule 9 materials mentioned in the Safety Case are noted.

GREG TWEEDLY
Chief Executive

MEMORANDUM OF UNDERSTANDING

BETWEEN

**PUBLIC TRANSPORT DEVELOPMENT AUTHORITY
(PTV)**

AND

**DIRECTOR, TRANSPORT SAFETY
(Safety Director)**

REGARDING

**THE EXCHANGE OF INFORMATION
RELEVANT TO THE ADMINISTRATION OF
PUBLIC TRANSPORT BUS SERVICES**

This **Memorandum of Understanding (MOU)** is entered into at Melbourne on this 29th day of May 2012.

1. INTRODUCTION

1.1. Interpretation

In this MOU, unless expressly stated otherwise:

Accreditation means accreditation as defined in section 3 of the **Bus Safety Act 2009** (Vic.).

Bus Services means the provision of commercial bus services within the meaning of the **Bus Safety Act 2009** (Vic.) and the **Bus Services Act 1995** (Vic.).

Confidential Information means all information (including all oral and visual information, and all information recorded in writing or electronically, or in any other medium or by any other method) disclosed to, or obtained by one party from the other party or a third party acting on the other party's behalf, including but not limited to any information relating to a party's operations, processes, plans, intentions, knowhow, designs, trade secrets, software, or data.

PTV means the Public Transport Development Authority under section 79A(1) of the TIA.

MOU means this Memorandum of Understanding.

Privacy Legislation means laws in respect of privacy and the protection of personal and health information including, without limitation, the **Information Privacy Act 2000** (Vic.), the **Health Records Act 2001** (Vic.) and the **Privacy Act 1988** (Cth).

Relevant Information means information falling within the categories of information described in clause 2.1.

Safety Director means the Director, Transport Safety, a statutory office established under section 171 of the TIA.

Service Contract means a contract entered into under Part 3 of the **Bus Services Act 1995** (Vic.).

TIA means the **Transport Integration Act 2010** (Vic.).

1.2. Purposes

- (a) The purpose of this MOU is to set out the parties' understanding with respect to, and the standards, protocols and procedures that will apply to the exchange of information held by each party pursuant to the parties' statutory functions relating to the parties' administration of Bus Services in Victoria.
- (b) The parties recognise that they each have separate and independent roles and responsibilities with respect to the administration of Bus Services in Victoria but having particular regard to the **Bus Safety Act 2009** (Vic.) agree that in the performance of those roles and responsibilities each may from time to time be dependent on the other as a source of relevant information and agree to adopt a co-operative relationship in that regard.

1.3. Principles

- (a) This MOU provides a framework for co-operation between the Safety Director and PTV in relation to the statutory, operational, and administrative interactions of the parties.
- (b) The Safety Director and PTV each has a separate and independent mandate and role.
- (c) While recognising each party's independent mandate and role, the parties are committed to a constructive and co-operative relationship in the common pursuit of enhancing bus service safety in Victoria.
- (d) The parties to the MOU share a common vision, values and understanding of the scope of their individual obligations under this MOU.

- (e) The parties acknowledge the applicability of the TIA to their respective roles in the Victorian transport system, and enter into this MOU in furtherance of the objectives and decision-making principles set out in Part 2 of that Act.

1.4. Commencement

This MOU shall take effect on and from the date the MOU is executed by both parties.

1.5. No legally binding effect

- (a) This MOU records the level of understanding between the parties and is a record of their intentions in respect of the issues described in this MOU, as at the date of this MOU.
- (b) This MOU is not intended to create legally binding obligations or liabilities on either party.
- (c) Nothing in this MOU should be construed as preventing or inhibiting either the Safety Director or PTV from acting in the proper performance of their statutory or other public functions.

2. EXCHANGE OF INFORMATION

2.1. Categories of information held by parties

- (a) The parties to this MOU collate and maintain, as an integral part of meeting their respective statutory responsibilities, records in which there is contained information as set out below:

Information held by the Safety Director

(i) Category 1 information

- Application for Accreditation details, including but not limited to accredited operator name, address, contact details, number of buses, type of bus service, relevant person details;
- Accreditation certificate and Accreditation number;
- Copy of accredited operator's maintenance management system;
- Copy of accredited operator's management information system;
- bus inspections/roadworthy certificates for buses operated by an accredited operator;
- audit reports, compliance inspection reports, or incident reports issued to or by an accredited operator;
- enforcement notices;
- any other information relating to a bus operator's accreditation as may be collected in accordance with the Safety Director's functions and powers under the **Bus Safety Act 2009** (Vic.) from time to time.

(ii) Category 2 information

Any decision made to suspend or cancel the accreditation of a bus operator known by the Safety Director to be a party to a Service Contract with PTV.

Information held by PTV

(iii) Category 3 information

- The identification and nominated address of each bus operator that is a party to a Service Contract.
- Ad hoc information that comes to the attention of PTV during the course of administering each bus operator's Service Contract, being information that PTV reasonably believes is relevant to the Safety Director's functions and which PTV reasonably believes should be brought to the attention of the Safety Director.

- Ad hoc information that comes to the attention of PTV as a consequence of bus operators complying with reporting obligations prescribed in each bus operator's Service Contract, being information that PTV reasonably believes is relevant to the Safety Director's functions and which PTV reasonably believes should be brought to the attention of the Safety Director.

2.2. Legislative authority

- (a) Under section 177 of the TIA, the Safety Director may disclose information to a third party if the Safety Director thinks the disclosure is necessary for the safe operation of bus, maritime or rail transport.
- (b) The primary object of PTV 'is to plan, coordinate, provide, operate and maintain a *safe*, punctual, reliable and clean public transport system' (emphasis added) (section 79AD(1), TIA), which includes collaborating 'with relevant bodies including the Department, the Roads Corporation, public transport operators, Victorian Rail Track, Municipal Councils, *the Director, Transport Safety*, the Department of Justice and Victoria Police, to improve the safety of public transport for public transport users' (emphasis added) (Section 79AD(2)(e), TIA), and to that end PTV seeks from time to time relevant information from the Safety Director and is willing to provide from time to time relevant information to the Safety Director.
- (c) The Safety Director acknowledges that PTV may be reconstituted, renamed or replaced and that some or all of the powers, functions or responsibilities of PTV may be transferred to or vested in another governmental agency and if PTV is so reconstituted, renamed or replaced or if some or all of the powers, functions or responsibilities of PTV, and in particular the administration of matters the subject of this MOU, are transferred to or vested in that other governmental agency, the rights and obligations of PTV contained in this MOU will likewise transfer to that governmental agency.

3. INFORMATION SUBJECT TO EXCHANGE

3.1. Protocol for information exchange

- (a) From time to time Relevant Information held exclusively by one of the parties may, if known by the other party, enable that other party to better meet its statutory responsibilities, and/or may be relevant to that other party considering or acting to suspend or terminate a statutory or contractual right held by a bus operator.
- (b) The process to be followed by both parties when Relevant Information is to be disclosed, transferred or exchanged for the purposes of this MOU is set out below.
- (c) Each party agrees to provide Relevant Information to the other party subject to the following conditions and always subject to clause 4:
 - (i) The Safety Director will only provide Category 1 information to PTV in circumstances where the relevant accredited bus operator has given express consent to the disclosure of the information, whether that consent is given to PTV under a related Service Contract or consent is otherwise given by the bus operator to the Safety Director.
 - (ii) The Safety Director will give Category 2 information to PTV with or without the consent of the relevant accredited bus operator. The disclosure of information of this nature is directly related to the Safety Director's enforcement and compliance powers under the **Bus Safety Act 2009** (Vic.) and is likely to be necessary for the safe operations of bus transport.
 - (iii) PTV will give the Safety Director Category 3 information relevant to the conduct of the statutory functions of the Safety Director and in particular to the Safety Director's function of monitoring and maintaining appropriate safety standards in the Victorian bus industry with or without the consent of the relevant accredited bus operator.

3.2 Accuracy of information

The parties acknowledge that whilst every endeavour will be made to ensure that the information supplied under this MOU is accurate and up-to-date, parties rely on the information provided to them under this MOU at their own risk.

3.3. Information subject to legal professional privilege

For the avoidance of doubt, nothing in this MOU entitles or requires a person to disclose information that is the subject of legal professional privilege or affects the law or practice relating to legal professional privilege.

4. PRIVACY AND CONFIDENTIALITY

4.1. Privacy

The parties to this MOU agree:

- (a) that any personal or health information as defined in the Privacy Legislation and disclosed by or in connection with this MOU will be disclosed in accordance with the following:
 - (i) the applicable Privacy Legislation;
 - (ii) with the individual to whom the information relates being made aware of the identity of the organisation collecting the information and of the other matters of which the individual is required to be informed under applicable Privacy Legislation; and
 - (iii) with the use of the information by the organisation to which it is disclosed being authorised by the individual or by law;
- (b) not to use, disclose, store, transfer or handle personal information collected in connection with this MOU except in accordance with applicable Privacy Legislation;
- (c) to co-operate with any reasonable request of the other party relating to the protection of personal information or the investigation of a complaint about the handling of personal information.

4.2. Confidentiality

- (a) No Confidential Information may be disclosed by either party to any person, except:
 - (i) with the prior written consent of the party who supplied the information; or
 - (ii) if either party is required to do so by law, including in response to a request made under the **Freedom of Information Act 1982** (Vic.); or
 - (iii) if either party is required to do so in connection with legal proceedings relating to this MOU.
- (b) A party who has received Confidential Information under this MOU must not use it except for the purpose, principles and objectives outlined in this MOU.
- (c) A party who has received Confidential Information under this MOU must, on the request of the other party, immediately deliver to that party all documents or other materials containing or referring to that information which are in its possession, power or control or in the possession, power or control of persons who have received Confidential Information from it under clause 4.2(a)(i).
- (d) This clause 4.2 will survive termination (for whatever reason) of this MOU.

4.3. Permitted disclosure

Nothing in this MOU prevents a party from disclosing any personal information or Confidential Information in order to comply with any applicable law or with the legally binding order of any government or governmental, semi-governmental or judicial entity or authority. Before making any disclosure in reliance on this paragraph, that party must:

- (a) notify the other party of full details of the circumstances of the proposed disclosure and of the relevant information to be disclosed;

- (b) to the maximum extent permitted by law, give the other party a reasonable opportunity in a court of law or other appropriate body to challenge the proposed disclosure or secure an order or other ruling to protect or preserve the confidentiality of the relevant information; and
- (c) take reasonable steps to preserve confidentiality of the information being disclosed (including for example by seeking an order that information be disclosed only in a confidential exhibit or in proceedings heard in closed court).

5. Delegation and authorisation

Either party may delegate to their respective officers any function or power set out in this MOU or authorise any of their respective officers to carry out any such function or power on their behalf.

6. REVIEW, VARIATION AND TERMINATION

6.1. Review

- (a) The parties will formally review this MOU twelve (12) months after the date of execution and, subsequent to that, at regular intervals not exceeding three (3) years or as otherwise agreed between the parties.
- (b) Either party may reasonably request a review of this MOU at any time.

6.2. Variation

- (a) Either party may reasonably request the other party to agree to a variation of this MOU. Where the other party agrees, both parties will sign an amending MOU.
- (b) The date of effect of the variation will be the date on which the amending MOU is executed or such other date as may be nominated by the parties.

6.3. Termination

- (a) This MOU will remain in force unless terminated by the parties pursuant to this clause 6.3.
- (b) Either party may terminate this MOU by giving not less than three (3) months' written notice to the other party.
- (c) If a party cancels its commitment to this MOU the cancellation will not have the effect of withdrawing the consent of that party to the use of information contributed by that party to the other whether contributed prior or subsequent to the cancellation of commitment.

7. DISPUTE RESOLUTION

7.1. Dispute resolution process

If there is a dispute between the parties arising out of or in connection with this MOU, the parties agree as follows:

- (a) to follow any procedure that may be set out in any protocol held by the parties to resolve the dispute; or
- (b) if there is no process contained in any protocol to resolve a particular dispute, the parties agree to:
 - (i) use all reasonable endeavours and act in good faith to resolve the dispute; and
 - (ii) if the parties cannot resolve the dispute within seven (7) days of the commencement of negotiations under clause 7.1(b)(i) above, to refer the matter to officers who are appointed in Schedule 1 to this MOU for resolution.

8. INTELLECTUAL PROPERTY

8.1. Permission to use intellectual property

- (a) In some circumstances, in the course of performing its obligations under this MOU, a party may need to use intellectual property belonging to the other party (**Owner**).

- (b) The party intending to use the Owner's intellectual property must first obtain the Owner's written consent.

8.2. Non-exclusive licence

The party using the Owner's intellectual property (**Licensee**) acknowledges that any rights granted to it in clause 8.1 of this MOU are non-exclusive and that the Owner may use or permit any other person to use any of its intellectual property at any time.

8.3. Sub-licensing

A party permitted to use intellectual property under this clause 8 may not sub-license any of its rights in respect of the intellectual property to any person.

8.4. Permitted use

Where a party uses the Owner's intellectual property, it must comply with all reasonable directions, instructions and specifications given by the Owner from time to time regarding the representation of the intellectual property and the manner of its use.

9. GENERAL

- 9.1.** Any notice, demand, consent or other communication (a Notice) given or made under this MOU may be given in writing and signed by a person duly authorised by the sender or verbally (provided that if given verbally it must also be given in writing and signed by a person duly authorised by the sender within 7 days of its having been given verbally), and delivered to the intended recipient care of the person and using the contact information stated in Schedule 1, and will be deemed delivered within 2 business days of it having been sent.
- 9.2.** Any failure or delay by a party to exercise any right, power or remedy will not operate as a waiver. A single or partial exercise of any right, power or remedy will not preclude any other or further exercise of that or any other right, power or remedy. Any waiver is not valid or binding on the party giving that waiver unless made in writing.
- 9.3.** Nothing in this MOU is to be interpreted against a party solely on the ground that that party put forward this MOU or a relevant part of it.
- 9.4.** In this MOU, unless expressed to the contrary:
- (a) words importing:
 - (i) the singular include the plural and vice versa; and
 - (ii) any gender includes the other gender;
 - (b) if a word or phrase is defined, cognate words and phrases have corresponding definitions;
 - (c) a reference to:
 - (i) a person includes a firm, unincorporated association, corporation and a government or statutory body or authority;
 - (ii) a person includes its legal personal representatives, successors and assigns;
 - (iii) a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
 - (iv) a right includes a benefit, remedy, discretion, authority or power;
 - (v) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (vi) a reference to a clause is a reference to a clause of this MOU.

EXECUTION PAGE

IN WITNESS TO THE ABOVE UNDERSTANDINGS, this Memorandum of Understanding is signed for and on behalf of the parties on the 29th day of May 2012

On behalf of the

Public Transport Development Authority

Director, Transport Safety

IAN DOBBS

Chair and Chief Executive

Date: 24 May 2012

ALAN OSBORNE

Safety Director

Date: 29 May 2012

SCHEDULE 1**Contact information for parties to this MOU**

Name	Director, Transport Safety
Relationship manager	Stephen Turner, Director, Bus Safety
Address	Level 8, 121 Exhibition Street, Melbourne, Victoria
Telephone	(03) 9655 6144
Fax	(03) 9655 8929
Email	Stephen.Turner@tsv.vic.gov.au
Name	PTV
Relationship manager	Graham O'Donnell, General Manager – Bus Operations
Address	Level 13, 121 Exhibition Street, Melbourne, Victoria
Telephone	(03) 9655 8963
Fax	(03) 9095 4227
Email	graham.o'donnell@ptv.vic.gov.au

Water Act 1989**BULK ENTITLEMENT (GOULBURN CHANNEL SYSTEM –
GOULBURN VALLEY WATER) ORDER 2012**

I, Peter Walsh, as Minister administering the **Water Act 1989**, make the following Order –

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

This Order may be cited as the Bulk Entitlement (Goulburn Channel System – Goulburn Valley Water) Order 2012.

2. PURPOSE

The purpose of this Order is to repeal eleven separate bulk entitlement Orders in the Goulburn System granted to Goulburn Valley Region Water Corporation and replace them with one bulk entitlement Order.

This will implement a recommendation of the ‘Northern Region Sustainable Water Strategy’ (2009), Action 4.16.

3. EMPOWERING PROVISIONS

This Order is made under Division 1 of Part 4 of the **Water Act 1989** and section 27 of the **Interpretation of Legislation Act 1984**.

4. COMMENCEMENT

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

5. DEFINITIONS

In this Order –

‘**Act**’ means the **Water Act 1989**;

‘**ATS 4747**’ means the Australian Technical Specification ‘ATS 4747 – Meters for Non-Urban Supply’ as published by Standards Australia and amended from time to time;

‘**Authority**’ means the Goulburn Valley Region Water Corporation;

‘**Basin water charge**’ means a Basin water charge approved or determined by the ESC in accordance with Part 1B of the **Water Industry Act 1994**;

‘**channel system**’ means the irrigation channels, pipelines and associated structures that distribute water from the waterway to the Authority and other customers;

‘**delivery location**’ means any or all of the locations specified in Schedule 1 for taking water under this Order;

‘**entitlement**’ means the rights to water as specified in this Order and under the Act;

‘**entitlement holder**’ means a person holding a bulk entitlement or environmental entitlement under the Act;

‘**ESC**’ means the Essential Services Commission;

‘**Goulburn Basin**’ means the area of land previously designated as Basin Number 5 in the Murray Darling Division of the Australian Water Resources Council’s Australian Continental Drainage Division;

‘**Goulburn Entitlement Holder**’ means the holder of the Bulk Entitlement (Eildon–Goulburn Weir) Conversion Order 1995;

‘**Goulburn System**’ means –

- (a) Lake Eildon, Goulburn Weir, Waranga Basin, and the associated water supply works and other assets, as shown from time to time in the Asset Register of Goulburn–Murray Water Corporation as the owner of the storage;
- (b) Goulburn River between Lake Eildon and Goulburn Weir, including the pools formed immediately upstream of Eildon Dam and Goulburn Weir;

‘Minister’ means the Minister administering the Act;

‘ML’ means megalitre(s);

‘reliability of supply’ means the statistical probability that the Goulburn Entitlement Holder will be able to supply the whole of the bulk entitlement volume specified in clause 8 to the Authority in any year from the Goulburn System;

‘Resource Manager’ means any person appointed by the Minister under section 43A of the Act to do all or any of the tasks set out in sub-clause 18.1;

‘Storage Manager’ means any authority appointed by the Minister under section 122ZK of the Act to carry out any of the functions specified under Part 6C of the Act for the Goulburn system;

‘trading rules’ means any trading rules made by the Minister in relation to the Goulburn System;

‘water allocation’ means a water allocation in relation to a bulk entitlement and has the meaning given to it in section 3 of the Act;

‘water share’ has the meaning given to it in section 3 of the Act;

‘waterway’ means the Goulburn River between Lake Eildon and the River Murray, including the pools formed by, and immediately upstream of, Eildon Dam and Goulburn Weir;

‘year’ means the 12 months commencing 1 July.

PART 2 – ENTITLEMENT

6. REPEAL OF PREVIOUS BULK ENTITLEMENT ORDERS

I repeal the following Orders granting a bulk entitlement to the Authority –

- (a) Bulk Entitlement (Katandra West) Conversion Order 1995 granted on 14 September 1995;
- (b) Bulk Entitlement (Dookie) Conversion Order 1995 granted on 14 September 1995;
- (c) Bulk Entitlement (Colbinabbin) Conversion Order 1995 granted on 14 September 1995;
- (d) Bulk Entitlement (Corop) Conversion Order 1995 granted on 14 September 1995;
- (e) Bulk Entitlement (Girgarre) Conversion Order 1995 granted on 14 September 1995;
- (f) Bulk Entitlement (Kyabram) Conversion Order 1995 granted on 14 September 1995;
- (g) Bulk Entitlement (Rushworth) Conversion Order 1995 granted on 21 September 1995;
- (h) Bulk Entitlement (Stanhope) Conversion Order 1995 granted on 21 September 1995;
- (i) Bulk Entitlement (Tatura) Conversion Order 1995 granted on 21 September 1995;
- (j) Bulk Entitlement (Tongala) Conversion Order 1995 granted on 21 September 1995;
- (k) Bulk Entitlement (Merrigum) Conversion Order 1995 granted on 21 September 1995.

7. GRANTING OF A BULK ENTITLEMENT

The Authority’s entitlement to water from the Goulburn System is granted on the conditions set out in this Order.

8. BULK ENTITLEMENT

The Authority may take up to a maximum of 7,191 ML in any year from the Goulburn System, subject to clauses 9, 10 and 11.

9. RELIABILITY OF SUPPLY

- 9.1 The entitlement specified in clause 8 has a reliability of supply of 99%.
- 9.2 This entitlement may only be restricted based on inflows to Lake Eildon during the preceding 24 months, using the method prescribed in Schedule 2.
- 9.3 Within 5 business days of 1 May in each year, the Goulburn Entitlement Holder must advise the Authority in writing of the likelihood of any restriction being applied to this entitlement in the following year.

PART 3 – GENERAL CONDITIONS AND PROVISIONS**10. TAKING WATER**

- 10.1 The Authority may take water to which it is entitled under this Order at –
- (a) the delivery locations for the towns specified in Schedule 1; or
 - (b) such other delivery locations, rates and times as are, at the request of the Authority, agreed to in writing by the Goulburn Entitlement Holder.
- 10.2 The total volume of water and the rate at which the Authority may take water at a delivery location specified in sub-clause 10.1 may be subject to –
- (a) the trading zone in which the nominated delivery location is situated; and
 - (b) relevant trading rules; and
 - (c) the Authority's entitlement to a share of the delivery capacity in the channel system at the delivery location.

11. RIGHT TO RETURN FLOWS

- 11.1 The Authority may apply to the Storage Manager to re-use or be credited for water used under this entitlement that is returned to the channel system in accordance with this clause.
- 11.2 Before any re-use or credit can be granted, the Authority must –
- (a) come to an agreement with the Storage Manager on the likely volume, timing and location of any return flow for the purposes of adjusting system operations; and
 - (b) notify the Storage Manager if it or another person intends to re-use any flows specified under paragraph (a).
- 11.3 Subject to clause 11.4, the Storage Manager may grant approval of an application under sub-clause 11.1 for –
- (a) re-use by the Authority or another person at a downstream location; or
 - (b) credit to the Authority in a nominated storage, where water returned under this entitlement was supplied to any person other than the Authority or stored for the Storage Manager's purposes.
- 11.4 The Storage Manager may only grant approval under clause 11.3 if –
- (a) water supplied to and used by the Authority during the current water season has subsequently been returned to the channel system;
 - (b) the volume of water so returned has been measured by a meter that complies with ATS 4747 or an equivalent meter accuracy standard;
 - (c) any water re-used by the Authority or another person was used downstream of the place where the return flow occurred and within a reasonable time of the return flow;
 - (d) the returned water has been treated to a water quality standard specified by the Environment Protection Authority Victoria;
 - (e) the returned flows can be re-regulated downstream, with no material impact on the waterway or authorised uses of water in the channel system;
 - (f) the volume of any water credited to the Authority under sub-clause 11.3(b) is equal to that volume of returned water which was able to be used or stored; and,
 - (g) approval is consistent with any rules regarding the supply, use and accounting of return flows issued by the Minister from time to time.

- 11.5 If the Authority and the Storage Manager cannot reach agreement within 1 month of an application under sub-clause 11.1, either party may make a written request to the Minister to make a decision on the right to re-use return flows or the granting of water credits.
- 11.6 Any decision made by the Minister in relation to sub-clause 11.5 is final and binding on the parties.

12. OPERATING ARRANGEMENTS

- 12.1 The Authority, the Storage Manager, the Resource Manager and the Goulburn Entitlement Holder must endeavour to agree on operating arrangements for supplying water under this entitlement, including arrangements for re-use of or credit for return flows under clause 11 and access to meter accuracy information collected for the purposes of clause 14.
- 12.2 If the parties have not reached agreement under sub-clause 12.1 within 12 months of the date this Order comes into effect, any of the parties may give written notice to the other parties requiring the matter to be determined in accordance with clause 13.
- 12.3 The Authority, the Storage Manager, the Resource Manager and the Goulburn Entitlement Holder may agree to vary the operating arrangements from time to time.

13. DISPUTE RESOLUTION

- 13.1 If a difference or dispute arises concerning the interpretation or application of this Order between the Authority and the Goulburn Entitlement Holder, or the Storage Manager, or the Resource Manager, or another entitlement holder, a party may give written notice to the other party requiring the matter to be determined by the ESC or an independent expert.
- 13.2 If a difference or dispute arises concerning the interpretation or application of this Order between the Authority and the Goulburn Entitlement Holder, or the Storage Manager, or the Resource Manager, or another entitlement holder, and the Authority receives written notice requiring the matter to be determined by the ESC or an independent expert, the Authority must comply with the notice.
- 13.3 The notice requiring that the matter be determined by the ESC or an independent expert may only be given 14 days after the matter has arisen.
- 13.4 Where a dispute is referred to the ESC, the ESC may determine the process and timing for facilitating a resolution of the dispute.
- 13.5 Where a dispute is referred to an independent expert, the independent expert may only commence to determine the matter a further 14 days after the giving of that notice.
- 13.6 The independent expert will be either –
- (a) a person agreed to by the parties to the difference or dispute; or
 - (b) if the parties cannot agree, a person nominated by the President of the Institute of Arbitrators and Mediators, Australia.
- 13.7 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but may extend the period for reaching a conclusion on the matter by a further 30 days.
- 13.8 The independent expert must send a copy of the conclusion and the supporting reasons to each party to the difference or dispute.
- 13.9 Any conclusion by the ESC or an independent expert is final and binding on the parties.
- 13.10 Where a dispute is referred to the ESC, the ESC may determine the apportionment of the costs of and incidental to every reference.

- 13.11 Where a dispute is referred to an independent expert, the costs to the parties of, and incidental to, a reference to an independent expert, including the costs of the independent expert, must be apportioned among the parties to the dispute as determined by the independent expert.

PART 4 – MONITORING WATER TAKEN

14. METERING PROGRAM

- 14.1 In consultation with the Goulburn Entitlement Holder and the Resource Manager, the Authority must ensure it can demonstrate compliance with the provisions of this Order by –
- (a) ensuring there is adequate metering at nominated delivery points and return points (where applicable) to determine –
 - (i) the amount of water taken by the Authority under this bulk entitlement; and,
 - (ii) all water referred to in paragraph (a) which is returned to the channel system for which credit or the right to re-use is granted under clause 11; and
 - (b) maintaining and implementing a metering program approved by the Minister.
- 14.2 Subject to sub-clause 14.3, the Authority must, at its cost –
- (a) maintain metering equipment and associated measurement structures in good condition; and
 - (b) ensure that metering equipment is periodically re-calibrated; and
 - (c) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
 - (d) keep a record of all work undertaken under paragraphs (a), (b) and (c).
- 14.3 Where data from metering undertaken by another entity can be used to determine the Authority's compliance with this bulk entitlement, the Authority must endeavour to agree with that entity concerning the provision of metering and arrangements with regard to –
- (a) who will undertake the tasks in sub-clause 14.2; and,
 - (b) how the Authority will access all relevant data required to demonstrate its compliance with this bulk entitlement.
- 14.4 The Authority's metering program must have regard to –
- (a) the meter accuracy, maintenance and calibration requirements in sub-clause 14.2;
 - (b) any arrangements made under sub-clause 14.3; and
 - (c) any guidelines issued by the Minister from time to time.
- 14.5 The Minister may at any time require the Authority to –
- (a) review the program if, in the Minister's opinion, it is no longer appropriate; and
 - (b) propose an amended program to the Minister.
- 14.6 Any application by the Authority to the Minister for amendment to this entitlement must address any implications of the proposed amendment for the approved metering program.

15. REPORTING REQUIREMENTS

- 15.1 If requested by the Minister under clause 15.2, the Authority must report on all or any of the following matters, as provided in this clause:

- (a) the daily amount of water taken under this bulk entitlement at any delivery location;
 - (b) the annual amount and location of water taken under this bulk entitlement;
 - (c) the amount and location of water taken under this entitlement at any location other than the delivery locations specified in Schedule 1;
 - (d) the amount and location of water returned under clause 11, and any re-use or credit granted for that water;
 - (e) the approval, amendment and implementation of a metering program in accordance with clause 14;
 - (f) any assignment of water allocation or transfer of all or part of this bulk entitlement;
 - (g) any assignment of water allocation or bulk entitlement or water share transferred to the Authority with respect to the Goulburn System;
 - (h) any amendment to this bulk entitlement;
 - (i) any new bulk entitlement granted to the Authority with respect to the Goulburn System;
 - (j) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (k) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 15.2 The Minister may require the Authority to report on all or any of the matters set out in sub clause 15.1 –
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister’s written request.
- 15.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 15.1, except –
- (a) paragraph (a) of sub-clause 15.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of sub-clause 15.1.
- 15.4 The Goulburn Entitlement Holder and the Resource Manager may, separately or together, require the Authority to report on all or any of the matters set out in sub-clause 15.1 from time to time.
- 15.5 Any report under sub-clause 15.4 must be made –
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
 - (b) unless the Authority and that person agree otherwise –
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (d) of sub-clause 15.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (e) to (l) of sub-clause 15.1.

16. DATA

The Authority must make available data collected for the purpose of the metering program and reporting under clauses 14 and 15 to any person, subject to

- (a) the Authority being able to obtain all hydrological and other data required by the Authority to comply with this bulk entitlement; and

- (b) the person paying any fair and reasonable access fee imposed by the Authority, to cover the costs of making the data available.

PART 5 – COST SHARING ARRANGEMENTS

17. SOURCE COSTS

- 17.1 Subject to clause 19, the Authority must pay a fair and reasonable proportion of the annual costs incurred by the Goulburn Entitlement Holder in relation to supplying and storing water under this entitlement, which includes but is not limited to costs incurred for –
- (a) the operation and maintenance of the Goulburn System;
 - (b) access to and use of the channel system;
 - (c) access to and use of storage in the Goulburn System;
 - (d) salinity mitigation schemes in the Murray–Darling Basin;
 - (e) undertaking the functions of an Authority appointed under section 64GA of the Act.
- 17.2 The proportion of the costs referred to in sub-clause 17.1 is to be equal to the proportion of the Authority’s entitlement relative to the total volume of entitlements in the Goulburn System and adjusted to take into account the reliability of supply in clause 9, subject to –
- (a) sub-clause 17.3;
 - (b) any alternative arrangement between the Authority and the agency providing the service;
 - (c) a contrary Basin water charge.
- 17.3 Payments for access to and use of the channel system under sub-clause 17.1(b) will be determined on the same basis as those payable by water share holders in the adjacent irrigation area.
- 17.4 Unless an agreement between the Authority and the agency providing a service under sub-clause 17.1 states otherwise, payments under sub-clause 17.1 are to be made to the Goulburn Entitlement Holder for passing on to the Storage Manager, an Authority appointed under section 64GA or MDBA as appropriate.

18. RESOURCE MANAGER’S COSTS

- 18.1 Subject to clause 19, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to –
- (a) report on whether entitlement holders in the Goulburn Basin comply with the conditions of their bulk entitlements; and
 - (b) report on disputes between entitlement holders in the Goulburn Basin; and
 - (c) report on significant unauthorised uses of water in the Goulburn Basin; and
 - (d) co-ordinate the process for application and implementation of any qualification of rights to water made by the Minister during periods of declared water shortage under section 33AAA of the Act; and
 - (e) undertake any other function at the request of the Minister.
- 18.2 The proportion of the costs referred to in sub-clause 18.1 is to be determined by the Resource Manager, based on the bulk entitlement volume in clause 8 of this Order.
- 18.3 The Resource Manager must, by 1 July any year, determine and advise the Authority for the ensuing year, the proportion of the costs referred to in clause 18.1 that will be payable by the Authority.

19. DUTY TO KEEP ACCOUNTS

The Authority is not obliged to make any payment under clauses 17 and 18 unless the person or agency to whom the payment is to be made keeps separate accounts of all costs and payments and such accounts must be made available for inspection by the Authority upon request.

Dated 7 July 2012

PETER WALSH MLA
Minister for Water

SCHEDULE 1 – TOWNS AND DELIVERY SOURCES

Trading Zone / Delivery system	Town	Indicative volume (ML)	Delivery Source	
Trading Zone 1A – Greater Goulburn				
Shepparton Irrigation Area	Katandra West	64	East Goulburn Channel no. 2/24 @ Katandra West	
	Dookie	160	East Goulburn Main Channel @ Dookie	
	Sub-total	224		
Central Goulburn Irrigation Area	Girgarre	100	Central Goulburn Channel no. 12/9 @ Girgarre	
	Kyabram	2,000	Central Goulburn Channel no. 9 @ Kyabram	
	Rushworth	530	Waranga Western Main Channel @ Rushworth	
	Stanhope	200	Central Goulburn Channel no. 9 @ Stanhope	
	Tatura	2,600	Central Goulburn Channel no. 3/5 @ Tatura	
	Tongala		1,404	Central Goulburn Channel no. 28/9 @ Tongala
				Central Goulburn Channel no. 16/28/9 @ Tongala
Sub-total	6,834			
Rochester Irrigation Area	Colbinabbin	89	Waranga Western Main Channel @ Colbinabbin	
	Corop	44	Waranga Western Main Channel @ Corop	
	Sub-total	133		
Trading Zone 1A	TOTAL	7,191		

Notes to table:

- The volumes provided for each town are based on historical entitlements and are nominal only; overall delivery compliance is not determined by the indicative volumes.

SCHEDULE 2 – RESTRICTION POLICY

1. In meeting its obligation under sub-clause 9.3 of this Order the Goulburn Entitlement Holder must decide if restrictions are likely for the following year:
 - (a) in accordance with a series of 12 calculations ('the calculations') for each month of the forthcoming year; and
 - (b) each of the calculations is the ratio of the total predicted 24 month inflow of water to Lake Eildon prior to the relevant month, relative to the volume for the equivalent month in Table 1 to this Schedule; and
 - (c) each of those calculations will require a prediction of inflow for the future months of the year and, for the purposes of those predictions, the historical minimum monthly inflows must be adopted; and
 - (d) then, having regard to whether one or more of the calculations result in a ratio of less than 100%, then decide whether or not restrictions are likely.
2. If the Goulburn Entitlement Holder decides under clause 1 that restriction of the entitlement in the coming year is not likely, it must allocate the full volume of entitlement within 5 business days of 1 July in that year.
3. If the Goulburn Entitlement Holder identifies under clause 1 that restrictions are likely in the coming year, it must –
 - (a) within 5 business days of 1 July each year, determine the minimum allocation to this entitlement over the year, in the same manner as contemplated in paragraphs 1(a), 1(b) and 1(c) of this Schedule provided:
 - (i) the actual determination will occur in July (not May as contemplated in paragraph 1) therefore actual and not predicted inflows for May and June of the relevant preceding 24 month period must be used;
 - (ii) any determination to restrict must be based on one or more of the ratios from the calculations being below 100%; and
 - (iii) the allocation determined must be equal to the lowest of the ratios from the calculations that is below 100%.
 - (b) within 5 business days of the first day of every subsequent month that year, reassess the minimum allocation determined under paragraph 3(a) and adjust the allocation to this entitlement to equal the new minimum until the end of the year or 100% allocation is reached;
 - (c) notify the Authority in writing of the allocation to this entitlement made under paragraphs 3(a) or 3(b) within 5 business days of the first day of every month that year, unless the allocation is already 100%; and
 - (d) within 5 business days of 1 July and in subsequent months if requested by the Authority, provide an allocation forecast, including the method for determining the forecast, under average inflow conditions (50% probability of exceedance) and dry inflow conditions (90% probability of exceedance) for the remainder of the year, unless the allocation is already 100%.
4. Every 5 years from the commencement date of this Order, the Authority may request the Goulburn Entitlement Holder to review the triggers in Table 1 if the Authority is concerned that the reliability of supply may have significantly changed.
5. The Goulburn Entitlement Holder must undertake any review requested under clause 4, and then provide the results of that review to the Authority, Coliban Region Water Corporation and Grampians Wimmera–Mallee Water Corporation for consideration.

6. The Authority may apply to the Minister to update the triggers in Table 1 of this Schedule to accord with the latest available data. Prior to making any such application the Authority must consult with Coliban Region Water Corporation and Grampians Wimmera–Mallee Water Corporation.

Table 1: Restriction Triggers

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Inflow (GL)	1134	1178	1208	1231	1163	1107	1072	1061	1051	1041	1055	1106

Notes to table:

Restriction triggers are based on theoretical 24 month 99% probability of exceedance inflow to Lake Eildon, with data sourced from the Goulburn Simulation Model for the period January 1891 to December 2010.

Water Act 1989BULK ENTITLEMENT (GOULBURN CHANNEL SYSTEM – COLIBAN WATER)
ORDER 2012

I, Peter Walsh, as Minister administering the **Water Act 1989**, make the following Order –

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

This Order may be cited as the Bulk Entitlement (Goulburn Channel System – Coliban Water) Order 2012.

2. PURPOSE

The purpose of this Order is to repeal eight separate bulk entitlement Orders in the Goulburn System granted to Coliban Region Water Corporation and replace them with one bulk entitlement Order.

This will implement a recommendation of the ‘Northern Region Sustainable Water Strategy’ (2009), Action 4.16.

3. EMPOWERING PROVISIONS

This Order is made under Division 1 of Part 4 of the **Water Act 1989** and section 27 of the **Interpretation of Legislation Act 1984**.

4. COMMENCEMENT

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

5. DEFINITIONS

In this Order –

‘**Act**’ means the **Water Act 1989**;

‘**ATS 4747**’ means the Australian Technical Specification ‘ATS 4747 – Meters for Non-Urban Supply’ as published by Standards Australia and amended from time to time;

‘**Authority**’ means the Coliban Region Water Corporation;

‘**Basin water charge**’ means a Basin water charge approved or determined by the ESC in accordance with Part 1B of the **Water Industry Act 1994**;

‘**channel system**’ means the irrigation channels, pipelines and associated structures that distribute water from the waterway to the Authority and other customers;

‘**delivery location**’ means any or all of the locations specified in Schedule 1 for taking water under this Order;

‘**entitlement**’ means the rights to water as specified in this Order and under the Act;

‘**entitlement holder**’ means a person holding a bulk entitlement or environmental entitlement under the Act;

‘**ESC**’ means the Essential Services Commission;

‘**Goulburn Basin**’ means the area of land previously designated as Basin Number 5 in the Murray Darling Division of the Australian Water Resources Council’s Australian Continental Drainage Division;

‘**Goulburn Entitlement Holder**’ means the holder of the Bulk Entitlement (Eildon–Goulburn Weir) Conversion Order 1995;

‘**Goulburn System**’ means –

- (a) Lake Eildon, Goulburn Weir, Waranga Basin, and the associated water supply works and other assets, as shown from time to time in the Asset Register of Goulburn–Murray Water Corporation as the owner of the storage;
- (b) Goulburn River between Lake Eildon and Goulburn Weir, including the pools formed immediately upstream of Eildon Dam and Goulburn Weir;

‘**Minister**’ means the Minister administering the Act;

‘**ML**’ means megalitre(s);

‘**reliability of supply**’ means the statistical probability that the Goulburn Entitlement Holder will be able to supply the whole of the bulk entitlement volume specified in clause 8 to the Authority in any year from the Goulburn System;

‘**Resource Manager**’ means any person appointed by the Minister under section 43A of the Act to do all or any of the tasks set out in sub-clause 18.1;

‘**Storage Manager**’ means any authority appointed by the Minister under section 122ZK of the Act to carry out any of the functions specified under Part 6C of the Act for the Goulburn System;

‘**trading rules**’ means any trading rules made by the Minister in relation to the Goulburn System;

‘**water allocation**’ means a water allocation in relation to a bulk entitlement and has the meaning given to it in section 3 of the Act;

‘**water share**’ has the meaning given to it in section 3 of the Act;

‘**waterway**’ means the Goulburn River between Lake Eildon and the River Murray, including the pools formed by, and immediately upstream of, Eildon Dam and Goulburn Weir;

‘**year**’ means the 12 months commencing 1 July.

PART 2 – ENTITLEMENT

6. REPEAL OF PREVIOUS BULK ENTITLEMENT ORDERS

I repeal the following Orders granting a bulk entitlement to the Authority –

- (a) Bulk Entitlement (Dingee) Conversion Order 1995 granted on 14 September 1995;
- (b) Bulk Entitlement (Macorna) Conversion Order 1995 granted on 14 September 1995;
- (c) Bulk Entitlement (Pyramid Hill) Conversion Order 1995 granted on 21 September 1995;
- (d) Bulk Entitlement (Lockington) Conversion Order 1995 granted on 14 September 1995;
- (e) Bulk Entitlement (Rochester) Conversion Order 1995 granted on 21 September 1995;
- (f) Bulk Entitlement (Mitiamo) Conversion Order 1995 granted on 21 September 1995;
- (g) Bulk Entitlement (Boort) Conversion Order 1995 granted on 14 September 1995;
- (h) Bulk Entitlement (Mysia) Conversion Order 1995 granted on 21 September 1995.

7. GRANTING OF A BULK ENTITLEMENT

The Authority’s entitlement to water from the Goulburn System is granted on the conditions set out in this Order.

8. BULK ENTITLEMENT

The Authority may take up to a maximum of 2,420 ML in any year from the Goulburn System, subject to clauses 9, 10 and 11.

9. RELIABILITY OF SUPPLY

- 9.1 The entitlement specified in clause 8 has a reliability of supply of 99%.
- 9.2 This entitlement may only be restricted based on inflows to Lake Eildon during the preceding 24 months, using the method prescribed in Schedule 2.
- 9.3 Within 5 business days of 1 May in each year, the Goulburn Entitlement Holder must advise the Authority in writing of the likelihood of any restriction being applied to this entitlement in the following year.

PART 3 – GENERAL CONDITIONS AND PROVISIONS**10. TAKING WATER**

- 10.1 The Authority may take water to which it is entitled under this Order at –
- (a) the delivery locations for the towns specified in Schedule 1; or
 - (b) such other delivery locations, rates and times as are, at the request of the Authority, agreed in writing by the Goulburn Entitlement Holder.
- 10.2 The total volume of water and the rate at which the Authority may take water at a delivery location specified in sub-clause 10.1 may be subject to –
- (a) the trading zone in which the nominated delivery location is situated; and
 - (b) relevant trading rules; and
 - (c) the Authority's entitlement to a share of the delivery capacity in the channel system at the delivery location.

11. RIGHT TO RETURN FLOWS

- 11.1 The Authority may apply to the Storage Manager to re-use or be credited for water used under this entitlement that is returned to the channel system in accordance with this clause.
- 11.2 Before any re-use or credit can be granted, the Authority must –
- (a) come to an agreement with the Storage Manager on the likely volume, timing and location of any return flow for the purposes of adjusting system operations; and
 - (b) notify the Storage Manager if it or another person intends to re-use any flows specified under paragraph (a).
- 11.3 Subject to clause 11.4, the Storage Manager may grant approval of an application under sub-clause 11.1 for –
- (a) re-use by the Authority or another person at a downstream location; or
 - (b) credit to the Authority in a nominated storage, where water returned under this entitlement was supplied to any person other than the Authority or stored for the Storage Manager's purposes.
- 11.4 The Storage Manager may only grant approval under clause 11.3 if –
- (a) water supplied to and used by the Authority during the current water season has subsequently been returned to the channel system;
 - (b) the volume of water so returned has been measured by a meter that complies with ATS 4747 or an equivalent meter accuracy standard;
 - (c) any water re-used by the Authority or another person was used downstream of the place where the return flow occurred and within a reasonable time of the return flow;
 - (d) the returned water has been treated to a water quality standard specified by the Environment Protection Authority Victoria;
 - (e) the returned flows can be re-regulated downstream, with no material impact on the waterway or any authorised uses of water in the channel system;
 - (f) the volume of any water credited to the Authority under sub-clause 11.3(b) is equal to that volume of returned water which was able to be used or stored; and,
 - (g) approval is consistent with any rules regarding the supply, use and accounting of return flows issued by the Minister from time to time.

- 11.5 If the Authority and the Storage Manager cannot reach agreement within 1 month of an application under sub-clause 11.1, either party may make a written request to the Minister to make a decision on the right to re-use return flows or the granting of water credits.
- 11.6 Any decision made by the Minister in relation to sub-clause 11.5 is final and binding on the parties.

12. OPERATING ARRANGEMENTS

- 12.1 The Authority, the Storage Manager, the Resource Manager and the Goulburn Entitlement Holder, must endeavour to agree on operating arrangements for supplying water under this entitlement, including arrangements for re-use of or credit for return flows under clause 11 and access to meter accuracy information collected for the purposes of clause 14.
- 12.2 If the parties have not reached agreement under sub-clause 12.1 within 12 months of the date this Order comes into effect, any of the parties may give written notice to the other parties requiring the matter to be determined in accordance with clause 13.
- 12.3 The Authority, the Storage Manager, the Resource Manager and the Goulburn Entitlement Holder may agree to vary the operating arrangements from time to time.

13. DISPUTE RESOLUTION

- 13.1 If a difference or dispute arises concerning the interpretation or application of this Order between the Authority and the Goulburn Entitlement Holder, or the Storage Manager, or the Resource Manager, or another entitlement holder, a party may give written notice to the other party requiring the matter to be determined by the ESC or an independent expert.
- 13.2 If a difference or dispute arises concerning the interpretation or application of this Order between the Authority and the Goulburn Entitlement Holder, or the Storage Manager, or the Resource Manager, or another entitlement holder, and the Authority receives written notice requiring the matter to be determined by the ESC or an independent expert, the Authority must comply with the notice.
- 13.3 The notice requiring that the matter be determined by the ESC or an independent expert may only be given 14 days after the matter has arisen.
- 13.4 Where a dispute is referred to the ESC, the ESC may determine the process and timing for facilitating a resolution of the dispute.
- 13.5 Where a dispute is referred to an independent expert, the independent expert may only commence to determine the matter a further 14 days after the giving of that notice.
- 13.6 The independent expert will be either –
- (a) a person agreed to by the parties to the difference or dispute; or
 - (b) if the parties cannot agree, a person nominated by the President of the Institute of Arbitrators and Mediators, Australia.
- 13.7 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but may extend the period for reaching a conclusion on the matter by a further 30 days.
- 13.8 The independent expert must send a copy of the conclusion and the supporting reasons to each party to the difference or dispute.
- 13.9 Any conclusion by the ESC or an independent expert is final and binding on the parties.
- 13.10 Where a dispute is referred to the ESC, the ESC may determine the apportionment of the costs of and incidental to every reference.

- 13.11 Where a dispute is referred to an independent expert, the costs to the parties of, and incidental to, a reference to an independent expert, including the costs of the independent expert, must be apportioned among the parties to the dispute as determined by the independent expert.

PART 4 – MONITORING WATER TAKEN

14. METERING PROGRAM

- 14.1 In consultation with the Goulburn Entitlement Holder and the Resource Manager, the Authority must ensure it can demonstrate compliance with the provisions of this Order by –
- (a) ensuring there is adequate metering at nominated delivery points and return points (where applicable) to determine –
 - (i) the amount of water taken by the Authority under this bulk entitlement; and,
 - (ii) all water referred to in paragraph (a) which is returned to the channel system for which credit or the right to re-use is granted under clause 11; and
 - (b) maintaining and implementing a metering program approved by the Minister.
- 14.2 Subject to sub-clause 14.3, the Authority must, at its cost –
- (a) maintain metering equipment and associated measurement structures in good condition; and
 - (b) ensure that metering equipment is periodically re-calibrated; and
 - (c) if rating curves are used to calculate flows, ensure that the curves are regularly checked and, if necessary, revised; and
 - (d) keep a record of all work undertaken under paragraphs (a), (b) and (c).
- 14.3 Where data from metering undertaken by another entity can be used to determine the Authority's compliance with this bulk entitlement, the Authority must endeavour to agree with that entity concerning the provision of metering and arrangements with regard to –
- (a) who will undertake the tasks in sub-clause 14.2; and,
 - (b) how the Authority will access all relevant data required to demonstrate its compliance with this bulk entitlement.
- 14.4 The Authority's metering program must have regard to –
- (a) the meter accuracy, maintenance and calibration requirements in sub-clause 14.2;
 - (b) any arrangements made under sub-clause 14.3; and
 - (c) any guidelines issued by the Minister from time to time.
- 14.5 The Minister may at any time require the Authority to –
- (a) review the program if, in the Minister's opinion, it is no longer appropriate; and
 - (b) propose an amended program to the Minister.
- 14.6 Any application by the Authority to the Minister for amendment to this entitlement must address any implications of the proposed amendment for the approved metering program.

15. REPORTING REQUIREMENTS

- 15.1 If requested by the Minister under clause 15.2, the Authority must report on all or any of the following matters, as provided in this clause:
- (a) the daily amount of water taken under this bulk entitlement at any delivery location;
 - (b) the annual amount and location of water taken under this bulk entitlement;
 - (c) the amount and location of water taken under this entitlement at any location other than the delivery locations specified in Schedule 1;
 - (d) the amount and location of water returned under clause 11, and any re-use or credit granted for that water;
 - (e) the approval, amendment and implementation of a metering program in accordance with clause 14;
 - (f) any assignment of water allocation or transfer of all or part of this bulk entitlement;
 - (g) any assignment of water allocation or bulk entitlement or water share transferred to the Authority with respect to the Goulburn System;
 - (h) any amendment to this bulk entitlement;
 - (i) any new bulk entitlement granted to the Authority with respect to the Goulburn System;
 - (j) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (k) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 15.2 The Minister may require the Authority to report on all or any of the matters set out in sub clause 15.1 –
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister’s written request.
- 15.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 15.1, except –
- (a) paragraph (a) of sub-clause 15.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of sub-clause 15.1.
- 15.4 The Goulburn Entitlement Holder and the Resource Manager may, separately or together, require the Authority to report on all or any of the matters set out in sub-clause 15.1 from time to time.
- 15.5 Any report under sub-clause 15.4 must be made –
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
 - (b) unless the Authority and that person agree otherwise –
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (d) of sub-clause 15.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (e) to (l) of sub-clause 15.1.

16. DATA

The Authority must make available data collected for the purpose of the metering program and reporting under clauses 14 and 15 to any person, subject to:

- (a) the Authority being able to obtain all hydrological and other data required by the Authority to comply with this bulk entitlement; and
- (b) the person paying any fair and reasonable access fee imposed by the Authority, to cover the costs of making the data available.

PART 5 – FINANCIAL OBLIGATIONS**17. SOURCE COSTS**

17.1 Subject to clause 19, the Authority must pay a fair and reasonable proportion of the annual costs incurred by the Goulburn Entitlement Holder in relation to supplying and storing water under this entitlement, which includes but is not limited to costs incurred for –

- (a) the operation and maintenance of the Goulburn System;
- (b) access to and use of the channel system;
- (c) access to and use of storage in the Goulburn System;
- (d) salinity mitigation schemes in the Murray–Darling Basin;
- (e) undertaking the functions of an authority appointed under section 64GA of the Act.

17.2 The proportion of the costs referred to in sub-clause 17.1 is to be equal to the proportion of the Authority's entitlement, relative to the total volume of entitlements in the Goulburn System and adjusted to take into account the reliability of supply in clause 9 subject to –

- (a) sub-clause 17.3;
- (b) any alternative arrangement between the Authority and the agency providing the service;
- (c) a contrary Basin water charge.

17.3 Payments for access to and use of the channel system under sub-clause 17.1(b) will be determined on the same basis as those payable by water share holders in the adjacent irrigation area.

17.4 Unless an agreement between the Authority and the agency providing the service under sub-clause 17.1 states otherwise, payments under sub-clause 17.1 are to be made to the Goulburn Entitlement Holder for passing on to the Storage Manager, an authority appointed under section 64GA or MDBA as appropriate.

18. RESOURCE MANAGER'S COSTS

18.1 Subject to clause 19 the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to –

- (a) report on whether entitlement holders in the Goulburn Basin comply with the conditions of their bulk entitlements; and
- (b) report on disputes between entitlement holders in the Goulburn Basin; and
- (c) report on significant unauthorised uses of water in the Goulburn Basin; and
- (d) co-ordinate the process for application and implementation of any qualification of rights to water made by the Minister during periods of declared water shortage under section 33AAA of the Act; and
- (e) undertake any other function at the request of the Minister.

18.2 The proportion of the costs referred to in sub-clause 18.1 is to be determined by the Resource Manager, based on the bulk entitlement volume in clause 8 of this Order.

18.3 The Resource Manager must, by 1 July any year, determine and advise the Authority for the ensuing year, the proportion of the costs referred to in clause 18.1 that will be payable by the Authority.

19. DUTY TO KEEP ACCOUNTS

The Authority is not obliged to make any payment under clauses 17 and 18 unless the person or agency to whom the payment is to be made keeps separate accounts of all costs and payments and such accounts must be made available for inspection by the Authority upon request.

Dated 7 July 2012

PETER WALSH MLA
Minister for Water

SCHEDULE 1 – TOWNS AND DELIVERY SOURCES

Trading Zone / Delivery System	Supply system	Indicative volume (ML)	Delivery Source
Trading Zone 1A – Greater Goulburn			
Rochester Irrigation Area	Lockington	130	Rochester Channel no. 24
	Rochester	1,335	Waranga Western Channel
	Sub-total	1,465	
Loddon Valley Irrigation Area (Pyramid Hill)	Dingee	50	Pyramid Channel no. 5/5
	Macorna	40	Pyramid Channel no. 10/1
	Pyramid Hill	300	Pyramid Channel no. 5/1
	Sub-total	390	
Loddon Valley Irrigation Area (East Loddon)	Jarklin*	5	East Loddon Pipeline
	Mitiamo	60	Mitiamo Domestic & Stock Channel
	Serpentine*	60	East Loddon Pipeline
	Sub-total	125	
Trading Zone 1A	Sub-total	1,980	
Trading Zone 1B – Boort			
Loddon Valley Irrigation Area (Boort)	Boort	425	Boort Channel no. 3
	Mysia	15	Waranga Western Channel
Trading Zone 1B	Sub-total	440	
	TOTAL	2,420	

Notes to table:

1. The volumes provided for each town are nominal only; overall delivery compliance is not determined against the indicative volumes.
2. Towns with * were not supplied under the original bulk entitlements; Coliban Water owns water shares for their supply. Incorporation of these towns into the bulk entitlement ensures consistency for water supply and reporting arrangements for Coliban Water towns in the Goulburn System.

SCHEDULE 2 – RESTRICTION POLICY

1. In meeting its obligation under sub-clause 9.3 of this Order the Goulburn Entitlement Holder must decide if restrictions are likely for the following year:
 - (a) in accordance with a series of 12 calculations ('the calculations') for each month of the forthcoming year; and
 - (b) each of the calculations is the ratio of the total predicted 24 month inflow of water to Lake Eildon prior to the relevant month, relative to the volume for the equivalent month in Table 1 to this Schedule; and
 - (c) each of those calculations will require a prediction of inflow for the future months of the year and, for the purposes of those predictions, the historical minimum monthly inflows must be adopted; and
 - (d) then, having regard to whether one or more of the calculations result in a ratio of less than 100%, then decide whether or not restrictions are likely.
2. If the Goulburn Entitlement Holder decides under clause 1 that restriction of the entitlement in the coming year is not likely, it must allocate the full volume of entitlement within 5 business days of 1 July in that year.
3. If the Goulburn Entitlement Holder identifies under clause 1 that restrictions are likely in the coming year, it must –
 - (a) within 5 business days of 1 July each year, determine the minimum allocation to this entitlement over the year, in the same manner as contemplated in paragraphs 1(a), 1(b) and 1(c) of this Schedule provided:
 - (i) the actual determination will occur in July (not May as contemplated in paragraph 1) therefore actual and not predicted inflows for May and June of the relevant preceding 24 month period must be used;
 - (ii) any determination to restrict must be based on one or more of the ratios from the calculations being below 100%; and
 - (iii) the allocation determined must be equal to the lowest of the ratios from the calculations that is below 100%;
 - (b) within 5 business days of the first day of every subsequent month that year, reassess the minimum allocation determined under paragraph 3(a) and adjust the allocation to this entitlement to equal the new minimum until the end of the year or 100% allocation is reached;
 - (c) notify the Authority in writing of the allocation to this entitlement made under paragraphs 3(a) or 3(b) within 5 business days of the first day of every month that year, unless the allocation is already 100%; and
 - (d) within 5 business days of 1 July and in subsequent months if requested by the Authority, provide an allocation forecast, including the method for determining the forecast, under average inflow conditions (50% probability of exceedance) and dry inflow conditions (90% probability of exceedance) for the remainder of the year, unless the allocation is already 100%.
4. Every 5 years from the commencement date of this Order, the Authority may request the Goulburn Entitlement Holder to review the triggers in Table 1 if the Authority is concerned that the reliability of supply may have significantly changed.
5. The Goulburn Entitlement Holder must undertake any review requested under clause 4, and then provide the results of that review to the Authority, Goulburn Valley Region Water Corporation and Grampians Wimmera–Mallee Water Corporation for consideration.

6. The Authority may apply to the Minister to update the triggers in Table 1 of this Schedule to accord with the latest available data. Prior to making any such application the Authority must consult with Goulburn Valley Region Water Corporation and Grampians Wimmera–Mallee Water Corporation.

Table 1: Restriction Triggers

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Inflow (GL)	1134	1178	1208	1231	1163	1107	1072	1061	1051	1041	1055	1106

Notes to table:

Restriction triggers are based on theoretical 24 month 99% probability of exceedance inflow to Lake Eildon, with data sourced from the Goulburn Simulation Model for the period January 1891 to December 2010.

Water Act 1989
BULK ENTITLEMENT (GOULBURN RIVER & EILDON –
GOULBURN VALLEY WATER) ORDER 2012

I, Peter Walsh, as Minister administering the **Water Act 1989**, make the following Order –

PART 1 – INTRODUCTORY STATEMENTS

1. CITATION

This Order may be cited as the Bulk Entitlement (Goulburn River & Eildon – Goulburn Valley Water) Order 2012

2. PURPOSE

The purpose of this Order is to repeal nine separate bulk entitlement Orders in the Goulburn System granted to Goulburn Valley Region Water Corporation and replace them with one bulk entitlement Order.

This will implement a recommendation of the ‘Northern Region Sustainable Water Strategy’ (2009), Action 4.16.

3. EMPOWERING PROVISIONS

This Order is made under Division 1 of Part 4 of the **Water Act 1989** and section 27 of the **Interpretation of Legislation Act 1984**.

4. COMMENCEMENT

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

5. DEFINITIONS

In this Order –

‘**Act**’ means the **Water Act 1989**;

‘**ATS 4747**’ means the Australian Technical Specification ‘ATS 4747 – Meters for Non-Urban Supply’ as published by Standards Australia and amended from time to time;

‘**Authority**’ means the Goulburn Valley Region Water Corporation;

‘**Basin water charge**’ means a Basin water charge approved or determined by the ESC in accordance with Part 1B of the **Water Industry Act 1994**;

‘**delivery location**’ means any or all of the locations specified in Schedule 1 for taking water under this Order;

‘**entitlement**’ means the rights to water as specified in this Order and under the Act;

‘**entitlement holder**’ means a person holding a bulk entitlement or environmental entitlement under the Act;

‘**ESC**’ means the Essential Services Commission;

‘**Goulburn Basin**’ means the area of land previously designated as Basin Number 5 in the Murray Darling Division of the Australian Water Resources Council’s Australian Continental Drainage Division;

‘**Goulburn Entitlement Holder**’ means the holder of the Bulk Entitlement (Eildon–Goulburn Weir) Conversion Order 1995;

‘**Goulburn System**’ means –

(a) Lake Eildon, Goulburn Weir, Waranga Basin, and the associated water supply works and other assets, as shown from time to time in the Asset Register of Goulburn–Murray Water Corporation as the owner of the storage;

(b) Goulburn River between Lake Eildon and Goulburn Weir, including the pools formed immediately upstream of Eildon Dam and Goulburn Weir;

‘**Minister**’ means the Minister administering the Act;

‘**ML**’ means megalitre(s);

‘reliability of supply’ means the statistical probability that the Goulburn Entitlement Holder will be able to supply the whole of the bulk entitlement volume specified in clause 8 to the Authority in any year from the Goulburn System;

‘Resource Manager’ means any person appointed by the Minister under section 43A of the Act to do all or any of the tasks set out in sub-clause 18.1;

‘Storage Manager’ means any authority appointed by the Minister under section 122ZK of the Act to carry out any of the functions specified under Part 6C of the Act for the Goulburn system;

‘trading rules’ means any trading rules made by the Minister in relation to the Goulburn System;

‘water allocation’ means a water allocation in relation to a bulk entitlement and has the meaning given to it in section 3 of the Act;

‘water share’ has the meaning given to it in section 3 of the Act;

‘waterway’ means the Goulburn River between Lake Eildon and the River Murray, including the pools formed by, and immediately upstream of, Eildon Dam and Goulburn Weir;

‘year’ means the 12 months commencing 1 July.

PART 2 – ENTITLEMENT

6. REPEAL OF PREVIOUS BULK ENTITLEMENT ORDERS

I repeal the following Orders granting a bulk entitlement to the Authority -

- (a) Bulk Entitlement (Alexandra) Conversion Order 1995 granted on 14 September 1995;
- (b) Bulk Entitlement (Bonnie Doon) Conversion Order 1995 granted on 14 September 1995;
- (c) Bulk Entitlement (Eildon) Conversion Order 1995 granted on 14 September 1995;
- (d) Bulk Entitlement (Nagambie) Conversion Order 1995 granted on 21 September 1995;
- (e) Bulk Entitlement (Seymour) Conversion Order 1995 granted on 21 September 1995;
- (f) Bulk Entitlement (Mooroopna) Conversion Order 1995 granted on 21 September 1995;
- (g) Bulk Entitlement (Murchison) Conversion Order 1995 granted on 21 September 1995;
- (h) Bulk Entitlement (Shepparton) Conversion Order 1995 granted on 21 September 1995;
- (i) Bulk Entitlement (Toolamba) Conversion Order 1995 granted on 21 September 1995.

7. GRANTING OF A BULK ENTITLEMENT

The Authority’s entitlement to water from the Goulburn System is granted on the conditions set out in this Order.

8. BULK ENTITLEMENT

The Authority may take up to a maximum of 26,299 ML in any year from the Goulburn System, subject to clauses 9, 10 and 11.

9. RELIABILITY OF SUPPLY

- 9.1 The entitlement specified in clause 8 has a reliability of supply of 99%.
- 9.2 This entitlement may only be restricted based on inflows to Lake Eildon during the preceding 24 months, using the method prescribed in Schedule 2.
- 9.3 Within 5 business days of 1 May in each year, the Goulburn Entitlement Holder must advise the Authority in writing of the likelihood of any restriction being applied to this entitlement in the following year.

PART 3 – GENERAL CONDITIONS AND PROVISIONS

10. TAKING WATER

- 10.1 The Authority may take water to which it is entitled under this Order at –
 - (a) the delivery locations for the towns specified in Schedule 1; or

- (b) such other delivery locations, rates and times as are, at the request of the Authority, agreed to in writing by the Goulburn Entitlement Holder.
- 10.2 The total volume of water at which the Authority may take water at a delivery location specified in sub-clause 10.1 may be subject to –
- (a) the trading zone in which the nominated delivery location is situated; and
 - (b) relevant trading rules.

11. RIGHT TO USE RETURN FLOWS

- 11.1 The Authority may apply to the Storage Manager to re-use or be credited for water used under this entitlement that is returned to the waterway in accordance with this clause.
- 11.2 Before any re-use or credit can be granted, the Authority must –
- (a) come to an agreement with the Storage Manager on the likely volume, timing and location of any return flow for the purposes of adjusting system operations; and
 - (b) notify the Storage Manager if it or another person intends to re-use any flows specified under paragraph (a).
- 11.3 Subject to clause 11.4, the Storage Manager may grant approval of an application under sub-clause 11.1 for –
- (a) re-use by the Authority or another person at a downstream location; or
 - (b) credit to the Authority in a nominated storage, where water returned under this entitlement was supplied to any person other than the Authority or stored for the Storage Manager's purposes.
- 11.4 The Storage Manager may only grant approval under clause 11.3 if –
- (a) water supplied to and used by the Authority during the current water season has subsequently been returned to the waterway;
 - (b) the volume of water so returned has been measured by a meter that complies with ATS 4747 or an equivalent meter accuracy standard;
 - (c) any water re-used by the Authority or another person was used downstream of the place where the return flow occurred and within a reasonable time of the return flow;
 - (d) the returned water has been treated to a water quality standard specified by the Environment Protection Authority Victoria;
 - (e) the returned flows can be re-regulated downstream, with no material impact on the waterway or authorised uses of water in the waterway;
 - (f) the volume of any water credited to the Authority under sub-clause 11.3(b) is equal to that volume of returned water which was able to be used or stored; and,
 - (g) approval is consistent with any rules regarding the supply, use and accounting of return flows issued by the Minister from time to time.
- 11.5 If the Authority and the Storage Manager cannot reach agreement within 1 month of an application under sub-clause 11.1, either party may make a written request to the Minister to make a decision on the right to re-use return flows or the granting of water credits.
- 11.6 Any decision made by the Minister in relation to sub-clause 11.5 is final and binding on the parties.

12. OPERATING ARRANGEMENTS

- 12.1 The Authority, the Storage Manager, the Resource Manager and the Goulburn Entitlement Holder must endeavour to agree on operating arrangements for supplying water under this entitlement, including arrangements for re-use of or credit for return flows under clause 11 and access to meter accuracy information collected for the purposes of clause 14.
- 12.2 If the parties have not reached agreement under sub-clause 12.1 within 12 months of the date this Order comes into effect, any of the parties may give written notice to the other parties requiring the matter to be determined in accordance with clause 13.
- 12.3 The Authority, the Storage Manager, the Resource Manager and the Goulburn Entitlement Holder may agree to vary the operating arrangements from time to time.

13. DISPUTE RESOLUTION

- 13.1 If a difference or dispute arises concerning the interpretation or application of this Order between the Authority and the Goulburn Entitlement Holder, or the Storage Manager, or the Resource Manager, or another entitlement holder, a party may give written notice to the other party requiring the matter to be determined by the ESC or an independent expert.
- 13.2 If a difference or dispute arises concerning the interpretation or application of this Order between the Authority and the Goulburn Entitlement Holder, or the Storage Manager, or the Resource Manager, or another entitlement holder, and the Authority receives written notice requiring the matter to be determined by the ESC or an independent expert, the Authority must comply with the notice.
- 13.3 The notice requiring that the matter be determined by the ESC or an independent expert may only be given 14 days after the matter has arisen.
- 13.4 Where a dispute is referred to the ESC, the ESC may determine the process and timing for facilitating a resolution of the dispute.
- 13.5 Where a dispute is referred to an independent expert, the independent expert may only commence to determine the matter a further 14 days after the giving of that notice.
- 13.6 The independent expert will be either –
- (a) a person agreed to by the parties to the difference or dispute; or
 - (b) if the parties cannot agree, a person nominated by the President of the Institute of Arbitrators and Mediators, Australia.
- 13.7 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but may extend the period for reaching a conclusion on the matter by a further 30 days.
- 13.8 The independent expert must send a copy of the conclusion and the supporting reasons to each party to the difference or dispute.
- 13.9 Any conclusion by the ESC or an independent expert is final and binding on the parties.
- 13.10 Where a dispute is referred to the ESC, the ESC may determine the apportionment of the costs of and incidental to every reference.
- 13.11 Where a dispute is referred to an independent expert, the costs to the parties of, and incidental to, a reference to an independent expert, including the costs of the independent expert, must be apportioned among the parties to the dispute as determined by the independent expert.

PART 4 – MONITORING WATER TAKEN**14. METERING PROGRAM**

- 14.1 In consultation with the Goulburn Entitlement Holder and the Resource Manager, the Authority must ensure it can demonstrate compliance with the provisions of this Order by –
- (a) ensuring there is adequate metering at nominated delivery points and return points (where applicable) to determine –
 - (i) the amount of water taken by the Authority under this bulk entitlement; and,
 - (ii) all water referred to in paragraph (a) which is returned to the channel system for which credit or the right to re-use is granted under clause 11; and
 - (b) maintaining and implementing a metering program approved by the Minister.
- 14.2 The Minister may at any time require the Authority to –
- (a) review the program if, in the Minister’s opinion, it is no longer appropriate; and
 - (b) propose an amended program to the Minister.
- 14.3 The Authority must, at its cost, and in accordance with any guidelines issued from time to time by the Minister –
- (a) implement and maintain the approved metering program; and
 - (b) operate and maintain metering equipment and associated measurement structures in good condition; and
 - (c) ensure that metering equipment is periodically re-calibrated; and
 - (d) keep a record of all work undertaken under paragraphs (b) and (c).
- 14.4 Any application by the Authority to the Minister for amendment to this entitlement must address any implications of the proposed amendment for the approved metering program.

15. REPORTING REQUIREMENTS

- 15.1 If requested by the Minister under clause 15.2, the Authority must report on all or any of the following matters, as provided in this clause:
- (a) the daily amount of water taken under this bulk entitlement at any delivery location;
 - (b) the annual amount of water taken under this bulk entitlement;
 - (c) the amount and location of water taken under this entitlement at any location other than the delivery locations specified in Schedule 1;
 - (d) the amount and location of water returned under clause 11, and any re-use or credit granted for that water;
 - (e) the approval, amendment and implementation of a metering program made in accordance with clause 14;
 - (f) any assignment of water allocation or transfer of all or part of this bulk entitlement;
 - (g) any assignment of allocation or bulk entitlement or water share transferred to the Authority with respect to the Goulburn System;
 - (h) any amendment to this bulk entitlement;
 - (i) any new bulk entitlement granted to the Authority with respect to the Goulburn System;

- (j) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (k) any difficulties experienced or anticipated by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 15.2 The Minister may require the Authority to report on all or any of the matters set out in sub clause 15.1 –
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister’s written request.
- 15.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 15.1, except –
- (a) paragraph (a) of sub-clause 15.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of sub-clause 15.1.
- 15.4 The Goulburn Entitlement Holder, and the Resource Manager, separately or together, may require the Authority to report on all or any of the matters set out in sub-clause 15.1 from time to time.
- 15.5 Any report under sub-clause 15.4 must be made –
- (a) in such form as may be agreed between the Authority and the person to whom the report is made; and
 - (b) unless the Authority and that person agree otherwise –
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (d) of sub-clause 15.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (e) to (l) of sub-clause 15.1.

16. DATA

The Authority must make available data collected for the purpose of the metering program and reporting under clauses 14 and 15 to any person, subject to

- (a) the Authority being able to obtain all hydrological and other data required by the Authority to comply with this bulk entitlement; and
- (b) the person paying any fair and reasonable access fee imposed by the Authority, to cover the costs of making the data available.

PART 5 – FINANCIAL OBLIGATIONS

17. SOURCE COSTS

17.1 Subject to clause 19, the Authority must pay a fair and reasonable proportion of the annual costs incurred by the Goulburn Entitlement Holder in relation to supplying and storing water under this entitlement, which includes but is not limited to costs incurred for –

- (a) the operation and maintenance of the Goulburn System;
- (b) access to and use of storage in the Goulburn System;
- (c) salinity mitigation schemes in the Murray–Darling Basin;
- (d) undertaking the functions of an Authority appointed under section 64GA of the Act.

- 17.2 The proportion of the costs referred to in sub-clause 17.1 is to be equal to the proportion of the Authority's entitlement, relative to the total volume of entitlements in the Goulburn System and adjusted to take into account the reliability of supply in clause 9, subject to –
- (a) any alternative arrangement between the Authority and the agency providing the service;
 - (b) a contrary Basin water charge.
- 17.3 Unless an agreement between the Authority and the agency providing a service under sub-clause 17.1 states otherwise, payments under sub-clause 17.1 are to be made to the Goulburn Entitlement Holder for passing on to the Storage Manager, an Authority appointed under section 64GA or MDBA as appropriate.

18. RESOURCE MANAGER'S COSTS

- 18.1 Subject to clause 19, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to –
- (a) report on whether entitlement holders in the Goulburn Basin comply with the conditions of their bulk entitlements; and
 - (b) report on disputes between entitlement holders in the Goulburn Basin; and
 - (c) report on significant unauthorised uses of water in the Goulburn Basin; and
 - (d) co-ordinate the process for application and implementation of any qualification of rights to water made by the Minister during periods of declared water shortage under section 33AAA of the Act; and
 - (e) undertake any other function at the request of the Minister.
- 18.2 The proportion of the costs referred to in sub-clause 18.1 is to be determined by the Resource Manager, based on the bulk entitlement volume in clause 8 of this Order.
- 18.3 The Resource Manager must, by 1 July any year, determine and advise the Authority for the ensuing year, the proportion of the costs referred to in clause 18.1 that will be payable by the Authority.

19. DUTY TO KEEP ACCOUNTS

The Authority is not obliged to make any payment under clauses 17 and 18 unless the person or agency to whom the payment is to be made keeps separate accounts of all costs and payments and such accounts must be made available for inspection by the Authority upon request.

Dated 7 July 2012

PETER WALSH MLA
Minister for Water

SCHEDULE 1 – TOWNS, DELIVERY LOCATIONS AND MAXIMUM RATES OF TAKING WATER

Trading Zone/ Delivery system	Town	Indicative volume (ML)	Waterway/ channel	Delivery Locations	Maximum Rate (ML/d)
Trading Zone 1A – Greater Goulburn					
Eildon to Goulburn Weir	Alexandra	916	Goulburn River	pump station at Alexandra	7.4
	Bonnie Doon	112	Lake Eildon	pump station at Maroondah Hwy Bridge	2.0
	Eildon	471	Lake Eildon	pump station at SEC hydroelectric power station	5.3
	Molesworth	15	Goulburn River	pump station at Molesworth	0.25
	Nagambie	825	Lake Nagambie	pump station at Goulburn Valley Highway	9.0
	Seymour	5,340	Goulburn River	pump stations at Seymour and Tallarook	30.0
	Kirwans Bridge*	0	Lake Nagambie	pump station at Goulburn Weir	0.5
	Goulburn Weir*	0	Lake Nagambie	pump station at Kirwans Bridge	0.4
	Sub-total	7,679			
Trading Zone 3 – Lower Goulburn					
Goulburn Weir to Broken	Mooroopna	300	Goulburn River	pump station at Archer Street	25.0
	Murchison	350	Goulburn River	pump station at Stevenson Street	4.0
	Sub-total	650			
Broken to McCoy	Shepparton	17,970	Goulburn River	pump station at Welsford Street	100.0
Trading Zone 3	Sub-total	18,620			
	TOTAL	26,299			

Notes to table:

- The volumes provided for each town are based on historical entitlements and are nominal only; overall delivery compliance is not determined against the indicative volumes.
- Towns with * were not supplied under the original bulk entitlements; Goulburn Valley Water owns water shares for their supply. Incorporation of these towns into the bulk entitlement ensures consistency for water supply and reporting arrangements for Goulburn Valley Water towns in the Goulburn System.

SCHEDULE 2 – RESTRICTION POLICY

1. In meeting its obligation under sub-clause 9.3 of this Order the Goulburn Entitlement Holder must decide if restrictions are likely for the following year:
 - (a) in accordance with a series of 12 calculations ('the calculations') for each month of the forthcoming year; and
 - (b) each of the calculations is the ratio of the total predicted 24 month inflow of water to Lake Eildon prior to the relevant month, relative to the volume for the equivalent month in Table 1 to this Schedule; and
 - (c) each of those calculations will require a prediction of inflow for the future months of the year and, for the purposes of those predictions, the historical minimum monthly inflows must be adopted; and
 - (d) then, having regard to whether one or more of the calculations result in a ratio of less than 100%, then decide whether or not restrictions are likely.
2. If the Goulburn Entitlement Holder decides under clause 1 that restriction of the entitlement in the coming year is not likely, it must allocate the full volume of entitlement within 5 business days of 1 July in that year.
3. If the Goulburn Entitlement Holder identifies under clause 1 that restrictions are likely in the coming year, it must –
 - (a) within 5 business days of 1 July each year, determine the minimum allocation to this entitlement over the year, in the same manner as contemplated in paragraphs 1(a), 1(b) and 1(c) of this Schedule provided:
 - (i) the actual determination will occur in July (not May as contemplated in paragraph 1) therefore actual and not predicted inflows for May and June of the relevant preceding 24 month period must be used;
 - (ii) any determination to restrict must be based on one or more of the ratios from the calculations being below 100%; and
 - (iii) the allocation determined must be equal to the lowest of the ratios from the calculations that is below 100%.
 - (b) within 5 business days of the first day of every subsequent month that year, reassess the minimum allocation determined under paragraph 3(a) and adjust the allocation to this entitlement to equal the new minimum until the end of the year or 100% allocation is reached;
 - (c) notify the Authority in writing of the allocation to this entitlement made under paragraphs 3(a) or 3(b) within 5 business days of the first day of every month that year, unless the allocation is already 100%; and
 - (d) within 5 business days of 1 July and in subsequent months if requested by the Authority, provide an allocation forecast, including the method for determining the forecast, under average inflow conditions (50% probability of exceedance) and dry inflow conditions (90% probability of exceedance) for the remainder of the year, unless the allocation is already 100%.
4. Every 5 years from the commencement date of this Order, the Authority may request the Goulburn Entitlement Holder to review the triggers in Table 1 if the Authority is concerned that the reliability of supply may have significantly changed.
5. The Goulburn Entitlement Holder must undertake any review requested under clause 4, and then provide the results of that review to the Authority, Coliban Region Water Corporation and Grampians Wimmera–Mallee Water Corporation for consideration.

6. The Authority may apply to the Minister to update the triggers in Table 1 of this Schedule to accord with the latest available data. Prior to making any such application the Authority must consult with Coliban Region Water Corporation and Grampians Wimmera–Mallee Water Corporation.

Table 1: Restriction Triggers

Month	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Inflow (GL)	1134	1178	1208	1231	1163	1107	1072	1061	1051	1041	1055	1106

Notes to table:

Restriction triggers are based on theoretical 24 month 99% probability of exceedance inflow to Lake Eildon, with data sourced from the Goulburn Simulation Model for the period January 1891 to December 2010.

Planning and Environment Act 1987**BASS COAST PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C105

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

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

The Amendment rezones land west of Potters Hill Road, San Remo, being Lot 1 LP208362, Lot 15 LP208363, Lot 16 LP208363, Lot 25 LP200344, Lots 1, 2, 3, 4, 5, 6, 7 PS537158 and Lots 1, 2 PS610770 from Low Density Residential Zone to Residential 1 Zone. The Significant Landscape Overlay is deleted and a Development Plan Overlay – Schedule 23 and Design and Development Overlay Schedule 1 are applied to the subject land. The Amendment also replaces a map at Clause 21.10-19.

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 Bass Coast Shire Council, 76 McBride Avenue, Wonthaggi, or 91-97 Thompson Avenue, Cowes.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987**CAMPASPE PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C95

The Minister for Planning has approved Amendment C95 to the Campaspe Planning Scheme.

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

The Amendment alters the Schedule to Clause 35.07 (the Farming Zone) to extend the expiry date relating to the interim provisions for the minimum subdivision area and minimum area for which no permit is required to use land for a dwelling until 30 June 2013.

The land affected is all land in the Farming Zone within the municipal boundaries of the Shire of Campaspe.

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 Campaspe Shire Council, corner of Hare and Heygarth Streets, Echuca.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987**DAREBIN PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C128

The Minister for Planning has approved Amendment C128 to the Darebin Planning Scheme.

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

The Amendment deletes the interim Heritage Overlay HO296 (Alphington North Precinct) from the schedule to the Heritage Overlay.

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.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987**GANNAWARRA PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C28

The Minister for Planning has approved Amendment C28 to the Gannawarra Planning Scheme.

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

The Amendment rezones the eastern portion of Lot 1 on Title Plan 107083L in Cohuna–Koondrook Road, Cohuna, from Industrial 3 Zone to Mixed Use Zone, applies the Design and Development Overlay Schedule 2 to the land, amends Clause 21.04-3 and updates 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 Gannawarra Shire Council, 47 Victoria Street, Kerang, or 23 King–Edward Street, Cohuna.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of Approval of Amendment
Amendment C214

The Minister for Planning has approved Amendment C214 to the Greater Geelong Planning Scheme.

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

The Amendment implements the Armstrong Creek East Precinct Development Contributions Plan Version 4.1 Alternate Version November 2011 by introducing and applying a new Schedule 3 to Clause 45.06 (Development Contributions Plan Overlay – DCPO3), updating Clause 37.07-2 (Urban Growth Zone Schedule 2), replacing the Schedule to Clause 81.01 with a new schedule to incorporate the Armstrong Creek East Precinct Development Contributions Plan Version 4.1 Alternate Version November 2011 into the Greater Geelong Planning Scheme, and updating reference to the Armstrong Creek East Precinct Structure Plan, amended November 2011.

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 Geelong Council, 131 Myers Street, Geelong.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

**GREATER SHEPPARTON
PLANNING SCHEME**

Notice of Approval of Amendment
Amendment C103

The Minister for Planning has approved Amendment C103 to the Greater Shepparton Planning Scheme.

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

The Amendment reduces the area of Heritage Overlay HO96 at 47–61 Wyndham Street, and 48–60 Maude Street, Shepparton, and rezones land known as 47–61 Wyndham Street (being part of Lot 3 on LP202265C), from the Residential 1 Zone to the Business 5 Zone.

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.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MANNINGHAM PLANNING SCHEME

Notice of Approval of Amendment
Amendment C59

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

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

The Amendment rezones parcels of land required for the use and maintenance of the EastLink Freeway network to Road Zone 1; rezones land used for Mullum Mullum Park to Public Park and Recreation Zone; rezones small parcels of locally managed land from Road Zone 1; and removes redundant portions of Public Acquisition Overlay 4.

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 Manningham Shire Council, 699 Doncaster Road, Doncaster.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987
MARIBYRNONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment C92

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

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

The Amendment introduces the Neighbourhood Character Overlay (NCO), applies NCO Schedule 1 Buckingham Street Neighbourhood Character Precinct, Schedule 2 Newell Street Neighbourhood Character Precinct, Schedule 4 Seddon Neighbourhood Character Precinct and Schedule 5 Yarraville Neighbourhood Character Precinct and the Design and Development Overlay Schedule 10 for the Colonial Ammunitions Estate Precinct, Maribyrnong. The Amendment also revises Clause 21.12 to include the Maribyrnong Neighbourhood Character Guidelines as a reference document.

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 Maribyrnong City Council, corner Hyde and Napier Streets, Footscray.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987
MELTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C109

The Minister for Planning has approved Amendment C109 to the Melton Planning Scheme.

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

The Amendment introduces a Public Acquisition Overlay to part of 60–72 Bridge Road, Melton South, to facilitate the construction of a safe, direct and efficient road crossing of Toolern Creek.

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 Melton Shire Council, 232 High Street, Melton, Victoria 3337.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987
MILDURA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C69

The Minister for Planning has approved Amendment C69 to the Mildura Planning Scheme.

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

The Amendment:

- rezones land forming part of Buronga–Mildura South Road at the intersection with Benetook Avenue in Mildura from Industrial 1 Zone to Road Zone, Category 1; and
- deletes the Public Acquisition Overlay from land at the northern splay corner at the intersection of Fourteenth Street and Buronga–Mildura South Road, Mildura, and from land forming part of the Buronga–Mildura South Road between 500 and 567 Benetook Avenue, Mildura.

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 Mildura Rural City Council, 108–116 Madden Avenue, Mildura.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MOIRA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C72

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

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

The Amendment amends the Schedule to the Farming Zone (Clause 35.07) by extending the date of expiry of the provisions for the minimum subdivision area, and the minimum area for which no planning permit is required for a dwelling, until 30 June 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 [dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection) and free of charge, during office hours, at the offices of the Moira Shire Council, 44 Station Street, Cobram.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MOUNT ALEXANDER

PLANNING SCHEME

Notice of Approval of Amendment

Amendment C53

The Minister for Planning has approved Amendment C53 to the Mount Alexander Planning Scheme.

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

The Amendment:

- amends Planning Scheme Map 19DDO and inserts new Planning Scheme Map 24 DDO;
- updates Clauses 21.02, 21.04, 21.05 and 22.06 of the Local Planning Policy Framework of the Mount Alexander Planning Scheme to implement the recommendations of the ‘Chewton Urban Design Framework, 2008’ and ‘Chewton Urban Design Framework Addendum Report, 2010’ and inserts the documents as Reference Documents in the Planning Scheme; and
- introduces a new Schedule 11 to the Design and Development Overlay and applies it to land fronting the Pyrenees Highway in the Township of Chewton.

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 Mount Alexander Shire Council, 25 Lyttleton Street, Castlemaine, and 9 Halford Street, Castlemaine.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MOYNE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C40

The Minister for Planning has approved Amendment C40 to the Moyne Planning Scheme.

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

The Amendment rezones land at King Street, Koroit (Lot 1 TP 748741, Lots 1 and 3 TP 677490), and 46 King Street, Koroit (Plan CP167811), from Farming Zone to Residential 1 Zone, applies the Development Plan Overlay Schedule 2 to the land and changes the Koroit Framework Plan at Clause 22.01-8.

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 Moyne Shire Council, corner Princes and Cox Streets, Port Fairy.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MOYNE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C49

The Minister for Planning has approved Amendment C49 to the Moyne Planning Scheme.

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

The Amendment rezones land within Stage 1 of the Allansford Rural Industry Precinct Master Plan to Industrial 1 Zone and Industrial 3 Zone and introduces a new Local Planning Policy for the Allansford Rural Precinct.

The Minister has granted the following permit under Division 5 Part 4 of the Act: Permit No. PL11/001.

Description of land: Corner Cobden Warrnambool and Great Ocean Roads, Allansford (Lot 1 TP827127B).

A copy of the Amendment and permit 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 Moyne Shire Council, Princes Street, Port Fairy.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987NORTHERN GRAMPIANS
PLANNING SCHEME

Amendment C38

Notice of Approval of Amendment

The Minister for Planning has approved Amendment C38 to the Northern Grampians 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 18 heritage places included in Victorian Heritage Register are shown in the Northern Grampians Planning 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 Northern Grampians Shire Council, Town Hall, Main Street, Stawell.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

SURF COAST PLANNING SCHEME

Notice of Approval of Amendment

Amendment C76

The Minister for Planning has approved Amendment C76 to the Surf Coast Planning Scheme.

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

The Amendment rezones the former Council depot site and its access road at part 25 Grossmans Road, Torquay, to the Residential 1 Zone, applies the Design and Development Overlay – Schedule 1, and introduces the Design and Development Overlay – Schedule 14 to facilitate the residential development of 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 Surf Coast Shire Council, 1 Merrijig Drive, Torquay.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

Notice of Approval of Amendment Amendment C39

The Minister for Planning has approved Amendment C39 to the Swan Hill Planning Scheme.

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

The Amendment implements the recommendations of the 2010 planning scheme review by restructuring, simplifying and editing the form and content of the Local Planning Policy Framework (LPPF); updating factual information; reducing the number of local policies by incorporating them into the Municipal Strategic Statement (MSS); reducing the number of reference documents; rezoning land at Beverford and Woorinen South from the Farming Zone to the Township Zone; correcting anomalies in zoning and overlay mapping, including deleting Schedule 2 to the Design and Development Overlay from the Swan Hill Pioneer Settlement and applying the Land Subject to Inundation Overlay to land north of Swan Hill, and amending the Schedules to the Heritage Overlay and 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 Swan Hill Rural City Council, 45 Splatt Street, Swan Hill, and 68–72 Herbert Street, Robinvale.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

WHITTLESEA PLANNING SCHEME

Notice of Approval of Amendment Amendment C111

The Minister for Planning has approved Amendment C111 to the Whittlesea Planning Scheme.

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

The Amendment rezones portion of 172 and 182 Greenhills Road, Thomastown, not subject to the Public Acquisition Overlay (Schedule 2 – VicRoads) from Industrial 1 Zone to Residential 1 Zone, updates the Municipal Strategic Statement at Clause 21.06-4 and applies a Development Plan Overlay (Schedule 30) to the land to be rezoned to Residential 1 Zone and part of the Melbourne Water pipetrack reservation and 214 Greenhills Road.

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 Whittlesea City Council, 25 Ferres Boulevard, South Morang.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978

REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

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

DENNYING – The temporary reservation by Order in Council of 30 July, 1991 of an area of 4.488 hectares of land being Crown Allotment 46, Parish of Denning as a site for Water Supply purposes. – (Rs 14346)

SOUTH MELBOURNE – The temporary reservation by Order in Council of 6 June, 1956 of an area of 2.385 hectares, more or less, of land in the City of South Melbourne, Parish of Melbourne South as a site for Police purposes, less any authorised excisions, so far only as the land being Crown Allotment 2357 [area 3.6 square metres] & Crown Allotment 2358 [area 12.8 square metres], City of South Melbourne, Parish of Melbourne South as shown on Original Plan No. 123113A lodged in the Central Plan Office of the Department of Sustainability and Environment. – (1204818)

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

Dated 10 July 2012

Responsible Minister

RYAN SMITH

Minister for Environment and
Climate Change

MATTHEW McBEATH
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

Order in Council

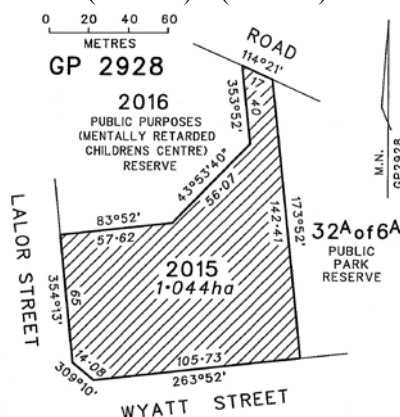
The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

MARYSVILLE – The temporary reservation by Order in Council of 5 April, 1938 of an area of 1.356 hectares, more or less, of land in the Township of Marysville, Parish of Steavenson as a site for Public purposes (Tourists' Camp),

so far only as the portion containing 183 square metres, more or less, being Crown Allotment 2013, Township of Marysville, Parish of Steavenson as shown hatched on Plan No. LEGL./11-045 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 4798)

MARYSVILLE – The temporary reservation by Order in Council of 7 December, 1891 of an area of 1.057 hectares of land in Section E, Township of Marysville, Parish of Steavenson as a site for Police purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 27 December, 1865 revoked as to part by Orders in Council of 25 October, 1966 and 9 May, 1995 so far as the balance remaining containing 1515 square metres, more or less. – (Rs 5793)

PORTLAND – The temporary reservation by Order in Council of 10 December, 1968 of an area of 2.0234 hectares of land in Section 6A, Parish of Portland as a site for Public Purposes (Mentally Retarded Children's Centre), so far only as the portion containing 1.044 hectares being Crown Allotment 2015, Parish of Portland as indicated by hatching on plan GP2928 hereunder. – (GP2928) – (Rs 3046)



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

Dated 10 July 2012

Responsible Minister

RYAN SMITH

Minister for Environment and
Climate Change

MATTHEW McBEATH
Clerk of the Executive Council

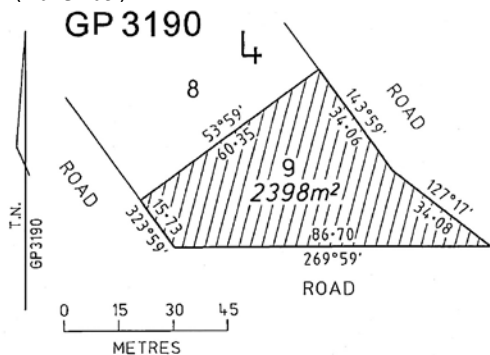
Crown Land (Reserves) Act 1978
TEMPORARY RESERVATION OF
CROWN LANDS

Order in Council

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

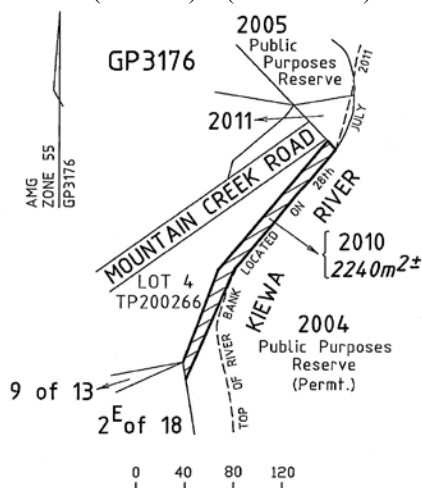
MUNICIPAL DISTRICT OF THE
SWAN HILL RURAL CITY COUNCIL

CHINKAPOOK – Conservation of an area of natural interest, area 2398 square metres, being Crown Allotment 9, Section 4, Township of Chinkapook, Parish of Eureka as indicated by hatching on plan GP3190 hereunder. – (GP3190) – (2013105)



MUNICIPAL DISTRICT OF THE
ALPINE SHIRE COUNCIL

MULLINDOLINGONG – Public purposes; area 2240 square metres, more or less, being Crown Allotment 2010, Parish of Mullindolingong as indicated by hatching on plan GP3176 hereunder. – (GP3176) – (Rs 2019853)

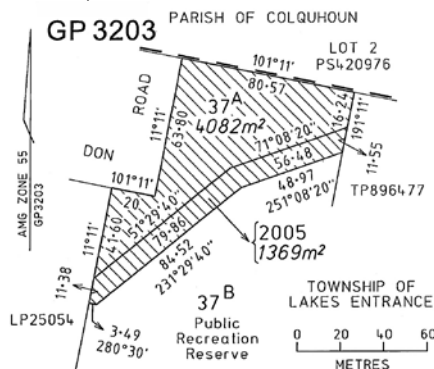


MUNICIPAL DISTRICT OF THE
CITY OF MELBOURNE

SOUTH MELBOURNE – Education purposes; Crown Allotment 2357 [area 3.6 square metres] & Crown Allotment 2358 [area 12.8 square metres], City of South Melbourne, Parish of Melbourne South, as shown on Original Plan No. 123113A lodged in the Central Plan Office of the Department of Sustainability and Environment. – (1204666)

MUNICIPAL DISTRICT OF THE
EAST GIPPSLAND SHIRE COUNCIL

LAKES ENTRANCE – Public Recreation; total area 5451 square metres, being Crown Allotments 37A & 2005, Township of Lakes Entrance, Parish of Colquhoun as indicated by hatching on plan GP3203 hereunder. – (GP3203) – (1601999)



Total Area of Hatched Portions is 5451m²

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

Dated 10 July 2012

Responsible Minister

RYAN SMITH
 Minister for Environment and
 Climate Change

MATTHEW McBEATH
 Clerk of the Executive Council

Crown Land (Reserves) Act 1978
Interpretation of Legislation Act 1984
AMENDMENT OF TEMPORARY
RESERVATION – CHARLTON EAST
 Order in Council

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** and section 27 of the **Interpretation of Legislation Act 1984** amends the following Order in Council:—

CHARLTON EAST – The Order in Council made on 10 February, 1915 and published in the Government Gazette on 17 February, 1915 – page 748 of the temporary reservation of an area of 15.52 hectares [formerly 38 acres 1 rood 16 perches] of land situated in section E, in the Parish of Charlton East as a site for Supply of Material for Road-making,

...by deletion of the words ‘Site for Supply of Material for Road-making’ and the substitution therefor of the words ‘Conservation of an area of natural interest’.

File Ref: Rs 0551 [0606795]

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

Dated 10 July 2012

Responsible Minister

RYAN SMITH

Minister for Environment and Climate Change

MATTHEW McBEATH
Clerk of the Executive Council

Land Act 1958

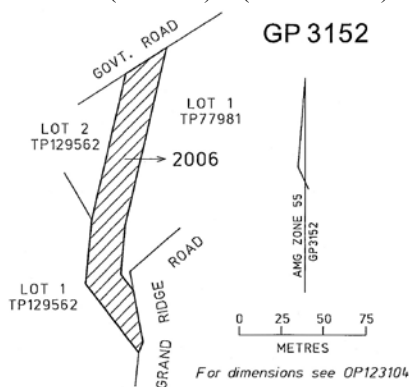
CLOSURE OF UNUSED ROADS

Order in Council

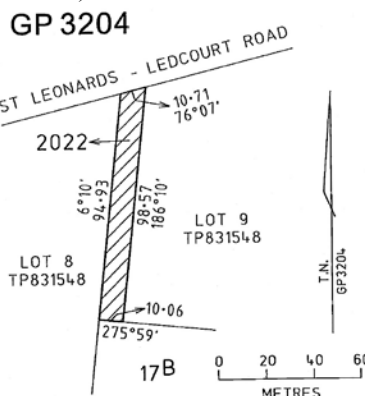
The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated and the owners of land adjoining those roads closes the following unused roads:

MUNICIPAL DISTRICT OF THE SOUTH GIPPSLAND SHIRE COUNCIL

ALLAMBEE EAST – The road in the Parish of Allambee East being Crown Allotment 2006 as indicated by hatching on plan GP3152 hereunder. – (GP3152) – (15L10-7811)



MUNICIPAL DISTRICT OF THE NORTHERN GRAMPIANS SHIRE COUNCIL
BOROKA – The road in the Parish of Boroka being Crown Allotment 2022 as indicated by hatching on plan GP3204 hereunder. – (GP3204) – (02P021452)



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

Dated 10 July 2012

Responsible Minister

RYAN SMITH

Minister for Environment and Climate Change

MATTHEW McBEATH
Clerk of the Executive 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

John King Nixon

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 Chairperson of the Panel of Independent Reviewes established under section 18 of the **Legal Aid Act 1978**.

Dated 10 July 2012

Responsible Minister:

ROBERT CLARK MP

Attorney-General

MATTHEW McBEATH
Clerk of the Executive Council

Corrections Act 1986

VARIATION OF COMMUNITY CORRECTIONS CENTRES

Order in Council

The Governor in Council, under section 86(1) of the **Corrections Act 1986**, by Order, revokes all prior appointment of attendance centres and community corrections centres, and appoints the premises at the addresses below to be community corrections centres from the date on which this order is made.

Community Corrections Centres
Court House Building, Barkly Street, Ararat
108–110 McLeod Street, Bairnsdale
206 Mair Street, Ballarat
Court House, Bridge Street, Benalla
18–20 St Andrews Avenue, Bendigo
703 Station Street, Box Hill
25–27 Dimboola Road, Broadmeadows
Level 2, 444 Swanston Street, Carlton
Court House, Lyttleton Street, Castlemaine
16 Pine Street, Cobram
Magistrates' Court, Queen Street, Colac
46–50 Walker Street, Dandenong
Demountable premises located adjacent to the Court House, Codrington Street, Dromana
Court House, Heygarth Street, Echuca
Ground Floor, 431 Nepean Highway, Frankston
Level 5, 30A Little Malop Street, Geelong
4/18 Sherbourne Road, Greensborough
2 Roberts Street, Hamilton
Ground Floor, 81 Burgundy Street, Heidelberg
21 McLachlan Street, Horsham
Court House, Victoria Street, Kerang
Court House, Bridge Street, Korumburra
Court House, Hutton Street, Kyneton
1/18 Clarke Street, Lilydale
Court House, Highett Street, Mansfield
51–61 Clarendon Street, Maryborough
83–85 Unitt Street, Melton
59 Madden Avenue, Mildura
1140 Nepean Highway, Highett
25 Ann Street, Morwell

Community Corrections Centres
Court House, Myrtle Street, Myrtleford
Court House, Wosley Street, Orbost
79 Oke Street, Ouyen
Community Health Centre, Otway Street, Portland
Ground Floor, 909 High Street, Reservoir
Level 1, 2 Bond Street, Ringwood
Court House, George Street, Robinvale
374–378 Raymond Street, Sale
28 High Street, Seymour
307–331 Wyndham Street, Shepparton
Court House, Napier Street, St Arnaud
Court House, Patrick Street, Stawell
10 Foundry Road, Sunshine
119 Curlewis Street, Swan Hill
90 Ovens Street, Wangaratta
218 Koroit Street, Warrnambool
First Floor, 70 Smith Street, Warragul
Suite 12, Level 2, 75–79 Watton Street, Werribee
5 Elgin Boulevard, Wodonga
Court House, Watt Street, Wonthaggi

This Order comes into effect from the date on which it is made.

Dated 10 July 2012

Responsible Minister:

ANDREW McINTOSH MP

Minister for Corrections

MATTHEW McBEATH
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENT OF MEMBER OF THE
VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY

Order in Council

The Governor in Council under section 2.5.6(1)(b) of the **Education and Training Reform Act 2006** appoints John Maddock as a member of the Victorian Curriculum and Assessment Authority.

The terms and conditions of the appointment are contained in the attached Schedule.

Dated 10 July 2012

Responsible Minister:

THE HON. MARTIN DIXON, MP

Minister for Education

MATTHEW McBEATH
Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENT OF MEMBER OF THE
VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY
SCHEDULE TO THE ORDER IN COUNCIL

1. Appointment Arrangements

The appointment is on a part-time basis.

2. Period of Appointment

The appointment is for a period of three months from the date of the Order.

3. Duties and responsibilities of the position

The functions of the Authority are contained in section 2.5.3 of the Act and are, in summary, to develop: policies, criteria and standards for curriculum; assessments; and courses for school students, including courses leading to recognised qualifications.

4. Termination Arrangements

Section 2.5.6(5) of the Act states that a member may resign from office by delivering to the Governor in Council a signed letter of resignation.

Section 2.5.6(6) of the Act states that the Governor in Council may at any time remove a member from office.

5. Payment Provisions

Schedule 2, Item 3(1) of the Act states that a member or acting member of an authority, other than a member who holds a full-time Government office, or a full-time position in the public service, teaching service or with a statutory authority (other than a university) is entitled to receive the remuneration and fees that are fixed in the member's instrument of appointment or are fixed from time to time by the Governor in Council for that member.

John Maddock as Chief Executive Officer, Box Hill Institute of TAFE is not eligible for remuneration.

6. Superannuation Obligations

As John Maddock is not entitled to remuneration there are no superannuation obligations.

7. Travel and Personal Expenses arrangements

Schedule 2, Item 3(2) of the Act states that each member or acting member of an authority is entitled to receive the personal and travelling expenses that are fixed in the member's instrument of appointment or are fixed from time to time by the Governor in Council.

Council members receive reimbursement of reasonable travelling and personal expenses.

8. Leave Arrangements

There are no leave provisions for these part-time statutory positions.

9. Prior Service

Not applicable.

Financial Management Act 1994

DECLARATION BY THE GOVERNOR IN COUNCIL
OF VICFORESTS AS A LEVIABLE AUTHORITY

Order in Council

The Governor in Council under section 40M(2) of the **Financial Management Act 1994** ('the Act') hereby declares VicForests, a public authority within the meaning of the **Treasury Corporation of Victoria Act 1992**, to be a leviable authority for the purposes of Part 6C of the Act, with effect from and including the date it is published in the Government Gazette.

Dated 10 July 2012

Responsible Minister:

KIM WELLS MP

Treasurer

MATTHEW McBEATH
Clerk of the Executive Council

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

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from the Victorian Government Bookshop, Level 20, 80 Collins Street, Melbourne on the date specified:

- | | | | |
|-------------------------------|--|-------------------------------|---|
| 57. <i>Statutory Rule:</i> | Occupational Health and Safety Amendment Regulations 2012 | 61. <i>Statutory Rule:</i> | Supported Residential Services (Private Proprietors) Regulations 2012 |
| <i>Authorising Act:</i> | Occupational Health and Safety Act 2004 | <i>Authorising Act:</i> | Supported Residential Services (Private Proprietors) Act 2010 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code E</i> | |
| 58. <i>Statutory Rule:</i> | Infringements (General) Amendment (Further Lodgeable Infringement Offences) Regulations 2012 | 62. <i>Statutory Rule:</i> | Australian Consumer Law and Fair Trading Regulations 2012 |
| <i>Authorising Act:</i> | Infringements Act 2006 | <i>Authorising Act:</i> | Australian Consumer Law and Fair Trading Act 2012 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |
| 59. <i>Statutory Rule:</i> | Magistrates' Court (Fees, Costs and Charges) Interim Regulations 2012 | 63. <i>Statutory Rule:</i> | Building Amendment (Fees) Regulations 2012 |
| <i>Authorising Act:</i> | Magistrates' Court Act 1989 | <i>Authorising Act:</i> | Building Act 1993 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |
| 60. <i>Statutory Rule:</i> | Juries (Fees) Interim Regulations 2012 | 64. <i>Statutory Rule:</i> | Plumbing Amendment (Fees) Regulations 2012 |
| <i>Authorising Act:</i> | Juries Act 2000 | <i>Authorising Act:</i> | Building Act 1993 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |
| 60. <i>Statutory Rule:</i> | Juries (Fees) Interim Regulations 2012 | 65. <i>Statutory Rule:</i> | Control of Weapons Amendment Regulations 2012 |
| <i>Authorising Act:</i> | Juries Act 2000 | <i>Authorising Act:</i> | Control of Weapons Act 1990 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |

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|-------------------------------|---|-------------------------------|--|
| 66. <i>Statutory Rule:</i> | Country Fire Authority Amendment Regulations 2012 | 71. <i>Statutory Rule:</i> | Road Safety (Drivers) and (Vehicles) Amendment (Fees) Regulations 2012 |
| <i>Authorising Act:</i> | Country Fire Authority Act 1958 | <i>Authorising Act:</i> | Road Safety Act 1986 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code B</i> | | <i>Code A</i> | |
| 67. <i>Statutory Rule:</i> | Emergency Management Revocation Regulations 2012 | 72. <i>Statutory Rule:</i> | Water (Drillers' Licences) Regulations 2012 |
| <i>Authorising Act:</i> | Emergency Management Act 1986 | <i>Authorising Act:</i> | Water Act 1989 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |
| 68. <i>Statutory Rule:</i> | Metropolitan Fire Brigades (General) Amendment Regulations 2012 | 73. <i>Statutory Rule:</i> | Conveyancers (Qualifications, Experience and Fees) Amendment Regulations 2012 |
| <i>Authorising Act:</i> | Metropolitan Fire Brigades Act 1958 | <i>Authorising Act:</i> | Conveyancers Act 2006 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 9 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |
| 69. <i>Statutory Rule:</i> | Victoria State Emergency Service Amendment Regulations 2012 | 74. <i>Statutory Rule:</i> | Sentencing Amendment Regulations 2012 |
| <i>Authorising Act:</i> | Victoria State Emergency Service Act 2005 | <i>Authorising Act:</i> | Sentencing Act 1991 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 12 July 2012 |
| <i>Code A</i> | | <i>Code B</i> | |
| 70. <i>Statutory Rule:</i> | Port Services (Local Ports) Amendment Regulations 2012 | 75. <i>Statutory Rule:</i> | Second-Hand Dealers and Pawnbrokers Amendment (Infringements) Regulations 2012 |
| <i>Authorising Act:</i> | Port Management Act 1995 | <i>Authorising Act:</i> | Second-Hand Dealers and Pawnbrokers Act 1989 |
| <i>Date first obtainable:</i> | 9 July 2012 | <i>Date first obtainable:</i> | 12 July 2012 |
| <i>Code A</i> | | <i>Code A</i> | |
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