



Victoria Government Gazette

No. G 50 Thursday 18 December 1997

GENERAL

GENERAL AND PERIODICAL GAZETTE

All copy to be sent to:

Government Gazette Officer
AGPS Victorian Operations
PO Box 263
60 Fallon Street, Brunswick 3056
Telephone (03) 9387 8135
Fax (03) 9387 3404

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Private Notices

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Government and Outer Budget Sector Notices

Not required to pre-pay.

Advertisements must be faxed, and a cover sheet should be used, marked to the attention of the Gazette Coordinator.

Per Line	Camera Ready	Typeset
Single column	\$0.50	\$1.50
Double column	\$1.00	\$3.00
Full page	\$20.00	\$63.00

Copy Deadline for General Gazette:

9.30 a.m. Monday - (Private)

9.30 a.m. Tuesday - (Government and Outer Budget Sector)

Copy Prices	- Page	\$1.50
	- Certified	\$3.50
	- Gazette	\$3.20

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Advertisers should note:

- Late copy received at AGPS Victorian Operations after deadlines will be placed in the following issue of VGG, irrespective of any date/s mentioned in the copy (unless otherwise advised).
- Proofs will be supplied only when requested or at the direction of the Gazette Officer.
- No additions or amendments to material for publications will be accepted by telephone.
- Departments are requested not to lodge Executive Council papers for gazette unless a copy is provided with the Governor or Clerk's signature on the relevant document.
- Government and Outer Budget Sector Agencies Please note:
To ensure that material received can be reproduced, and that errors are minimised, the following guidelines are to be observed when submitting material by fax.
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Line drawings should be transmitted as large as possible to ensure clarity. Drawings up to A4 size sent by fax using Fine resolution provide a good quality for reproduction.

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Italics, underlining, and full justification.

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Documents that are sent skewed are difficult to read and process.

If material does not meet above requirements your advertisement may not be published.

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Full page \$360.00

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Note:

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Brunswick Vic 3056
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NOTICE TO VICTORIA GOVERNMENT GAZETTE SUBSCRIBERS AND ADVERTISERS

The Victorian Government has tendered and awarded the contract for the publishing and distribution of the Victoria Government Gazette to The Craftsman Press Pty Ltd. Due to a change in business focus the current supplier of the Gazette, the Australian Government Publishing Service, chose not to retender.

The Craftsman Press Pty Ltd will commence the new contract on 1 January 1998. Please find below the new contact details for all Gazette notices, subscriptions and correspondence effective from 1 January 1998.

The Gazette Officer
Victoria Government Gazette
Office
The Craftsman Press Pty Ltd
125 Highbury Road
Burwood Victoria 3125

Telephone: (03) 9926 1233
Facsimile: (03) 9926 1292
Mobile: 0417 358 481

DEPARTMENT OF PREMIER AND
CABINET

PUBLICATION OF THE "VICTORIA GOVERNMENT GAZETTE" (GENERAL)

Christmas/New Year Period

Please Note:

The Victoria Government Gazette for the remainder of 1997 will be published on Thursdays as usual except for the final issue of the year which will be published on Wednesday 24 December 1997. All copy for Private advertisements for the final issue must reach the Government Gazette Office by no later than 9.30 a.m. on Friday 19 December 1997. The deadline for advertisements for Government and Outer Budget Sector Agencies advertisements for the final issue will be 9.30 a.m. on Monday 22 December 1997. The first issue of the General Gazette for 1998 will be published on Thursday 8 January 1998, and thereafter on each Thursday.

Where urgent gazettal is required arrangements should be made with Julia Saad on 014 693 550, or Ann White on 0412 243 123.

JULIA SAAD
Gazette Officer

PRIVATE ADVERTISEMENTS**NOTICE OF RETIREMENT**

Notice is hereby given that the partnership previously subsisting between Phillip Frank Borden, Philip Maxwell Earle, Glenn Robert Hodges, Roger Michael Stansfield, Juan Jose Martinez and Barry Berger carrying on business as barristers and solicitors trading as Home Wilkinson & Lowry of Level 44, 80 Collins Street, Melbourne ("the firm") has been dissolved as from 30 November 1997 so far as concerns the said Philip Maxwell Earle who retires from the firm. All debts due to and owing by the firm will be received and paid respectively by Phillip Frank Borden, Glenn Robert Hodges, Roger Michael Stansfield, Juan Jose Martinez and Barry Berger who will continue to carry on the firm in partnership.

Dated 30 November 1997

PHILIP MAXWELL EARLE

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously subsisting between Alan Smith, Mary Rose Smith, Andrew Michael Gregg and Joanne Marie Gregg carrying on business as VIP Car Care at 423 Warrigal Road, Moorabbin East, under the style of VIP Car Care has been dissolved as from 30 September 1997 following agreement between the said partners. Following this dissolution Alan and Mary Smith will continue to carry on the business of VIP Car Care.

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously existing between Neil John McGrath and Jeremy Mark Shaw, carrying on business as N. J. Soundworks Australia has been dissolved as from 8 December 1997 and the business will continue to be carried on by the continuing partner Jeremy Mark Shaw.

Notice is hereby given that the partnership between John Russell Euesden, Debra Euesden and Gary Clark Taylor trading as Valley View Video has been dissolved by mutual consent with effect from 28 May 1997. The business will be continued by John Russell Euesden and Debra Euesden trading as Valley View Video.

PEARSONS, barristers and solicitors, 794 Pascoe Vale Road, Glenroy

Notice is hereby given that the partnership previously subsisting between Michael Trenear Winter Dubourg, Terrence Leslie McKiterick, Geoffrey John Waters, Peter Thomas McSwain, Mark Raymond Ryan, Victor Hamit and Michael Robert McCallum carrying on business as solicitors and legal practitioners at 51-55 Heygarth Street, Echuca, 39 Meninya Street, Moama, and Level 6, 501 Latrobe Street, Melbourne, under the style or firm of Mitchell McKenzie & Co. has been dissolved by mutual consent as from 30 November 1997 so far as concerns the said Michael Robert McCallum who has retired from the said firm. The said Michael Trenear Winter Dubourg, Terrence Leslie McKiterick, Geoffrey John Waters, Peter Thomas McSwain, Mark Raymond Ryan and Victor Hamit will continue to carry on the said business in partnership under the style or firm of Mitchell McKenzie & Co.

Dated 1 December 1997

MITCHELL MCKENZIE & CO.

FELICE TRANTINO, deceased

Creditors, next of kin or others having claims in respect of the estate of Felice Trantino late of 7 Coane Street, Pascoe Vale, Victoria, pensioner, deceased who died on 13 November 1997 are to send particulars of their claims to the executrix care of the undermentioned solicitors by 11 February 1998, after which date the executrix will distribute the assets having regard only to the claims of which the executrix then has notice.

DE MARCO & CO., solicitors, 209 Glenroy Road, Glenroy

Creditors, next of kin and all other persons having claims against the estate of Keith John Martin late of Flat 7, 100 Ashworth Street, Middle Park in the State of Victoria, pensioner, deceased who died on 15 September 1997 are to send particulars of their claims to the executor of the estate Lou Farinotti care of the undermentioned solicitors by 25 February 1998, after which date the executor will convey and distribute the assets having regard only to the claims of which the executor then has notice.

HOLDING REDLICH, solicitors, 350 William Street, Melbourne

Creditors, next of kin and all other persons having claims against the estate of Alice Logan late of 18 Fraser Street, Ormond in the State of Victoria, widow, deceased who died on 6 October 1997 are to send particulars of their claims to the executrices of the estate Eleanor Elizabeth Stadtlander and Jennifer Susan Toyne care of the undermentioned solicitors by 25 February 1998, after which date the executrices will convey and distribute the assets having regard only to the claims of which the executrices then have notice.

HOLDING REDLICH, solicitors, 350 William Street, Melbourne

KATHLEEN MARY TOVEY, late of 90 Alexandra Street, Greensborough, Victoria, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 13 June 1997 are required to send particulars of their claims to the executors June Kathleen Stonehouse and John Robert Tovey care of Wills & Probate Victoria, Level 5, 360 Little Bourke Street, Melbourne, Victoria, by 1 March 1998, after which date the executors may convey or distribute the assets having regard only to the claims of which they have notice.

WILLS & PROBATE VICTORIA, lawyers, Level 5, 360 Little Bourke Street, Melbourne

RHODA JEAN BRIDGER, late of 15 Upland Road, Strathmore, Victoria, home duties, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 12 October 1997 are required to send particulars of their claims to the executors Robert William Bridger and Ian Charles Bridger care of Wills & Probate Victoria, Level 5, 360 Little Bourke Street, Melbourne, Victoria, by 5 March 1998, after which date the executors may convey or distribute the assets having regard only to the claims of which they have notice.

WILLS & PROBATE VICTORIA, lawyers, Level 5, 360 Little Bourke Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Ruth Davidson late of Salisbury House Private Nursing Home, Salisbury Road, Upper Beaconsfield, Victoria, widow, deceased (who

died on 20 September 1997), are required by the executor ANZ Executors & Trustee Company Limited (A.C.N. 006 132 332) of 530 Collins Street, Melbourne, Victoria, to send particulars to it by 18 February 1998, after which date it may convey or distribute the estate having regard only to the claims of which it then has notice.

MILLS OAKLEY LAWYERS, 131 Queen Street, Melbourne

ALETHEA MELVILLE WILLIAMS, deceased

Creditors, next of kin or others having claims in respect of the estate of Alethea Melville Williams late of "Amahla House", 1019 Glenhuntly Road, Caulfield South, Victoria, but formerly of 36 Smith Road, Camberwell, Victoria, widow, deceased who died on 15 November 1997 are to send particulars of their claims to the executor care of the undermentioned solicitors by 28 February 1998, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

LORRAINE JONES & ASSOCIATES, solicitors, 900 Main Road, Eltham

Creditors, next of kin and others having claims in respect of the estate of James Arthur Medforth late of 57 Frudal Crescent, Knoxfield in the State of Victoria, retired, deceased who died on 4 March 1997 are required to send particulars of such claims to the executor National Mutual Trustees Limited of 65 Southbank Boulevard, Southbank, by 19 February 1998, after which date the executor will distribute the estate having regard only to the claims of which they then have notice.

Creditors, next of kin and others having claims in respect of the estate of Adam Osadczij late of Flat 8, 59 Alma Road, St Kilda in the State of Victoria, retired, deceased who died on 22 September 1997 are required to send particulars of such claims to the executor National Mutual Trustees Limited of 65 Southbank Boulevard, Southbank, by 19 February 1998, after which date the executor will distribute the estate having regard only to the claims of which they then have notice.

Creditors, next of kin and others having claims in respect to the estate of Georgina Catherine Stenhouse late of 233 Balwyn Road, North Balwyn in the State of Victoria, widow, deceased who died on 5 July 1997 are required to send particulars of such claims to the executor National Mutual Trustees Limited of 65 Southbank Boulevard, Southbank, by 19 February 1998, after which date the executor will distribute the estate having regard only to the claims of which they then have notice.

Creditors, next of kin and others having claims in respect to the estate of Dorothy Marie Young late of Elanora Home, 7 Mair Street, Brighton in the State of Victoria, widow, deceased who died on 6 October 1997 are required to send particulars of such claims to the executor National Mutual Trustees Limited of 65 Southbank Boulevard, Southbank, by 19 February 1998, after which date the executor will distribute the estate having regard only to the claims of which they then have notice.

EILEEN MARY WOODWARD, formerly of Lot 6, Stewart Street, Grantville, Victoria, but late of 28 Stewart Street, Grantville, Victoria, home duties

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 28 May 1997 are required by the executor John Bair Barlow of 45a Bair Street, Leongatha, Victoria, to send particulars to him by 20 February 1998, after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated 10 December 1997

BIRCH, ROSS & BARLOW, solicitors, 45a Bair Street, Leongatha

KENNETH CHARLES PETERSON, late of Reids Road, Woombye in the State of Queensland, company director

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on June 25 1997 are required by the executors of the Will of the deceased, Robert John Gartside of 2nd Floor, 262 Queen Street, Melbourne, and Barry John Stones of Ground Floor, 35 Cotham Road, Kew, both in the State of Victoria, to send particulars to their solicitors G. W. P. Aarons & Co. of 2nd Floor, 262 Queen Street, Melbourne in the State of

Victoria, by 20 February 1998, after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated 18 December 1997

G. W. P. AARONS & CO., solicitors, 262 Queen Street, Melbourne

JOHN THOMAS MURPHY, late of "Springvale" Long Lane, Barwite, Victoria, retired, deceased

Creditors, next of kin and others having claims in respect of the deceased who died on 12 September 1997 are required by his trustee Kevin William Stewart of 2A John Street, Blackburn, Victoria, retired, to send particulars to him care of the undermentioned firm of legal practitioners by 23 February 1998, after which date the trustee may convey and distribute the assets having regard only to the claims of which he then has notice.

MAL. RYAN & GLEN, legal practitioners for the trustee, 9 High Street, Mansfield

ZIVKO STOJANOVSKI, late of 27 Adaleigh Street, Yarraville, pensioner, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 24 March 1997 are required to send particulars of their claims to the executors care of Basil Nuredini, lawyer, Level 5, 360 Little Bourke Street, Melbourne, Victoria, by 30 January 1998, after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

BAIL NUREDINI, lawyer, Level 5, 360 Little Bourke Street, Melbourne

JEAN CAELLI, deceased

Creditors, next of kin or others having claims in respect of the estate of Jean Caelli late of 29 Gummow Street, Swan Hill, Victoria, pensioner, deceased who died on 5 November 1997 are to send particulars of their claims to the executor care of the undermentioned solicitors by 12 January 1998, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

DWYER MAHON & ROBERTSON, solicitors, 194-208 Beveridge Street, Swan Hill

RICHARD MILLAR COCKFIELD, deceased

Creditors, next of kin or others having claims in respect of the estate of Richard Millar Cockfield, late of 21 Highes Street, Sea Lake in the State of Victoria, retired, gentleman, deceased who died on 4 November 1997 are to send particulars of their claims to the executors care of the undermentioned solicitors by 12 January 1998, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

DWYER MAHON & ROBERTSON,
solicitors, 194-208 Beveridge Street, Swan Hill

NANCY MARGARET MAGUIRE, late of 56
Feathertop Avenue, Lower Templestowe,
widow

Creditors, next of kin and others having claims in respect of the estate of the deceased (who died on 21 August 1997) are required by Perpetual Trustees Victoria Limited A.C.N. 004 027 258 of 50 Queen Street, Melbourne, to send particulars of their claims to the said company by 20 February 1998, after which date it will convey or distribute the assets having regard only to the claims of which the company then has notice.

AUBREY MATHEW DUNSTAN BARBER,
late of Unit 1, 7 Hermitage Road, Newtown,
Victoria, retired, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 26 November 1997 are required by the trustee John Bruce Bannister of 47 Yarra Street, Geelong, Victoria, to send particulars to him by 16 February 1998, after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

PRICE HIGGINS, solicitors, 47 Yarra
Street, Geelong

WILLIAM DANIEL ANDERSON, late of
Achmore Lodge, 2-6 Melaleuca Drive,
Clarinda, Victoria, retired taxi driver,
deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 20 October 1997 are required by the executor Jerry Chee Wee Lee of Suite 403,

34 Queens Road, Melbourne, to send particulars of their claims to him care of the undermentioned solicitors by 20 February 1998, after which date he will convey or distribute the assets having regard only to the claims of which he then has notice.

OGGE & LEE, solicitors, Suite 403, 34
Queens Road, Melbourne

Estate of CHARLES MICHAEL FLYNN, late
of 30 Girtton Crescent, Manifold Heights,
Victoria, retired, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 13 August 1997 are required by Brendan O'Halloran of 63 Gheringhap Street, Geelong, Victoria, the executor to whom Probate was granted to send particulars to him by 20 February 1998, after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated 18 December 1997

ROGER O'HALLORAN & CO., solicitors,
63 Gheringhap Street, Geelong

Creditors, next of kin and others having claims in respect of the estate of Frances Mary Lyons late of Unit 10, 34-42 Hanna Street, Noble Park, Victoria, home duties, deceased who died on 13 October 1997 are required to send particulars of their claims to the executrix care of the undermentioned solicitors by 13 February 1998, after which date the executrix will distribute the assets having regard only to the claims for which notice has been received.

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

Creditors, next of kin and others having claim in respect of the estate of Ray Eileen Rothberg late of 32 Walpole Street, Kew, deceased who died on 13 October 1997 are required by Esther Rose Broome of 205 Diggings Road, Kilmore, to send particulars of their claim to the said Esther Rose Broome by 18 February 1998, after which date they will convey or distribute the assets having had regard only to the claims of which they then have notice

AKEHURST, FRIEND & ALLAWAY,
legal practitioners, Suite 1102, 10 Queen
Street, Melbourne

RUPERT NICHOLAS DUNN, deceased

Creditors, next of kin or others having claims in respect of the estate of Rupert Nicholas Dunn late of 11 Simpson Street, Kyneton, deceased who died on 12 May 1994 are to send particulars of their claims to the executor care of the undermentioned solicitors by 26 February 1998, after which date the executor will distribute the assets having regard only to the claims of which the executors then have notice.

PALMER, STEVENS & RENNICK,
solicitors, 8 Jennings Street, Kyneton

PHYLLIS MAY DUNN, deceased

Creditors, next of kin or others having claims in respect of the estate of Phyllis May Dunn late of Trentham Bush Nursing Hospital, Trentham, deceased who died on 6 September 1997 are to send particulars of their claims to the executor care of the undermentioned solicitors by 26 February 1998, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

PALMER, STEVENS & RENNICK,
solicitors, 8 Jennings Street, Kyneton

Creditors, next of kin and others having claims in respect of the estate of John Raymond Hyde late of 95 Canterbury Road, Toorak, deceased who died on 15 July 1997 are to send particulars of their claims to Equity Trustees Limited of 472 Bourke Street, Melbourne, by 18 February 1998, after which date it will distribute the assets having regard only to the claims of which it then has notice.

MEAGHAN LOUISE ROSE, late of Flat 3, 51 Keith Royal Drive, Marcoola in the State of Queensland, support worker, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased (who died on 18 July 1997) are required by the administratrix Audrey Noela Mary Rose of 49 Gillie Crescent, Morwell in the said State of Victoria, to send particulars to her care of the undermentioned solicitors by 20 February 1998, after which date the administratrix may convey or distribute the assets having regard only to the claims of which she then has notice.

SLATER & GORDON, solicitors, 11 Kay Street, Traralgon

Creditors, next of kin and others having claims against the estate of Keith George Healing late of "Marapana", 160 Orrs Road, Wy Yung, Victoria, grazier, deceased who died on 30 August 1997 are required to send particulars of their claims to Fay Elizabeth Healing care of Tolhurst Druce & Emmerson at 389 Lonsdale Street, Melbourne, the administratrix of the said deceased on or before 12 February 1998, after which date she will distribute the assets having regard only to the claims of which she then has notice.

TOLHURST DRUCE & EMMERSON,
solicitors, 389 Lonsdale Street, Melbourne

Creditors, next of kin and others having claims against the estate of Jean Charlotte Burns late of Nirvana Nursing Home, 78 Nirvana Avenue, East Malvern, Victoria, widow, deceased who died on 4 September 1997 are requested to send particulars of their claims to Lindsay Alfred Cayzer of 9 St Andrews Drive, Rye, Victoria, the executor appointed by the Will care of the belowmentioned solicitors by 1 March 1998, after which date he will distribute the assets having regard only to the claims at which date he then has notice.

CHESSELL WILLIAMS, solicitors, 379 Collins Street, Melbourne

Creditors, next of kin and all other persons having claims against the estate of Viva Frances Roche late of 59 Irving Road, Toorak in the State of Victoria, widow, deceased who died on 12 September 1997 are to send particulars of their claims to the executors of the estate Frederick John Roche, Brian Francis Roche and Anthony Patrick Joyce care of the undermentioned solicitors by 4 March 1998, after which date the executors will convey and distribute the assets having regard only to the claims of which the executors then have notice.

MAHONYS, solicitors, 400 Collins Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of Doris Lily Duncan late of 25 Elizabeth Street, Traralgon, Victoria, widow, deceased who died on 24 November 1997 are to send their claims to the executors Jennifer Doris Ashworth of 20 Taylor Crescent, Traralgon, Victoria, and John Harry Duncan of 10 Rogers Court, Traralgon,

Victoria, care of the belowmentioned solicitors by 20 February 1998, after which date they will distribute the assets of the deceased having regard only to the claims of which they then have notice.

LITTLETON HACKFORD, solicitors, "Law Chambers", 115 Hotham Street, Traralgon

BERTHA AMY ROFF, formerly of Towns Road, Neerim South, but late of "Cooinda Lodge" Landsborough Road, Warragul, home duties, deceased

Creditors, next of kin and others having claims in respect to the estate of the deceased who died on 25 August 1997 are required by the trustee Archibald Henry Petschack to send particulars of their claims to him care of the undersigned solicitors by 25 February 1998, after which date the trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

GRAY FRIEND & LONG, solicitors, 70 Queen Street, Warragul

EMILY LOUISA ANN RICHES, late of Jefferson Road, Garfield, widow, deceased

Creditors, next of kin and others having claims in respect to the estate of the deceased who died on 2 June 1997 are required by the trustees Gladys May Quigley and Ian Thomas Riches to send particulars of their claims to them care of the undersigned solicitors, by 25 February 1998, after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

GRAY FRIEND & LONG, solicitors, 70 Queen Street, Warragul

BARBARA DOUGLAS RYAN, deceased

Creditors, next of kin or others having claims in respect of the estate of Barbara Douglas Ryan late of 37 Power Street, Toorak, widow, deceased who died on 6 July 1997 are to send particulars of their claims to the executor care of the undermentioned solicitors by 23 February 1998, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

AITKEN WALKER & STRACHAN, solicitors, 2nd Floor, 114 William Street, Melbourne

JOHN MAXWELL MERCER, deceased

Creditors, next of kin or others having claims in respect of the estate of John Maxwell Mercer late of 78 Baird Street, East Brighton, company director, deceased who died on 14 February 1997 are to send particulars of their claims to the executor care of the undermentioned solicitors by 23 February 1998, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

AITKEN WALKER & STRACHAN, solicitors, 2nd Floor, 114 William Street, Melbourne

OLIVE JOY SCALES, deceased

Creditors, next of kin or others having claims in respect of the estate of Olive Joy Scales late of Unit 4, 60 Wimborne Avenue, Mount Eliza, widow, deceased who died on 9 September 1997 are to send particulars of their claims to the executors care of the undermentioned solicitors by 19 February 1998, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

ROBERTS & ROBERTS, solicitors, 41 Main Street, Mornington

Creditors, next of kin and others having any claims in respect of the estate of John Downey late of 2 Lansell Crescent, Camberwell, Victoria, retired Crown solicitor, deceased who died on 29 October 1997 are requested by Dr Leonard Arthur Hallett of 17A Christowel Street, Camberwell, the executor of the Will of the deceased to send to him particulars thereof by 26 February 1998, after which date he will distribute the assets of the deceased having regard only to the claims of which he shall then have notice.

GAVAN DUFFY & KING, 83 William Street, Melbourne

Creditors, next of kin or others having claims in respect of the estate of Stella Appleton late of Brimlea Private Nursing Home, 21 Railway Parade, Murrumbena, Victoria, but formerly of 154 Wheatley Road, Ormond, Victoria, retired comptometrist, deceased who died on 9 June 1997 are to send particulars of their claims to the executors care

of the undermentioned solicitors by 18 February 1998, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

MADDOCK LONIE & CHISHOLM,
solicitors, 140 William Street, Melbourne

Creditors, next of kin and others having claims in respect of the Will of Leonard George Lavender late of 33 Melissa Street, Strathmore, Victoria, retired, deceased who died on 7 November 1997 are requested to send particulars of their claims to the executor Loraine Lavender care of the undermentioned legal practitioner by 20 February 1998, after which date she will distribute the assets having regard only as to the claims of which she then has notice.

JOHN STEWART, legal practitioner, 290
Racecourse Road, Newmarket

RONALD GEORGE BAILLIEU, late of
Grasslands-Omega Curzon Road, Boneo,
company director, deceased

Creditors, next of kin and others having claim against the estate of the deceased who died on 13 August 1997 are required to send

particulars thereof to the executors Helen Henderson Baillieu and Martin Egon Holgye care of the undersigned prior to the expiration of sixty days from the date of publication of this notice, after which date the assets of the estate will be distributed by them having regard only to those claims of which they shall then have notice.

BAILEY TIMMS & NICHOLSON,
solicitors, 139 Carinish Road, Clayton

JOHN HENRY GORDON NICHOLLS,
deceased

Creditors, next of kin or others having claims in respect of the estate of John Henry Gordon Nicholls late of Taylor Lodge Nursing Home, 2-6 Copernicus Way, Keilor Downs, Victoria, widower, deceased who died on 3 August 1997 are to send particulars of their claims to the executors care of the undermentioned solicitors by 25 February 1998, after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

PURVES CLARKE RICHARDS, solicitors,
121 William Street, Melbourne

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the—

Register of Unclaimed Money held by the			Date when Amount first became Payable
Name of Owner on Books and Last Known Address	Total Amount Due to Owner	Description of Unclaimed Money	
	\$		
CASTRAN GILBERT			
Choosup, Anuwat, 5/78-84 Auburn Rd, Hawthorn	500.00	Cheque	16.7.96
Chang, C., 20/14 Springfield Ave, Toorak	363.00		8.8.96

97188

CONTACT: SUE MURPHY, PHONE: (03) 9827 1177

PROCLAMATIONS

ACTS OF PARLIAMENT PROCLAMATION

I, James Gobbo, Governor of Victoria declare that I have today assented in Her Majesty's name to the following Bills:

No. 93/1997 **Audit (Amendment) Act 1997**

No. 94/1997 **Business Franchise Fees (Safety Net) Act 1997**

No. 95/1997 **Constitution (Amendment) Act 1997**

No. 96/1997 **Education (State Schools) Act 1997**

No. 97/1997 **Epworth Hospital (Amendment) Act 1997**

No. 98/1997 **Food (Amendment) Act 1997**

No. 99/1997 **Gas Safety Act 1997**

No. 100/1997 **Land (Reservations and Other Matters) Act 1997**

No. 101/1997 **Land Tax (Amendment) Act 1997**

No. 102/1997 **Legal Practice (Amendment) Act 1997**

No. 103/1997 **Planning and Environment (Amendment) Act 1997**

No. 104/1997 **Rail Corporations (Amendment) Act 1997**

No. 105/1997 **Snowy Hydro Corporatisation Act 1997**

No. 106/1997 **Transport Acts (Amendment) Act 1997**

Given under my hand and the seal of Victoria at Melbourne on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command
J. G. KENNETT
Premier

(2) The remaining provisions of this Act come into operation on 1 July 1998.

No. 94/1997 (1) Part 4 (except sections 13(5), 18 and 20) is deemed to have come into operation at 3.30 p.m. on 6 August 1997.

(2) Parts 2 (except sections 3(2) and 7) and 3 (except section 10) are deemed to have come into operation of 7 August 1997.

(3) The remaining provisions of this Act come into operation on the day on which this Act receives the Royal Assent.

No. 95/1997 This Act comes into operation on the day on which it receives the Royal Assent.

No. 96/1997 This Act comes into operation on the day on which it receives the Royal Assent.

No. 97/1997 (1) This Part and Part 2 come into operation on the day on which this Act receives the Royal Assent.

(2) The remaining provisions of this Act come into operation on a day or days to be proclaimed.

No. 98/1997 (1) This Act (other than sections 9 and 10 and Part 4) comes into operation on the day on which it receives the Royal Assent.

(2) Sections 9 and 10 and Part 4 come into operation on a day or days to be proclaimed.

(3) If a provision referred to in subsection (2) does not come into operation on or before 1 January 1999, it comes into operation on that day.

No. 99/1997 (1) Part 1 of this Act comes into operation on the day on which this Act receives the Royal Assent.

(2) The remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in subsection (2) does not come into operation before 31 December 1999, it comes into operation on that day.

No. 100/1997 (1) Subject to subsections (2) to (11), this Act comes into operation on the day on which it receives the Royal Assent.

No. 93/1997 (1) This Part and sections 9, 17, 21, 22, 24 and 26(2) come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to Sub-section (12), section 4, Item 2 of Schedule 1 and Schedule 2 come into operation on a day to be proclaimed.

(3) Subject to sub-section (12), section 6 and Item 4 of Schedule 1 come into operation on a day to be proclaimed.

(4) Subject to Sub-section (12), section 8, Items 6, 7 and 8 of Schedule 1 and Schedules 4 and 5 come into operation on a day to be proclaimed.

(5) Subject to Sub-section (12), section 10 and Item 10 of Schedule 1 come into operation on a day to be proclaimed.

(6) Subject to Sub-section (12), section 12, Item 12 of Schedule 1 and Schedule 8 come into operation on a day to be proclaimed.

(7) Subject to Sub-section (12), section 13 and Item 13 of Schedule 1 come into operation on a day to be proclaimed.

(8) Subject to Sub-section (12), section 14 and Item 14 of Schedule 1 come into operation on a day to be proclaimed.

(9) Subject to Sub-section (12), section 16, Item 16 of Schedule 1 and Schedule 10 come into operation on a day to be proclaimed.

(10) Subject to Sub-section (12), section 17 and Item 17 of Schedule 1 come into operation on a day to be proclaimed.

(11) Subject to Sub-section (12), Part 5, Item 19 of Schedule 1 and Schedule 12 come into operation on a day to be proclaimed.

(12) If a provision referred to in Sub-sections (2) to (11) does not come into operation before 31 December 1998, it comes into operation on that day.

No. 101/1997 This Act comes into operation on the day on which it receives the Royal Assent.

No. 102/1997 (1) This Act (except section 47) comes into operation on the day on which it receives the Royal Assent.

(2) section 47 is deemed to have come into operation on 6 November 1996.

No. 103/1997 This Act comes into operation on the day on which it receives the Royal Assent.

No. 104/1997 (1) This Part comes into operation on the day on which this Act receives the Royal Assent.

(2) Subject to Sub-section (3), the remaining provisions of this Act comes into operation on a day or days to be proclaimed.

(3) If a provision referred to in Sub-section (2) does not come into operation before 1 January 2000, it comes into operation on that day.

No. 105/1997 (1) This Part comes into operation on the day on which this Act receives the Royal Assent.

(2) section 26(2) is deemed to have come into operation on 9 August 1995.

(3) The remaining provisions of the Act come into operation on a day or days to be proclaimed.

No. 106/1997 (1) This Part and Part 4 come into operation on the day on which this Act receives the Royal Assent.

(2) Subject to Sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in Sub-section (2) does not come into operation before 1 July 1998, it comes into operation on that day.

Corrections (Amendment) Act 1996 PROCLAMATION OF COMMENCEMENT

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2(2) of the **Corrections (Amendment) Act 1996**, fix 20 December 1997 as the day on which Sections 11, 12 and 13 of that Act come into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor

By His Excellency's Command

BILL McGRATH
Minister for Police and Emergency Services
Minister for Corrections

Evidence (Audio Visual and Audio Linking) Act 1997 PROCLAMATION OF COMMENCEMENT

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2(2) of the **Evidence (Audio Visual and Audio Linking)**

Act 1997, fix 22 December 1997 as the day on which the remaining provisions of that Act come into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command
JAN WADE
Attorney-General

Wildlife (Amendment) Act 1997
PROCLAMATION OF COMMENCEMENT
OF CERTAIN PROVISIONS
Act No. 87/1997

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2(2) of the **Wildlife (Amendment) Act 1997**, fix 18 December 1997 as the day on which sections 30, 31, 32, 33, 34, 35, 36, 37, 38 and 40 of that Act come into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command
MARIE TEHAN
Minister for Conservation and
Land Management

Fisheries Act 1995
PROCLAMATION OF COMMENCEMENT
OF CERTAIN PROVISIONS
Act No. 92/1995

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2 of the **Fisheries Act 1995**, fix 18 December 1997 as the day on which sections 155(4) and 162 of that Act come into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command
BILL McGRATH
Acting Minister for Agriculture and
Resources

THIS NOTICE HAS
BEEN WITHDRAWN

Health Services (Amendment) Act 1997
PROCLAMATION

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council, and under section 2(2) of the **Health Services (Amendment) Act 1997**, fix 18 December 1997 as the day on which Part 2 of that Act comes into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command
ROB KNOWLES
Minister for Health

Police and Corrections
(Amendment) Act 1997
PROCLAMATION OF COMMENCEMENT

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2(3) of the **Police**

and Corrections (Amendment) Act 1997, fix 31 December 1997 as the day on which Part 2 of that Act comes into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command

BILL McGRATH
Minister for Police and Emergency Services
Minister for Corrections

**Vocational Education and Training
(Training Framework) Act 1997
PROCLAMATION OF COMMENCEMENT**

I, James Gobbo, Governor of Victoria, acting with the advice of the Executive Council and under section 2(2) of the **Vocational Education and Training (Training Framework) Act 1997**, fix 1 January 1998 as the day on which the remaining provisions of that Act come into operation.

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command

PHIL HONEYWOOD
Minister for Tertiary Education and
Training

**Land Act 1958
PROCLAMATION OF ROADS**

I, James Gobbo, Governor of Victoria acting with the advice of the Executive Council and under section 25(3)(c) of the **Land Act 1958** proclaim as roads the following lands:

**MUNICIPAL DISTRICT OF THE
YARRA RANGES SHIRE COUNCIL**

BEENAK—Crown Allotment 43G, Parish of Beenak as shown on Certified Plan No. 117389 lodged in the Central Plan Office—(L12-0629).

**MUNICIPAL DISTRICT OF THE
CAMPASPE SHIRE COUNCIL**

GUNBOWER—Crown Allotment 12D, Parish of Gunbower, as shown on Certified Plan No. 117858 lodged in the Central Plan Office—(L6/8630).

**MUNICIPAL DISTRICT OF THE
CAMPASPE SHIRE COUNCIL**

MOORA and RUSHWORTH—Crown Allotment 30D, section A, Parish of Moora and Crown Allotment 13, section 3, Township of Rushworth as shown on Certified Plan No. 118171 lodged in the Central Plan Office—(06/13566).

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

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command

MARIE TEHAN
Minister for Conservation and
Land Management

**Land Act 1958
PROCLAMATION OF ROAD**

I, James Gobbo, Governor of Victoria acting 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
BAW BAW SHIRE COUNCIL**

CROSSOVER—Crown Allotment 20, Township of Crossover, Parish of Neerim as shown on Certified Plan No. 118386 lodged in the Central Plan Office—(P261629).

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor
By His Excellency's Command

MARIE TEHAN
Minister for Conservation and
Land Management

**Land Act 1958
PROCLAMATION OF ROAD**

I, James Gobbo, Governor of Victoria acting 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
GREATER SHEPPARTON CITY COUNCIL

SHEPPARTON—Crown Allotment 78T1,
Parish of Shepparton as shown on Certified
Plan No. 118408 lodged in the Central Plan
Office—(P164143).

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

Given under my hand and the seal of
Victoria on 16 December 1997.

(L.S.) JAMES GOBBO
Governor

By His Excellency's Command

MARIE TEHAN
Minister for Conservation and
Land Management



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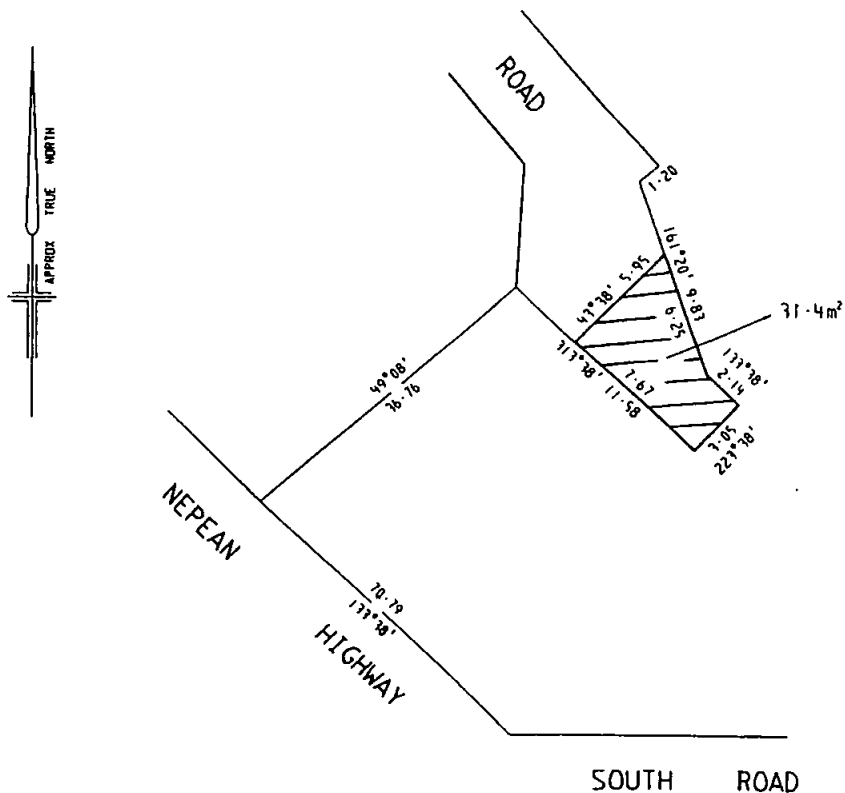
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**GOVERNMENT AND OUTER BUDGET SECTOR
AGENCIES NOTICES**

GLEN EIRA CITY COUNCIL
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Glen Eira City Council has formed the opinion that the section of road at the rear of 973 Nepean Highway, Moorabbin, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road to the abutting property owner.

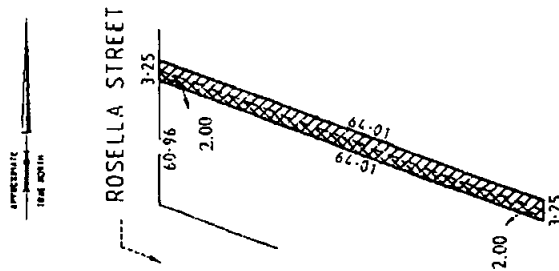


MARGARET DOUGLAS
Chief Executive

GLEN EIRA CITY COUNCIL
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Glen Eira City Council at its ordinary meeting held on 5 November 1997 formed the opinion that the section of road adjacent No. 2 Rosella Street and rear No. 30 Railway Parade, Murrumbeena, and shown by both hatching and cross hatching on the plan below, is not reasonably required as

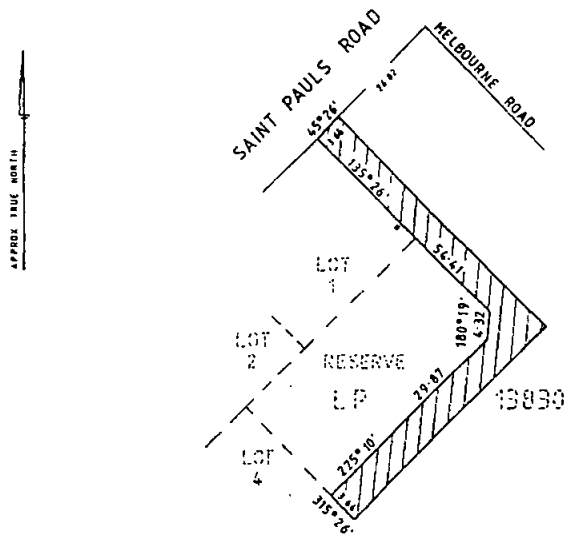
a road for public use and resolved to discontinue the road and sell the land from the road to abutting owners subject to the right, power or interest held by South East Water Limited in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



MARGARET DOUGLAS
Chief Executive

MORNINGTON PENINSULA SHIRE COUNCIL
Discontinuance of Road Adjoining Recreation Reserve and
Lot 1 on LP 13830, St Pauls Road, Sorrento

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council at its ordinary meeting held on 21 October 1997, formed the opinion that the road adjoining the Recreation Reserve and Lot 1 on LP 13830, as indicated 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 public auction or private treaty.

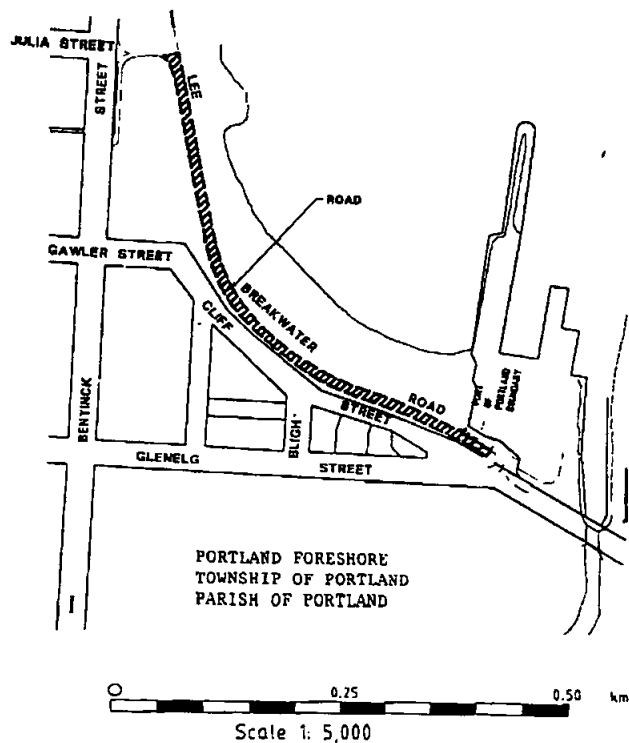


THE LAND SHOWN HATCHED
HEREON REPRESENTS ROAD
TO BE DISCONTINUED

WARWICK DILLEY
Chief Executive

GLENELG SHIRE COUNCIL
Declaration of Public Highway

Pursuant to the powers granted under Section 204 (1) of the **Local Government Act 1989**, the Glenelg Shire Council, by this notice, declares that the land shown hatched on the plan hereunder be a Public Highway.



DANIEL J. HALSTEAD
Chief Executive Officer

DAREBIN CITY COUNCIL
Road Discontinuance

That the Darebin City Council at its ordinary meeting held on 4 August 1997 formed the opinion that the road shown hatched and cross-hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and having advertised and served notices regarding the proposed discontinuance and there being no submissions made under Section 223 of the **Local Government Act 1989** orders that the said part of the road bounded by Charles Street, Grampian Street and Murray Road, Preston, be discontinued pursuant to Schedule 10, Clause 3 (a), of Section 206 of the said Act, and the land of the discontinued road vest in the Council pursuant to Section 207B of the said Act and be sold by Private Treaty to the owners of the land abutting the road subject to the right, power or interest held in the road by the Darebin City Council over Lots 6-21 and the Melbourne Water Corporation in respect to Lots 1-4, Lots 10-21 and E-1 as described on the Title Plan in connection with any sewers, drains and pipes under the control of those Authorities in or near the road.



At its meeting on 10 November 1997 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Stonnington City Council resolved to discontinue the road shown hatched on the plan below.

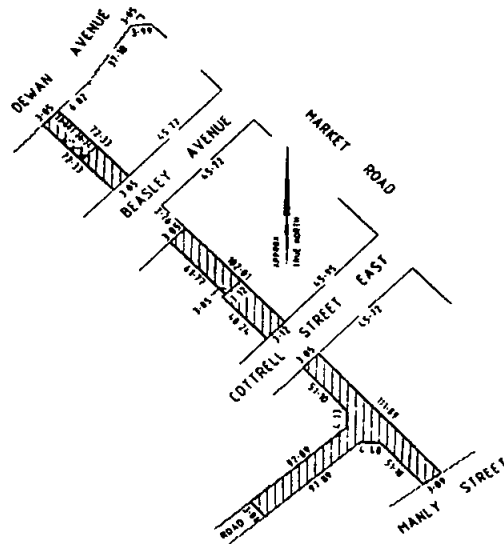


At its meeting on 10 November 1997 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Stonnington City Council resolved to discontinue the road shown as Lots 1 to 5 on the plan below.

[illegible]

WYNDHAM CITY COUNCIL
Roads Discontinuance

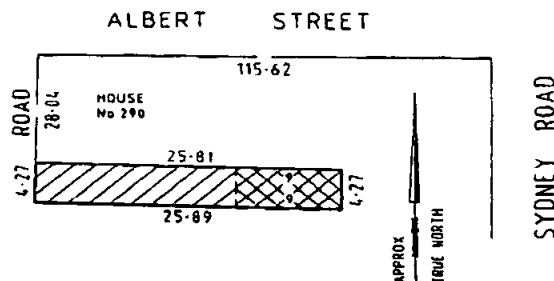
That the Wyndham City Council at its ordinary meeting held on 18 August 1997 formed the opinion that the roads shown hatched and cross-hatched on the plan below are not reasonably required as roads for public use and resolved to discontinue the roads and having advertised and served notices regarding the proposed discontinuance and there being no submissions made under Section 223 of the **Local Government Act 1989** orders that the said parts of the roads situated at the rear of 2-32 Market Road and abutting Dewan Street, Beasley Avenue, and at the rear of 3-13 Cottrell Street East and 8-18 Manly Street, Werribee, be discontinued pursuant to Schedule 10, Clause 3 (a) of Section 206 of the said Act, and the land of the discontinued roads vest in the Council pursuant to Section 207B of the said Act and be sold by Private Treaty to the owners of the land abutting the roads subject to the right, power or interest held in the roads by the Melbourne Water Corporation and marked by cross-hatching on the plan below and shown as E-1 on the Title Plan in connection with any sewers, drains and pipes under the control of that Authority in or near the roads.



IAN ROBINS
Chief Executive

MORELAND CITY COUNCIL
Road Discontinuance

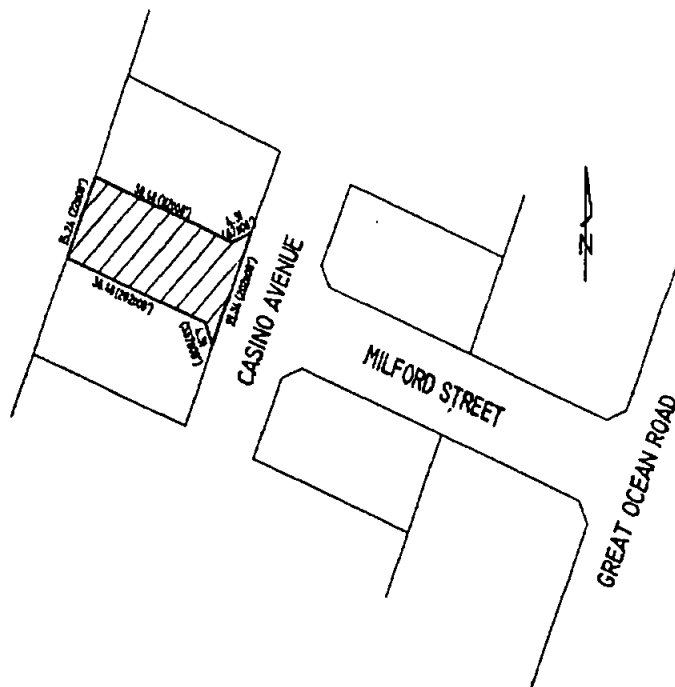
That the Moreland City Council at its ordinary meeting held on 8 December 1997, formed the opinion that the road shown hatched and cross-hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and having advertised and served notices regarding the proposed discontinuance and there being no submissions made under Section 223 of the **Local Government Act 1989**, orders that the said part of the road situated at the rear of 290-292 Albert Street, Brunswick, be discontinued pursuant to Schedule 10, Clause 3 (a), of Section 206 of the said Act, and the land of the discontinued road vest in the Council pursuant to Section 207B of the said Act and be sold by Private Treaty to the owners of the land abutting the road subject to the right, power or interest held by the Melbourne Water Corporation over the whole of the road and the State Electricity Commission of Victoria in respect to the area shown cross-hatched on the plan below in connection with any sewers, drains, pipes and cables under the control of those Authorities in or near the road.



PETER JOHNSTONE
Chief Executive Officer

COLAC OTWAY SHIRE COUNCIL
Road Discontinuance

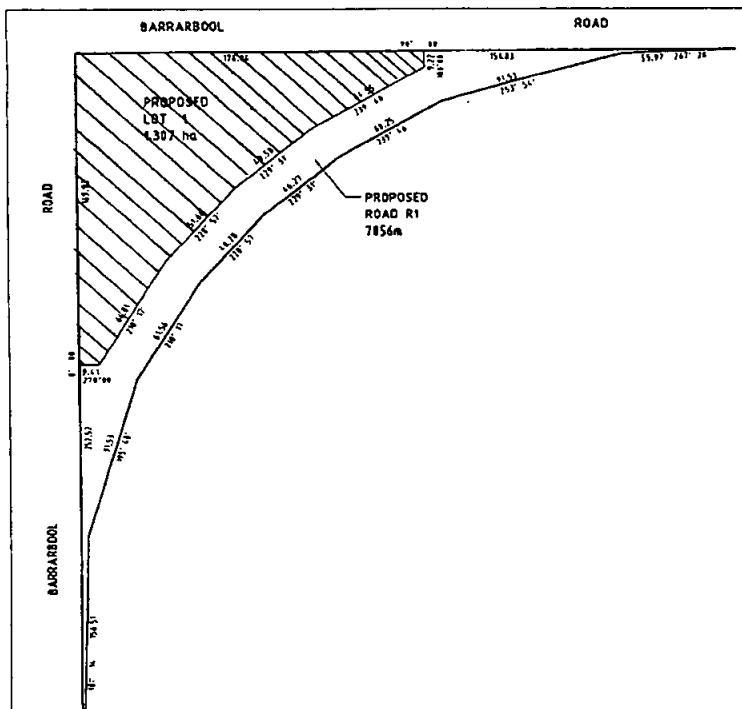
The Colac Otway Shire Council at its ordinary meeting held on 8 October 1997 having considered all written submissions (and anything said in support of a submission) and acting under Clause 3 of Schedule 10 of the **Local Government Act 1989** ("the Act") formed the opinion that the portion of Milford Street, Apollo Bay, ("the portion of road") shown hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the portion of road and sell it by private sale or public auction. In that resolution, Council also confirmed that there are no rights, powers or interests held by Council or any other public authority in the portion of road in connection with any sewers, drains, wires or cables under the control of Council or such an authority in or near the portion of road which are to be saved pursuant to Section 207C of the Act.



D. S. WELSH
Chief Executive Officer

SURF COAST SHIRE COUNCIL
Road Discontinuance

The Surf Coast Shire Council at its ordinary meeting held on 19 November 1997, after having advertised its intention to discontinue the road as shown on the delineated plan below, under the provisions of Section 223 of the **Local Government Act 1989**, and having considered the submissions made, formed the opinion that the road is not reasonably required as a road for public use and resolved to discontinue the road, pursuant to the provisions of Section 10, Clause 3a of Section 206, of the said Act. The land of the discontinued road shall vest in the Council pursuant to Section 207b of the Act and be sold by private treaty or auction.



PETER ANDERSON
Chief Executive Officer

SURF COAST SHIRE

Adoption of Local Laws

No. 12 of 1997—Consumption of Liquor in
Public Places (Amendment No. 2)
Local Law No. 13 of 1997—Environmental
(Amendment No. 1)

Notice is hereby given that the Council of the Surf Coast Shire at a special Council meeting held on 10 December 1997, having previously complied with the relevant provisions of the **Local Government Act 1989**, adopted Local Law No. 12 of 1997—Consumption of Liquor in Public Places (Amendment No. 2) and Local Law No. 13 of 1997—Environmental (Amendment No. 1).

A copy of the Local Laws is available for perusal at the shire offices.

PETER ANDERSON
Chief Executive Officer

COLAC OTWAY SHIRE

Notice of Making Local Law No. 6 Livestock on Roads

Notice is hereby given that at a meeting of Colac Otway Shire Council held on 10 December 1997, Council resolved to make Local Law No. 6, pursuant to Part 5 and Schedule 1 of the **Local Government Act 1989**.

The purpose of this Local Law is to:

- (a) regulate the movement of livestock to and from properties along and across the roads of the municipal district in the interest of livestock owners, users of the road, residents and rate payers; and
- (b) provide for the safety of road users; and
- (c) prevent damage to road surfaces, drains, road reserves and other municipal assets; and

- (d) protect native vegetation.

The purport of the Local Law is to minimise the movement of livestock on Councils road networks and provide a series of options for property owners to comply with this Local Law. Authorised officers may require compliance with the contents of this Local Law, issue infringement notices and instigate prosecution procedures.

A copy of this Local Law may be obtained from Councils Customer Service Centres, 2-6 Rae Street, Colac, and 69-71 Nelson Street, Apollo Bay, during business hours.

DON WELSH
Chief Executive Officer

INDIGO SHIRE COUNCIL
Proposal to Make a Local Law
Streets and Roads
Local Law No. 1

Notice is hereby given that a meeting of the Indigo Shire Council on 2 December 1997, resolved to make Local Law No. 1 Streets and Roads Local Law, pursuant to Part 5 and Schedule 1 of the **Local Government Act 1989**.

The purpose and general purport of the Local Law is to regulate the use of roads by:

- (a) providing for the management of the physical features of the road and adjacent properties in a manner which is consistent with the safety and convenience of people travelling on or using the road; and
- (b) controlling the use of various types of vehicles and animals for the safety and convenience of road users; and
- (c) providing for the preservation and protection of the Council's assets from damage which may be caused from extraordinary use of roads; and
- (d) controlling and regulating secondary activities on roads, including trading, the placing of signs, goods and equipment, repairs to vehicles and parties, festivals, processions, outdoor eating facilities, artistic activity and collections; and
- (e) facilitating free and safe access for people with sight and movement impairment or disabilities; and

- (f) providing for the safe and efficient management and control of parking on roads in the municipal district; and
- (g) providing for the management and control of parking to cause minimal disruption, danger or nuisance to the users of Council's parking facilities; and
- (h) the repeal of Local Law No. 1 of 1995—Street Management and Protection of Physical Assets.

A copy of the Local Law can be obtained from any of the District Offices at Beechworth, Chiltern, Rutherglen and Yackandandah during office hours.

Any person affected by the Local Law may, within fourteen days after publication of this notice, make a submission under the provisions of Section 223 of the **Local Government Act 1989**.

Council has determined that it will consider any written submissions received within the designated period of time.

Submissions should be addressed to the Chief Executive Officer, Indigo Shire Council, P.O. Box 28, Beechworth 3747.

GARRY CECIL
Chief Executive Officer

MELBOURNE PORT CORPORATION
Road Closure

Pursuant to Section 14 of the **Port Services Act 1995** ("the Act"), the Melbourne Port Corporation (M.P.C.) hereby closes all roads on all land managed under Section 65 of the Act by the M.P.C., as shown on legal plan LEGL./95-123 lodged at the Central Plan Office of the Department of Natural Resources and Environment located on the 7th Floor, 436 Lonsdale Street, Melbourne.

JEFFREY GILBERT
Chief Executive

GREATER GEELONG CITY COUNCIL
Notice of Local Laws

The Greater Geelong City Council at its meeting on 10 December 1997 resolved to adopt and make the following Local Laws.

Local Law No. 10—Liquor Consumption and Behaviour in Public Places, the purpose of which is to prohibit, regulate and control the

consumption of liquor and to protect against behaviour which is a nuisance or causes detriment to the amenity and environment of the municipality.

Council further resolved that in accordance with Section 224 (A) of the **Local Government Act 1989** that any Police Officer may enforce the provisions of Local Law No. 10.

Local Law No. 11—Revocation of Library Local Law, the purpose of which is to revoke Local Law No. 5 which has been rendered obsolete as a new Local Law has been adopted by the Geelong Regional Library Corporation.

Copies of Local Laws Nos 10 and 11 may be inspected at City Hall, 30 Gheringhap Street, Geelong, during office hours 8.00 a.m. to 5.00 p.m. weekdays.

GEELONG REGIONAL LIBRARY CORPORATION

Notice is given that the Geelong Regional Library Corporation (G.R.L.C.) at its meeting on 11 December 1997 resolved to adopt the following Local Laws:

LOCAL LAW NO. 1—MEETING PROCEDURES

The purport of Local Law No. 1—Meeting Procedures is to provide administrative procedures for appropriate governance of the Corporation, election of the Chairperson, use of the Corporation Seal, and Board meeting procedures.

Specific purposes are to:

- (a) provide for the administration of the Corporation's powers and functions;
- (b) regulate and control use of the Common Seal of the Corporation;
- (c) regulate and control the election of Chairperson and Deputy Chairperson;
- (d) regulate and control the procedures of meetings of the Corporation.

LOCAL LAW NO. 2—LIBRARY SERVICES

The purport of Local Law No. 2—Library Services is to regulate the management and control of library services by the Geelong Regional Library Corporation.

Specific purposes are to:

- (a) provide for administration of this Local Law;

(b) regulate membership of the Library;

(c) regulate borrowing and services.

Copies are available from the Library Administration Centre or any service location of the Geelong Regional Library Corporation.

CON LANNAN
Chief Executive Officer

WANGARATTA RURAL CITY COUNCIL Municipal Property, Environment, Roads and Council Land (Amendment) Local Law

The Wangaratta Rural City Council proposes to make a Local Law to be called the "Municipal Property, Environment, Roads and Council Land (Amendment) Local Law"—Local Law No. 2 of 1997.

The purpose and general purport of the proposed Local Law is as follows:

- (a) to protect the amenity of the municipal district; and
- (b) to make consequential amendments to the Principal Local Law relating to advertising signs, display of goods, tables and chairs on roads or Council Land.

A copy of the proposed Local Law can be obtained from the Municipal offices, 64-68 Ovens Street, Wangaratta, during office hours (8.30 a.m.—4.30 p.m., Monday to Friday) or by telephoning (03) 5722 0888.

Any person affected by the proposed Local Law may make a submission relating to it under Section 223 of the **Local Government Act 1989**. Submissions are to be in writing addressed to the Chief Executive Officer, P.O. Box 238, Wangaratta, and will be received by the Council until Friday, 9 January 1998. A person making a submission may request to be heard in support of their submission.

For further information, please contact Mr Wayne Wallis, General Manager, Corporate Support at the municipal offices, telephone (03) 5722 0888.

NORTH EAST REGION WATER AUTHORITY

Notice of Making By-Law No. 2/97

At a meeting of North East Region Water Authority held on 16 September 1997, the Authority agreed to the making of "By-Law No. 2/97—Regulating, Restricting or Prohibiting the Use of Water for other than Domestic Purposes".

This By-Law is for use during periods of water shortage and provides details of periods of restrictions on the use of water for other than domestic use. By-Law No. 2/97 will have effect from 19 December 1997.

The By-Law is available for inspection during normal business hours at the offices of North East Region Water Authority, Level 3, Water Offices, Hovell Street, Wodonga. Copies may be purchased for the sum of ten dollars (\$10) each.

Information regarding the making of this By-Law may be obtained by contacting Barry O'Brien, Secretary, telephone (02) 6022 0560.

J. B. O'BRIEN
Secretary

**Planning and Environment Act 1987
Planning and Environment (Planning
Schemes) Act 1996**

**SURF COAST PLANNING SCHEME
Notice of Preparation of Planning Scheme**

The Surf Coast Shire Council has prepared a new Surf Coast Planning Scheme, which affects all the area of the municipal district of the Surf Coast Shire Council.

The Planning Scheme introduces a new Surf Coast Planning Scheme as required by the **Planning and Environment (Planning Schemes) Act 1996**, including a new format containing selected State standard provisions from the Victoria Planning Provisions, a municipal strategic statement, state and local policies, standardised zones, overlays, particular provisions relating to use and development, and a number of administrative provisions and definitions. The new Planning Scheme also incorporates a number of documents specified in the Planning Scheme, and contains new maps applying the standardised zones and overlays to land within the area covered by the Scheme.

The Planning Scheme, including incorporated documents and maps, can be inspected during office hours at Surf Coast Shire Municipal Offices, 25 Grossmans Road, Torquay 3228; Department of Infrastructure, Office of Planning, Barwon/South West Regional Office, 5th Floor, State Offices, corner Little Malop and Fenwick Streets, Geelong 3220 and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Any interested person may make a submission about the Planning Scheme. Submissions may include comments on:

- the Municipal Strategic Statement and local policy framework; and
- how Council has chosen to apply the State standard zones and overlays; any local schedule to the standard zones, overlays or provisions.

A submission may include a request that a State standard provision be included in or deleted from the Planning Scheme, but cannot request a change to the terms of any State standard provision.

Submissions must be in writing and sent to Manager Planning and Development, Surf Coast Shire, P.O. Box 350, Torquay 3228, by 20 February 1998.

RAEWYN HANSEN
Manager Planning and Development

**Planning and Environment Act 1987
Planning and Environment (Planning
Schemes) Act 1996**

**LA TROBE PLANNING SCHEME
Notice of Preparation of Planning Scheme**

The La Trobe Planning Scheme has been prepared by the La Trobe Shire Council in accordance with Section 18 of the **Planning and Environment (Planning Schemes) Act 1996**.

The Planning Scheme covers the municipal district of La Trobe Shire Council.

The Planning Scheme introduces a new La Trobe Planning Scheme as required by the **Planning and Environment (Planning Schemes) Act 1996**, including a new format containing selected State standard provisions from the Victoria Planning Provisions, a municipal strategic statement, state and local policy frameworks, standardised zones, overlays, particular provisions relating to use and development, and a number of administrative provisions and definitions. The new Planning Scheme also incorporates a number of documents specified in the Planning Scheme, and contains new maps applying the standardised zones and overlays to land within the area covered by the Scheme.

The Planning Scheme, including incorporated documents and maps, can be inspected during office hours at La Trobe

Shire Council, Traralgon Office, Kay Street, Traralgon; La Trobe Shire Council, Morwell Office, Hazelwood Road, Morwell; La Trobe Shire Council, Moe Office, Albert Street, Moe; Department of Infrastructure, Regional Office, 120 Kay Street, Traralgon and the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne.

Submissions about the Planning Scheme must be sent to the Chief Executive Office, La Trobe Shire Council, P.O. Box 345, Traralgon 3844, by Friday, 20 February 1998. A submission may include a request that a State standard provision be included in or deleted from the Planning Scheme, but cannot request a change to the terms of any State standard provision.

PENNY HOLLOWAY
Chief Executive Officer

Planning and Environment Act 1987
KNOX PLANNING SCHEME
Notice of Amendment
Amendment L144

Knox City Council has prepared an amendment which proposes to amend the Local Section of the Knox Planning Scheme, as follows:

Include the following expression in Clause 115-7 "Specific site controls" of the Knox General Industrial Zone:

On land at 3 Myer Place, Rowville, described as Lot 2 PS 330220 a permit may be granted to allow a minor part of the buildings on the land to be used for the purpose of Retail Sales, provided that such use is associated with the use of the land by Myer Direct.

The amendment can be inspected at Knox City Council, Civic Centre, 511 Burwood Highway, Wantirna South 3152 and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Any persons affected by the amendment may make a submission in writing, which must be sent to Knox City Council, Private Bag Knox 1, M.D.C. Wantirna South 3152, by 18 January 1998.

Dated 11 December 1997

DAVID L. POPE
Manager—Planning and Development

Planning and Environment Act 1987
GREATER BENDIGO PLANNING
SCHEME

Notice of Amendment to a Planning Scheme
Amendment L49

The City of Greater Bendigo has prepared Amendment L49 to Chapter 1 Part B of the Greater Bendigo Planning Scheme. The amendment applies to land off Cassinia Drive, Junortoun, and is described as Crown Allotment 18 and 18A, Section 15, Parish of Strathfieldsaye, Lots 1 and 2, PS 304121U, Lot 14, CS 1241, Lots 7, 8 and 9, LP 210330X and Lots 12, 13 and 14, PS 330613Y.

The amendment proposes to change Maps 41, 42, 45 and 46 of the Greater Bendigo Planning Scheme Chapter 2 by rezoning the land described above from Low Density Residential to Residential 1.

The amendment can be inspected at Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne 3000; 57 Lansell Street, Bendigo 3550 and the City of Greater Bendigo, Planning and Building Business Unit, 17 Hopetoun Street, Bendigo 3550.

Submissions about the amendment must be sent to Mr Hadley Sides, The Chief Executive Officer, City of Greater Bendigo, P.O. Box 733, Bendigo 3550, by Thursday, 29 January 1998.

SUE WILKINSON
Manager—Planning

Planning and Environment Act 1987
WHITEHORSE PLANNING SCHEME
Notice of Amendment
Amendment L28

The City of Whitehorse has prepared Amendment L28 to the Whitehorse Planning Scheme.

The amendment applies to land at 2 Agra Street, Mitcham, identified as Lot 1 on proposed Plan of Subdivision P.S. 412476B.

The land is vacant and has been identified by Melbourne Water as surplus to their operational needs.

The purpose of the amendment is to re-zone the land which is currently zoned Public Purposes for Melbourne & Metropolitan Board of Works to an Urban Residential 1 Zone in accordance with the State Section of

the Planning Scheme, to enable the land to be used in a manner complimentary to the surrounding area.

The amendment can be inspected at The City of Whitehorse, Nunawading Office, 379 Whitehorse Road, Nunawading 3131 and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Submissions on the amendment must be sent to Mr Philip Warner, Manager, Statutory and Development Services, City of Whitehorse, Locked Bag 2, Eastern Mail Centre 3110, by 5.00 p.m., Friday, 30 January 1998.

Dated 10 December 1997

PHILIP WARNER
Manager, Statutory and Development Services

Planning and Environment Act 1987
CRANBOURNE PLANNING SCHEME
Notice of Amendment
Amendment L217

The Cardinia Shire Council is the Planning Authority for this amendment.

The amendment affects land located at Lot 1, LP 67603, No. 90 Moody Street, Kooweerup.

The amendment proposes to rezone the above land from its existing State Electricity Commission of Victoria-Public Use Zone to a Mixed Industrial Zone (52IN2).

The amendment can be inspected at Cardinia Shire Council, Municipal Offices, Henty Way, Pakenham, Victoria 3810 and the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne, Victoria 3000.

Submissions about the amendment must be sent to Cardinia Shire Council, P.O. Box 7, Pakenham, Victoria 3810, by 19 January 1998.

PHILIP WALTON
Manager Development

Planning and Environment Act 1987
GOULBURN PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L11

The Roads Corporation has prepared Amendment L11 to the Goulburn Planning Scheme.

The amendment proposes to change the Planning Scheme by reserving land for a new alignment for the Goulburn Valley Highway between Weir Road and Muddy Creek and associated access restoration purposes.

The amendment can be inspected during office hours at the Shire of Strathbogie offices at corner Binney and Bury Streets, Euroa and 352 High Street, Nagambie; City of Greater Shepparton, Council Offices, Welsford Street, Shepparton; Department of Infrastructure offices at 50-52 Clarke Street, Benalla and Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne; and VicRoads offices at Goulburn Valley Highway Project Office, 166 Benalla Road, Shepparton and Head Office, 60 Denmark Street, Kew.

Submissions concerning the amendment must be sent to the Project Manager—Goulburn Valley Highway Project, VicRoads, P.O. Box 1549, Shepparton 3632, by 20 February 1998.

BOB EVANS
Manager Planning Investigations

Planning and Environment Act 1987
EUROA PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L28

The Roads Corporation has prepared Amendment L28 to the Euroa Planning Scheme.

The amendment proposes to change the Planning Scheme by reserving land for a new alignment for the Goulburn Valley Highway between Muddy Creek and Murchison-Violet Town Road, duplication of the Goulburn Valley Highway between Murchison-Violet Town Road and Arcadia Road and associated access restoration purposes.

The amendment can be inspected during office hours at the Shire of Strathbogie offices at corner Binney and Bury Streets, Euroa and 352 High Street, Nagambie; City of Greater Shepparton, Council Offices, Welsford Street, Shepparton; Department of Infrastructure offices at 50-52 Clarke Street, Benalla and Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne; and VicRoads offices at Goulburn Valley Highway Project Office, 166 Benalla Road, Shepparton and Head Office, 60 Denmark Street, Kew.

Submissions concerning the amendment must be sent to the Project Manager—Goulburn Valley Highway Project, VicRoads, P.O. Box 1549, Shepparton 3632, by 20 February 1998.

BOB EVANS
Manager Planning Investigations

**Planning and Environment Act 1987
SHEPPARTON SHIRE PLANNING
SCHEME**

**Notice of Amendment to a Planning Scheme
Amendment L83**

The Roads Corporation has prepared Amendment L83 to the Shepparton Shire Planning Scheme.

The amendment proposes to change the Planning Scheme by reserving land for the duplication of the Goulburn Valley Highway from Ross Road/Karramomus Road for a length of 700 metres to the north and associated access restoration purposes.

The amendment can be inspected during office hours at the City of Greater Shepparton, Council Offices, Welsford Street, Shepparton; Shire of Strathbogie offices at corner Binney and Bury Streets, Euroa and 352 High Street, Nagambie; Department of Infrastructure offices at 50-52 Clarke Street, Benalla and Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne; and VicRoads offices at Goulburn Valley Highway Project Office, 166 Benalla Road, Shepparton and Head Office, 60 Denmark Street, Kew.

Submissions concerning the amendment must be sent to the Project Manager—Goulburn Valley Highway Project, VicRoads, P.O. Box 1549, Shepparton 3632, by 20 February 1998.

BOB EVANS
Manager Planning Investigations

**Planning and Environment Act 1987
BALLARAT PLANNING SCHEME
Local Section—Chapter 2**

**Notice of Amendment to a Planning Scheme
Amendment L33**

The City of Ballarat has prepared Amendment L33 to the Ballarat Planning Scheme, Local Section—Chapter 2.

The amendment proposes to include the former City of Ballarat Municipal Depot and adjoining Transfer Station in Gillies Street South, within an Industrial 1 Zone.

The amendment can be inspected at any of the following locations: City of Ballarat, Watershed Office (Grenville Street South, Ballarat); Department of Infrastructure, Central Highlands and Wimmera Regional Office, 1315 Sturt Street, Ballarat and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne.

Submissions about the amendment must be sent to the Chief Executive Officer, City of Ballarat, P.O. Box 655, Ballarat, Victoria 3353, and will be accepted until 5.00 p.m. 18 January 1998. All submissions should clearly state all of the grounds on which you support or oppose the amendment and indicate whether you wish to be heard in respect of the submission at any subsequent panel hearing.

JANET DORE
Chief Executive Officer

**Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
Notice of Amendment
Amendment L40**

The City of Stonnington has prepared Amendment L40 to the Local Section of the Stonnington Planning Scheme. The amendment proposes to include the significant heritage buildings of 50 Albany Road, Toorak; 95 Alexandra Avenue, South Yarra; 10 Blackfriars Close, Toorak; 28 Clendon Road, Toorak; 8, 10, 12 Commercial Road, Prahran; 23 Douglas Street, Toorak and 9-11 Lewes Drive, East Malvern, in the Stonnington Planning Scheme.

The purpose of the amendment is to protect and enhance the special characteristics of the buildings which are considered to have architectural and historical significance and to ensure that any new development is in keeping with their character. The amendment proposes to change the Stonnington Planning Scheme by introducing the above buildings into Table 128-4 of the Stonnington Planning Scheme in which the provisions of Clause 128 apply. Pursuant to this clause, a planning permit is required for demolition, subdivision, new buildings, works and alterations.

Amendment L40 can be inspected at City of Stonnington, Development Unit, First Floor, Prahran Town Hall, corner Greville and Chapel Streets, Prahran 3181; City of Stonnington, Customer Service Centre, corner Glenferrie Road and High Street, Malvern

3144 and the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne 3000.

Submissions about the amendment must be sent to Corporate Planning Unit, City of Stonnington, P.O. Box 21, Prahran 3181, or by facsimile 9823 1105, by 5 February 1998.

B. B. BROWN
Strategic Planning Co-ordinator

Planning and Environment Act 1987
YARRA PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L57

The City of Yarra has prepared Amendment L57 to the Yarra Planning Scheme.

The amendment will rezone land at 120-138 Roseneath Street, Clifton Hill, from a Light Industrial Zone to a Mixed Use Zone.

The amendment will also incorporate site specific controls to facilitate development of the land in accordance with an accompanying development plan for 24 attached dwellings with associated car parking.

The amendment can be inspected at City of Yarra, Richmond Town Hall, 333 Bridge Road, Richmond and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne.

The City of Yarra is the Planning Authority for the amendment. Submissions regarding the amendment must be in writing and sent to City of Yarra, P.O. Box 168, Richmond, Victoria 3121, by 22 February 1998.

PRUE DIGBY
Chief Executive Officer

Planning and Environment Act 1987
YARRA PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L62

The City of Yarra has prepared Amendment L62 to the Yarra Planning Scheme.

The amendment will rezone land at 416 Gore Street, Fitzroy, from a General Industrial Zone to a Mixed Use Zone.

The amendment will also incorporate site specific controls to facilitate development of the land in accordance with an accompanying development plan for 106 residential apartments with associated car parking.

The amendment can be inspected at City of Yarra, Richmond Town Hall, 333 Bridge Road, Richmond and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne.

The City of Yarra is the Planning Authority for the amendment. Submissions regarding the amendment must be in writing and sent to City of Yarra, P.O. Box 168, Richmond, Victoria 3121, by 22 February 1998.

PRUE DIGBY
Chief Executive Officer

Planning and Environment Act 1987
YARRA PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L63

The City of Yarra has prepared Amendment L63 to the Yarra Planning Scheme.

The amendment will rezone land at 1 Palmer Street, Richmond, (currently Jaques Engineering site) from a Light Industrial Zone to a Residential 1 Zone.

The amendment will also incorporate site specific controls to facilitate development of the land in accordance with an accompanying development plan for 189 residential apartments with associated car parking. The development will vary in height from three to eight levels.

The amendment can be inspected at City of Yarra, Richmond Town Hall, 333 Bridge Road, Richmond and the Department of Infrastructure, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne.

The City of Yarra is the Planning Authority for the amendment. Submissions regarding the amendment must be in writing and sent to City of Yarra, P.O. Box 168, Richmond, Victoria 3121, by 22 February 1998.

PRUE DIGBY
Chief Executive Officer

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 A.C.N. 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 17 February 1998, 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.

Cummings, Martha Lucy Lauriston, late of Village Baxter, Robinson Road, Baxter, widow, who died 24 September 1997.

Ferlazzo, Anthony, also known as Antonio Ferlazzo, formerly of Ward Q, Plenty Psychiatric Hospital, Plenty, but late of Doncaster Lodge, 107 Whittens Lane, Doncaster, gentleman, who died 4 August 1997.

Killingbeck, Carl William, formerly of Merbein, but late of Hillcrest Private Nursing Home, 288 Pakington Street, Newtown, pensioner, who died 20 June 1996.

O'Brien, Jack John, late of 6/5 Childers Street, Mentone, retired, who died 20 September 1997.

Jackson, Raymond Bruce, late of Unit 1/131A Jasper Road, Bentleigh, retired, who died 25 July 1997.

Knox, John Frederick William, late of 87 Wingate Street, Bentleigh East, retired, who died 18 July 1997.

Dated at Melbourne 9 December 1997

CATHY VANDERFEEN
Manager, Estate Management
State Trustees Limited

Creditors, next of kin and others having claims against the following estates:

Anstis, Leslie Louis, late of Dandenong Private Nursing Home, Mason Street, Dandenong, Victoria, pensioner, deceased, who died 10 October 1997.

Boginska, Helen, late of Langdale Private Nursing Home, 241 Dandenong Road, Windsor, Victoria, pensioner, deceased intestate, who died 16 August 1997.

Hershberg, Moshe, late of Montefiore Homes for the Aged, 619 St Kilda Road, Melbourne, Victoria, pensioner, deceased intestate, who died 20 August 1997.

Hetherton, Frank Henry, late of 88-98 Leakes Road, Laverton, Victoria, concreter, deceased intestate, who died 14 November 1997.

Hodgson, Dorothy Isobel, late of Oakmoor Private Nursing Home, 352 Warrigul Road, South Oakleigh, Victoria, retired, deceased, who died 7 November 1997.

Russell, Barbara Eileen, late of 72 Mary Street, Richmond, Victoria, home duties, deceased, who died 21 October 1997.

Thurston, Horace, late of Myola Private Nursing Home, 59 Serrell Street, Malvern East, Victoria, pensioner, deceased intestate, who died 29 October 1997.

Tomlinson, Athol James, late of Prague House, 52 Sackville Street, Kew, Victoria, pensioner, deceased, who died 2 November 1997.

are required pursuant to Section 33 of the **Trustee Act 1958** to send particulars of their claims against the abovementioned estates to State Trustees Limited, 168 Exhibition Street, Melbourne, Victoria, on or before 17 February 1998, after which date State Trustees Limited A.C.N. 064 593 148 may convey or distribute the assets of the abovementioned estates having regard only to the claims of which it then has notice.

EXEMPTION FROM NOTIFICATION OF VACANCY UNDER SECTION 29 (2) OF THE PUBLIC SECTOR MANAGEMENT ACT 1992

Position No. DPC X00127, General Manager, Arts Industry Development, Victorian Public Service Officer, Band 32, Class EO-3, Arts Victoria.

Reason for exemption

The position has been reclassified to recognise a demonstrated and significant shift in work value in a specialised area of work. The incumbent is an officer who is recognised as satisfactorily discharging all of the requirements of the position and the Department Head considers that it is unlikely that advertising the vacancy would attract a more suitable candidate.

ELIZABETH PROUST

Secretary
Department of Premier and Cabinet

EXEMPTION FROM NOTIFICATION OF VACANCY UNDER SECTION 29 (2) OF THE PUBLIC SECTOR MANAGEMENT ACT 1992

Position No. NRE139850, VPS-, Director Media, Portfolio Management, Department of Natural Resources and Environment.

Reason for exemption

The vacancy has duties and qualification requirements that are of a specialised nature peculiar to the department and the proposed

appointee is a staff member considered to be the only staff member possessing the specialised qualifications.

Dated 12 December 1997

MICHAEL TAYLOR
Secretary
Department of Natural Resources and
Environment

EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2) OF
THE PUBLIC SECTOR MANAGEMENT
ACT 1992

Position No. NRE122020, VPS-4, Land
Channel Project and Multimedia Officer,
Resources and Reform Group, Land Victoria,
Department of Natural Resources and
Environment.

Reason for exemption

The vacancy has duties and qualification requirements that are of a specialised nature peculiar to the department and the proposed appointee is a staff member considered to be the only staff member possessing the specialised qualifications.

MICHAEL TAYLOR
Secretary
Department of Natural Resources and
Environment

EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2) OF
THE PUBLIC SECTOR MANAGEMENT
ACT 1992

Position No. NRE205944, VPS-4, Senior
Plant Molecular Biologist, Plant Sciences and
Biotechnology—La Trobe, Department of
Natural Resources and Environment.

Reason for exemption

The position has been reclassified to recognise a demonstrated and significant shift in work value in a specialised area of work, the incumbent is an officer who is recognised as satisfactorily discharging all of the requirements of the position and the Department Head considers that it is unlikely that advertising the vacancy would attract a more suitable candidate.

MICHAEL TAYLOR
Secretary
Department of Natural Resources and
Environment

EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2) OF
THE PUBLIC SECTOR MANAGEMENT
ACT 1992

Position No. 140440, Project Administration
Officer, VPS-2, Land Victoria, Department of
Natural Resources and Environment.

Reasons for exemption

The position has been reclassified to recognise a demonstrated and significant shift in work value in a specialised area of work. The incumbent is an employee who is recognised as satisfactorily discharging all of the requirements of the position and it is considered that it is unlikely that advertising the vacancy would attract a more suitable candidate.

MICHAEL TAYLOR
Secretary
Department of Natural Resources and
Environment

EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2) OF
THE PUBLIC SECTOR MANAGEMENT
ACT 1992

Position No. 140451, Research Analyst,
VPS-4, Land Victoria, Department of Natural
Resources and Environment.

Reasons for exemption

The vacancy has duties and qualification requirements that are of a specialised nature peculiar to the Department and the proposed appointee is a staff member considered to be the only staff member possessing the specialised qualifications.

MICHAEL TAYLOR
Secretary
Department of Natural Resources and
Environment

EXEMPTION FROM NOTIFICATION OF
VACANCY UNDER SECTION 29 (2) OF
THE PUBLIC SECTOR MANAGEMENT
ACT 1992

Position Nos 258501265, 258501243 and
258501301, Emergency Management Officer,
Class VPS-1, Emergency and Security
Management Branch, Facilities Division,
Department of Education.

Reason for exemption

The vacancy has duties and qualifications identical to another vacancy that has recently been advertised and the person (who may or may not be a staff member) was an applicant for the other vacancy and was assessed as clearly meeting all of the requirements of the position. In these circumstances the position should generally have been advertised within the last 3 months, however in exceptional cases may have been advertised up to 6 months ago.

GEOFF SPRING
Secretary
Department of Education

Department of Treasury and Finance
**SALE OF CROWN LAND BY PUBLIC
TENDER**

Tenders close at 2.00 p.m. on Friday, 23 January 1998.

Reference: 12-2618.

Property Address: 6 Mortimer Street, Wonthaggi.

Crown Description: Allotment 23, Section 100, Township of Wonthaggi.

Area: 3345 square metres.

Terms of Sale: 10% deposit—balance 60 days.

Tenders: Addressed to—Tender Box Reference 12/2618, Department of Conservation and Natural Resources, Level 4/240 Victoria Parade, East Melbourne, Victoria 3002.

Tender Deposit: 1% of tendered amount to be lodged with tender.

Application Form: Available on request from agent.

Selling Agent: Alex Scott & Staff Pty Ltd, 99 Graham Street, Wonthaggi 3995, telephone 03572 1911.

Co-ordinating Officer: Evadne Roberts, Land Sales Officer, Department of Conservation and Natural Resources, Level 3/240 Victoria Parade, East Melbourne 3002, telephone 03 9412 4969.

ROGER M. HALLAM
Minister for Finance

NOTICE OF INTENTION TO ACQUIRE

To: City of Moonee Valley
as Registered Proprietor
and all or any other interests in the land.

Roads Corporation (VicRoads) is acting as agent for the Melbourne City Link Authority pursuant to Section 38 of the **Melbourne City Link Act 1995**.

The Melbourne City Link Authority intends to acquire your interest in the land described hereunder for the construction of the Melbourne City Link:

Area: 1145 square metres.

Description: being part of Crown Allotments 14 and 15, Parish of Doutta Galla being the land shown cross hatched on Plan No. 411187.

The Authority thinks the land is suitable for the construction of the Melbourne City Link.

The land described is deemed to have been reserved under a planning instrument for a public purpose pursuant to Section 43 of the **Melbourne City Link Act 1995** and will be required for construction purposes by 1 March 1998.

Section 8 (1) (g) of the **Land Acquisition and Compensation Act 1986** requires VicRoads, on behalf of the Melbourne City Link Authority, to seek the following information:

1. The name of any other person who has, or you think may have, an interest in the land. Such a person might be a tenant or a mortgagee or a person to whom you have agreed to sell the land.
2. If you have a current building permit or a planning permit concerning the land.
3. If you have sold or let or in any other way dealt with the land or were intending to deal with the land immediately before you received this notice.
4. Any other information that you think would be relevant to working out what compensation you should receive for the land.

Upon receipt of your advice in relation to the above matters, VicRoads will negotiate with you for the value of your interest in the above described land and for all damage that may be sustained by you by reason of the execution of the said work on the said land.

T. H. HOLDEN
Manager Property Services—VicRoads
(as agents for the
Melbourne City Link Authority)

STATE TRUSTEES LIMITED

A.C.N. 064 593 148

Schedule of Fees, Commissions and Disbursements

The following fees and commissions are made under the powers contained in the **Trustee Companies Act 1984** and in the **State Trustees (State Owned Company) Act 1994** and are effective from 18 December 1997.

- | | | |
|-------|---|----------------------------|
| 1 | Deceased Estates, Powers of Attorney, Agencies, Court appointed Administrations, Statutory Administrations, Other Administrations and Personal Trusts | |
| 1.1 | Capital Commission | |
| | Once only capital commission on the gross value of any assets of estates where administration commenced after the date of this schedule | Not to exceed 5% |
| 1.2 | Common Funds | |
| | Management fee on the capital sum invested in any of State Trustees' Common Funds | 1% per annum |
| 1.3 | Income Collection | |
| 1.3.1 | On gross income received (except as in 1.3.2) | Not to exceed 6% per annum |
| 1.3.2 | On Department of Social Security or Department of Veterans Affairs pensions | 3% per annum |
| 2. | Commercial, Charitable, Custodian, Advisory and Discretionary Trusts | Negotiable with client |
| 3. | Guardianship and Administration Board Temporary Order Administration | \$116 per hour |
| 4. | Guardianship and Administration Board Private Administrations | |
| | Reviews, examinations and advice on Guardianship and Administration Board Private Administrations | \$116 per hour |
| 5. | Will Preparation | |
| 5.1 | Where State Trustees is named as Executor, Co-Executor or Substitute Executor | |
| 5.1.1 | Persons holding a Commonwealth Benefits Card | \$40 |
| 5.1.2 | All other persons | \$70 |
| 5.1.3 | Joint or reciprocal Wills for two persons | \$100 |
| 5.2 | Where State Trustees is not named as Executor, Co-Executor or Substitute Executor | |
| 5.2.1 | Will | \$116 |
| 5.2.2 | Complex Will | \$116 per hour |
| 6 | Executor Advice | |
| | Advice relating to deceased estate administrations where State Trustees is not appointed Executor or Administrator | \$116 per hour |
| 7 | Genealogical Services | \$116 per hour |

8	Informal Administration	
	Cases where no formal grant is obtained or commission taken	\$116 per hour
9	Business Administration Services	
	Contractual management of specified activities and related projects	Negotiable with client
10	Taxation Services	
10.1	Advice, returns, manual reviews and assessments	\$116 per hour
10.2	Returns for WorkCover Statutory Transfer clients	\$70
10.3	Computer assisted reviews	\$58
11	Financial Plan	\$150 per plan
	Preparation	
12	Legal Services	
12.1	Conveyancing	In accordance with Solicitors' Remuneration Order
12.2	Probate	
12.2.1	All Court Approved Grants	In accordance with Supreme Court (Probate and Administration) Rules 1994 and as amended from time to time
12.2.2	Preparation of Elections and small estate applications	\$220
12.3	Litigation	In accordance with the relevant Court Scale
12.4	Legal Advice	
	Verbal or written including research time	\$116 per hour
12.5	Deeds	
	Preparation of miscellaneous deeds and other documents, correspondence and attendances	In accordance with Solicitors' Remuneration Order
13	Travel	
	Travel involved in providing any service including property inspections may be subject to an additional charge	
13.1	To a site within a 40 kilometre radius of the Melbourne G.P.O.	\$60
13.2	To a site beyond a 40 kilometre radius of the Melbourne G.P.O.	\$100
14	Advances	Where funds are advanced from State Trustees' General Account, interest will be charged at a rate not exceeding the rate fixed from time to time under Section 2 of the Penalty Interest Rates Act 1983 less 2.5 per centum

15	Disbursements	Will be charged to the client including the cost of courier fees, travel and accommodation expenses
16	Reduction or Waiver	The fees, commissions and charges set out in this Schedule may be reduced or waived by State Trustees at its discretion
17	Interpretation	All hourly charges taken on a pro rata basis State Trustees Limited has the discretion to negotiate an hourly fee for the provision of any of its services

PROPOSED PERMANENT RESERVATION OF CROWN LAND

After the expiration of 30 days it is intended that the Crown land described hereunder shall be permanently reserved pursuant to Section 4 of the **Crown Land (Reserves) Act 1978** for the purpose of the Conservation of an Area of Natural Interest.

Description of Land: 32.7 hectares, being Allotment 78D, Parish of Warmur, on Glenn's Lane approximately 1100 metres north of the Birchip-Warracknabeal Road, 10 kilometres south-west of Birchip and known as "Riley's Tank".

A plan of the land may be inspected at the Mildura office, 253 Eleventh Street, Mildura, during normal office hours (telephone 5022 3000).

IAN CONROY
Estates Manager
Crown Lands and Assets

PSYCHOLOGISTS REGISTRATION BOARD OF VICTORIA Notice

Following a complaint, the Psychologists Registration Board conducted an inquiry into the conduct of Klaus Michael Kurt Schwarzenholz, a registered psychologist. Mr Schwarzenholz denied the allegations against him, but was found guilty of professional misconduct.

The Board fined Mr Schwarzenholz 20 penalty units and cancelled his registration as a psychologist with effect from 8 December 1997.

PETER GARDNER
Registrar

Magistrates' Court Act 1989

Pursuant to Section 5A of the **Magistrates' Court Act 1989**, I nominate the following venues of the Court as mention courts:

Ararat	Moe
Bacchus Marsh	Moonee Ponds
Bairnsdale	Myrtleford
Ballarat	Nhill
Benalla	Oakleigh
Bendigo	Orbost
Broadmeadows	Ouyen
Castlemaine	Portland
Cobram	Prahran
Colac	Preston
Dandenong	Ringwood
Dromana	Robinvale
Echuca	Sale
Frankston	Seymour
Geelong	Shepparton
Hamilton	Springvale
Heidelberg	Stawell
Hopetoun	St Arnaud
Horsham	Sunshine
Kerang	Swan Hill
Korumburra	Wangaratta
Kyneton	Warrnambool
Mansfield	Werribee
Maryborough	Williamstown
Melbourne	Wodonga
Mildura	

Dated 10 December 1997

MICHAEL A. ADAMS
Chief Magistrate

Pursuant to Section 5(3) of the Magistrates' Court Act 1989, I fix the places, days and times at which the Magistrates' Court of Victoria may be held as follows:

MAGISTRATES' FIXTURES 1998

The following should be noted:

- (i) The fixtures indicate the days on which a Magistrate will sit at each Court.
- (ii) Courts will not sit on Public Holidays or Magistrates' Conferences which will be held on 20 March and 30 October 1998 for all Courts and additionally on 13 March 1998 and 11 September 1998 for all Country Regional Courts.

Region 1 - Inner Urban Region - Headquarters Court Melbourne Magistrates' Court

COURT	SITTING DAYS
Melbourne	Daily
Prahran	Daily
Seymour	Every Friday
Victims of Crime Assistance Tribunal	Daily

NOTE: All Courts commence at 10.00am and 2.00pm.

Region 2 - Northern & Eastern Suburbs Region - Headquarters Heidelberg Magistrates' Court

COURT	SITTING DAYS
Heidelberg	Daily
Preston	Every Monday, Tuesday, Wednesday and Thursday
Ringwood	Daily

NOTE: All Courts commence at 10.00am and 2.00pm.

Region 3 - Southern Suburbs Region - Headquarters Dandenong Magistrates' Court

COURT	SITTING DAYS
Dandenong	Daily
Dromana	Every Thursday, except the first Thursday of each month
Frankston	Daily
NOTE: All Courts commence at 10.00am and 2.00pm.	

Region 4 - Western Suburbs Region - Headquarters Broadmeadows Magistrates' Court

COURT	SITTING DAYS
Bacchus Marsh	Every Friday
Broadmeadows	Daily
Melton	Last Monday of each month
Moonee Ponds	Daily
Sunshine	Every Tuesday, Thursday and Friday
Werribee	Every Wednesday, except the last Wednesday of each month and every Thursday
Williamstown	Each Monday, Tuesday, Thursday and Friday
NOTE: * All Courts commence at 10.00am and 2.00pm.	

Region 5 - Western Districts Region - Headquarters Geelong Magistrates' Court

COURT	DAY	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Ballarat	Mention	Daily											
	Contest Mention	Every Friday except Public Holidays											
	Committal	9	6	6	10	8	5	10	7	11	9	6	11
	Mention												
Colac	Mention	Every Monday except Public Holidays											
Geelong	Mention	Daily											
	Contest Mention	Every Thursday except Public Holidays and Committal Mention days											
	Committal	15	12	12	16	14	11	16	13	17	15	12	17
	Mention												
Hamilton	Mention	Every Wednesday except Public Holidays											
	Contest Mention	7	4	4	8	6	3	8	5	9	7	4	9
Maryborough	Mention	Every Tuesday except Public Holidays											
Portland	Mention	Every Tuesday except Public Holidays											
	Contest Mention	6	3	3	7	5	2	7	6	8	6	3	8
Warrnambool	First & second Monday of each month except Public Holidays												
	Mention)	Every Thursday except Public Holidays											
)	Every Friday except Public Holidays											
	Contest Mention	5	2	2	6	4	1	6	3	7	5	2	7
	Committal	8	5	5	9	7	4	9	6	10	8	5	10
	Mention												
Casterton	As required												

NOTE: All Magistrates' Courts commence at 10.00am and 2.00pm. CFV applications 9.30am and 2.00pm.

Region 6 - Wimmera/Mallee Region - Headquarters Bendigo Magistrates' Court

COURT	DAY	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Ararat	Mon	19	2, 16	2, 16, 30	27	11, 25	22	6, 20	3, 17, 31	14, 28	12, 26	9, 23	7, 21
	Thurs	29	26	26		21		16		10		5	
	Frid	30	27	27	24	22	19	17	14		9	6	4
Bendigo	Mon	Mentions, every Monday except Public Holidays											
	Tues	Hearings											
	Wed (Civil & Family Law)	28	25	25	22	20	17	15	12	9, 30	7	4	2
	Thurs (Hearings)	22, 29	19, 26	26	16, 23	21	11, 18	16	6, 13	10	1, 8	5, 26	3
	Frid	Mentions, every Friday except Public Holidays and 20 March 1998 & 30 October 1998											
Castlemaine	Wed (Mention)	14, 28	11, 25	11, 25	8, 22, 29	6, 20	10, 24	8, 22, 29	12, 26	9, 23, 30	7, 21	11, 25	9, 16
Echuca	Tues	Every Tuesday except Public Holidays											
	Wed	14	11	11	8	6	3	1, 29	26	23	21	18	16
	Thurs	15	12	12	9	7	4	2	27	24	22	19	17
Edenhope	Frid	16				8		3	28		23		18
Hopetoun	Thurs	15		12		7		2	27		22		17
Horsham	Mon	12	9, 23	23	6, 20	4, 18	1, 15, 29	13, 27	10, 24	7, 21	5, 19	2, 16, 30	14
	Tues		24	24	21	19	16	14	11	8	6	3	1
	Wed	Mentions, every Wednesday except Public Holidays											
	Thurs		12, 26		9, 23		4, 18	30	13	24	8	19	3
	Frid		6, 13, 20	6	3, 17	1, 15, 29	5, 12, 26	10, 24, 31	7, 21	4, 18, 25	2, 16	13, 20, 27	11
Kerang	Wed	7, 21	4, 18	4, 18	1, 15, 29	13, 27	10, 24	8, 22	5, 19	2, 16	14, 28	11, 25	9
	Thurs	8	5	5, 19	2, 30	14, 28	25	9, 23	20	3, 17	15, 29	12	10

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Region 7 - Upper Murray Region - Headquarters Shepparton Magistrates' Court

COURT	DAY	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Benalla	Tues	Every Tuesday except Public Holidays. Civil matters and Family Law cases on the last Tuesday of each month.											
Cobram	Wed	7, 21	4, 18	4, 18	1, 15, 29	13, 27	10, 24	8, 22	5, 19	2, 16, 30	14, 28	11, 25	9
Corryong	Wed	28			22			29		23			16
Mansfield	Wed	14, 28	11, 25	11, 25	8, 22	6, 20	3, 17	1, 15, 29	12, 26	9, 23	7, 21	4, 18	2, 16
Myrtleford	Frid	16, 30	27	13		8, 22	5	3, 17	14, 28	11, 25	9, 23	6, 20	4, 18
Shepparton	Mon, Tues & Frid	Every Monday, Tuesday and Friday except 13/3/98, 20/3/98, 11/9/98, 30/10/98 and Public Holidays.											
Civil and Family Law	Frid	Every Friday except 13/3/98, 20/3/98, 11/9/98, 30/10/98 and Public Holidays.											
Wangaratta	Mon	Every Monday except Public Holidays.											
	Wed	7	4	4	1, 29	27	24	23	19	16	14	11	9
	Thurs	8, 22	5, 19	5, 19	2, 16, 30	14, 28	11, 25	9	6, 20	3, 17	1, 15, 29	12, 26	10
Wodonga	Tues	Every Tuesday except Public Holidays.											
	Wed	14, 21	11, 18, 25	11, 18, 25	8, 15	6, 13, 20	3, 10, 17	1, 8, 15	5, 12, 26	2, 9	7, 21, 28	4, 18, 25	2
	Thurs	15, 29	12, 26	12, 26	9, 23	7, 21	4, 18	2, 16, 30	13, 27	10, 24	8, 22	5, 19	3, 17

NOTE: All Magistrates' Courts commence at 10.00am and 2.00pm.

Region 8 - Gippsland Region - Headquarters Moe Magistrates' Court

COURT	DAY	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Bairnsdale	Wed	Every Wednesday except Public Holidays is a Mention Court day.											
	Thurs	15, 29	19	12, 19	9, 16, 30	14, 21	11, 18	2, 9, 23, 30	13, 27	10, 24	8, 29	12, 26	3, 10
Korumburra	Mention Days	15, 29	12	5, 26	9, 23	7, 28	18	2, 23	13	3, 24	15	5, 19	10
	Thurs	22	5, 26	12	2, 16, 30	21	4, 11, 25	9, 16	6, 20	10, 17	1, 8, 22	12	3, 17
Lakes Entrance	Thurs	5	5	5	2	7			6	3	1	5	
Moe	Daily	Every Monday & Tuesday except Public Holidays is a Mention Court Day.											
Ormeo (10.30am)	Thurs	12					4				22		
Orbost	Thurs	22	26	26	23	28	25	16	20	17	15	19	17
Sale	Mon	Every Monday except Public Holidays by arrangement with relevant Registrar											
	Tues	Every Tuesday except Public Holidays is a Mention Court Day											
Wonthaggi	Wed	11	11	11	17	13	24	17	21	16	14	18	9
	Frid	30											

Dated 10 December 1997

MICHAEL A. ADAMS
Chief Magistrate

Pursuant to Section 9(1) of the Children and Young Persons Act 1989, I fix the places, days and times at which the Children's Court of Victoria may be held, as follows:

CHILDREN'S COURT FIXTURES 1998

COURT	DAY	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Broadmeadows	Every Tuesday - commencing 13/1/98												
Dandenong	Friday	9, 16, 23, 30	13, 20, 27	13, 27	17, 24	8, 15, 22, 29	12, 19 26	10, 17 24, 31	14, 21, 28	11, 18, 25	9, 16, 23	13, 20 27	11, 18
Frankston	Thursday	8, 15, 22, 29	12, 19, 26	12, 19, 26	9, 16, 23, 30	14, 21, 28	11, 18, 25	9, 16, 23, 30	13, 20, 27	10, 17, 24	8, 15, 22, 29	12, 19, 26	10, 17
Melbourne	Daily												
Preston	Every Friday												
Ringwood	Every Wednesday												
Sunshine	Every Monday - commencing 12/1/98												
Werribee	Friday	9	13	13	3	8	12	10	14	11	9	13	11

NOTE: All Courts commence at 10.00am

Dated 10 December 1997

MICHAEL A. ADAMS
Chief Magistrate

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[illegible]

[illegible]

Survey Co-ordination Act 1958
PLACE NAMES COMMITTEE

1. Notice of Proposal to Assign Place Names

The Place Names Committee gives notice that it proposes to assign the undermentioned place names. Any objections to the proposed name must be in writing (stating the reasons therefore) and be lodged with the Secretary to the Committee within two months of the publication of this notice.

<i>File No.</i>	<i>Place Names</i>	<i>Proposer and Location</i>
1631	Candlebark Walk	Proposal from the City of Maroondah, to name a series of drainage and municipal reserves situated off Croydon Hills Drive, Croydon Hills.
1645	Galada Tamboore	Proposal from the Melbourne Water Corporation, to name an area on the Merri Creek situated approximately 4 kms north of Mahoneys Road, Campbellfield.
1656	Nyah District Primary School	Proposal from the Department of Education, as a result of a merger between Nyah and Nyah West Primary Schools, to take away those names and assign the name Nyah District Primary School.
1657	Beckingsale Bushland Reserve	Proposal from Parks Victoria, to name a previously un-named bushland reserve situated off Darraweit-Wallan Road, Wallan.
1660	Memorial Park	Proposal from the City of Glen Eira, to name a municipal reserve situated at the corner of Kooyong Road and Dorgan Street, Caulfield North.

2. Notice of Proposal to Alter a Place Name

The Place Names Committee hereby gives notice that it proposes to alter the undermentioned place name in the manner indicated. Any objections to a proposal must be in writing (stating the reasons therefore) and be lodged with the Secretary to the Committee within two months of the publication of this notice.

<i>File No.</i>	<i>Present Name</i>	<i>Proposed Name</i>
1270	Hobsons Bay Secondary College	Albert Park College.

Place Names Committee, care of Land Victoria, 5th Floor, 436 Lonsdale Street, Melbourne 3000.

RON McLEOD
Secretary

Gas Industry Act 1994
NOTICE OF GRANT OF LICENCE

The Office of the Regulator-General gives notice under Section 481 of the Act that it has, pursuant to Sections 48E and 48L of the Act, issued initial gas licences authorising the following licensees to provide services by means of a distribution pipeline:

- Multinet Gas Pty Ltd (A.C.N. 079 088 930);
- Westar Pty Ltd (A.C.N. 079 089 008); and
- Stratus Networks Pty Ltd (A.C.N. 079 089 099).

The licences take effect on and from 11 December 1997 and have an unlimited term that may be revoked or varied as provided by the Act or by the terms of the licences.

The licences are reproduced below and may be inspected during business hours at the Office of the Regulator-General, 1st Floor, 35 Spring Street, Melbourne 3000.

DISTRIBUTION LICENCE ISSUED TO MULTINET GAS PTY LTD
A.C.N. 079 088 930

1. Definitions and interpretation

1.1 In this licence, words and phrases appearing in italics have the meaning ascribed to them in Part 1 of Schedule 1.

1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.

2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, authorises the Licensee to provide services by means of distribution pipelines in the distribution area subject to the conditions set out in this licence.

3. Term

3.1 This licence takes effect on and from 11 December 1997.

3.2 The Office may revoke this licence in accordance with Clause 3.3 or 3.4.

3.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.

3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.

3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).

4. Compliance with codes, rules and other requirements

4.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the Licensee's Distribution System Code.

4.2 Subject to any limitations on the Licensee's ability to do so under a code or rule referred to in Clause 4.1, if the Licensee becomes aware of a material breach of a code or rule by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.

4.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code or rule referred to in Clause 4.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code or rule applies accordingly.

4.4 An application by the Licensee under Clause 4.3 must set out a draft of the determination the Licensee seeks.

4.5 If:

- (a) the Office has received an application from the Licensee for a determination under Clause 4.3; and

(b) at the end of 20 business days after the day on which the Office received the application the Office has not:

- (1) made a determination; or
- (2) advised the Licensee that a determination will not be made,

then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application at the commencement of the twenty-first business day after the day on which the Office received the application.

4.6 The Licensee must give each User at least 5 business days notice of any planned maintenance testing or repair which will require interruptions to the delivery of gas at one or more distribution supply points of the User or the customers of the User.

4.7 The Licensee must use reasonable endeavours promptly to notify Users and customers of Users of any unplanned interruptions to the delivery of gas at one or more distribution supply points of the Users or the customers of the Users.

5. Amendment of distribution system code

5.1 Each of the Licensee and the Office may amend the Licensee's Distribution System Code.

5.2 An amendment does not take effect unless and until:

- (a) the Office has, after taking into account any such representations and the policy objectives, approved the amendment by giving written notice to that effect to the Licensee; and
- (b) where the amendment has been initiated by the Office, the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment.

5.3 Without limiting Clause 5.1, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned distributor; or
- (b) the execution of a contract for the sale of shares in the capital of a State owned distributor;

whichever occurs first, the Minister may amend the Licensee's Distribution System Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.

6. Augmentation

6.1 Subject to Clauses 6.2 and 6.3, if the Licensee proposes to augment its distribution system in connection with an offer to provide a Service pursuant to its Access Arrangement, being a Service that is an "excluded service" as defined in the Tariff Order, the Licensee must, before making the offer (or, where the proposal is not in connection with an offer, before performing any augmentation works), call for offers to perform the augmentation works from at least two other persons who compete in performing works of that kind (or who are capable of so competing) and must comply with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** in relation to this tendering process.

6.2 The Licensee need not comply with Clause 6.1, where the proposed augmentation is in connection with an offer to provide a Service pursuant to its Access Arrangement, being a Service that is an "excluded service" as defined in the Tariff Order, if:

- (a) the Licensee and the person to whom the Service is to be provided agree that the Licensee need not comply;

- (b) a copy of the agreement made under paragraph (a) is given to the Office together with such other information about the proposed augmentation as the Office may reasonably require; and
- (c) within 20 business days after the agreement made under paragraph (a) is given to the Office, the Office:
 - (1) gives the Licensee notice that the Office approves the agreement; or
 - (2) does not do so and does not notify the Licensee that the Office requires further time to consider whether or not to approve the agreement.

6.3 The Licensee need not comply with Clause 6.1 where:

- (a) the Office, having notified the Licensee that the Office requires further time to consider whether or not to approve the agreement, at any time gives the Licensee notice that the Office approves the agreement; or
- (b) the Office is satisfied that the costs likely to be incurred in a tendering process under Clause 6.1 are likely to outweigh the benefits of the process, and notifies the Licensee accordingly.

7. Statement of charges

On request from a retailer which sells gas to a customer, the Licensee must provide to the retailer such information as the retailer reasonably requires to enable the retailer to comply with a legal or regulatory requirement to include, in statements the retailer issues to the customer requiring payment in respect of the gas sold, the total of amounts charged by the distributor in respect of that customer.

8. Standards and procedures

- 8.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.
- 8.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.
- 8.3 If the Office considers that:
 - (a) the Licensee has failed to comply with Clause 8.1; or
 - (b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any monopoly power it enjoys,the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

9. Separate accounts

The Licensee must establish and maintain:

- (a) a separate set of accounts in respect of the Services provided by each Covered Pipeline in respect of which the Licensee is a Service Provider; and
- (b) a separate consolidated set of accounts in respect of the entire business of the Service Provider,

to the extent required, and in accordance with guidelines set, by the Office.

10. Provision of information to the office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

11. Payment of licence fees

11.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$200,000.00 per annum.

11.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or
- (b) in full on or before the last day of September of each year.

11.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

12. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to, the Tariff Order.

13. Variation

13.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 13.2.

13.2 Where the Licensee is a State owned distributor, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
- (b) the execution of a contract for the sale of shares in the capital of the Licensee, whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

14. Operational and Compliance Audits

14.1 The Licensee must undertake operational and compliance audits of:

- (a) its compliance with obligations under this licence, the Licensee's Distribution System Code and the Customer Service Code; and
- (b) its compliance with policies, practices, procedures and systems for collection, analysis and reporting of data on the performance and the capacity of the gas distribution system.

14.2 The operational and compliance audits must be conducted annually by an independent expert or audit team nominated by the holder of the Licensee and approved by the Office.

14.3 The scope of the operational and compliance audits are to be approved by the Office and must meet any minimum audit scope required by the Office, but need not cover obligations, policies, practices, procedures or systems of the Licensee where compliance is audited under a separate regulatory requirement.

14.4 The Licensee must provide the results of the audit to the Office in accordance with any guidelines published by the Office under the **Office of the Regulator-General Act 1994**.

14.5 The terms and conditions of the operational and compliance audit contract which relate to the scope of the audits must be approved by the Office.

15. Communications

15.1 A communication must be in writing in the English language.

15.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Access Arrangement" has the meaning ascribed to that term in the Victorian Access Code;

"Act" means the **Gas Industry Act 1994**;

"augmentation" has the meaning ascribed to that term in the Tariff Order;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"Covered Pipeline" has the meaning ascribed to that term in the Victorian Access Code;

"customer" means a person, other than a retailer, who buys or wishes to buy gas directly from a retailer;

"Customer Service Code" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"distribute", in relation to gas, means to distribute gas using a distribution system;

"distribution area" means the area described in Schedule 2;

"distribution pipeline" has the meaning ascribed to that term in the Act;

"distribution services" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"distribution supply point" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"distribution system" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"distributor" has the same meaning as "gas distribution company" under the Act;

"enforcement order" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"Licensee" means Multinet Gas Pty Ltd A.C.N. 079 088 930;

"Licensee's Distribution System Code" means the Distribution System Code lodged with the Office on or about 3 November 1997 which specifies (among other things) the minimum standards for the operation of the Licensee's distribution system and the delivery of distribution services through the Licensee's distribution system;

"Office" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"Minister" means the Treasurer;

"policy objectives" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"retailer" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"retail licence" means a licence to sell gas granted under Section 48E of the Act;

"Service" has the meaning ascribed to that term in the Victorian Access Code;

"Service Provider" has the meaning ascribed to that term in the Victorian Access Code;

"standards and procedures" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures; and
- (e) rules and procedures for compensating customers for the Licensee's failure to comply with any such standards, policies, practices and procedures,

which are issued by the Licensee under Clause 8.1 or by the Office under Clause 8.3;

"State owned distributor" means a distributor all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"supply", in relation to gas, means the delivery of gas;

"Tariff Order" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"undertaking" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"User" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"VENCorp" means Victorian Energy Networks Corporation established under the Act;

"Victorian Access Code" means, at any time, whichever of the following is applicable at that time:

- (a) the Victorian Third Party Access Code for Natural Gas Pipeline Systems established under Section 48U of the Act; or
- (b) the proposed National Third Party Access Code for Natural Gas Pipeline Systems;

"writing" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;

- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

SCHEDULE 2: DISTRIBUTION AREA

Postcodes

3004, 3006, 3097*, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3111, 3113, 3114, 3115, 3116, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3158, 3159, 3160, 3161, 3162, 3163, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175*, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3201*, 3202, 3204, 3205, 3206, 3207, 3765, 3766, 3767, 3770*, 3781, 3782, 3783, 3785, 3786, 3787, 3788, 3789, 3791, 3792, 3793, 3795, 3796, 3802, 3804*

* Postcode 3175 is shared between the Licensee and Stratus Networks Pty Ltd A.C.N. 079 089 099. As at the date of this licence, the distribution supply points of Stratus Networks Pty Ltd A.C.N. 079 089 099 are connected in Abbots Road.

* Postcode 3770 is shared between the Licensee and Stratus Networks Pty Ltd A.C.N. 079 089 099. As at the date of this licence, the distribution supply points of Stratus Networks Pty Ltd A.C.N. 079 089 099 are connected in Maddens Lane and the Maroondah Highway.

* Postcode 3097 is shared between Stratus Networks Pty Ltd A.C.N. 079 089 099 and the Licensee. As at the date of this licence, the Licensee's distribution supply points are connected in Menzies Road.

- * Postcode 3201 is shared between Stratus Networks Pty Ltd A.C.N. 079 089 099 and the Licensee. As at the date of this licence, the Licensee's distribution supply points are connected in Wadsley Road.
- * Postcode 3804 is shared between Stratus Networks Pty Ltd A.C.N. 079 089 099 and the Licensee. As at the date of this licence, the Licensee's distribution supply points are connected in Caithwell Court, Ebeli Cl, Lyala Court and Waterfore Cl.

DISTRIBUTION LICENCE ISSUED TO WESTAR PTY LTD
A.C.N. 079 089 008

1. Definitions and interpretation
 - 1.1 In this licence, words and phrases appearing in italics have the meaning ascribed to them in Part 1 of Schedule 1.
 - 1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.
2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, authorises the Licensee to provide services by means of distribution pipelines in the distribution area subject to the conditions set out in this licence.

3. Term
 - 3.1 This licence takes effect on and from 11 December 1997.
 - 3.2 The Office may revoke this licence in accordance with Clause 3.3 or 3.4.
 - 3.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.
 - 3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.
 - 3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).
4. Compliance with codes, rules and other requirements
 - 4.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the Licensee's Distribution System Code.
 - 4.2 Subject to any limitations on the Licensee's ability to do so under a code or rule referred to in Clause 4.1, if the Licensee becomes aware of a material breach of a code or rule by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.
 - 4.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code or rule referred to in Clause 4.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code or rule applies accordingly.
 - 4.4 An application by the Licensee under Clause 4.3 must set out a draft of the determination the Licensee seeks.

4.5 If:

- (a) the Office has received an application from the Licensee for a determination under Clause 4.3; and
- (b) at the end of 20 business days after the day on which the Office received the application the Office has not:
 - (1) made a determination; or
 - (2) advised the Licensee that a determination will not be made,

then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application at the commencement of the twenty-first business day after the day on which the Office received the application.

4.6 The Licensee must give each User at least 5 business days notice of any planned maintenance testing or repair which will require interruptions to the delivery of gas at one or more distribution supply points of the User or the customers of the User.

4.7 The Licensee must use reasonable endeavours promptly to notify Users and customers of Users of any unplanned interruptions to the delivery of gas at one or more distribution supply points of the Users or the customers of the Users.

5. Amendment of distribution system code

5.1 Each of the Licensee and the Office may amend the Licensee's Distribution System Code.

5.2 An amendment does not take effect unless and until:

- (a) the Office has, after taking into account any such representations and the policy objectives, approved the amendment by giving written notice to that effect to the Licensee; and
- (b) where the amendment has been initiated by the Office, the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment.

5.3 Without limiting Clause 5.1, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned distributor; or
- (b) the execution of a contract for the sale of shares in the capital of a State owned distributor,

whichever occurs first, the Minister may amend the Licensee's Distribution System Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.

6. Augmentation

6.1 Subject to Clauses 6.2 and 6.3, if the Licensee proposes to augment its distribution system in connection with an offer to provide a Service pursuant to its Access Arrangement, being a Service that is an "excluded service" as defined in the Tariff Order, the Licensee must, before making the offer (or, where the proposal is not in connection with an offer, before performing any augmentation works), call for offers to perform the augmentation works from at least two other persons who compete in performing works of that kind (or who are capable of so competing) and must comply with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** in relation to this tendering process.

6.2 The Licensee need not comply with Clause 6.1, where the proposed augmentation is in connection with an offer to provide a Service pursuant to its Access Arrangement, being a Service that is an "excluded service" as defined in the Tariff Order, if:

- (a) the Licensee and the person to whom the Service is to be provided agree that the Licensee need not comply;
- (b) a copy of the agreement made under paragraph (a) is given to the Office together with such other information about the proposed augmentation as the Office may reasonably require; and
- (c) within 20 business days after the agreement made under paragraph (a) is given to the Office, the Office:
 - (1) gives the Licensee notice that the Office approves the agreement; or
 - (2) does not do so and does not notify the Licensee that the Office requires further time to consider whether or not to approve the agreement.

6.3 The Licensee need not comply with Clause 6.1 where:

- (a) the Office, having notified the Licensee that the Office requires further time to consider whether or not to approve the agreement, at any time gives the Licensee notice that the Office approves the agreement; or
- (b) the Office is satisfied that the costs likely to be incurred in a tendering process under Clause 6.1 are likely to outweigh the benefits of the process, and notifies the Licensee accordingly.

7. Statement of charges

On request from a retailer which sells gas to a customer, the Licensee must provide to the retailer such information as the retailer reasonably requires to enable the retailer to comply with a legal or regulatory requirement to include, in statements the retailer issues to the customer requiring payment in respect of the gas sold, the total of amounts charged by the distributor in respect of that customer.

8. Standards and procedures

8.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.

8.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.

8.3 If the Office considers that:

- (a) the Licensee has failed to comply with Clause 8.1; or
 - (b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any monopoly power it enjoys,
- the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

9. Separate accounts

The Licensee must establish and maintain:

- (a) a separate set of accounts in respect of the Services provided by each Covered Pipeline in respect of which the Licensee is a Service Provider; and
- (b) a separate consolidated set of accounts in respect of the entire business of the Service Provider,

to the extent required, and in accordance with guidelines set, by the Office.

10. Provision of information to the office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

11. Payment of licence fees

11.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$200,000.00 per annum.

11.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or
- (b) in full on or before the last day of September of each year.

11.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

12. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to, the Tariff Order.

13. Variation

13.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 13.2.

13.2 Where the Licensee is a State owned distributor, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
 - (b) the execution of a contract for the sale of shares in the capital of the Licensee,
- whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

14. Operational and Compliance Audits

14.1 The Licensee must undertake operational and compliance audits of:

- (a) its compliance with obligations under this licence, the Licensee's Distribution System Code and the Customer Service Code; and
- (b) its compliance with policies, practices, procedures and systems for collection, analysis and reporting of data on the performance and the capacity of the gas distribution system.

14.2 The operational and compliance audits must be conducted annually by an independent expert or audit team nominated by the holder of the Licensee and approved by the Office.

14.3 The scope of the operational and compliance audits are to be approved by the Office and must meet any minimum audit scope required by the Office, but need not cover obligations, policies, practices, procedures or systems of the Licensee where compliance is audited under a separate regulatory requirement.

14.4 The Licensee must provide the results of the audit to the Office in accordance with any guidelines published by the Office under the **Office of the Regulator-General Act 1994**.

14.5 The terms and conditions of the operational and compliance audit contract which relate to the scope of the audits must be approved by the Office.

15. Communications

15.1 A communication must be in writing in the English language.

15.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Access Arrangement" has the meaning ascribed to that term in the Victorian Access Code;

"Act" means the **Gas Industry Act 1994**;

"augmentation" has the meaning ascribed to that term in the Tariff Order;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"Covered Pipeline" has the meaning ascribed to that term in the Victorian Access Code;

"customer" means a person, other than a retailer, who buys or wishes to buy gas directly from a retailer;

"Customer Service Code" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"distribute", in relation to gas, means to distribute gas using a distribution system;

"distribution area" means the area described in Schedule 2;

"distribution pipeline" has the meaning ascribed to that term in the Act;

"distribution services" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"distribution supply point" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"distribution system" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"distributor" has the same meaning as "gas distribution company" under the Act;

"enforcement order" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"Licensee" means Westar Pty Ltd A.C.N. 079 089 008;

"Licensee's Distribution System Code" means the Distribution System Code lodged with the Office on or about 3 November 1997 which specifies (among other things) the minimum standards for the operation of the Licensee's distribution system and the delivery of distribution services through the Licensee's distribution system;

"Office" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"Minister" means the Treasurer;

"policy objectives" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"retailer" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"retail licence" means a licence to sell gas granted under Section 48E of the Act;

"Service" has the meaning ascribed to that term in the Victorian Access Code;

"Service Provider" has the meaning ascribed to that term in the Victorian Access Code;

"standards and procedures" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures; and
- (e) rules and procedures for compensating customers for the Licensee's failure to comply with any such standards, policies, practices and procedures,

which are issued by the Licensee under Clause 8.1 or by the Office under Clause 8.3;

"State owned distributor" means a distributor all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"supply", in relation to gas, means the delivery of gas;

"Tariff Order" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"undertaking" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"User" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"VENCorp" means Victorian Energy Networks Corporation established under the Act;

"Victorian Access Code" means, at any time, whichever of the following is applicable at that time:

- (a) the Victorian Third Party Access Code for Natural Gas Pipeline Systems established under Section 48U of the Act; or
- (b) the proposed National Third Party Access Code for Natural Gas Pipeline Systems;

"writing" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

SCHEDULE 2: DISTRIBUTION AREA

Postcodes

3011, 3012, 3013, 3015, 3016, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3031, 3032, 3033, 3034, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3055*, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3211, 3212, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3228, 3335, 3337, 3338, 3427, 3428, 3429

3249, 3250, 3266, 3277, 3280, 3282, 3300, 3305, 3340, 3342, 3350, 3352, 3355, 3356, 3357, 3377, 3380, 3400, 3430, 3437, 3444, 3450, 3451, 3460, 3461, 3464, 3465, 3550, 3551, 3555, 3556

- * Postcode 3055 is shared between the Licensee and Stratus Networks Pty Ltd A.C.N. 079 089 099. As at the date of this licence, the Licensee distribution supply points are connected in Galtes Crescent, Southam Street, Morrow Street, Hopetoun Avenue, Moreland Road and Flannery Court.

DISTRIBUTION LICENCE ISSUED TO STRATUS NETWORKS PTY LTD
A.C.N. 079 089 099

1. Definitions and interpretation

- 1.1 In this licence, words and phrases appearing in *italics* have the meaning ascribed to them in Part 1 of Schedule 1.
- 1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.

2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, authorises the Licensee to provide services by means of distribution pipelines in the distribution area subject to the conditions set out in this licence.

3. Term

- 3.1 This licence takes effect on and from 11 December 1997.
- 3.2 The Office may revoke this licence in accordance with Clause 3.3 or 3.4.
- 3.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.
- 3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.
- 3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).

4. Compliance with codes, rules and other requirements

- 4.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the Licensee's Distribution System Code.
- 4.2 Subject to any limitations on the Licensee's ability to do so under a code or rule referred to in Clause 4.1, if the Licensee becomes aware of a material breach of a code or rule by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.
- 4.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code or rule referred to in Clause 4.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code or rule applies accordingly.
- 4.4 An application by the Licensee under Clause 4.3 must set out a draft of the determination the Licensee seeks.
- 4.5 If:
 - (a) the Office has received an application from the Licensee for a determination under Clause 4.3; and
 - (b) at the end of 20 business days after the day on which the Office received the application the Office has not:
 - (1) made a determination; or

- (2) advised the Licensee that a determination will not be made,
then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application at the commencement of the twenty-first business day after the day on which the Office received the application.
- 4.6 The Licensee must give each User at least 5 business days notice of any planned maintenance testing or repair which will require interruptions to the delivery of gas at one or more distribution supply points of the User or the customers of the User.
- 4.7 The Licensee must use reasonable endeavours promptly to notify Users and customers of Users of any unplanned interruptions to the delivery of gas at one or more distribution supply points of the Users or the customers of the Users.
5. Amendment of distribution system code
- 5.1 Each of the Licensee and the Office may amend the Licensee's Distribution System Code.
- 5.2 An amendment does not take effect unless and until:
- (a) the Office has, after taking into account any such representations and the policy objectives, approved the amendment by giving written notice to that effect to the Licensee; and
 - (b) where the amendment has been initiated by the Office, the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment.
- 5.3 Without limiting Clause 5.1, prior to:
- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned distributor; or
 - (b) the execution of a contract for the sale of shares in the capital of a State owned distributor,
- whichever occurs first, the Minister may amend the Licensee's Distribution System Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.
6. Augmentation
- 6.1 Subject to Clauses 6.2 and 6.3, if the Licensee proposes to augment its distribution system in connection with an offer to provide a Service pursuant to its Access Arrangement, being a Service that is an "excluded service" as defined in the Tariff Order, the Licensee must, before making the offer (or, where the proposal is not in connection with an offer, before performing any augmentation works), call for offers to perform the augmentation works from at least two other persons who compete in performing works of that kind (or who are capable of so competing) and must comply with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** in relation to this tendering process.
- 6.2 The Licensee need not comply with Clause 6.1, where the proposed augmentation is in connection with an offer to provide a Service pursuant to its Access Arrangement, being a Service that is an "excluded service" as defined in the Tariff Order, if:
- (a) the Licensee and the person to whom the Service is to be provided agree that the Licensee need not comply;
 - (b) a copy of the agreement made under paragraph (a) is given to the Office together with such other information about the proposed augmentation as the Office may reasonably require; and

(c) within 20 business days after the agreement made under paragraph (a) is given to the Office, the Office:

- (1) gives the Licensee notice that the Office approves the agreement; or
- (2) does not do so and does not notify the Licensee that the Office requires further time to consider whether or not to approve the agreement.

6.3 The Licensee need not comply with Clause 6.1 where:

- (a) the Office, having notified the Licensee that the Office requires further time to consider whether or not to approve the agreement, at any time gives the Licensee notice that the Office approves the agreement; or
- (b) the Office is satisfied that the costs likely to be incurred in a tendering process under Clause 6.1 are likely to outweigh the benefits of the process, and notifies the Licensee accordingly.

7. Statement of charges

On request from a retailer which sells gas to a customer, the Licensee must provide to the retailer such information as the retailer reasonably requires to enable the retailer to comply with a legal or regulatory requirement to include, in statements the retailer issues to the customer requiring payment in respect of the gas sold, the total of amounts charged by the distributor in respect of that customer.

8. Standards and procedures

8.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.

8.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.

8.3 If the Office considers that:

- (a) the Licensee has failed to comply with Clause 8.1; or
- (b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any monopoly power it enjoys,

the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

9. Separate accounts

The Licensee must establish and maintain:

- (a) a separate set of accounts in respect of the Services provided by each Covered Pipeline in respect of which the Licensee is a Service Provider; and
- (b) a separate consolidated set of accounts in respect of the entire business of the Service Provider,

to the extent required, and in accordance with guidelines set, by the Office.

10. Provision of information to the office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

11. Payment of licence fees

11.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$200,000.00 per annum.

11.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or
- (b) in full on or before the last day of September of each year.

11.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

12. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to, the Tariff Order.

13. Variation

13.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 13.2.

13.2 Where the Licensee is a State owned distributor, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
 - (b) the execution of a contract for the sale of shares in the capital of the Licensee,
- whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

14. Operational and Compliance Audits

14.1 The Licensee must undertake operational and compliance audits of:

- (a) its compliance with obligations under this licence, the Licensee's Distribution System Code and the Customer Service Code; and
- (b) its compliance with policies, practices, procedures and systems for collection, analysis and reporting of data on the performance and the capacity of the gas distribution system.

14.2 The operational and compliance audits must be conducted annually by an independent expert or audit team nominated by the holder of the Licensee and approved by the Office.

14.3 The scope of the operational and compliance audits are to be approved by the Office and must meet any minimum audit scope required by the Office, but need not cover obligations, policies, practices, procedures or systems of the Licensee where compliance is audited under a separate regulatory requirement.

14.4 The Licensee must provide the results of the audit to the Office in accordance with any guidelines published by the Office under the **Office of the Regulator-General Act 1994**.

14.5 The terms and conditions of the operational and compliance audit contract which relate to the scope of the audits must be approved by the Office.

15. Communications

15.1 A communication must be in writing in the English language.

15.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;

- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Access Arrangement" has the meaning ascribed to that term in the Victorian Access Code;

"Act" means the **Gas Industry Act 1994**;

"augmentation" has the meaning ascribed to that term in the Tariff Order;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"Covered Pipeline" has the meaning ascribed to that term in the Victorian Access Code;

"customer" means a person, other than a retailer, who buys or wishes to buy gas directly from a retailer;

"Customer Service Code" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"distribute", in relation to gas, means to distribute gas using a distribution system;

"distribution area" means the area described in Schedule 2;

"distribution pipeline" has the meaning ascribed to that term in the Act;

"distribution services" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"distribution supply point" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"distribution system" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"distributor" has the same meaning as "gas distribution company" under the Act;

"enforcement order" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"Licensee" means Stratus Networks Pty Ltd A.C.N. 079 089 099;

"*Licensee's Distribution System Code*" means the Distribution System Code lodged with the Office on or about 3 November 1997 which specifies (among other things) the minimum standards for the operation of the Licensee's distribution system and the delivery of distribution services through the Licensee's distribution system;

"*Office*" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"*Minister*" means the Treasurer;

"*policy objectives*" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"*retailer*" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"*retail licence*" means a licence to sell gas granted under Section 48E of the Act;

"*Service*" has the meaning ascribed to that term in the Victorian Access Code;

"*Service Provider*" has the meaning ascribed to that term in the Victorian Access Code;

"*standards and procedures*" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures; and
- (e) rules and procedures for compensating customers for the Licensee's failure to comply with any such standards, policies, practices and procedures,

which are issued by the Licensee under Clause 8.1 or by the Office under Clause 8.3;

"*State owned distributor*" means a distributor all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"*supply*", in relation to gas, means the delivery of gas;

"*Tariff Order*" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"*undertaking*" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"*User*" has the meaning ascribed to that term in the Licensee's Distribution System Code;

"*VENCorp*" means Victorian Energy Networks Corporation established under the Act;

"*Victorian Access Code*" means, at any time, whichever of the following is applicable at that time:

- (a) the Victorian Third Party Access Code for Natural Gas Pipeline Systems established under Section 48U of the Act; or
- (b) the proposed National Third Party Access Code for Natural Gas Pipeline Systems;

"*writing*" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;

- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

SCHEDULE 2: DISTRIBUTION AREA

Postcodes

3561, 3564, 3616, 3618, 3620, 3621, 3623, 3624, 3629, 3630, 3631, 3636, 3638, 3658, 3659, 3660, 3662, 3666, 3672, 3677, 3683, 3685, 3690, 3691, 3694, 3751, 3753, 3756, 3757, 3763, 3764, 3775

3000, 3002, 3003, 3005, 3050, 3051, 3052, 3053, 3054, 3055*, 3056, 3057, 3065, 3066, 3067, 3068, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3087, 3088, 3089, 3090, 3091, 3093, 3094, 3095, 3096, 3097*, 3099, 3121, 3139, 3175*, 3198, 3199, 3200, 3201*, 3750, 3752, 3754, 3755, 3759, 3760, 3761, 3770*, 3777, 3803, 3804*, 3805, 3806, 3807, 3808, 3809, 3810, 3812, 3813, 3814, 3815, 3816, 3818, 3820, 3822, 3823, 3824, 3825, 3840, 3842, 3844, 3847, 3850, 3851, 3852, 3860, 3910, 3911, 3912, 3913, 3915, 3916, 3918, 3919, 3920, 3921, 3926, 3927, 3928, 3929, 3930, 3931, 3933, 3934, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3975, 3976, 3977, 3978, 3980, 3981, 3984, 3987

3641, 3644, 3687, 3730

* Postcode 3055 is shared between the Licensee and Westar Pty Ltd A.C.N. 079 089 008. As at the date of this licence, the distribution supply points of Westar Pty Ltd A.C.N. 079 089 008 are connected in Galtes Crescent, Southam Street, Morrow Street, Hopetoun Avenue, Moreland Road and Flannery Court.

* Postcode 3175 is shared between Multinet Gas Pty Ltd A.C.N. 079 088 930 and the Licensee. As at the date of this licence, the Licensee's distribution supply points are connected in Abbots Road.

- * Postcode 3770 is shared between Multinet Gas Pty Ltd A.C.N. 079 088 930 and the Licensee. As at the date of this licence, the Licensee's distribution supply points are connected in Maddens Lane and the Maroondah Highway.
- * Postcode 3097 is shared between the Licensee and Multinet Gas Pty Ltd A.C.N. 079 088 930. As at the date of this licence, the distribution supply points of Multinet Gas Pty Ltd A.C.N. 079 088 930 are connected in Menzies Road.
- * Postcode 3201 is shared between the Licensee and Multinet Gas Pty Ltd A.C.N. 079 088 930. As at the date of this licence, the distribution supply points of Multinet Gas Pty Ltd A.C.N. 079 088 930 are connected in Wadsley Road.
- * Postcode 3804 is shared between the Licensee and Multinet Gas Pty Ltd A.C.N. 079 088 930. As at the date of this licence, the distribution supply points of Multinet Gas Pty Ltd A.C.N. 079 088 930 are connected in Caithwell Court, Ebeli Cl, Lyala Court and Waterfore Cl.

Dated 15 December 1997

JOHN C. TAMBLYN
Regulator-General

Gas Industry Act 1994
NOTICE OF GRANT OF LICENCE

The Office of the Regulator-General gives notice under Section 48I of the Act that it has, pursuant to Sections 48E and 48L of the Act, issued initial gas licences authorising the following licensees to sell gas by retail:

- Ikon Energy Pty Ltd (A.C.N. 079 089 553);
- Kinetik Energy Pty Ltd (A.C.N. 079 089 188);
- Energy 21 Pty Ltd (A.C.N. 079 089 213);
- GASCOR (a statutory corporation established by the **Gas Industry Act 1994**); and
- Esso Australia Resources Ltd (A.R.B.N. 000 444 860).

The licences take effect on and from 11 December 1997 and have an unlimited term that may be revoked or varied as provided by the Act or by the terms of the licences.

The licences are reproduced below and may be inspected during business hours at the Office of the Regulator-General, 1st Floor, 35 Spring Street, Melbourne 3000.

RETAIL LICENCE ISSUED TO IKON ENERGY PTY LTD
(A.C.N. 079 089 553)

1. Definitions and interpretation

- 1.1 In this licence, words and phrases appearing in italics have the meanings ascribed to them in Part 1 of Schedule 1.
- 1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.

2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, licenses the Licensee to sell gas:

- (a) to franchise customers from supply points in the Licensee's franchise area; and
- (b) to non-franchise customers from supply points anywhere in Victoria,

subject to the conditions set out in this licence.

3. Term

- 3.1 This licence takes effect on and from 11 December 1997.

- 3.2 The Office may revoke this licence in accordance with Clause 3.3 or 3.4.
- 3.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.
- 3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.
- 3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).
- 4. Obligation to offer to sell
 - 4.1 Within 20 business days after receiving a request for supply from a franchise customer in relation to a gas installation of the franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area, the Licensee must offer to sell gas to that franchise customer on terms which are consistent with its obligations, if any, under the Tariff Order.
 - 4.2 If the Tariff Order does not apply, an offer made by the Licensee under this Clause 4 must include price and other terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.
 - 4.3 Any question as to the fairness and reasonableness of a term shall be decided by the Office on the basis of the Office's opinion of the fairness and reasonableness of the term.
 - 4.4 The Licensee must not refuse to sell gas to a franchise customer in relation to a gas installation of a franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area unless:
 - (a) the Licensee has made an offer to sell gas in accordance with this Clause 4 but the offer has not been accepted; or
 - (b) the Licensee is permitted or required to do so by any code or other requirements with which the Licensee must comply pursuant to Clause 6.
 - 4.5 The Licensee must deal with a request under Clause 4.1 in accordance with any applicable guidelines published by the Office under the **Office of the Regulator-General Act 1994**.
 - 4.6 A question as to the applicability of guidelines for the purpose of Clause 4.5 shall be decided by the Office on the basis of the Office's opinion of their applicability.
- 5. The Customer Service Code and other obligations
 - 5.1 The Office may amend the Customer Service Code in accordance with procedures specified in the Code itself or, insofar as it applies to the supply or sale of gas by the Licensee, by giving notice to the Licensee specifying the amendment.
 - 5.2 Without limiting the generality of Clause 5.1, insofar as the Customer Service Code imposes standards and procedures for the benefit of domestic customers, the Office may extend the operation of the Customer Service Code beyond 1 September 2001.
 - 5.3 An amendment does not take effect unless and until:
 - (a) the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment; and

- (b) the Office has, after taking into account any such representations and the policy objectives, approved the amendment.
- 5.4 The Licensee must, at the direction of the Office, send to each franchise customer in the Licensee's franchise area details of their rights and obligations under the Customer Service Code in a form approved by the Office.
- 5.5 The Licensee must provide or send a copy of the Customer Service Code (including any sub-code, guidelines or standard incorporated by reference into or otherwise forming part of the Customer Service Code) to any person requesting it, and may impose a fair and reasonable charge upon the person to recover costs incurred in doing so.
- 5.6 Subject to any limitations on the Licensee's ability to do so under any of the codes and other requirements referred to in Clause 6, if the Licensee becomes aware of a material breach of the Customer Service Code by a person whose gas installation is or, when the supply point exists, will be in the Licensee's franchise area and who is required to comply with the Customer Service Code, the Licensee must notify the Office of the breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, immediately.
- 5.7 Without limiting Clause 5.1, prior to:
 - (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned retailer; or
 - (b) the execution of a contract for the sale of shares in the capital of a State owned retailer,whichever occurs first, the Minister may amend the Customer Service Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.
- 5.8 The Licensee must notify the relevant distributor of the Licensee's contractual arrangements with the Licensee's customers relating to interruption or curtailment of supply within 21 business days of entering into such arrangements.
- 5.9 If the Licensee is notified by a distributor of any interruption or curtailment of delivery of gas at a distribution delivery point, the Licensee must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.
- 6. Compliance with codes
- 6.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the relevant Distribution System Code.
- 6.2 Subject to any limitations on the Licensee's ability to do so under a code referred to in Clause 6.1, if the Licensee becomes aware of a material breach of a code by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.
- 6.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code referred to in Clause 6.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code applies accordingly.
- 6.4 An application by the Licensee under Clause 6.3 must set out a draft of the determination the Licensee seeks.
- 6.5 If:
 - (a) the Office has received an application from the Licensee for a determination under Clause 6.3; and

(b) at the end of 20 business days after the day on which the Office received the application the Office has not:

- (1) made a determination; or
- (2) advised the Licensee that a determination will not be made,

then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application at the commencement of the twenty-first business day after the day on which the Office received the application.

7. Statement of Charges

A statement issued by the Licensee to a non-franchise customer requiring payment for gas sold to that customer must, if and when the Office considers it reasonable having regard to the cost to the Licensee:

- (a) include as a separate item in each statement requiring payment for gas sold to that customer the total of amounts charged by a distributor and the total of amounts charged by a transmission company in respect of that customer; and
- (b) comply with any applicable guidelines issued by the Office.

8. Standards and procedures

8.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.

8.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.

8.3 If the Office considers that:

- (a) the Licensee has failed to comply with Clause 8.1; or
- (b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any substantial power it enjoys in a market in which gas is bought and sold in Victoria, whether or not the market extends beyond Victoria,

the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

9. Hot Water Metering

9.1 The Licensee must ensure that each hot water metering installation for a customer in the Licensee's franchise area is provided, replaced, installed, repaired and maintained in accordance with all applicable laws and standards and procedures.

9.2 In particular, within 20 business days after receiving a request for the provision, replacement, installation, repair or maintenance of a hot water metering installation which is not functioning in accordance with all applicable laws and standards and procedures, the Licensee must offer to provide the service requested on terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.

9.3 Clause 4.3 applies to an offer made under Clause 9.1.

10. Obligations of Licensee's principal

If the Licensee at any time sells gas to franchise customers from supply points in the Licensee's franchise area as an agent of a State owned retailer (or as an agent of Gascor), the Licensee must at all relevant times comply with the terms of the licence granted by the Office to the Licensee's principal.

11. Contestability

11.1 Until a contract franchise customer becomes a non-franchise customer, the Licensee must, for so long as the contract franchise customer is not in default:

- (a) permit the relevant customer supply contract to continue to apply (notwithstanding any termination date set out in that customer supply contract), on the terms and conditions set out in that customer supply contract, but subject to any amendments to those terms and conditions made under the Tariff Order; and
- (b) not exercise such rights as the Licensee may have under that customer supply contract to terminate that contract by giving notice to the contract franchise customer,

until the later of the date on which that contract franchise customer becomes a non franchise customer or the termination date set out in that customer supply contract.

11.2 At, or any time before, the time stipulated in Clause 11.3, the Licensee must notify the contract franchise customer:

- (a) of the date on which it will become a non franchise customer; and
- (b) that, without prejudice to its rights under its customer supply contract, it also has the right to terminate its customer supply contract with the Licensee subject to the following conditions:
 - (1) it must give the Licensee at least 3 months notice of its intention to terminate its customer supply contract;
 - (2) the termination date set out in its notice under Clause 11.2 (b) (1) must be a date which is on or after the date on which it becomes a non franchise customer; and
 - (3) it must agree to pay or secure the payment to the Licensee of any outstanding charges under the customer supply contract.

11.3 The Licensee must provide a contract franchise customer with the notification referred to in Clause 11.2 before the earliest to occur of the following dates:

- (a) 6 months before the contract franchise customer becomes a non franchise customer; or
- (b) 6 months before the termination date set out in the relevant customer supply contract (or, where that termination date is a date which is less than 6 months after 11 December 1997, within 1 month after 11 December 1997 or 7 business days before that termination date, whichever is the earlier); or
- (c) the date on which the Licensee institutes, or responds to, a written or other communication that, wholly or in part, concerns the terms upon which the contract franchise customer may buy gas from the Licensee after the termination of the relevant customer supply contract.

11.4 Upon a contract franchise customer paying or securing the payment of any outstanding charges under the customer supply contract to the satisfaction of the Licensee the customer supply contract is terminated on the later of:

- (a) the termination date set out in the notice from the contract franchise customer under Clause 11.2 (b) (1); or
- (b) the date on which the contract franchise customer becomes a non franchise customer.

11.5 The Licensee must comply with any guidelines issued by, and other requirements of, the Office in connection with the transition of customers from the status of franchise customers to the status of non franchise customers, including, without limitation, guidelines and requirements in connection with notifying customers of the timing of, and their rights following, such transition.

12. Confidentiality

The Licensee must:

- (a) comply with guidelines issued by the Office relating to the use of information acquired by the Licensee in the course of its gas retail business; and
- (b) ensure that information concerning a customer is not disclosed to another person without the prior written consent of the customer to whom the information relates, unless the disclosure of the information is necessary to enable the Licensee to comply with this licence.

13. Provision of information to Victorian Energy Networks Corporation

13.1 Following a request in writing from VENCORP, the Licensee must provide to VENCORP such documents or information as VENCORP may reasonably require to perform its functions and exercise its powers under the Act.

13.2 A question as to the reasonableness of a requirement by VENCORP for documents or information as contemplated by Clause 13.1 shall be determined by the Office on the basis of the Office's opinion of the reasonableness of the requirement.

14. Dispute Resolution

14.1 If requested by the Office the Licensee must develop, submit to the Office for its approval and implement a scheme for the investigation and resolution of disputes between it and:

- (a) a customer about the Licensee's services, billings and charging; and
- (b) aggrieved persons about the manner in which the Licensee conducts its gas retail business generally.

14.2 The Licensee may satisfy the requirement of Clause 14.1 by developing, submitting to the Office for its approval and implementing an ombudsman scheme providing for the investigation and resolution of complaints and containing terms and conditions that:

- (a) bind the participating Licensee to comply with its rules (as amended from time to time) from the date on which it is approved by the Office;
- (b) confer such powers on the ombudsman (including the power to make rulings that bind the Licensee and to impose sanctions for the breach of such a ruling) and include such procedures in relation to matters relating to the gas industry as the Office specifies by notice to all distributors, retailers and other persons participating in the scheme;
- (c) enable the Office to refer complaints in relation to the conduct of the participating Licensee's gas businesses to the ombudsman;
- (d) require the Licensee to comply with all applicable rulings made by the ombudsman;
- (e) require the Licensee to bear a fair proportion, to be fixed by Office in the event of a dispute, of the cost of the development of the ombudsman scheme and the establishment and operation of the ombudsman scheme;
- (f) enable a question as to the fairness of the proportion of the costs which must be borne by a Licensee to be decided by the Office on the basis of the Office's opinion of the fairness of the proportion;
- (g) require the ombudsman to report to the Office as and when required by the Office in accordance with the scheme concerning the operation of the ombudsman scheme in relation to the gas industry;
- (h) enable the Office to amend the scheme at any time after consultation with participants;
- (i) require the Licensee to use its reasonable endeavours to ensure that the ombudsman complies with the scheme; and

- (j) bind the Licensee to participate in the scheme subject to:
 - (i) providing to the Office 2 years' notice of the Licensee's intention to withdraw; and
 - (ii) satisfying the Office that the Licensee complies with Clause 14.1.

15. Provision of information to the Office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

16. Payment of licence fees

16.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$30,000.00 per annum.

16.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or
- (b) in full on or before the last day of September of each year.

16.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

17. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to the Tariff Order.

18. Separate accounts

18.1 For so long as the Licensee and a distributor are related bodies corporate, the Licensee must ensure that separate accounts are prepared for its energy retail business. Where the Licensee's gas retail business is a part but not the whole of its energy retail business, the Licensee need not ensure that separate accounts are prepared for its gas retail business.

18.2 In complying with Clause 18.1 the Licensee must observe guidelines set by the Office and maintain its accounting records accordingly.

19. Variation

19.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 19.2.

19.2 Where the Licensee is a State owned retailer, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
 - (b) the execution of a contract for the sale of shares in the capital of the Licensee;
- whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

20. Communications

20.1 A communication must be in writing in the English language.

20.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;

- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"*Act*" means the **Gas Industry Act 1994**;

"*business day*" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"*communication*" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"*connection*" means the contact between a gas system and a gas installation such as will allow the supply of gas between that system and that gas installation;

"*contract customer*" means a customer to whom the Licensee sells gas under a customer supply contract;

"*contract franchise customer*" means a contract customer who is a franchise customer;

"*customer*" means a person, other than a retailer, who buys or wishes to buy gas from a retailer;

"*Customer Service Code*" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"*customer supply contract*" means an agreement of that title governing the supply and sale of gas to a customer, other than an agreement deemed to have been entered into under Section 48M (4) of the Act;

"*distribute*", in relation to gas, means to distribute gas using a distribution system;

"*Distribution System Code*" means a code of that name which:

- (a) regulates:
 - (1) the supply of gas to or from a distributor's distribution system; and
 - (2) the way in which customers' gas installations affect the distribution system to which they are connected; and
- (b) is certified by the Office;

"*distribution system*" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"*distributor*" has the same meaning as "gas distribution company" under the Act;

"*enforcement order*" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"*franchise area*", in relation to the Licensee or any other retailer, means the area in which the Licensee or other retailer (as the case may be) is licensed to sell gas under the Act and, in relation to the Licensee, is more particularly described in Schedule 2;

"*franchise customer*", in relation to a supply of gas from a supply point, means a customer who is not a non-franchise customer in relation to that supply point;

"*gas retail business*" means the retail business of selling gas;

"*Gascor*" means the statutory corporation bearing that name established by the Act;

"*gas installation*" means any gas equipment that is fixed (or to be fixed) in, on, or under a customer's premises;

"*hot water metering installation*" means a metering installation at a supply point which measures and records the flows of gas and hot water, consisting at a minimum of a gas metering installation, two or more hot water meters and a master cold water meter;

"*Licensee*" means Ikon Energy Pty Ltd A.C.N. 079 089 553;

"*metering installation*" means the meter and associated equipment and installations including regulators, telemetry and data logging installed or to be installed in relation to a supply point for the collection of data relating to the flows of gas and/or hot water;

"*Minister*" means the Treasurer;

"*non-franchise customer*" in relation to a supply of gas from a supply point, means non-franchise customer in relation to that supply point within the meaning of Section 6B of the Act;

"*Office*" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"*participating Licensee*" means the Licensee if the Licensee has not withdrawn from the ombudsman scheme in accordance with Clause 14.2 (j);

"*policy objectives*" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"*related bodies corporate*" means bodies corporate that are related by virtue of Section 50 of the Corporations Law of Victoria;

"*retailer*" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"*retail licence*" means a licence to sell gas granted under Section 48E of the Act;

"*standards and procedures*" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures;
- (e) rules and procedures for compensating customers for the Licensee's failure to comply with any such standards, policies, practices and procedures;
- (f) procedures for the introduction of debit or prepaid meter cards or other prepayment schemes,

which are issued by the Licensee under Clause 8.1 or by the Office under Clause 8.3;

"*State owned retailer*" means a retailer all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"supply", in relation to gas, means the delivery of gas and such related services as must, if provided, be remunerated under the Tariff Order;

"supply point" has the same meaning as in the Act;

"tariff customer" means a franchise customer, other than a contract customer, to whom the Licensee sells gas;

"Tariff Order" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"transmission company" has the same meaning as in the Act;

"VENCorp" means Victorian Energy Networks Corporation established under the Act;

"undertaking" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"writing" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

SCHEDULE 2: FRANCHISE AREA

Postcodes

3011, 3012, 3013, 3015, 3016, 3018, 3019, 3020, 3021, 3022, 3023, 3025, 3026, 3027, 3028, 3031, 3032, 3033, 3034, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3055*, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3150, 3152, 3156, 3158, 3160, 3161, 3162, 3163, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175*, 3177, 3178, 3179, 3180, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3202, 3204, 3205, 3206, 3207, 3428, 3785, 3786, 3802

- * Postcode 3055 is shared between the Licensee and Kinetik Energy Pty Ltd A.C.N. 079 089 188. As at the date of this licence, the Licensee's customers are connected in Galtes Crescent, Southam Street, Morrow Street, Hopetoun Avenue, Moreland Road and Flannery Court.
- * Postcode 3175 is shared between the Licensee and Kinetik Energy Pty Ltd A.C.N. 079 089 188. As at the date of this licence, the customers of Kinetik Energy Pty Ltd are connected in Abbots Road.

RETAIL LICENCE ISSUED TO KINETIK ENERGY PTY LTD
(A.C.N. 079 089 188)

1. Definitions and interpretation
 - 1.1 In this licence, words and phrases appearing in italics have the meanings ascribed to them in Part 1 of Schedule 1.
 - 1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.
2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, licenses the Licensee to sell gas:

- (a) to franchise customers from supply points in the Licensee's franchise area; and
- (b) to non-franchise customers from supply points anywhere in Victoria,

subject to the conditions set out in this licence.

3. Term
 - 3.1 This licence takes effect on and from 11 December 1997.
 - 3.2 The Office may revoke this licence in accordance with Clause 3.3 or 3.4.
 - 3.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.
 - 3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.
 - 3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).
4. Obligation to offer to sell
 - 4.1 Within 20 business days after receiving a request for supply from a franchise customer in relation to a gas installation of the franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area, the Licensee must offer to sell gas to that franchise customer on terms which are consistent with its obligations, if any, under the Tariff Order.

- 4.2 If the Tariff Order does not apply, an offer made by the Licensee under this Clause 4 must include price and other terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.
- 4.3 Any question as to the fairness and reasonableness of a term shall be decided by the Office on the basis of the Office's opinion of the fairness and reasonableness of the term.
- 4.4 The Licensee must not refuse to sell gas to a franchise customer in relation to a gas installation of a franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area unless:
- (a) the Licensee has made an offer to sell gas in accordance with this Clause 4 but the offer has not been accepted; or
 - (b) the Licensee is permitted or required to do so by any code or other requirements with which the Licensee must comply pursuant to Clause 6.
- 4.5 The Licensee must deal with a request under Clause 4.1 in accordance with any applicable guidelines published by the Office under the **Office of the Regulator-General Act 1994**.
- 4.6 A question as to the applicability of guidelines for the purpose of Clause 4.5 shall be decided by the Office on the basis of the Office's opinion of their applicability.
5. The Customer Service Code and other obligations
- 5.1 The Office may amend the Customer Service Code in accordance with procedures specified in the Code itself or, insofar as it applies to the supply or sale of gas by the Licensee, by giving notice to the Licensee specifying the amendment.
- 5.2 Without limiting the generality of Clause 5.1, insofar as the Customer Service Code imposes standards and procedures for the benefit of domestic customers, the Office may extend the operation of the Customer Service Code beyond 1 September 2001.
- 5.3 An amendment does not take effect unless and until:
- (a) the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment; and
 - (b) the Office has, after taking into account any such representations and the policy objectives, approved the amendment.
- 5.4 The Licensee must, at the direction of the Office, send to each franchise customer in the Licensee's franchise area details of their rights and obligations under the Customer Service Code in a form approved by the Office.
- 5.5 The Licensee must provide or send a copy of the Customer Service Code (including any sub-code, guidelines or standard incorporated by reference into or otherwise forming part of the Customer Service Code) to any person requesting it, and may impose a fair and reasonable charge upon the person to recover costs incurred in doing so.
- 5.6 Subject to any limitations on the Licensee's ability to do so under any of the codes and other requirements referred to in Clause 6, if the Licensee becomes aware of a material breach of the Customer Service Code by a person whose gas installation is or, when the supply point exists, will be in the Licensee's franchise area and who is required to comply with the Customer Service Code, the Licensee must notify the Office of the breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, immediately.
- 5.7 Without limiting Clause 5.1, prior to:
- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned retailer; or

- (b) the execution of a contract for the sale of shares in the capital of a State owned retailer,

whichever occurs first, the Minister may amend the Customer Service Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.

- 5.8 The Licensee must notify the relevant distributor of the Licensee's contractual arrangements with the Licensee's customers relating to interruption or curtailment of supply within 21 business days of entering into such arrangements.
- 5.9 If the Licensee is notified by a distributor of any interruption or curtailment of delivery of gas at a distribution delivery point, the Licensee must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.
6. Compliance with codes
- 6.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the relevant Distribution System Code.
- 6.2 Subject to any limitations on the Licensee's ability to do so under a code referred to in Clause 6.1, if the Licensee becomes aware of a material breach of a code by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.
- 6.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code referred to in Clause 6.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code applies accordingly.
- 6.4 An application by the Licensee under Clause 6.3 must set out a draft of the determination the Licensee seeks.
- 6.5 If:
- (a) the Office has received an application from the Licensee for a determination under Clause 6.3; and
 - (b) at the end of 20 business days after the day on which the Office received the application the Office has not:
 - (1) made a determination; or
 - (2) advised the Licensee that a determination will not be made,
- then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application at the commencement of the twenty-first business day after the day on which the Office received the application.
7. Statement of Charges
- A statement issued by the Licensee to a non-franchise customer requiring payment for gas sold to that customer must, if and when the Office considers it reasonable having regard to the cost to the Licensee:
- (a) include as a separate item in each statement requiring payment for gas sold to that customer the total of amounts charged by a distributor and the total of amounts charged by a transmission company in respect of that customer; and
 - (b) comply with any applicable guidelines issued by the Office.

8. Standards and procedures

8.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.

8.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.

8.3 If the Office considers that:

(a) the Licensee has failed to comply with Clause 8.1; or

(b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any substantial power it enjoys in a market in which gas is bought and sold in Victoria, whether or not the market extends beyond Victoria,

the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

9. Hot Water Metering

9.1 The Licensee must ensure that each hot water metering installation for a customer in the Licensee's franchise area is provided, replaced, installed, repaired and maintained in accordance with all applicable laws and standards and procedures.

9.2 In particular, within 20 business days after receiving a request for the provision, replacement, installation, repair or maintenance of a hot water metering installation which is not functioning in accordance with all applicable laws and standards and procedures, the Licensee must offer to provide the service requested on terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.

9.3 Clause 4.3 applies to an offer made under Clause 9.1.

10. Obligations of Licensee's principal

If the Licensee at any time sells gas to franchise customers from supply points in the Licensee's franchise area as an agent of a State owned retailer (or as an agent of Gascor), the Licensee must at all relevant times comply with the terms of the licence granted by the Office to the Licensee's principal.

11. Contestability

11.1 Until a contract franchise customer becomes a non-franchise customer, the Licensee must, for so long as the contract franchise customer is not in default:

(a) permit the relevant customer supply contract to continue to apply (notwithstanding any termination date set out in that customer supply contract), on the terms and conditions set out in that customer supply contract, but subject to any amendments to those terms and conditions made under the Tariff Order ; and

(b) not exercise such rights as the Licensee may have under that customer supply contract to terminate that contract by giving notice to the contract franchise customer,

until the later of the date on which that contract franchise customer becomes a non franchise customer or the termination date set out in that customer supply contract.

11.2 At, or any time before, the time stipulated in Clause 11.3, the Licensee must notify the contract franchise customer:

(a) of the date on which it will become a non franchise customer; and

(b) that, without prejudice to its rights under its customer supply contract, it also has the right to terminate its customer supply contract with the Licensee subject to the following conditions:

- (1) it must give the Licensee at least 3 months notice of its intention to terminate its customer supply contract;
 - (2) the termination date set out in its notice under Clause 11.2 (b) (1) must be a date which is on or after the date on which it becomes a non franchise customer; and
 - (3) it must agree to pay or secure the payment to the Licensee of any outstanding charges under the customer supply contract.
- 11.3 The Licensee must provide a contract franchise customer with the notification referred to in Clause 11.2 before the earliest to occur of the following dates:
 - (a) 6 months before the contract franchise customer becomes a non franchise customer; or
 - (b) 6 months before the termination date set out in the relevant customer supply contract (or, where that termination date is a date which is less than 6 months after 11 December 1997, within 1 month after 11 December 1997 or 7 business days before that termination date, whichever is the earlier); or
 - (c) the date on which the Licensee institutes, or responds to, a written or other communication that, wholly or in part, concerns the terms upon which the contract franchise customer may buy gas from the Licensee after the termination of the relevant customer supply contract.
- 11.4 Upon a contract franchise customer paying or securing the payment of any outstanding charges under the customer supply contract to the satisfaction of the Licensee the customer supply contract is terminated on the later of:
 - (a) the termination date set out in the notice from the contract franchise customer under Clause 11.2 (b) (1); or
 - (b) the date on which the contract franchise customer becomes a non franchise customer.
- 11.5 The Licensee must comply with any guidelines issued by, and other requirements of, the Office in connection with the transition of customers from the status of franchise customers to the status of non franchise customers, including, without limitation, guidelines and requirements in connection with notifying customers of the timing of, and their rights following, such transition.
12. Confidentiality
The Licensee must:
 - (a) comply with guidelines issued by the Office relating to the use of information acquired by the Licensee in the course of its gas retail business; and
 - (b) ensure that information concerning a customer is not disclosed to another person without the prior written consent of the customer to whom the information relates, unless the disclosure of the information is necessary to enable the Licensee to comply with this licence.
13. Provision of information to Victorian Energy Networks Corporation
 - 13.1 Following a request in writing from VENCORP, the Licensee must provide to VENCORP such documents or information as VENCORP may reasonably require to perform its functions and exercise its powers under the Act.
 - 13.2 A question as to the reasonableness of a requirement by VENCORP for documents or information as contemplated by Clause 13.1 shall be determined by the Office on the basis of the Office's opinion of the reasonableness of the requirement.

14. Dispute Resolution

14.1 If requested by the Office the Licensee must develop, submit to the Office for its approval and implement a scheme for the investigation and resolution of disputes between it and:

- (a) a customer about the Licensee's services, billings and charging; and
- (b) aggrieved persons about the manner in which the Licensee conducts its gas retail business generally.

14.2 The Licensee may satisfy the requirement of Clause 14.1 by developing, submitting to the Office for its approval and implementing an ombudsman scheme providing for the investigation and resolution of complaints and containing terms and conditions that:

- (a) bind the participating Licensee to comply with its rules (as amended from time to time) from the date on which it is approved by the Office;
- (b) confer such powers on the ombudsman (including the power to make rulings that bind the Licensee and to impose sanctions for the breach of such a ruling) and include such procedures in relation to matters relating to the gas industry as the Office specifies by notice to all distributors, retailers and other persons participating in the scheme;
- (c) enable the Office to refer complaints in relation to the conduct of the participating Licensee's gas businesses to the ombudsman;
- (d) require the Licensee to comply with all applicable rulings made by the ombudsman;
- (e) require the Licensee to bear a fair proportion, to be fixed by Office in the event of a dispute, of the cost of the development of the ombudsman scheme and the establishment and operation of the ombudsman scheme;
- (f) enable a question as to the fairness of the proportion of the costs which must be borne by a Licensee to be decided by the Office on the basis of the Office's opinion of the fairness of the proportion;
- (g) require the ombudsman to report to the Office as and when required by the Office in accordance with the scheme concerning the operation of the ombudsman scheme in relation to the gas industry;
- (h) enable the Office to amend the scheme at any time after consultation with participants;
- (i) require the Licensee to use its reasonable endeavours to ensure that the ombudsman complies with the scheme; and
- (j) bind the Licensee to participate in the scheme subject to:
 - (i) providing to the Office 2 years' notice of the Licensee's intention to withdraw; and
 - (ii) satisfying the Office that the Licensee complies with Clause 14.1.

15. Provision of information to the Office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

16. Payment of licence fees

16.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$30,000.00 per annum.

16.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or

(b) in full on or before the last day of September of each year.

- 16.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

17. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to the Tariff Order.

18. Separate accounts

- 18.1 For so long as the Licensee and a distributor are related bodies corporate, the Licensee must ensure that separate accounts are prepared for its energy retail business. Where the Licensee's gas retail business is a part but not the whole of its energy retail business, the Licensee need not ensure that separate accounts are prepared for its gas retail business.

- 18.2 In complying with Clause 18.1 the Licensee must observe guidelines set by the Office and maintain its accounting records accordingly.

19. Variation

- 19.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 19.2.

- 19.2 Where the Licensee is a State owned retailer, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
 - (b) the execution of a contract for the sale of shares in the capital of the Licensee;
- whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

20. Communications

- 20.1 A communication must be in writing in the English language.

- 20.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Act" means the Gas Industry Act 1994;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"connection" means the contact between a gas system and a gas installation such as will allow the supply of gas between that system and that gas installation;

"contract customer" means a customer to whom the Licensee sells gas under a customer supply contract;

"contract franchise customer" means a contract customer who is a franchise customer;

"customer" means a person, other than a retailer, who buys or wishes to buy gas from a retailer;

"Customer Service Code" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"customer supply contract" means an agreement of that title governing the supply and sale of gas to a customer, other than an agreement deemed to have been entered into under Section 48M (4) of the Act;

"distribute", in relation to gas, means to distribute gas using a distribution system;

"Distribution System Code" means a code of that name which:

- (a) regulates:
 - (1) the supply of gas to or from a distributor's distribution system; and
 - (2) the way in which customers' gas installations affect the distribution system to which they are connected; and
- (b) is certified by the Office;

"distribution system" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"distributor" has the same meaning as "gas distribution company" under the Act;

"enforcement order" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"franchise area", in relation to the Licensee or any other retailer, means the area in which the Licensee or other retailer (as the case may be) is licensed to sell gas under the Act and, in relation to the Licensee, is more particularly described in Schedule 2;

"franchise customer", in relation to a supply of gas from a supply point, means a customer who is not a non-franchise customer in relation to that supply point;

"gas retail business" means the retail business of selling gas;

"Gascor" means the statutory corporation bearing that name established by the Act;

"gas installation" means any gas equipment that is fixed (or to be fixed) in, on, or under a customer's premises;

"hot water metering installation" means a metering installation at a supply point which measures and records the flows of gas and hot water, consisting at a minimum of a gas metering installation, two or more hot water meters and a master cold water meter;

"Licensee" means Kinetik Energy Pty Ltd A.C.N. 079 089 188;

"metering installation" means the meter and associated equipment and installations including regulators, telemetry and data logging installed or to be installed in relation to a supply point for the collection of data relating to the flows of gas and/or hot water;

"Minister" means the Treasurer;

"non-franchise customer" in relation to a supply of gas from a supply point, means non-franchise customer in relation to that supply point within the meaning of Section 6B of the Act;

"Office" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"participating Licensee" means the Licensee if the Licensee has not withdrawn from the ombudsman scheme in accordance with Clause 14.2 (j);

"policy objectives" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"related bodies corporate" means bodies corporate that are related by virtue of Section 50 of the Corporations Law of Victoria;

"retailer" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"retail licence" means a licence to sell gas granted under Section 48E of the Act;

"standards and procedures" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures;
- (e) rules and procedures for compensating customers for the Licensee's failure to comply with any such standards, policies, practices and procedures;
- (f) procedures for the introduction of debit or prepaid meter cards or other prepayment schemes,

which are issued by the Licensee under Clause 8.1 or by the Office under Clause 8.3;

"State owned retailer" means a retailer all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"supply", in relation to gas, means the delivery of gas and such related services as must, if provided, be remunerated under the Tariff Order;

"supply point" has the same meaning as in the Act;

"tariff customer" means a franchise customer, other than a contract customer, to whom the Licensee sells gas;

"Tariff Order" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"transmission company" has the same meaning as in the Act;

"VENCorp" means Victorian Energy Networks Corporation established under the Act;

"undertaking" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"writing" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

SCHEDULE 2: FRANCHISE AREA

Postcodes

3000, 3002, 3003, 3005, 3024, 3029, 3030, 3050, 3051, 3052, 3053, 3054, 3055*, 3056, 3057, 3065, 3066, 3067, 3068, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3087, 3088, 3089, 3090, 3091, 3093, 3094, 3095, 3096, 3097*, 3099, 3121, 3175*, 3211, 3212, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3228, 3249, 3250, 3266, 3277, 3280, 3282, 3300, 3305, 3335, 3337, 3338, 3340, 3342, 3350, 3352, 3355, 3356, 3357, 3377, 3380, 3400, 3427, 3429, 3430, 3437, 3444, 3450, 3451, 3460, 3461, 3464, 3465, 3550, 3551, 3555, 3556, 3751, 3754, 3759, 3770*

* Postcode 3055 is shared between the Licensee and Ikon Energy Pty Ltd A.C.N. 079 089 553. As at the date of this licence, the customers of Ikon Energy Pty Ltd are connected in Galtes Crescent, Southam Street, Morrow Street, Hopetoun Avenue, Moreland Road and Flannery Court.

* Postcode 3175 is shared between the Licensee and Ikon Energy Pty Ltd A.C.N. 079 089 553. As at the date of this licence, the Licensee's customers are connected in Abbotts Road.

- * Postcode 3770 is shared between Energy 21 Pty Ltd A.C.N. 079 089 213 and the Licensee. As at the date of this licence, the Licensee's customers are connected in Maddens Lane and the Maroondah Highway.
- * Postcode 3097 is shared between the Licensee and Energy 21 Pty Ltd A.C.N. 079 089 213. As at the date of this licence, the customers of Energy 21 Pty Ltd A.C.N. 079 089 213 are connected in Menzies Road.

RETAIL LICENCE ISSUED TO ENERGY 21 PTY LTD
(A.C.N. 079 089 213)

1. Definitions and interpretation

- 1.1 In this licence, words and phrases appearing in italics have the meanings ascribed to them in Part 1 of Schedule 1.
- 1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.

2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, licenses the Licensee to sell gas:

- (a) to franchise customers from supply points in the Licensee's franchise area; and
- (b) to non-franchise customers from supply points anywhere in Victoria,

subject to the conditions set out in this licence.

3. Term

- 3.1 This licence takes effect on and from 11 December 1997.
- 3.2 The Office may revoke this licence in accordance with Clause 3.3 or 3.4.
- 3.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.
- 3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.
- 3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).

4. Obligation to offer to sell

- 4.1 Within 20 business days after receiving a request for supply from a franchise customer in relation to a gas installation of the franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area, the Licensee must offer to sell gas to that franchise customer on terms which are consistent with its obligations, if any, under the Tariff Order.
- 4.2 If the Tariff Order does not apply, an offer made by the Licensee under this Clause 4 must include price and other terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.
- 4.3 Any question as to the fairness and reasonableness of a term shall be decided by the Office on the basis of the Office's opinion of the fairness and reasonableness of the term.

- 4.4 The Licensee must not refuse to sell gas to a franchise customer in relation to a gas installation of a franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area unless:
- (a) the Licensee has made an offer to sell gas in accordance with this Clause 4 but the offer has not been accepted; or
 - (b) the Licensee is permitted or required to do so by any code or other requirements with which the Licensee must comply pursuant to Clause 6.
- 4.5 The Licensee must deal with a request under Clause 4.1 in accordance with any applicable guidelines published by the Office under the **Office of the Regulator-General Act 1994**.
- 4.6 A question as to the applicability of guidelines for the purpose of Clause 4.5 shall be decided by the Office on the basis of the Office's opinion of their applicability.
5. The Customer Service Code and other obligations
- 5.1 The Office may amend the Customer Service Code in accordance with procedures specified in the Code itself or, insofar as it applies to the supply or sale of gas by the Licensee, by giving notice to the Licensee specifying the amendment.
- 5.2 Without limiting the generality of Clause 5.1, insofar as the Customer Service Code imposes standards and procedures for the benefit of domestic customers, the Office may extend the operation of the Customer Service Code beyond 1 September 2001.
- 5.3 An amendment does not take effect unless and until:
- (a) the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment; and
 - (b) the Office has, after taking into account any such representations and the policy objectives, approved the amendment.
- 5.4 The Licensee must, at the direction of the Office, send to each franchise customer in the Licensee's franchise area details of their rights and obligations under the Customer Service Code in a form approved by the Office.
- 5.5 The Licensee must provide or send a copy of the Customer Service Code (including any sub-code, guidelines or standard incorporated by reference into or otherwise forming part of the Customer Service Code) to any person requesting it, and may impose a fair and reasonable charge upon the person to recover costs incurred in doing so.
- 5.6 Subject to any limitations on the Licensee's ability to do so under any of the codes and other requirements referred to in Clause 6, if the Licensee becomes aware of a material breach of the Customer Service Code by a person whose gas installation is or, when the supply point exists, will be in the Licensee's franchise area and who is required to comply with the Customer Service Code, the Licensee must notify the Office of the breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, immediately.
- 5.7 Without limiting Clause 5.1, prior to:
- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned retailer; or
 - (b) the execution of a contract for the sale of shares in the capital of a State owned retailer,
- whichever occurs first, the Minister may amend the Customer Service Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.

- 5.8 The Licensee must notify the relevant distributor of the Licensee's contractual arrangements with the Licensee's customers relating to interruption or curtailment of supply within 21 business days of entering into such arrangements.
- 5.9 If the Licensee is notified by a distributor of any interruption or curtailment of delivery of gas at a distribution delivery point, the Licensee must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.
6. Compliance with codes
- 6.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the relevant Distribution System Code.
- 6.2 Subject to any limitations on the Licensee's ability to do so under a code referred to in Clause 6.1, if the Licensee becomes aware of a material breach of a code by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.
- 6.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code referred to in Clause 6.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code applies accordingly.
- 6.4 An application by the Licensee under Clause 6.3 must set out a draft of the determination the Licensee seeks.
- 6.5 If:
- (a) the Office has received an application from the Licensee for a determination under Clause 6.3; and
 - (b) at the end of 20 business days after the day on which the Office received the application the Office has not:
 - (1) made a determination; or
 - (2) advised the Licensee that a determination will not be made,
- then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application at the commencement of the twenty-first business day after the day on which the Office received the application.
7. Statement of Charges
- A statement issued by the Licensee to a non-franchise customer requiring payment for gas sold to that customer must, if and when the Office considers it reasonable having regard to the cost to the Licensee:
- (a) include as a separate item in each statement requiring payment for gas sold to that customer the total of amounts charged by a distributor and the total of amounts charged by a transmission company in respect of that customer; and
 - (b) comply with any applicable guidelines issued by the Office.
8. Standards and procedures
- 8.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.
- 8.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.

8.3 If the Office considers that:

- (a) the Licensee has failed to comply with Clause 8.1; or
 - (b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any substantial power it enjoys in a market in which gas is bought and sold in Victoria, whether or not the market extends beyond Victoria,
- the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

9. Hot Water Metering

9.1 The Licensee must ensure that each hot water metering installation for a customer in the Licensee's franchise area is provided, replaced, installed, repaired and maintained in accordance with all applicable laws and standards and procedures.

9.2 In particular, within 20 business days after receiving a request for the provision, replacement, installation, repair or maintenance of a hot water metering installation which is not functioning in accordance with all applicable laws and standards and procedures, the Licensee must offer to provide the service requested on terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.

9.3 Clause 4.3 applies to an offer made under Clause 9.1.

10. Obligations of Licensee's principal

If the Licensee at any time sells gas to franchise customers from supply points in the Licensee's franchise area as an agent of a State owned retailer (or as an agent of Gascor), the Licensee must at all relevant times comply with the terms of the licence granted by the Office to the Licensee's principal.

11. Contestability

11.1 Until a contract franchise customer becomes a non-franchise customer, the Licensee must, for so long as the contract franchise customer is not in default:

- (a) permit the relevant customer supply contract to continue to apply (notwithstanding any termination date set out in that customer supply contract), on the terms and conditions set out in that customer supply contract, but subject to any amendments to those terms and conditions made under the Tariff Order; and
- (b) not exercise such rights as the Licensee may have under that customer supply contract to terminate that contract by giving notice to the contract franchise customer,

until the later of the date on which that contract franchise customer becomes a non franchise customer or the termination date set out in that customer supply contract.

11.2 At, or any time before, the time stipulated in Clause 11.3, the Licensee must notify the contract franchise customer:

- (a) of the date on which it will become a non franchise customer; and
- (b) that, without prejudice to its rights under its customer supply contract, it also has the right to terminate its customer supply contract with the Licensee subject to the following conditions:
 - (1) it must give the Licensee at least 3 months notice of its intention to terminate its customer supply contract;
 - (2) the termination date set out in its notice under Clause 11.2 (b) (1) must be a date which is on or after the date on which it becomes a non franchise customer; and

- (3) it must agree to pay or secure the payment to the Licensee of any outstanding charges under the customer supply contract.
- 11.3 The Licensee must provide a contract franchise customer with the notification referred to in Clause 11.2 before the earliest to occur of the following dates:
- (a) 6 months before the contract franchise customer becomes a non franchise customer; or
 - (b) 6 months before the termination date set out in the relevant customer supply contract (or, where that termination date is a date which is less than 6 months after 11 December 1997, within 1 month after 11 December 1997 or 7 business days before that termination date, whichever is the earlier); or
 - (c) the date on which the Licensee institutes, or responds to, a written or other communication that, wholly or in part, concerns the terms upon which the contract franchise customer may buy gas from the Licensee after the termination of the relevant customer supply contract.
- 11.4 Upon a contract franchise customer paying or securing the payment of any outstanding charges under the customer supply contract to the satisfaction of the Licensee the customer supply contract is terminated on the later of:
- (a) the termination date set out in the notice from the contract franchise customer under Clause 11.2 (b) (1); or
 - (b) the date on which the contract franchise customer becomes a non franchise customer.
- 11.5 The Licensee must comply with any guidelines issued by, and other requirements of, the Office in connection with the transition of customers from the status of franchise customers to the status of non franchise customers, including, without limitation, guidelines and requirements in connection with notifying customers of the timing of, and their rights following, such transition.
12. Confidentiality
- The Licensee must:
- (a) comply with guidelines issued by the Office relating to the use of information acquired by the Licensee in the course of its gas retail business; and
 - (b) ensure that information concerning a customer is not disclosed to another person without the prior written consent of the customer to whom the information relates, unless the disclosure of the information is necessary to enable the Licensee to comply with this licence.
13. Provision of information to Victorian Energy Networks Corporation
- 13.1 Following a request in writing from VENCORP, the Licensee must provide to VENCORP such documents or information as VENCORP may reasonably require to perform its functions and exercise its powers under the Act.
- 13.2 A question as to the reasonableness of a requirement by VENCORP for documents or information as contemplated by Clause 13.1 shall be determined by the Office on the basis of the Office's opinion of the reasonableness of the requirement.
14. Dispute Resolution
- 14.1 If requested by the Office the Licensee must develop, submit to the Office for its approval and implement a scheme for the investigation and resolution of disputes between it and:
- (a) a customer about the Licensee's services, billings and charging; and
 - (b) aggrieved persons about the manner in which the Licensee conducts its gas retail business generally.

14.2 The Licensee may satisfy the requirement of Clause 14.1 by developing, submitting to the Office for its approval and implementing an ombudsman scheme providing for the investigation and resolution of complaints and containing terms and conditions that:

- (a) bind the participating Licensee to comply with its rules (as amended from time to time) from the date on which it is approved by the Office;
- (b) confer such powers on the ombudsman (including the power to make rulings that bind the Licensee and to impose sanctions for the breach of such a ruling) and include such procedures in relation to matters relating to the gas industry as the Office specifies by notice to all distributors, retailers and other persons participating in the scheme;
- (c) enable the Office to refer complaints in relation to the conduct of the participating Licensee's gas businesses to the ombudsman;
- (d) require the Licensee to comply with all applicable rulings made by the ombudsman;
- (e) require the Licensee to bear a fair proportion, to be fixed by Office in the event of a dispute, of the cost of the development of the ombudsman scheme and the establishment and operation of the ombudsman scheme;
- (f) enable a question as to the fairness of the proportion of the costs which must be borne by a Licensee to be decided by the Office on the basis of the Office's opinion of the fairness of the proportion;
- (g) require the ombudsman to report to the Office as and when required by the Office in accordance with the scheme concerning the operation of the ombudsman scheme in relation to the gas industry;
- (h) enable the Office to amend the scheme at any time after consultation with participants;
- (i) require the Licensee to use its reasonable endeavours to ensure that the ombudsman complies with the scheme; and
- (j) bind the Licensee to participate in the scheme subject to:
 - (i) providing to the Office 2 years' notice of the Licensee's intention to withdraw; and
 - (ii) satisfying the Office that the Licensee complies with Clause 14.1.

15. Provision of information to the Office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

16. Payment of licence fees

16.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$30,000.00 per annum.

16.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or
- (b) in full on or before the last day of September of each year.

16.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

17. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to the Tariff Order.

18. Separate accounts

18.1 For so long as the Licensee and a distributor are related bodies corporate, the Licensee must ensure that separate accounts are prepared for its energy retail business. Where the Licensee's gas retail business is a part but not the whole of its energy retail business, the Licensee need not ensure that separate accounts are prepared for its gas retail business.

18.2 In complying with Clause 18.1 the Licensee must observe guidelines set by the Office and maintain its accounting records accordingly.

19. Variation

19.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 19.2.

19.2 Where the Licensee is a State owned retailer, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
 - (b) the execution of a contract for the sale of shares in the capital of the Licensee;
- whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

20. Communications

20.1 A communication must be in writing in the English language.

20.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Act" means the **Gas Industry Act 1994**;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"connection" means the contact between a gas system and a gas installation such as will allow the supply of gas between that system and that gas installation;

"contract customer" means a customer to whom the Licensee sells gas under a customer supply contract;

"contract franchise customer" means a contract customer who is a franchise customer;

"customer" means a person, other than a retailer, who buys or wishes to buy gas from a retailer;

"Customer Service Code" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"customer supply contract" means an agreement of that title governing the supply and sale of gas to a customer, other than an agreement deemed to have been entered into under Section 48M (4) of the Act;

"distribute", in relation to gas, means to distribute gas using a distribution system;

"Distribution System Code" means a code of that name which:

- (a) regulates:
 - (1) the supply of gas to or from a distributor's distribution system; and
 - (2) the way in which customers' gas installations affect the distribution system to which they are connected; and
- (b) is certified by the Office;

"distribution system" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"distributor" has the same meaning as "gas distribution company" under the Act;

"enforcement order" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"franchise area", in relation to the Licensee or any other retailer, means the area in which the Licensee or other retailer (as the case may be) is licensed to sell gas under the Act and, in relation to the Licensee, is more particularly described in Schedule 2;

"franchise customer", in relation to a supply of gas from a supply point, means a customer who is not a non-franchise customer in relation to that supply point;

"gas retail business" means the retail business of selling gas;

"Gascor" means the statutory corporation bearing that name established by the Act;

"gas installation" means any gas equipment that is fixed (or to be fixed) in, on, or under a customer's premises;

"hot water metering installation" means a metering installation at a supply point which measures and records the flows of gas and hot water, consisting at a minimum of a gas metering installation, two or more hot water meters and a master cold water meter;

"Licensee" means Energy 21 Pty Ltd A.C.N. 079 089 213;

"metering installation" means the meter and associated equipment and installations including regulators, telemetry and data logging installed or to be installed in relation to a supply point for the collection of data relating to the flows of gas and/or hot water;

"Minister" means the Treasurer;

"non-franchise customer" in relation to a supply of gas from a supply point, means non-franchise customer in relation to that supply point within the meaning of Section 6B of the Act;

"Office" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"*participating licensee*" means the licensee if the licensee has not withdrawn from the ombudsman scheme in accordance with Clause 14.2 (j);

"*policy objectives*" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"*related bodies corporate*" means bodies corporate that are related by virtue of Section 50 of the Corporations Law of Victoria;

"*retailer*" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"*retail licence*" means a licence to sell gas granted under Section 48E of the Act;

"*standards and procedures*" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures;
- (e) rules and procedures for compensating customers for the licensee's failure to comply with any such standards, policies, practices and procedures;
- (f) procedures for the introduction of debit or prepaid meter cards or other prepayment schemes,

which are issued by the licensee under Clause 8.1 or by the Office under Clause 8.3;

"*State owned retailer*" means a retailer all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"*supply*", in relation to gas, means the delivery of gas and such related services as must, if provided, be remunerated under the Tariff Order;

"*supply point*" has the same meaning as in the Act;

"*tariff customer*" means a franchise customer, other than a contract customer, to whom the licensee sells gas;

"*Tariff Order*" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"*transmission company*" has the same meaning as in the Act;

"*VENCorp*" means Victorian Energy Networks Corporation established under the Act;

"*undertaking*" means an undertaking given by the licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"*writing*" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;

- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

SCHEDULE 2: FRANCHISE AREA

Postcodes

3004, 3006, 3097*, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3111, 3113, 3114, 3115, 3116, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3151, 3153, 3154, 3155, 3159, 3181, 3198, 3199, 3200, 3201, 3561, 3564, 3616, 3618, 3620, 3621, 3623, 3624, 3629, 3630, 3631, 3636, 3638, 3641, 3644, 3658, 3659, 3660, 3662, 3666, 3672, 3677, 3683, 3685, 3687, 3690, 3691, 3694, 3730, 3751, 3753, 3755, 3756, 3757, 3760, 3761, 3763, 3764, 3765, 3766, 3767, 3770*, 3775, 3777, 3781, 3782, 3783, 3787, 3788, 3789, 3791, 3792, 3793, 3795, 3796, 3803, 3804, 3805, 3806, 3807, 3808, 3809, 3810, 3812, 3813, 3814, 3815, 3816, 3818, 3820, 3822, 3823, 3824, 3825, 3840, 3842, 3844, 3847, 3850, 3851, 3852, 3860, 3910, 3911, 3912, 3913, 3915, 3916, 3918, 3919, 3920, 3921, 3926, 3927, 3928, 3929, 3930, 3931, 3933, 3934, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3975, 3976, 3977, 3978, 3980, 3981, 3984, 3987

* Postcode 3770 is shared between the Licensee and Kinetik Energy Pty Ltd A.C.N. 079 089 188. As at the date of this licence, the customers of Kinetik Energy Pty Ltd A.C.N. 079 089 188 are connected in Maddens Lane and the Maroondah Highway.

* Postcode 3097 is shared between the Licensee and Kinetik Energy Pty Ltd A.C.N. 079 089 188. As at the date of this licence, the Licensee's customers are connected in Menzies Road.

RETAIL LICENCE ISSUED TO GASCOR

(A STATUTORY CORPORATION ESTABLISHED BY THE GAS INDUSTRY ACT 1994)

1. Definitions and interpretation

1.1 In this licence, words and phrases appearing in italics have the meanings ascribed to them in Part 1 of Schedule 1.

1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.

2. Grant of licence

2.1 The Office, in exercise of the powers conferred by Section 48E of the Act, licenses the Licensee to sell gas to every franchise customer in the Licensee's franchise area who is a customer in relation to the supply of gas from a supply point installed within one kilometre of a distribution pipeline that was in operation on 1 July 1997.

2.2 For the purposes of Clause 2.1, a supply point will be deemed to be within one kilometre of a distribution pipeline if the Office certifies in writing that is so installed.

3. Obligations of Licensee's agents

3.1 The Licensee must make all sales to franchise customers from supply points in the Licensee's franchise area by an agent who is separately licensed by the Office and who is responsible contractually to the Licensee for compliance by the Licensee with the terms of this licence.

3.2 The Office will not serve an enforcement order on the Licensee in respect of a contravention of Clauses 5, 6, 7, 8, 9, 11, 12, 13, 14 or 16 unless the Office has first served such an enforcement order on the relevant agent of the Licensee under the corresponding provision of the licence granted to the agent and the Licensee has failed to make reasonable efforts to stop the contravention.

4. Term

4.1 This licence takes effect on and from 11 December 1997.

4.2 The Office may revoke this licence in accordance with Clause 4.3 or 4.4.

4.3 The Office may at any time agree with the Licensee that this licence should be revoked, in which case the term of this licence ends on the day agreed.

4.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 4.5, on the expiration of the period of the notice.

4.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 4.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).

5. Obligation to offer to sell

5.1 Within 20 business days after receiving a request for supply from a franchise customer in relation to a gas installation of the franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area, the Licensee must offer to sell gas to that franchise customer on terms which are consistent with its obligations, if any, under the Tariff Order.

5.2 If the Tariff Order does not apply, an offer made by the Licensee under this Clause 5 must include price and other terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.

5.3 Any question as to the fairness and reasonableness of a term shall be decided by the Office on the basis of the Office's opinion of the fairness and reasonableness of the term.

5.4 The Licensee must not refuse to sell gas to a franchise customer in relation to a gas installation of a franchise customer which is or, when the supply point exists, will be in the Licensee's franchise area unless:

- (a) the Licensee has made an offer to sell gas in accordance with this Clause 5 but the offer has not been accepted; or

- (b) the Licensee is permitted or required to do so by any code or other requirements with which the Licensee must comply pursuant to Clause 7.
- 5.5 The Licensee must deal with a request under Clause 5.1 in accordance with any applicable guidelines published by the Office under the **Office of the Regulator-General Act 1994**.
- 5.6 A question as to the applicability of guidelines for the purpose of Clause 5.5 shall be decided by the Office on the basis of the Office's opinion of their applicability.
6. Further provisions concerning the Customer Service Code
- 6.1 The Office may amend the Customer Service Code in accordance with procedures specified in the Code itself or, insofar as it applies to the supply or sale of gas by the Licensee, by giving notice to the Licensee specifying the amendment.
- 6.2 Without limiting the generality of Clause 6.1, insofar as the Customer Service Code imposes standards and procedures for the benefit of domestic customers, the Office may extend the operation of the Customer Service Code beyond 1 September 2001.
- 6.3 An amendment does not take effect unless and until:
- (a) the Licensee has been given an opportunity which is adequate in the opinion of the Office or accords with guidelines issued by the Office to make representations to the Office concerning the amendment; and
 - (b) the Office has, after taking into account any such representations and the policy objectives, approved the amendment.
- 6.4 The Licensee must, at the direction of the Office, send to each franchise customer in the Licensee's franchise area details of their rights and obligations under the Customer Service Code in a form approved by the Office.
- 6.5 The Licensee must provide or send a copy of the Customer Service Code (including any sub-code, guidelines or standard incorporated by reference into or otherwise forming part of the Customer Service Code) to any person requesting it, and may impose a fair and reasonable charge upon the person to recover costs incurred in doing so.
- 6.6 Subject to any limitations on the Licensee's ability to do so under any of the codes and other requirements referred to in Clause 7, if the Licensee becomes aware of a material breach of the Customer Service Code by a person whose gas installation is or, when the supply point exists, will be in the Licensee's franchise area and who is required to comply with the Customer Service Code, the Licensee must notify the Office of the breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, immediately.
- 6.7 Without limiting Clause 6.1, prior to:
- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in a State owned retailer; or
 - (b) the execution of a contract for the sale of shares in the capital of a State owned retailer,
- whichever occurs first, the Minister may amend the Customer Service Code insofar as it applies to the supply or sale of gas by the Licensee by notice to the Licensee specifying the amendment.
- 6.8 The Licensee must notify the relevant distributor of the Licensee's contractual arrangements with the Licensee's customers relating to interruption or curtailment of supply within 21 business days of entering into such arrangements.
- 6.9 If the Licensee is notified by a distributor of any interruption or curtailment of delivery of gas at a distribution delivery point, the Licensee must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.

7. Compliance with codes

7.1 The Licensee must comply with all applicable provisions of the Customer Service Code and the relevant Distribution System Code.

7.2 Subject to any limitations on the Licensee's ability to do so under a code referred to in Clause 7.1, if the Licensee becomes aware of a material breach of a code by the Licensee, the Licensee must notify the Office of the material breach in accordance with any guidelines issued by the Office or, in the absence of such guidelines, as soon as practicable.

7.3 The Office may, on application of the Licensee, make a determination under the **Office of the Regulator-General Act 1994** that the provisions of a code referred to in Clause 7.1 are to apply in relation to the Licensee, either generally or in a particular case or class of cases, as if a specified provision or provisions were omitted or were modified or varied in a specified manner and, subject to Section 27 of the **Office of the Regulator-General Act 1994**, when such a determination is made, the relevant code applies accordingly.

7.4 An application by the Licensee under Clause 7.3 must set out a draft of the determination the Licensee seeks.

7.5 If:

(a) the Office has received an application from the Licensee for a determination under Clause 7.3; and

(b) at the end of 20 business days after the day on which the Office received the application the Office has not:

(1) made a determination; or

(2) advised the Licensee that a determination will not be made,

then the Office will be deemed to have made a determination under Section 27 of the **Office of the Regulator-General Act 1994** in the form of the draft determination set out in the application.

8. Statement of charges

A statement issued by the Licensee to a non-franchise customer requiring payment for gas sold to that customer must, if and when the Office considers it reasonable having regard to the cost to the Licensee:

(a) include as a separate item in each statement requiring payment for gas sold to that customer the total of amounts charged by a distributor and the total of amounts charged by a transmission company in respect of that customer, and

(b) comply with any applicable guidelines issued by the Office.

9. Standards and procedures

9.1 At the written request of the Office, the Licensee must participate to the extent specified by the Office in the development, issue and review of any standards and procedures specified by the Office.

9.2 The Licensee must in accordance with guidelines published by the Office under the **Office of the Regulator-General Act 1994**, or as directed by the Office, report to the Office on its performance against applicable standards and procedures.

9.3 If the Office considers that:

(a) the Licensee has failed to comply with Clause 9.1; or

(b) standards or procedures have been shown to be insufficient to prevent abuses by the Licensee of any substantial power it enjoys in a market in which gas is bought and sold in Victoria, whether or not the market extends beyond Victoria,

the Office may issue standards and procedures applicable to the Licensee and with which the Licensee must comply.

10. Provision of information to Victorian Energy Networks Corporation

10.1 Following a request in writing from VENCORP, the Licensee must provide to VENCORP such documents or information as VENCORP may reasonably require to perform its functions and exercise its powers under the Act.

10.2 A question as to the reasonableness of a requirement by VENCORP for documents or information as contemplated by Clause 10.1 shall be determined by the Office on the basis of the Office's opinion of the reasonableness of the requirement.

11. Hot Water Metering

11.1 The Licensee must ensure that each hot water metering installation for a customer in the Licensee's franchise area is provided, replaced, installed, repaired and maintained in accordance with all applicable laws and standards and procedures.

11.2 In particular, within 20 business days after receiving a request for the provision, replacement, installation, repair or maintenance of a hot water metering installation which is not functioning in accordance with all applicable laws and standards and procedures, the Licensee must offer to provide the service requested on terms which are fair and reasonable and which are not inconsistent in the opinion of the Office with any guidelines published by the Office under the **Office of the Regulator-General Act 1994** which, in the opinion of the Office, are applicable to the offer.

11.3 Clause 5.3 applies to an offer made under Clause 11.1.

12. Contestability

12.1 Until a contract franchise customer becomes a non-franchise customer, the Licensee must, for so long as the contract franchise customer is not in default:

(a) permit the relevant customer supply contract to continue to apply (notwithstanding any termination date set out in that customer supply contract), on the terms and conditions set out in that customer supply contract, but subject to any amendments to those terms and conditions made under the Tariff Order; and

(b) not exercise such rights as the Licensee may have under that customer supply contract to terminate that contract by giving notice to the contract franchise customer,

until the later of the date on which that contract franchise customer becomes a non franchise customer or the termination date set out in that customer supply contract.

12.2 At, or any time before, the time stipulated in Clause 12.3, the Licensee must notify the contract franchise customer:

(a) of the date on which it will become a non franchise customer; and

(b) that, without prejudice to its rights under its customer supply contract, it also has the right to terminate its customer supply contract with the Licensee subject to the following conditions:

(1) it must give the Licensee at least 3 months notice of its intention to terminate its customer supply contract;

(2) the termination date set out in its notice under Clause 12.2 (b) (1) must be a date which is on or after the date on which it becomes a non franchise customer; and

(3) it must agree to pay or secure the payment to the Licensee of any outstanding charges under the customer supply contract.

12.3 The Licensee must provide a contract franchise customer with the notification referred to in Clause 12.2 before the earliest to occur of the following dates:

- (a) 6 months before the contract franchise customer becomes a non franchise customer; or
- (b) 6 months before the termination date set out in the relevant customer supply contract (or, where that termination date is a date which is less than 6 months after 11 December 1997, within 1 month after 11 December 1997 or 7 business days before that termination date, whichever is the earlier), or
- (c) the date on which the Licensee institutes, or responds to, a written or other communication that, wholly or in part, concerns the terms upon which the contract franchise customer may buy gas from the Licensee after the termination of the relevant customer supply contract.

12.4 Upon a contract franchise customer paying or securing the payment of any outstanding charges under the customer supply contract to the satisfaction of the Licensee the customer supply contract is terminated on the later of:

- (a) the termination date set out in the notice from the contract franchise customer under Clause 12.2 (b) (1); or
- (b) the date on which the contract franchise customer becomes a non franchise customer.

12.5 The Licensee must comply with any guidelines issued by, and other requirements of, the Office in connection with the transition of customers from the status of franchise customers to the status of non franchise customers, including, without limitation, guidelines and requirements in connection with notifying customers of the timing of, and their rights following, such transition.

13. Confidentiality

The Licensee must:

- (a) comply with guidelines issued by the Office relating to the use of information acquired by the Licensee in the course of its gas retail business; and
- (b) ensure that information concerning a customer is not disclosed to another person without the prior written consent of the customer to whom the information relates, unless the disclosure of the information is necessary to enable the Licensee to comply with this licence.

14. Provision of information to the Office

The Licensee must provide to the Office, in a manner and form and at a time decided by the Office and notified to the Licensee, such information as the Office may from time to time require.

15. Payment of licence fees

15.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$30,000.00 per annum.

15.2 If the fee is an annual fee, it must be paid:

- (a) in four equal instalments due on the last days of September, December, March and June of each year; or
- (b) in full on or before the last day of September of each year.

15.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

16. Compliance with laws

The Licensee must comply with all applicable laws including, but not limited to the Tariff Order.

17. Separate accounts

17.1 For so long as the Licensee and a distributor are related bodies corporate, the Licensee must ensure that separate accounts are prepared for its energy retail business. Where the Licensee's gas retail business is a part but not the whole of its energy retail business, the Licensee need not ensure that separate accounts are prepared for its gas retail business.

17.2 In complying with Clause 17.1 the Licensee must observe guidelines set by the Office and maintain its accounting records accordingly.

18. Variation

18.1 This licence may be varied in accordance with:

- (a) the procedures specified in Section 48H of the Act; or
- (b) in accordance with Clause 18.2.

18.2 Where the Licensee is a State owned retailer, prior to:

- (a) the lodgement with the Australian Securities Commission of a prospectus in relation to shares in the capital of the Licensee; or
 - (b) the execution of a contract for the sale of shares in the capital of a Licensee;
- whichever occurs first, the Minister may by notice to the Licensee vary the conditions of this licence.

19. Communications

19.1 A communication must be in writing in the English language.

19.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Act" means the **Gas Industry Act 1994**;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"*connection*" means the contact between a gas system and a gas installation such as will allow the supply of gas between that system and that gas installation;

"*contract customer*" means a customer to whom the Licensee sells gas under a customer supply contract;

"*contract franchise customer*" means a contract customer who is a franchise customer;

"*customer*" means a person, other than a retailer, who buys or wishes to buy gas from a retailer;

"*Customer Service Code*" means the code of that name dated on or about 11 December 1997 which:

- (a) regulates the terms on which gas is supplied and sold to tariff customers; and
- (b) is certified by the Office;

"*customer supply contract*" means an agreement of that title governing the supply and sale of gas to a customer, other than an agreement deemed to have been entered into under Section 48M (4) of the Act;

"*distribute*", in relation to gas, means to distribute gas using a distribution system;

"*distribution pipeline*" has the same meaning as in the Act;

"*Distribution System Code*" means a code of that name which:

- (a) regulates:
 - (1) the supply of gas to or from a distributor's distribution system; and
 - (2) the way in which customers' gas installations affect the distribution system to which they are connected; and
- (b) is certified by the Office;

"*distribution system*" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"*distributor*" has the same meaning as "gas distribution company" under the Act;

"*enforcement order*" means a provisional or final order made and served by the Office under Section 35 of the **Office of the Regulator-General Act 1994**;

"*franchise area*", means:

- (a) in relation to the Licensee, the whole of Victoria, being the area in which the Licensee is licensed to sell gas under the Act ;
- (b) in relation to any other retailer, means the area in which that other retailer is licensed to sell gas under the Act;

"*franchise customer*", in relation to a supply of gas from a supply point, means a customer who is not a non-franchise customer in relation to that supply point;

"*gas retail business*" means the business that a Licensee carries on under its retail licence or exemption granted under Section 48C of the Act;

"*gas installation*" means any gas equipment that is fixed (or to be fixed) in, on, or under a customer's premises;

"*hot water metering installation*" means a metering installation at a supply point which measures and records the flows of gas and hot water, consisting at a minimum of a gas metering installation, two or more hot water meters and a master cold water meter;

"*Licensee*" means GASCOR;

"*metering installation*" means the meter and associated equipment and installations including regulators, telemetry and data logging installed or to be installed in relation to a supply point for the collection of data relating to the flows of gas and/or hot water;

"*Minister*" means the Treasurer;

"*non-franchise customer*" in relation to a supply of gas from a supply point, means non-franchise customer in relation to that supply point within the meaning of Section 6B of the Act;

"*Office*" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"*policy objectives*" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"*related bodies corporate*" means bodies corporate that are related by virtue of Section 50 of the Corporations Law of Victoria;

"*retailer*" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"*retail licence*" means a licence to sell gas granted under Section 48E of the Act;

"*standards and procedures*" means:

- (a) customer-related standards;
- (b) overall performance standards;
- (c) complaint handling, escalation and resolution policies, practices and procedures;
- (d) security deposit, disconnection and credit policies, practices and procedures;
- (e) rules and procedures for compensating customers for the Licensee's failure to comply with any such standards, policies, practices and procedures; and
- (f) procedures for the introduction of debit or prepaid meter cards or other prepayment schemes,

which are issued by the Licensee under Clause 9.1 or by the Office under Clause 9.3;

"*State owned retailer*" means a retailer all the shares in which are held by or on behalf of the State or a corporation all the shares in which are held by or on behalf of the State or another such corporation;

"*supply*", in relation to gas, means the delivery of gas and such related services as must, if provided, be remunerated under the Tariff Order;

"*supply point*" has the same meaning as in the Act;

"*tariff customer*" means a franchise customer, other than a contract customer, to whom the Licensee sells gas;

"*Tariff Order*" means the Victorian Gas Supply Industry Tariff Order made under Section 48A of the Act;

"*transmission company*" has the same meaning as in the Act;

"*VENCorp*" means Victorian Energy Networks Corporation established under the Act;

"*undertaking*" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"*writing*" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;

- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

RETAIL LICENCE ISSUED TO ESSO AUSTRALIA RESOURCES LTD
A.R.B.N. 000 444 860

1. Definitions and interpretation

1.1 In this licence, words and phrases appearing in italics have the meanings ascribed to them in Part 1 of Schedule 1.

1.2 This licence must be interpreted in accordance with the rules set out in Part 2 of Schedule 1.

2. Grant of licence

The Office, in exercise of the powers conferred by Section 48E of the Act, licenses the Licensee to sell gas to persons who are non-franchise customers in relation to a supply of gas at a supply point, subject to the conditions set out in this licence.

3. Term

3.1 This licence takes effect on and from 11 December 1997.

3.2 This licence may be terminated or revoked in accordance with Clause 3.3 or 3.4 respectively.

3.3 This licence may be terminated at any time by the Licensee giving to the Office at least 20 business days notice of termination, in which case the term of this licence ends on the expiration of the notice period. No such termination shall relieve the Licensee from any liability which it may have in respect of any breach of this licence by the Licensee occurring prior to the effective date of termination.

3.4 The Office may at any time give at least 20 business days notice of revocation to the Licensee if the Licensee does not comply with an enforcement order or an undertaking, and the Office decides that it is necessary or desirable to revoke this licence in order to achieve the policy objectives, in which case the term of this licence ends, subject to Clause 3.5, on the expiration of the period of the notice.

3.5 The term of this licence does not end at the expiration of the period of a notice of revocation given under Clause 3.4 if, before the expiration, the Licensee complies with the enforcement order or the undertaking (as the case may be).

4. Statement of Charges

A statement issued by the Licensee to a non-franchise customer requiring payment for gas sold to that customer must, if and when the Office considers it reasonable having regard to the cost to the Licensee:

(a) include as a separate item in each statement requiring payment for gas sold to that customer the total of amounts charged by a distributor and the total of amounts charged by a transmission company in respect of that customer; and

(b) comply with any applicable guidelines issued by the Office.

5. Provision of information to Victorian Energy Networks Corporation

5.1 Following a request in writing from VENCORP, the Licensee must provide to VENCORP such documents or information as VENCORP may reasonably require to perform its functions and exercise its powers under the Act.

5.2 A question as to the reasonableness of a requirement by VENCORP for documents or information as contemplated by Clause 5.1 shall be determined by the Office on the basis of the Office's opinion of the reasonableness of the requirement.

6. Provision of information to the Office

The Licensee must provide to the Office in writing, in a manner and form and at a time decided by the Office and notified to the Licensee such information as that Office may reasonably require from time to time to perform its functions and exercise its powers under the Act.

7. Payment of licence fees

7.1 The Licensee must pay as directed by the Office a licence fee determined in accordance with Section 48F (5) of the Act of \$15,000.00 per annum for the period to 11 December 1999.

7.2 If the fee is an annual fee, it must be paid:

(a) in four equal instalments due on the last days of September, December, March and June of each year; or

(b) in full on or before the last day of September of each year.

7.3 The Licensee must pay as directed by the Office such other fees and charges in respect of this licence as are determined by the Minister in accordance with Section 48F (5) of the Act.

8. Compliance with laws and Other Requirements

8.1 The Licensee must comply with all applicable laws.

8.2 The Licensee must notify the relevant distributor of the Licensee's contractual arrangements with the Licensee's customers relating to interruption or curtailment of supply within 21 business days of entering into such arrangements.

8.3 If the Licensee is notified by a distributor of any interruption or curtailment of delivery of gas at a distribution delivery point, the Licensee must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.

9. Variation

9.1 This licence may be varied in accordance with the procedures specified in Section 48H of the Act.

9.2 Nothing in this licence prejudices the right of the Licensee to apply for variations of this licence from time to time pursuant to Section 48H of the Act.

10. Communications

10.1 A communication must be in writing.

10.2 A communication is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
- (b) 3 business days after the date of posting, if the communication is posted within Australia;
- (c) 7 business days after the date of posting, if the communication is posted outside Australia; or
- (d) when, according to the sender's transmission report, received by facsimile transmission by the addressee.

The Common Seal of the Office of the Regulator-General was affixed pursuant to the authority of the Office on 11 December 1997.

JOHN C. TAMBLYN
Regulator-General

SCHEDULE 1: DEFINITIONS AND INTERPRETATION

1. Definitions

In this licence:

"Act" means the **Gas Industry Act 1994**;

"business day" means a day on which banks are open for general banking business in Melbourne, excluding a Saturday or Sunday;

"communication" means a notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

"connection" means the contact between a gas system and a gas installation such as will allow the supply of gas between that system and that gas installation;

"customer" means a person, other than a retailer, who buys or wishes to buy gas from the Licensee;

"distribute", in relation to gas, means to distribute gas using a distribution system;

"distribution system" means in relation to a distributor a system of gas distribution pipelines (generally at pressure levels of 1050 kPa or below) which that distributor uses to distribute gas for supply to customers;

"distributor" has the same meaning as "gas distribution company" under the Act;

"enforcement order" means a provisional or final order made and served by the Office under Section 35 of the Office of the Regulator General Act 1994;

"gas business" means the Licensee's retail sale business;

"gas installation" means any gas equipment that is fixed (or to be fixed) in, on, or under a customer's premises;

"Licensee" means Esso Australia Resources Ltd A.R.B.N. 000 444 860;

"Minister" means the Treasurer;

"non-franchise customer", in relation to a supply of gas from a supply point, means non-franchise customer in relation to that supply point within the meaning of Section 6B (1) (b) of the Act;

"Office" means the Office of the Regulator-General under the **Office of the Regulator-General Act 1994**;

"policy objectives" means the objectives specified in Section 8B of the Act and Section 7 of the **Office of the Regulator-General Act 1994**;

"retailer" means a holder of a retail licence or a person who has been exempted from the requirement to obtain a retail licence under Section 48C of the Act;

"retail licence" means a licence to sell gas granted under Section 48E of the Act;

"supply", in relation to gas, means the delivery of gas and such related services as must, if provided, be remunerated under the Tariff Order;

"supply point" has the same meaning as in the Act;

"transmission company" has the same meaning as in the Act;

"VENCorp" means Victorian Energy Networks Corporation established under the Act;

"undertaking" means an undertaking given by the Licensee under Section 35 (5) (a) of the **Office of the Regulator-General Act 1994**;

"writing" includes any mode of representing or reproducing words, figures, drawings or symbols in a visible form.

2. Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to any thing includes a part of that thing;
- (f) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;
- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;

- (k) a period of time:
- (1) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (2) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a business day may occur on or by the next business day.

Dated 15 December 1997

JOHN C. TAMBLYN
Regulator-General

Pipelines Act 1967
No. 7541

**DEPARTMENT OF NATURAL
RESOURCES AND ENVIRONMENT**
Notice of Grant of a Pipeline Permit and
Compulsory Acquisition of Land or Interests
in Land

I, Patrick McNamara, Minister for Agriculture and Resources for the State of Victoria in accordance with Section 22A of the **Pipelines Act 1967** hereby give notice that—

1. Pursuant to Section 12 of the **Pipelines Act 1967**, Permit to Own and Use a Pipeline 178 was granted to E.A.P.L. and transferred to G.T.C. on 4 December 1997 for a period of twenty one years for the purposes of conveying gaseous hydrocarbons from Barnawartha North to Murray River.

2. It is proposed that interests in land be compulsorily acquired to allow the vesting in the permittee of an easement for pipeline purposes.

3. The land affected by the proposal is the land on the route of the Barnawartha to Murray River pipeline as shown on the plan T99-1-1A lodged and available for inspection at the offices of the Department of Natural Resources and Environment at 3rd Floor, 115 Victoria Parade, Fitzroy, Victoria 3065.

4. The land includes land other than private land, in respect of which there may be native title rights and interests. The land other than private land is identified in Schedule One of this notice.

5. If I am satisfied, in respect of the interests in land other than private land—

- (a) that the right to negotiate provisions of the **Native Title Act 1993** of the Commonwealth have been applied; and

- (b) that all acts (within the meaning of Section 226 of that Act) in relation to the compulsory acquisition are valid acts within the meaning of Section 28 of that Act;

the interests in land will be compulsorily acquired by me and by force of that acquisition, will vest in the permittee in accordance with the **Land Acquisition and Compensation Act 1986**.

6. Having considered the matters referred to in Paragraphs 5 (a) and 5 (b) of this notice, I am satisfied that the requirements of those paragraphs have been met.

7. Accordingly, I now acquire such interests in the land identified in Schedule One to this notice, including native title rights (if any) and interests, as are necessary to allow the vesting in the permittee of an easement for pipeline purposes and, by force of that acquisition, those interests will vest in the permittees in accordance with the **Land Acquisition and Compensation Act 1986**.

8. The land includes private land, which is identified in Schedule Two to this notice.

9. I now compulsorily acquire such interests in the land identified in Schedule Two to this notice as are necessary to allow the vesting in the permittee of an easement for pipeline purposes and by force of this acquisition, those interests will vest in the permittee in accordance with the **Land Acquisition and Compensation Act 1986**.

SCHEDULE ONE

Land, other than private land, that forms part of the Barnawartha North to Murray River pipeline route shown on the plans mentioned above and specified in the native title determination applications VC97/6 which can be viewed at the offices of the Department

of Natural Resources and Environment at 3rd Floor, 115 Victoria Parade, Fitzroy, Victoria 3065.

SCHEDULE TWO

Private land, that forms part of the Barnawartha North to Murray River pipeline route shown on the plans mentioned above and specified in the following an easement of 16.5 metres wide generally:

Crown Allotment 3A, Section 23, Parish of Barnawartha North, Volume 0861, Folio 138 and Easement No. 3/1/IND.3b, the easement having a total area of 1.287 hectares.

Crown Allotment 2A, Section 23, Parish of Barnawartha North, Volume 0778, Folio 553 and Easement No. 3/1/IND.3a, the easement having a total area of 1.287 hectares.

Crown Allotment 2, Section 16, Parish of Barnawartha North, Book 897, No. 430 and Easement No. 3/1/IND.4, the easement having a total area of 9465 square metres.

PATRICK McNAMARA
Minister for Agriculture and Resources

Approved

DAVID WALLISH
Manager, Minerals and Petroleum Titles
with the authorisation of
Minister for Agriculture and Resources
dated 4 December 1997

ADDENDUM Transport Act 1983 ROAD DECLARATIONS AND DEDICATIONS

On Page No. 3378 of the Victoria Government Gazette G49, dated 11 December 1997, after the words "on plans numbered GP 8541 and GP 8544" add the following:

113/97 Princes Street in the City of Melbourne shown hatched on plan numbered GP 15438.

Country Fire Authority Act 1958 DECLARATION OF FIRE DANGER PERIOD

In pursuance of the powers conferred by Section 4 of the Country Fire Authority Act 1958, I, Leonard Raymond Foster, Chairman of the Country Fire Authority, after consultation with the Secretary of Natural Resources and Environment, hereby declare

the following periods to be the Fire Danger Period in the municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on Friday, 1 May 1998.

To commence from 0100 hours on Monday, 22 December 1997:

Rural City of Ararat;

Pyrenees Shire Council (Remainder);

Warrnambool City Council;

Moyne Shire Council;

Southern Grampians Shire Council
(Remainder).

LEN FOSTER
Chairman

Co-operatives Act 1996 CHANGE OF NAME OF A SOCIETY

Notice is hereby given that Melbourne Co-operative Bookshop Limited which was incorporated as a Trading Co-operative under the abovenamed Act on 7 July 1960, has registered a change of its name and is now incorporated under the name of Melbourne Co-operative Bookshop Group Ltd under the said Act.

Dated at Melbourne 9 December 1997

PAUL HOPKINS
Deputy Registrar of Co-operatives

Petroleum (Submerged Lands) Act 1967 COMMONWEALTH OF AUSTRALIA Prohibition of Entry into Safety Zone— Broadbill #1 Well During 22 December 1997 to 22 February 1998

I, Pat McNamara, Designated Authority for the State of Victoria, the Minister for Agriculture and Resources, in exercise of the power conferred by Section 119 of the abovementioned Act, prohibit all vessels other than vessels engaged in or in connection with the petroleum exploration operations authorised under that Act from entering or remaining in the safety zones specified in the schedule without my consent in writing.

SCHEDULE

- (1) The area within a distance of 500 metres measured from each point of the outer edge of the drilling vessel known as Parameswara.

- (2) The area or areas within a distance of 500 metres measured from each point of the outer edge of any anchor buoys or other equipment deployed from that drilling vessel,

while the vessel is engaged in operations associated with drilling of Broadbill #1 well situated at or about the point of Latitude 38 degrees 35 minutes and 25.28 seconds South, Longitude 147 degrees 01 minutes and 17.40 seconds East.

Made under the **Petroleum (Submerged Lands) Act 1967** of the Commonwealth of Australia.

Dated 10 December 1997

PAT McNAMARA
Designated Authority

Dated 6 May 1996

Signed by R. KING
Manager, Minerals and Petroleum Operations
pursuant to delegation

Local Government Act 1989
APPROVAL OF AUTHORISED MANNER
OF INVESTMENTS FOR THE PURPOSES
OF SECTION 138 [1] OF THE ACT

I, Robert Maclellan, M.L.A., Minister for Planning and Local Government acting under Section 138 [1] [f] of the **Local Government Act 1989** authorise as an approved manner of investment for municipal councils, investments in credit unions and building societies.

Dated 11 December 1997

ROBERT MACLELLAN
Minister for Planning and Local Government

Dairy Industry Act 1992
VICTORIAN DAIRY INDUSTRY
AUTHORITY
Determination

This Determination is made by the Victorian Dairy Industry Authority under the powers conferred by Section 61 of the **Dairy Industry Act 1992** and shall come into operation on 1 January 1998.

The Determination of milk prices made by the Victorian Dairy Industry Authority and published in the Government Gazette dated 9 October 1997 is revoked.

DETERMINATION

PART 1
DETERMINATION UNDER SECTION 3 OF
THE DAIRY INDUSTRY ACT 1992

Export sales are sales for the purposes of human consumption as a liquid beyond the territorial limits of the Commonwealth of Australia.

Ultra Heat treated milk (UHT milk) is milk that is processed by subjecting the product to a temperature of not less than 132 degrees centigrade for not less than one second and aseptically packaging it in approved hermetically sealed packages.

Flavoured milk is milk to which flavouring, as defined in the Food Standards Code, has been added so as to alter the odour or taste of the milk to an appreciable extent.

Concentrated skim milk and concentrated whole milk used in the manufacture of market milk is market milk.

Milk used in the production of "Vita Plus" is market milk for the purposes of the above Act.

PART 2
PRICES PAYABLE FOR MILK SUPPLIED
TO PROCESSORS BY THE AUTHORITY

The Authority has determined that all milk will be sold ex factory and that the following prices must be paid for milk sold by the Authority to milk processors.

- (a) Standardised raw milk for processing as daily pasteurised milk for sale in Victoria will be:
 - (i) for flavoured milk and low fat flavoured milk marketed under processor (non VDIA brands)—52.01 cents per litre.
 - (ii) for all other milk—52.01 cents per litre.
- (b) Standardised raw milk for processing as daily pasteurised milk for sale in Australia but outside Victoria will be:
 - (i) for flavoured milk and low fat flavoured milk marketed under processor (non VDIA) brands—51.04 cents per litre.
 - (ii) for all other milk—51.04 cents per litre.

- (c) Standardised raw milk for processing as daily pasteurised milk for sale by export will be 23.88 cents per litre.
- (d) Standardised raw milk for processing as daily pasteurised ultra filtered milk for sale in Victoria will be 41.40 cents per litre.
- (e) Standardised raw milk for processing as daily pasteurised ultra filtered milk for sale in Australia but outside Victoria will be 40.80 cents per litre.
- (f) Standardised raw milk for processing as ultra heat treated milk for sale in Victoria will be—
 - (i) for flavoured milk and low fat flavoured milk marketed under processor (non VDIA) brands—39.01 cents per litre.
 - (ii) for all other milk—39.01 cents per litre.
- (g) Standardised raw milk for processing as ultra heat treated milk for sale in Australia but outside Victoria will be 39.01 cents per litre.
- (h) Standardised raw milk for processing as ultra heat treated milk for sale by export will be 24.06 cents per litre.
- (i) Standardised raw milk for processing as sterilised milk for sale by export will be 24.06 cents per litre.
- (j) Standardised raw milk for processing as daily pasteurised organic and bio-dynamic milk for sale in Victoria will be 55.71 cents per litre.
- (k) Standardised raw milk for processing as daily pasteurised organic and bio-dynamic milk for sale in Australia but outside Victoria will be 54.65 cents per litre.
- (l) Standardised raw milk for processing as concentrated skim milk for use to adjust the solids content in market milk for sale in Victoria will be 33.72 cents per litre.
- (m) Standardised raw milk for processing as concentrated skim milk for use to adjust the solids content in market milk for sale in Australia but outside Victoria will be 33.48 cents per litre.

TOM AUSTIN
Chairman

Water Act 1989
GIPPSLAND AND SOUTHERN RURAL
WATER AUTHORITY
Diminishment of the Werribee Irrigation District

Notice is hereby given that, in accordance with the provisions of Section 104 (1) (b) of the **Water Act 1989**, the Gippsland and Southern Rural Water Authority has resolved on 9 December 1997 to diminish the Werribee Irrigation District by excluding the area outlined in green on Plan 232-7, being Section E, Crown Allotment 24, Parish of Deutgam. A copy of the said plan may be inspected at the Werribee District Office of the Authority at 1 Tower Road, Werribee, during normal working hours.

Notice is further given that, in accordance with the provisions of Section 104 (2) of the **Water Act 1989**, notice of the proposal to make this excision was published in the 27 August, 3 September and 10 September 1997 editions of the Werribee Banner, being a newspaper circulating generally in the area to be affected by the resolution.

ALLAN J. PAPPIN
Chairman

Melbourne Market Authority Act 1977
NOTICE OF MAKING OF BY-LAWS

Melbourne Market Authority gives notice of the making of new By-Laws entitled the "Melbourne Market Authority By-Laws 1997".

The objectives of the By-Laws are to:

- (a) regulate entry into the market land;
- (b) regulate, control and prescribe conditions on use of the market land;
- (c) prescribe times during which trading or other activities may take place in the market land or other parts of it;
- (d) prescribe times during which persons may be present in the market land or parts of it including the occupation of stands and stalls within the market land;
- (e) regulate the activities and behaviour of persons generally in the market land or any other matter relating to the market land;
- (f) prescribe matters relating to infringement notices.

The By-Laws come into operation on 1 January 1998. A copy of the By-Laws may be inspected at the Melbourne Market Authority's Administration Offices at 542 Footscray Road, Footscray, Victoria, during the hours from 8.00 a.m. to 4.00 p.m.

Dated 11 December 1997

IAN WEBB
Chief Executive Officer

**Land Acquisition and Compensation Act
1986**

**Transport Act 1983
NOTICE OF ACQUISITION
Compulsory Acquisition of Interest in Land**

The Roads Corporation declares that by this notice it acquires the following interest in the land described hereunder:

Owners' Name: R. M. and V. I. Brown.

Description of Interest in Land: Being part of Lot 3 on Plan of Subdivision No. 345410, part Crown Allotment 68A, Parish of Korumburra.

Area: 6284 square metres.

Title Details: Part of the land contained in Certificate of Title Volume 10244, Folio 823.

Survey Plan No.: 19484 (Parcel 1).

The survey plan referred to in this notice may be viewed at Property Services, VicRoads, 60 Denmark Street, Kew.

Published with the authority of the Roads Corporation and the Minister for Roads and Ports.

T. H. HOLDEN
Manager Property Services
Roads Corporation

**Planning and Environment Act 1987
SUNSHINE PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment L49**

Pursuant to Section 30 (1) (a) of the **Planning and Environment Act 1987**, Amendment L89 to the Sunshine Planning Scheme has lapsed.

The amendment proposed to rezone land forming part of the Melbourne Water Western Region Complex, located on St Albans Road, Sunshine, from an Existing Public Purposes Reservation (Melbourne Water) to a Reserved Living Zone.

The amendment lapsed on 23 December 1994.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

**Planning and Environment Act 1987
AVOCA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L17**

The Minister for Planning and Local Government has approved Amendment L17 to the Avoca Planning Scheme.

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

The amendment reserves CA's 13, 14, and 15 Section 5A, Parish of Avoca, from General Farming Zone to Public Purposes Reservation —Service and Utility with underlying zoning of General Farming to facilitate a wastewater treatment and disposal facility and ancillary activities on the site.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne; Western Region Office, 1315 Sturt Street, Ballarat and at the offices of the Pyrenees Shire Council, Lawrence Street, Beaufort.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

**Planning and Environment Act 1987
CRANBOURNE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L214**

The Minister for Planning and Local Government has approved Amendment L214 to the Cranbourne Planning Scheme.

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

The amendment rezones land at 2 Alexander Avenue, Koo Wee Rup from Public Use Zone (local Government) to Residential Township Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Cardinia Council, Henty Way, Pakenham.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

**Planning and Environment Act 1987
GREATER GEELONG PLANNING
SCHEME**

**Notice of Approval of Amendment
Amendment R165**

The Minister for Planning and Local Government has approved Amendment R165 to the Greater Geelong Planning Scheme.

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

The amendment rezones 2.8 hectares of land on the western boundary of St Laurence Park, Lara being described in Certificate of Title Volume 8884, Folio 823 from Special Use No. 7 Zone to Residential A Zone to enable expansion of an adjoining proposed residential subdivision and the construction of a secondary access road.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the City of Greater Geelong Council, Level 2, 103 Corio Street, Geelong.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

**Planning and Environment Act 1987
MORELAND PLANNING SCHEME
Notice of Approval of Amendment
Amendment L23**

The Minister for Planning and Local Government has approved Amendment L23 to the Moreland Planning Scheme.

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

The amendment rezones land at 278 - 304 Albert Street, Brunswick, from a part Light Industrial Zone and part Railway Reserve to a Business 1 Zone. The amendment also proposes to include a Development Plan Overlay 1 (Moreland) control.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Moreland City Council, 90 Bell Street, Coburg.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

**Planning and Environment Act 1987
MORWELL PLANNING SCHEME
Notice of Approval of Amendment
Amendment L61**

The Minister for Planning and Local Government has approved Amendment L61 to the Morwell Planning Scheme.

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

The amendment inserts a new clause (Clause 6.3 (8)) allowing (subject to planning permit) the subdivision of Lot B on PS 347810C fronting Rickard Drive and Jeeralang West Road, Jeeralang Junction, comprising approximately 4.4 hectares into two lots, with each lot having an area of at least 1.5 hectares and that each lot created can be used and developed for a single house.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the La Trobe Shire Council, Civic Centre, Kay Street, Traralgon.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

Planning and Environment Act 1987
PAKENHAM PLANNING SCHEME
Notice of Approval of Amendment
Amendment L150

The Minister for Planning and Local Government has approved Amendment L150 to the Pakenham Planning Scheme.

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

The amendment rezones land at 2 Station Street, Officer, from Public Purposes—Local Government Reservation to Residential 1 Zone. The land is no longer required by the Council.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Cardinia Shire Council, Henty Way, Pakenham.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

Planning and Environment Act 1987
PORT PHILLIP PLANNING SCHEME
Notice of Approval of Amendment
Amendment L60

The Minister for Planning and Local Government has approved Amendment L60 to the Port Phillip Planning Scheme.

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

The amendment rezones land at 128-140 Chapel Street, St Kilda, from a Restricted Light Industrial to a Mixed Use Zone; and includes the land in a Potentially Contaminated Land overlay. The amendment will facilitate the proposed residential development of the subject land.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the South

Melbourne Town Hall offices of the Port Phillip City Council, Bank Street, South Melbourne.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

Planning and Environment Act 1987
WHITEHORSE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L22

The Minister for Planning and Local Government has approved Amendment L22 to the Whitehorse Planning Scheme.

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

The amendment rezones the land at 223-243 Burwood Highway, East Burwood, from part Special Use 1 Zone, part Primary School Reservation, part Secondary School Reservation to wholly Reserved Land Other Public Purposes, and reserves land on the eastern side of Gardiners Creek from Primary School Reservation to a Public Open Space Reservation. The amendment also inserts site specific provisions into Clause 131 (Reserved Land) of the Local Section to allow the land to be developed in accordance with a Master Plan approved by Council.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Whitehorse City Council, 379-397 Whitehorse Road, Nunawading.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

Planning and Environment Act 1987
YARRA RANGES PLANNING SCHEME
Notice of Approval of Amendment
Amendment L65

The Minister for Planning and Local Government has approved Amendment L65 to the Yarra Ranges Planning Scheme.

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

The amendment includes a site specific provision into the Management Plan Zone of the Healesville Chapter of the Yarra Ranges Planning Scheme to allow land at Lot 19 Bridges Road, Healesville, to be used for tourist accommodation for a maximum of 6 guests.

A copy of the amendment can be inspected free of charge during office hours at the Department of Infrastructure, Customer Service Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Yarra Ranges Shire Council, Anderson Street, Lilydale.

ADRIAN SALMON
Co-ordinator, Amendment Services
Local Government, Planning and
Market Information Services Division
Department of Infrastructure

ORDERS IN COUNCIL

**Prevention of Cruelty to Animals Act 1986
PREPARATION OF CODE OF PRACTICE**

Under Section 7 of the **Prevention of Cruelty to Animals Act 1986**, I, Bill McGrath, Acting Minister for Agriculture and Resources prepare the attached Code of Practice for the Intensive Husbandry of Rabbits (Victoria).

BILL McGRATH
Acting Minister for Agriculture and Resources

**Prevention of Cruelty to Animals Act 1986
APPROVAL OF PREPARATION OF A CODE OF PRACTICE**

The Governor in Council, under Section 7 of the **Prevention of Cruelty to Animals Act 1986** approves the preparation by the Acting Minister for Agriculture and Resources of the attached Code of Practice for the Intensive Husbandry of Rabbits (Victoria).

Dated 30 September 1997

Responsible Minister:
BILL McGRATH
Acting Minister for Agriculture and Resources

CON CHARA
Acting Clerk of the Executive Council

**Prevention of Cruelty to Animal Act 1986
CODE OF PRACTICE FOR THE
INTENSIVE HUSBANDRY OF RABBITS (VICTORIA)
CONTENTS**

1. Environment
2. Space Requirements
3. Equipment
4. Food and Water
5. Handling
6. Health
7. Protection
8. Transport
9. Euthanasia
10. Humane Slaughter for Human Consumption

INTRODUCTION

This Code of Practice is intended as a guide for all persons responsible for the intensive husbandry of domestic-type rabbits for commercial production. It recognises that the basic requirement for the welfare of rabbits is a husbandry system appropriate to their physiological and behavioural needs. The basic needs are:

- (i) accommodation which provides protection from the elements and does not harm or cause undue discomfort;
- (ii) freedom of movement to stand, stretch, turn around and lie down;
- (iii) readily accessible food and water,

- (iv) rapid recognition and treatment of injury and disease,
- (v) protection from predators and insect-borne diseases,
- (vi) an environment which permits a level of social interaction so that individually housed rabbits can see and are aware of other rabbits.

This Code of Practice for the Welfare of animals is based on the knowledge and technology available at the time of publication, and may need to be varied in the light of future knowledge for commercial production. The Code does not include any consideration of the management of the European wild rabbit. It does not replace the need for experience and commonsense in the husbandry of animals, and for professional judgement and care where necessary. Rabbits are animals which need individual and frequent attention. Responsibility and competent supervision is an essential prerequisite for the day to day management of rabbits and to ensure their welfare. It should be supplemented by expert opinion and veterinary care if the rabbits are in ill-health.

1. Environment

The building in which the rabbits are housed should be constructed to allow for controlling the extremes of temperature. It is recommended that temperature be maintained within the optimum range of 10°C - 25°C.

If the building is enclosed, it should be adequately ventilated; if necessary force-ventilation should be installed to prevent excessive build-up of heat, moisture and ammonia.

A force-ventilation system should have an automatic alarm system to warn of power failure. A back-up alarm system to warn of temperature increase is also essential and should operate through an alternative circuit to the power failure alarm system. In force-ventilated buildings, emergency ventilation systems should be provided.

All electrical switching should be of a non-sparking design or installed outside the animal holding area. Internal surfaces of the animal holding area should be smooth to limit the accumulation of dust and fluff.

In any situation in which rabbits are housed intensively for commercial production avoidance of ammonia build-up is essential. In addition to adequate ventilation, means of urine disposal from housing areas must be effective to reduce accumulation of ammonia. Should ammonia levels reach the point of being detectable by human sense of smell remedial action needs to be taken to reduce the level.

Faeces should be removed from both the immediate environment of the rabbits and from the confines of the shed on a regular basis.

During the hours of daylight the level of indoor lighting, natural or artificial should be such that all rabbits can be seen clearly. In addition adequate lighting should be available for satisfactory inspection at any time.

A standard 15 hour daylight period should be maintained by the facility, with shade provided to the bucks after 8 hours. Optimum light requirements for breeding:

Does	15 hours minimum of higher intensity light
Bucks	8 hours maximum

The rabbit's environment should be designed to be as stress-free as possible. In particular steps need to be taken to minimise the effect of entry of unfamiliar people and to prevent entry of animals such as dogs and cats.

The facility must be secure to prevent access by predators.

Measures need to be in place to keep numbers of rodents and other vermin at a minimum.

Well maintained wire screening or an alternate physical barrier is essential to prevent entry of insect vectors.

2. Space requirements

The floor area provided for the rabbits should be sufficient to allow the rabbits to move around, to feed and drink without difficulty, and to lie on their sides.

Minimum allowances for space are:

Doe and litter to 5 weeks of age	0.56 m ² total area
Doe and litter to 8 weeks of age	0.74 m ² total area
Rabbits 5-12 weeks	0.07 m ² per rabbit
Rabbits 12 weeks and over	
(other than those used for breeding) in cages	0.18 m ² per rabbit
or other areas in which several rabbits are kept	
Adult does and bucks for breeding	0.56 m ² per rabbit

The above minimum space allowances refer to medium-sized rabbits, e.g. NZ white. Where larger or smaller sized rabbits are involved, space allowances should be adjusted appropriate to relative body size.

Cages for rabbits over 12 weeks old should be not less than 45 cm high and should be of sufficient height to allow rabbits to sit upright with ears fully erect.

No more than 40 young rabbits should be maintained in colony pens. These rabbits should be fed by hoppers suspended just above the floor.

3. Equipment

Floors on which rabbits are kept should be designed, constructed and maintained so that injury or distress is not caused to rabbits. Floors should be smooth and well-supported. The provision of a solid non-absorbent board may assist to minimise injury. Such board should be of not less than 0.1 m² to occupy up to one third of the total floor area of each cage. Such boards should be replaced or cleaned and disinfected regularly. Wooden or other absorbent surfaces are not recommended. Boards may increase urine staining.

If the floor is of wire mesh material it should be of welded or flat construction. Flat mesh is preferable as it is more easily cleaned. Sufficient support must be provided to the housed rabbits feet. Square mesh should not exceed 19 mm x 19 mm and rectangular mesh should not exceed 50 mm x 13 mm. The wire of the mesh should be not less than 2.5 mm diameter (12 gauge).

A special space with nesting material is required for does. Nesting material, e.g. untreated wood shavings or shredded paper should be provided. Where used, nest boxes should be introduced at least 2 days before the litter is due. The boxes should be built of non-absorbable material to facilitate cleaning between batches.

4. Food and Water

The diet should be nutritionally adequate to maintain health and vitality and should take account of the requirements for growth, pregnancy and lactation and the rabbits' special need for adequate fibre-content. A new type of feed should be introduced over a period of a few days.

Feeding and watering equipment should be designed, installed and maintained so as to avoid causing discomfort, distress or injury to the rabbits.

Food and water facilities must be readily accessible by rabbits.

Food hoppers with insufficiently large openings may discourage rabbits from eating and may cause injury to their faces. If the openings are too large, kitten rabbits may enter them and defecate on the food. Hoppers that are placed too high may be out of reach of young kittens. Hoppers that are positioned too low may become contaminated with faeces and urine.

When there are several rabbits in one cage being fed on a system which restricts the supply of feed, the feed containers should be of such a size that all rabbits in the group can feed at the same time. Otherwise the dominant rabbits will eat more than their share of feed.

Clean water must be readily available to the rabbits at all times. An automated watering system reduces the risk of contamination by urine, faeces, fur and airborne disease organisms. Drinking nipples should not be positioned too high or too low, but at about 10 cm from the floor of the cage, they should not project more than 2.5 cm into the cage.

Food hoppers and waterers should be checked each day to ensure that they are operating effectively. There should be a back-up system to ensure that the rabbits continue to have access to water if an automated system should break down.

When pellets are fed steps to prevent or dispose of reservoirs of dust must be used. This may be done by using mesh flooring in the base of feed hoppers.

5. Handling

Mixing established groups of unfamiliar rabbits should be avoided. Where several rabbits are kept in one large cage or other enclosure, the social stability of these groups will be seriously upset if other rabbits are introduced into the system. Such introductions will lead to savage fighting until a new hierarchial structure is established in the group.

A rabbit should never be lifted by the ears alone. It may be lifted by grasping with one hand the loose skin over the shoulders, and placing the other hand under the rabbit's rump to support its weight.

Toe nails of adult rabbits should be trimmed periodically to prevent toe damage from overgrown nails catching on cage or equipment surfaces. Care is needed when trimming to avoid damage to sensitive tissue.

In adult rabbits regular teeth checks for overgrowing incisors are necessary and trimming implemented to avoid interference with feeding or damage to the rabbits lips. Access to hard, chewable items may reduce the problem of overgrowing incisors.

Replacement bucks should be housed individually after 10-12 weeks of age.

For mating purposes does should be taken to the buck rather than the reverse.

Removal of rabbits from the housing area for slaughter should be carried out quietly and with care exercised to avoid stress and unnecessary struggling which may otherwise bruise or injure the animal.

Relocation of rabbits from individual cages to transport cages needs to be done by imposing a minimum of stress to the rabbits with consideration given to the orderly movement from one cage to the next.

6. Health

Persons responsible for the care of rabbits should be watchful for the signs of ill-health. Rabbits should be inspected at least once daily except that litters under 1 week old should be disturbed as little as possible. Lighting should be adequate to enable detection of any problems.

Rabbits kept over 12 weeks of age on the property must receive vaccination against Rabbit Calicivirus Disease (RCD). Breeders on the property must be vaccinated against RCD annually. Vaccination against myxomatosis should be considered as suitable vaccines become more readily available commercially. All rabbits introduced onto the premises must be kept in a quarantined area and carefully observed for signs of disease for a period of 3 weeks before entry into the commercial herd.

Ailing or injured rabbits must be treated promptly and should be segregated to a quarantine area. If necessary, they should be humanely destroyed. The provision of hay or paper on the floor may assist in the treatment of foot injuries.

If the person in charge of the rabbits is not able to identify the causes of ill-health and correct them, specialist or veterinary advice should be sought. Records should be kept of treatments given, responses to treatments, and mortalities to assist investigations of disease.

Any use of antibiotics and other drugs must be under veterinary supervision with all due care taken to avoid chemical residues in the carcass meat.

Dead rabbits must be removed and disposed of promptly and hygienically.

7. Protection

Rabbits should be protected from predators and from harassment by other animals.

The area in which the rabbits are kept should be maintained free of feral rabbits and rodents. Insect proofing may be desirable to protect rabbits from myxomatosis.

Sufficient fire-fighting equipment must be available to control a fire in the area where the rabbits are kept.

8. Transport

Containers for transporting rabbits should be ventilated and large enough to allow the animals to turn around and lie down, but small enough to prevent bruising.

Containers should be designed and maintained to allow rabbits to be put in and taken out without injury.

Precautions should be taken to protect the rabbits from wind and rain and from excessively cold or hot conditions during transportation.

Rabbits should not be held in transit for more than 24 hours unless they are provided with food and water.

9. Euthanasia

When necessary, rabbits should be destroyed humanely by a competent handler. Where it can be performed competently, cervical dislocation is an acceptable method.

10. Humane Slaughter for Human Consumption

The method of slaughter of rabbits in licensed abattoirs must be humane and must adhere to the standard outlined in the Australian Standard for Hygienic Production of Rabbit Meat for Human Consumption endorsed by the Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ). This stipulation particularly applies to the requirement for rabbits to be humanely transported, restrained and handled prior to slaughter and to be electrically stunned or made unconscious and insensible to pain by other approved humane methods prior to bleeding.

The Australian Standard for Hygienic Production of Rabbit Meat for Human Consumption is available from CSIRO Publishing, PO Box 1139 Collingwood, Victoria 3066.

Catchment and Land Protection Act 1994 **ORDER DECLARING STATE PROHIBITED WEEDS, REGIONALLY PROHIBITED** **WEEDS AND REGIONALLY CONTROLLED WEEDS**

On the recommendation of the Minister for Conservation and Land Management in accordance with Division 1 of Part 8 of the **Catchment and Land Protection Act 1994**, the Governor in Council makes the following Order under Section 58 of that Act:

1. State Prohibited Weeds

The plants listed in Schedule 1 are declared to be State prohibited weeds in respect of the whole State of Victoria.

2. Regionally Prohibited Weeds

The plants listed in Schedule 2 are declared to be regionally prohibited weeds in the region specified in relation to that plant in Schedule 2.

3. Regionally Controlled Weeds

The plants listed in Schedule 3 are declared to be regionally controlled weeds in the region specified in relation to that plant in Schedule 3.

4. Commencement

This Order comes into operation on 22 December 1997.

SCHEDULE 1- STATE PROHIBITED WEEDS

Alligator Weed	<i>Alternanthera philoxeroides</i> (Mart.) Griseb.	Nodding Thistle	<i>Carduus nutans</i> L.
Black Knapweed	<i>Centaurea nigra</i> L.	Parthenium Weed	<i>Parthenium hysterophorus</i> L.
Camel Thorn	<i>Alhagi maurorum</i> Medik.	Perennial Ragweed	<i>Ambrosia psilostachya</i> DC.
Ivy-leaved Sida	<i>Sida leprosa</i> (Ortega) K. Schumann	Poverty Weed	<i>Iva axillaris</i> Pursh.
Lagarosiphon	<i>Lagarosiphon major</i> (Ridley) Moss	Salvinia	<i>Salvinia molesta</i> D.S. Mitchell
Marijuana	<i>Cannabis sativa</i> L.s.lat.	Tangled Hypericum	<i>Hypericum triquetrifolium</i> Turra
Mesquite	<i>Prosopis</i> spp.	Water Hyacinth	<i>Eichhornia crassipes</i> (Mart) Solms-Laub.

SCHEDULE 2 - REGIONALLY PROHIBITED WEEDS

Common name	Scientific name	Catchment and Land Protection Region											
		Mallee	Wimmera	Glencol	North Central	Corangamite	Port Phillip W	Port Phillip E	Goulburn	North East	W Gippsland	E Gippsland	
							*1						
African Daisy	<i>Senecio pterophorus</i> DC.	P	P	P	P				P	P			
African Feather Grass	<i>Pennisetum macrourum</i> Trin.	P		P	P								
African Lovegrass	<i>Eragrostis curvula</i> (Schr.)	P			P					P	P	P	
Apple of Sodom	<i>Solanum linnaeanum</i> Hepper and Jaeger									P			
Artichoke Thistle	<i>Cynara cardunculus</i> L.								P				
Bathurst Burr	<i>Xanthium spinosum</i> L.							P					
Boneseed/Bitou Bush	<i>Chrysanthemoides monilifera</i> (L.) T. Norlindh	P			P						P	P	
Boxthorn	<i>Lycium ferocissimum</i> Miers									P			
Buffalo Burr	<i>Solanum rostratum</i> Dunal		P						P				
Californian/Perennial Thistle	<i>Cirsium arvense</i> (L.) Scop.		P						P	P			

[illegible]

P = Regionally Prohibited Weed

***1** = The boundary between East and West Port Phillip is formed by the following Roads: Williamstown, Geelong, Tullamarine Freeway, Mickleham, Old Sydney, Arkells, Broadford-Wallan, North Mountain.

***2** = Regionally Controlled Weed in Shire of West Wimmera; Regionally Prohibited Weed elsewhere

***3** = Regionally Controlled Weed in Shire of Hindmarsh; Regionally Prohibited Weed elsewhere.

SCHEDULE 3 - REGIONALLY CONTROLLED WEEDS

[illegible]

Californian/Perennial Thistle	<i>Cirsium arvense</i> (L.) Scop.			C	C	C	C	C			C	C
Caltrop	<i>Tribulus terrestris</i> L.		C		C	C			C	C		
Cape Broom	<i>Genista monspessulana</i> (L.) Johnson		C	C		C		C	C	C	C	C
Cape Tulip (two-leaf)	<i>Homeria miniata</i> (Andr.) Sweet		C* ²	C	C		C					
Cape Tulip (one-leaf)	<i>Homeria flaccida</i> Sweet		C* ²	C	C		C					
Chilean Cestrum	<i>Cestrum parqui</i> L'Herit.		C* ⁴									
Devil's Claw (purple-flower)	<i>Proboscidea louisianica</i> (Miller) Thell.									C		
Devil's Claw (yellow-flower)	<i>Ibicella lutea</i> (indl.) V. Eseltine									C		
Dodder	<i>Cuscuta</i> spp.	C			C				C	C		
English Broom	<i>Cytisus scoparius</i> (L.) Link		C			C		C	C	C	C	C
Fennel	<i>Foeniculum vulgare</i> Mill.			C		C		C			C	C
Flax-leaved Broom	<i>Genista linifolia</i> L.		C			C	C	C			C	
Furze/Gorse	<i>Ulex europaeus</i> L.		C	C	C	C	C	C	C	C		
Golden Thistle	<i>Scolymus hispanicus</i> L.				C			C				
Great Mullein	<i>Verbascum thapsus</i> L.					C	C		C	C		C
Hardheads/Russian Knapweed	<i>Acroptilon repens</i> (L.) DC.				C				C			
Hawthorn	<i>Crataegus monogyna</i> N.J. Jacq.			C		C		C		C	C	C
Hemlock	<i>Conium maculatum</i> L.			C		C	C	C		C	C	C
Hoary Cress	<i>Cardaria draba</i> (L.) Desv.			C		C	C	C	C			
Horehound	<i>Marrubium vulgare</i> L.	C	C	C	C	C	C		C	C	C	C
Khaki Weed	<i>Alternanthera pungens</i> Kunth.				C							
Noogoora Burr/Californian Burr	<i>Xanthium strumarium</i> L.	C			C				C	C		
Onion Weed	<i>Asphodelus fistulosus</i> L.		C* ⁴	C		C						
Ox-eye Daisy	<i>Leucanthemum vulgare</i> Lam.								C	C	C	C
Pampas Lily-of-the-Valley	<i>Salpichroa origanifolia</i> (Lam.) Bail			C					C		C	
Paterson's Curse	<i>Echium plantagineum</i> L.		C	C	C	C	C	C	C	C	C	C
Prairies Ground Cherry	<i>Physalis viscosa</i> L.				C	C		C	C			
Prickly Pear (drooping)	<i>Opuntia vulgaris</i> Mill.				C		C			C		
Prickly Pear (erect)	<i>Opuntia stricta</i> (Haw.) Haw.				C		C			C		
Ragwort	<i>Senecio jacobaea</i> L.			C		C	C	C			C	C

Saffron Thistle	<i>Carthamus lanatus</i> L.		C	C			C	C	C	C	C	C
Sand Rocket/Sand Mustard	<i>Diplotaxis tenuifolia</i> (L.) DC.			C		C	C	C				
Scotch/Heraldic Thistle	<i>Onopordum acanthium</i> L.								C	C	C	C
Serrated Tussock	<i>Nassella trichotoma</i> (Nees.) Hack. ex Arch.			C			C	C			C	
Silverleaf Nightshade	<i>Solanum elaeagnifolium</i> Cav.				C							
Skeleton Weed	<i>Chondrilla juncea</i> L.			C						C		C
Slender/Shore Thistle	<i>Carduus tenuiflorus</i> Curt./ <i>C. pycnocephalus</i> L.			C		C	C	C	C	C	C	C
Soldier Thistle	<i>Cirsium acarna</i> (L.) Moench.		C		C							
Soursob	<i>Oxalis pes-caprae</i> L.			C		C						
Spear Thistle	<i>Cirsium vulgare</i> (Savi) Ten.			C		C		C		C	C	C
Spiny Broom	<i>Calicotome spinosa</i> (L.) Link							C				
Spiny Burr Grass/Gentle Annie	<i>Cenchrus longispinus</i> (Hack.) Fern.	C			C				C			
Spiny Emex	<i>Emex australis</i> Steinh.	C										
Spiny Rush	<i>Juncus acutus</i> L.	C	C	C	C	C	C	C		C	C	
St. Barnaby's thistle	<i>Centaurea solstitialis</i> L.								C	C		
St. John's Wort	<i>Hypericum perforatum</i> L.		C	C	C			C	C	C	C	C
Stemless Thistle	<i>Onopordum acaulon</i> L.		C						C			
Stinkwort	<i>Diitrichia graveolens</i> (L.) Greuter			C		C	C	C		C		
Sweet Briar	<i>Rosa rubiginosa</i> L.		C	C		C	C	C	C	C	C	C
Thorn Apple (common)	<i>Datura stramonium</i> L.			C	C	C	C	C		C		C
Thorn Apple (long-spine)	<i>Datura ferox</i> L.			C	C	C	C	C		C		C
Thorn Apple (recurved)	<i>Datura inoxia</i> Mill.			C		C	C	C		C		C
Topped Lavender	<i>Lavandula stoechas</i> L.							C		C		
Tree of Heaven	<i>Ailanthus altissima</i> (Mill.) Swingle.			C		C	C	C	C	C		C
Tufted Honeyflower	<i>Melianthus comosus</i> Vahl			C								
Tutsan	<i>Hypericum androsaemum</i> L.					C	C	C	C	C	C	C
Variegated Thistle	<i>Silybum marianum</i> (L.) J. Gaertn.			C		C		C	C	C	C	C
Wheel Cactus	<i>Opuntia robusta</i> Wendl. ex. Pfeiffer				C					C		
Wild Garlic	<i>Allium vineale</i> L.	C	C*	C	C					C		

Wild Mignonette	<i>Reseda luteola</i> L.					C	C		C		
Wild Teasel	<i>Dipsacus fullonum</i> L. ssp. <i>fullonum</i>			C		C			C	C	C
Wild Watsonia	<i>Watsonia meriana</i> (L.) Miller 'Bulbillifera'			C		C	C	C	C	C	C

C = Regionally Controlled Weed

*1 = The boundary between East and West Port Phillip is formed by the following Roads: Williamstown, Geelong, Tullamarine Freeway, Mickleham, Old Sydney, Arkells, Broadford-Wallan, North Mountain.

*2 = Regionally Controlled Weed in Shire of West Wimmera; Regionally Prohibited Weed elsewhere

*3 = Regionally Controlled Weed in Shire of Hindharsh; Regionally Prohibited Weed elsewhere

*4 = Regionally Controlled Weed in the Shire Of Northern Grampians

Dated: 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and Land Management

SHARNE BRYAN

Clerk of the Executive Council

Water Industry Act 1994

ORDER TO REGULATE WATER AND WASTEWATER CHARGES IMPOSED BY CITY WEST WATER LTD, SOUTH EAST WATER LTD AND YARRA VALLEY WATER LTD.

The Governor in Council makes the following Order:

1. Title

This Order may be cited as the "Melbourne Metropolitan Retail Water Services Pricing Order 1997".

2. Authorising provision

This Order is made under Section 21A of the **Water Industry Act 1994**.

3. Interpretation

In this Order:

"City West Water" means City West Water Ltd, A.C.N. 066 902 467.

"licensee" means City West Water, South East Water and Yarra Valley Water.

"meter reading period" is the period between the days on which a water meter is read for the purpose of measuring the volume of water supplied to a property or properties, and includes the day on which the meter is last read.

"non-residential premises" means premises which are separately metered and which are not residential premises.

"non-residential property" means a property which is not a residential property.

"property" means:

- (a) if the land is under the operation of the **Transfer of Land Act 1958**, the land for which there is a single folio of the register;
- (b) if the land is not under the operation of the **Transfer of Land Act 1958**,
 - (i) land owned by a single owner or joint owners; or
 - (ii) in the case of Crown land, land occupied by a single occupier or joint occupiers.

"residential premises" means:

- (a) premises that are separately metered and used primarily as a residence; and
- (b) a site in a caravan park that is separately metered and occupied by a resident of the caravan park within the meaning of the **Caravan Parks and Movable Dwellings Act 1988**.

"residential property" means:

- (a) a property used or intended to be used primarily as a residence or residences; and
- (b) in the case of vacant land, land zoned for residential purposes.

but does not include a property used or intended to be used as:

- (c) a guest house, motel, hotel or caravan park;
- (d) a farming enterprise; and
- (e) a residence attached to a shop or professional suite.

"separately metered" means that there is a meter owned or maintained by the licensee that measures only the quantity of water supplied to the property or premises.

"service charge" means a service charge imposed under Section 22 of the **Water Industry Act 1994**.

"sewage" means waste water, excluding trade waste.

"sewage disposal charge" means a sewage disposal charge imposed under Section 22 of the **Water Industry Act 1994**.

"sewerage service charge" means the amount included in a service charge for the provision of sewerage services to a property.

"South East Water" means South East Water Ltd, A.C.N. 066 902 547.

"trade waste" means waste defined as trade waste under the Water Industry Regulations 1995.

"water service charge" means the amount included in a service charge for the provision of a supply of water to a property.

"water usage charge" means a water usage charge imposed under Section 22 of the **Water Industry Act 1994**.

"Yarra Valley Water" means Yarra Valley Water Ltd, A.C.N. 066 902 501.

4. Term of Order

This Order has effect from 1 January 1998 until revoked.

5. Order Does Not Apply

This Order does not apply:

- (a) to any fees or charges for the supply of water or disposal of sewage under an agreement in writing; or
- (b) to any fees or charges for the acceptance of trade waste that does not comply with the Trade Waste Guidelines contained in Schedule 4 of the water and sewerage licence issued to a licensee.

6. Service Charge Only to be Imposed if Property Connected

- (1) A sewerage service charge shall only be imposed if pipes and fittings have been installed which convey or are able to convey sewage or trade waste from the property to the licensee's sewerage system.
- (2) A water service charge shall only be imposed if pipes and fittings have been installed which provide or are able to provide a supply of water to the property from the licensee's water main and the water main has been charged.

7. Service Charges for Water Services

- (1) A water service charge for a residential property in respect of a 12 month period shall not exceed:
 - (a) in the case of City West Water, \$75.60;
 - (b) in the case of South East Water, \$33.00; and
 - (c) in the case of Yarra Valley Water, \$52.80.
- (2) A water service charge for a non-residential property in respect of a 12 month period shall not exceed:
 - (a) in the case of City West Water, \$112.20
 - (b) in the case of South East Water, \$37.50; and
 - (c) in the case of Yarra Valley Water, \$75.00.

8. Service Charges for Sewerage Services

- (1) The sewerage service charge for a residential property in respect of a 12 month period shall not exceed:
 - (a) in the case of City West Water, \$81.60;
 - (b) in the case of South East Water, except as provided in Sub-clause (2), \$116.10; and
 - (c) in the case of Yarra Valley Water, \$112.50.
- (2) The sewerage service charge for a residential property in the area comprising the sewerage district of the Dandenong-Springvale Water Board immediately before 25 June 1991, ("the Dandenong-Springvale Area"), shall not exceed:
 - (a) in respect of the period 1 January 1998 to 30 June 1998, \$34.05
 - (b) in respect of the period 1 July 1998 to 30 June 1999, \$80.10;
 - (c) in respect of the period 1 July 1999 to 30 June 2000, \$92.10;
 - (d) in respect of the period 1 July 2000 to 30 June 2001, \$104.10; and
 - (e) in respect of a twelve month period after 1 July 2001, \$116.10.
- (3) The sewerage service charge for a non-residential property in respect of a 12 month period shall not exceed:
 - (a) in the case of City West Water, \$144.00
 - (b) in the case of South East Water, except as provided in Sub-clause (4), \$190.00; and
 - (c) in the case of Yarra Valley Water, \$175.00.
- (4) The sewerage service charge for a non-residential property in the Dandenong-Springvale Area, shall not exceed:
 - (a) in respect of the period 1 January 1998 to 30 June 1998, \$71.00
 - (b) in respect of the period 1 July 1998 to 30 June 1999, \$154.00;
 - (c) in respect of the period 1 July 1999 to 30 June 2000, \$166.00;

(d) in respect of the period 1 July 2000 to 30 June 2001, \$178.00; and

(e) in respect of a twelve month period after 1 July 2001, \$190.00.

9. Backlog Sewerage Program

(1) A payment required by a licensee under Section 27(1) or Section 29 of the **Water Industry Act 1994** from the owner of a property provided with a sewerage service under the Backlog Sewerage Program, ("the Program") shall not exceed:

(a) in respect of a property serviced on or after 1 January 1998, the sum of \$500, payable in five equal annual instalments;

(b) in respect of a property serviced before 1 January 1997, an amount equal to ten times the amount which is the difference between the sewerage rate levied for the period commencing on 1 July 1997 and ending on 31 December 1997 and the sewerage rate that would have been levied for that period if the property had not been sewered under the Program, less any amounts previously paid, payable in equal annual instalments over the remaining payment period.

(2) In this clause "the Program" means the provision of sewerage services to an area that had been previously provided with a water supply service, including a supply by agreement, and where sewage can not be adequately treated and retained on-site, and includes the provision of sewerage services as a result of an obligation imposed on a licensee by a condition of its licence.

10. Usage Charges Only to be Imposed if Volumes are Metered

(1) A water usage charge shall only be imposed where a meter or meters have been installed to measure the amount of water supplied either to the property or to the property together with other properties.

(2) A sewage disposal charge shall only be imposed where a meter has been installed

(a) to measure the amount of water supplied either to the property or to the property together with other properties; or

(b) to measure the amount of sewage discharged from the property.

11. Transitional Arrangements for Usage Charges

The rate, if any, at which a usage charge is calculated at the beginning of a meter reading period shall apply throughout the meter reading period.

12. Water Usage Charges

(1) A water usage charge shall be calculated at a rate per 1000 litres of water, or part thereof, supplied during a meter reading period.

(2) The rate at which a water usage charge is calculated for water supplied to a residential property or residential premises shall not exceed:

(a) in the case of City West Water, 71 cents;

(b) in the case of South East Water, 72 cents; and

(c) in the case of Yarra Valley Water, 69 cents.

(3) The rate for calculating a water usage charge for water supplied to a non-residential property or non-residential premises shall not exceed:

(a) in the case of City West Water, 69 cents;

(b) in the case of South East Water, 70 cents; and

(c) in the case of Yarra Valley Water, 67 cents.

13. Sewage Disposal Charges

(1) A sewage disposal charge shall be calculated at a rate per 1000 litres of sewage, or part thereof, discharged or estimated to have been discharged during a meter reading period.

- (2) The rate for calculating a sewage disposal charge in respect of sewage discharged from a residential property or from residential premises shall not exceed:
- (a) in the case of City West Water, 81 cents;
 - (b) in the case of South East Water, 77 cents; and
 - (c) in the case of Yarra Valley Water, 80 cents.
- (3) The rate for calculating a sewage disposal charge in respect of sewage from a non-residential property or non-residential premises shall not exceed:
- (a) in the case of City West Water, 79 cents;
 - (b) in the case of South East Water, 76 cents; and
 - (c) in the case of Yarra Valley Water, 78 cents.

14. Method of Calculating Volume of Sewage Discharged from Residential Properties

- (1) Except as provided for in Sub-clause (2), the volume of sewage discharged to the sewerage system from a residential property or residential premises during a meter reading period shall be calculated according to the following formula -

$$\text{Volume of sewage} = \text{VW} \times \text{SF} \times \text{DF}$$

WHERE:

VW is the volume of water supplied to the property or premises, being the volume determined for the purpose of calculating a water usage charge for the same meter reading period or that volume rounded down to the nearest kilolitre;

SF is the seasonal factor which is derived from dividing:

- (a) the total number of days in the meter reading period;
- by the sum of

- (b) the number of days which fall within each particular month within the meter reading period multiplied by the relevant seasonal index shown in Table 1 for that month for a House or a Unit,

WHERE:

a House means a building, excluding a Unit, which is used or intended to be used as one residence.

a Unit means a unit within the meaning of the **Valuation of Land Act 1960**, a group of units within that meaning, a building used or intended to be used for more than one residence and a part of a building used or intended to be used as one residence.

Table 1 - Seasonal Indices

Month	House	South East	City West	Unit	All
	Yarra Valley Water				
January	1.8	1.7	2.0		1.3
February	1.8	1.7	2.0		1.3
March	1.6	1.5	1.9		1.2
April	1.3	1.2	1.5		1.1
May	1.1	1.0	1.3		1.0
June	1.0	1.0	1.1		1.0
July	1.0	1.0	1.0		1.0
August	1.0	1.0	1.1		1.0
September	1.1	1.1	1.2		1.0
October	1.3	1.2	1.4		1.1
November	1.5	1.4	1.7		1.1
December	1.7	1.6	1.9		1.2

DF is the discharge factor shown in Table 2 in respect of the relevant "quarterly equivalent volume of water". The quarterly equivalent volume of water is the volume of water calculated by multiplying the volume of water supplied to or apportioned to the property or premises by 91.25 and dividing the result by the number of days in the meter reading period, except in the case of water supplied to:

- (a) a separately metered property used or intended to be used for more than one residence where those residences are not separately metered; or
- (b) to a property which is not separately metered and to which a volume of water has not been apportioned,

in which case, the quarterly equivalent volume of water is the volume of water calculated by dividing the volume of water supplied to all residences or properties sharing the meter by the number of residences or properties supplied and multiplying the result by 91.25 and dividing that result by the number of days in the meter reading period.

Table 2 - Discharge Factors

<i>Quarterly Equivalent Volume of Water</i>	<i>Discharge factor</i>
Less than or equal to 125 kL	0.9
More than 125 kL and less than or equal to 250 kL	0.9 less 0.0036 per kL in excess of 125 kL
More than 250 kL	0.45

- (2) If a licensee is satisfied that the use of the formula specified in Sub-clause (1) is likely to systematically and substantially overestimate the volume of sewage discharged from a property or premises, the licensee may use another formula or method for estimating the volume.

15. Method of Calculating Volume of Sewage Discharged from Non - Residential Properties

- (1) Except as provided for in Sub-clause (2), the volume of sewage discharged to the sewerage system during a meter reading period from a non-residential property or non-residential premises shall be calculated according to the following formula -

$$\text{Volume of sewage} = (\text{VW} - \text{VTW}) \times \text{DF}$$

WHERE -

VW is the volume of water supplied to the property or premises, being the volume determined for the purpose of calculating a water usage charge for the same meter reading period;

VTW is the volume of Category 2 Trade Waste and Category 3 Trade Waste as defined in clause 18 (3) of this Order, discharged or estimated to have been discharged from the property or premises in the meter reading period; and

DF is the discharge factor, which is 0.9 or a lesser figure determined by the licensee which results in a more accurate estimate of the volume of sewage discharged.

- (2) If a licensee is satisfied that the use of the formula specified in Sub-clause (1) is likely to systematically and substantially overestimate the volume of sewage discharged from a property or premises, the licensee may use another formula or method for estimating the volume.

16. Sanitary Service Charges

- (1) A sanitary service charge imposed by a licensee for the provision of sewerage services to a property in respect of a 12 month period shall be imposed at a flat rate on each water closet, cistern or flushing device situated on the property, which shall not exceed \$91.
- (2) A sanitary service charge shall not be imposed by a licensee after 1 July 1998.

17. Fees for Miscellaneous Water Supply Services

The fees imposed by a licensee for -

- (a) removing and testing a water meter at the request of a customer disputing a water reading, shall not exceed \$34;
- (b) cutting off or restoring a water supply at or near a water meter, shall not exceed \$36.50; and.
- (c) cutting off or restoring a water supply at or near a water main, shall not exceed \$166.

18. Trade Waste Fees and Charges

- (1) The application fee imposed by a licensee for a trade waste agreement or consent shall vary according to the daily maximum discharge limit specified in the application, and shall not exceed the following amounts:

<i>Maximum discharge (kL per day) specified in application</i>	<i>Amount</i>
Less than or equal to 0.5 kL/day	Nil
More than 0.5 kL/day and less than or equal to 4 kL/day	\$ 22.50
More than 4 kL/day and less than or equal to 20 kL/day	\$ 55.00
More than 20 kL/day and less than or equal to 50 kL/day	\$ 127.00
More than 50 kL/day and less than or equal to 100 kL/day	\$ 140.00
More than 100 kL/day and less than or equal to 1000 kL/day	\$ 551.00
More than 1000 kL/day	\$ 1102.00

- (2) The annual charge imposed by a licensee for a trade waste agreement or consent shall vary according to the annual maximum discharge limit derived from the daily maximum discharge limit specified in the agreement or consent, and shall not exceed the following amounts:

<i>Maximum discharge (kL per year)</i>	<i>Amount</i>
Less than or equal to 2,500 kL/year	\$200.00
More than 2,500 kL/year and less than or equal to 25,000 kL/yr	\$600.00
More than 25,000 kL/yr and less than or equal to 100,000 kL/yr	\$2,000.00
More than 100,000 kL/yr	\$6,000.00

- (3) The charges imposed by a licensee for each kilolitre of trade waste discharged or estimated to have been discharged to its sewerage system, shall vary according to the category of trade waste, the 5-Day Biochemical Oxygen Demand (BOD₅) concentration and the Suspended Solids (SS) concentration, and shall not exceed the following charges:

<i>Category</i>	<i>Charge per kL of trade waste</i>		
	<i>City West Water</i>	<i>South East Water</i>	<i>Yarra Valley Water</i>
Category 1 Trade Waste	Nil	Nil	Nil
Category 2 Trade Waste	\$ 0.533	\$ 0.526	\$ 0.530
Category 3 Trade Waste	\$ 0.322	\$ 0.318	\$ 0.320
plus, per kg of BOD ₅	\$ 0.344	\$ 0.344	\$ 0.344
plus, per kg of SS	\$ 0.169	\$ 0.169	\$ 0.169

WHERE

Category 1 Trade Waste is waste for which the mean value of both the BOD₅ concentration and the SS concentration is equal to or less than 600 mg/L, and which is discharged at an annual rate equal to or less than 1000 kilolitres;

Category 2 Trade Waste is waste for which the mean value of both the BOD₅ concentration and the SS concentration is equal to or less than 600 mg/L, and which is discharged at an annual rate greater than 1000 kilolitres; and

Category 3 Trade Waste is waste for which the mean value of either the BOD₅ concentration or the SS concentration is greater than 600 mg/L, irrespective of the volume discharged.

- (4) The charges imposed by a licensee for each kilogram of oxidised sulphur discharged or estimated to have been discharged, shall vary according to the concentration of oxidised forms of sulphur and shall not exceed the following charges:

<i>Concentration of oxidised forms of sulphur</i>	<i>Charge per kg of oxidised sulphur</i>
Greater than 100 mg/L and less than or equal to 500 mg/L	\$ 0.73
Greater than 500 mg/L	\$ 1.03

- (5) The charges imposed by a licensee for each kilogram of nitrogen discharged or estimated to have been discharged, shall vary according to the mean value concentration of nitrogen and shall not exceed the following charges:

<i>Mean value concentration of nitrogen</i>	<i>Charge per kg of nitrogen</i>
Less than or equal to 50 mg/L	Nil
Greater than 50 mg/L	\$ 0.66

19. Food Waste Fees and Charges

- (1) In this clause, "food waste" means any waste matter consisting solely or partly of food which results from any process connected with the preparation, on premises other than private residences, of food for consumption.
- (2) If a licensee imposes a charge under clause 18 (3) of this Order in respect of wastewater that contains food waste, no charge shall be imposed under this clause in respect of that waste.
- (3) The charge imposed by a licensee in respect of food waste discharged from a hospital or institution providing for the care and custody of persons, and which does not pass through a potato peeler unit, shall be imposed at a flat rate which shall not exceed \$18.50 per annum for each bed of the bed capacity of such hospital or institution.
- (4) The charge imposed by a licensee in respect of food waste discharged from:
- a hotel, motel, guest house, boarding house or like premises ; or
 - a restaurant, cafeteria or like eating premises, other than a restaurant in a hospital or institution providing for the care and custody of persons,

and which passes through a grinding, mashing, shredding, or mincing unit, other than a potato peeler unit, shall be charged for at a rate based on the nominal rating in watts of each food waste unit, and shall not exceed the following rates:

<i>Rating of food waste unit</i>	<i>Rate per unit per annum</i>
Greater than or equal to 180 watts and less than 400 watts	\$525.00
Greater than or equal to 400 watts and less than 700 watts	\$2680.00
Greater than or equal to 700 watts and less than 1,500 watts	\$5400.00

- (5) If a licensee imposes a charge under Sub-clauses (3) or (4) of this clause, no charge shall be imposed under Sub-clause (6) in respect of that waste.
- (6) The charges imposed by a licensee in respect of food waste discharged from premises through a potato peeler unit, that does not discharge to a peel interceptor, shall be charged for at a rate based on the nominal rating in watts of the potato peeling unit, and shall not exceed the following rates:

<i>Rating of Unit</i>	<i>Charge per unit per annum</i>
Greater than or equal to 180 watts and less than 400 watts	Nil
Greater than or equal to 400 watts and less than 700 watts	\$301.50
Greater than or equal to 700 watts and less than 1,500 watts	\$617.00

20. Pro rata annual charges to apply

- (1) Where a person becomes liable for a charge which is expressed in this Order to be for a 12 month period, during that 12 month period, the maximum amount that can be imposed shall be the amount that bears the same proportion to the full amount as the billing period bears to the 12 month period.
- (2) Where a person becomes liable for a charge which is expressed in this Order to be for a 6 month period, during that 6 month period, the maximum amount that can be imposed shall be the amount that bears the same proportion to the full amount as the billing period bears to the 6 month period.

Dated 16 December 1997

Responsible Minister:

BILL MCGRATH

Acting Minister for Agriculture and Resources

SHARNE BRYAN

Clerk of the Executive Council

Water Act 1989
CROWN LAND PLACED UNDER THE
CONTROL AND MANAGEMENT OF THE
GOULBURN MURRAY RURAL
WATER AUTHORITY

The Governor in Council under Section 131 of the **Water Act 1989** declares that the Crown lands specified in the Schedule hereunder are placed under the management and control of the Goulburn Murray Rural Water Authority.

SCHEDULE

1. The lands in the Parishes of Eildon and Thornton shown by green and blue colours on the plan marked LEGL/97-26 lodged in the Central Plan Office.

2. The lands in the Parishes of Gibbo and Magorra shown by green and blue colours on the plan marked LEGL/97-27 lodged in the Central Plan Office.

This order is effective from the date it is published in the Victoria Government Gazette—C07/0019/2.

Dated 16 December 1997

Responsible Minister:

P. J. McNAMARA

Minister for Agriculture and Resources

SHARNE BRYAN

Clerk of the Executive Council

Water Act 1989
ORDER FIXING MAXIMUM INTEREST
RATE ON UNPAID MONEY AND
REVOCATION OF EXISTING ORDER

The Governor in Council, under Section 281 of the **Water Act 1989**—

- (a) revokes the Order made on 29 June 1993 and published in Government Gazette No. 25, (Page 1772) on 1 July 1993, fixing sixteen percentum per

annum as the maximum rate of interest for the purposes of Section 281 (1) of the **Water Act 1989**; and

- (b) fixes 13.2 percentum per annum as the maximum rate of interest for the purposes of Section 281 (1) of the **Water Act 1989**.

Dated 16 December 1997

Responsible Minister:

PATRICK McNAMARA

Minister for Agriculture and Resources

SHARNE BRYAN

Clerk of the Executive Council

Victoria Grants Commission Act 1976
DEPARTMENT OF INFRASTRUCTURE
OFFICE OF LOCAL GOVERNMENT
Appointment of Member of the
Victoria Grants Commission

The Governor in Council acting under Section 3 of the **Victoria Grants Commission Act 1976** appoints Ms Joanne Anderson to be a member of the Victoria Grants Commission until 31 October 2000 from the day the Order comes into operation at a sessional fee of \$320 per day.

Dated 16 December 1997

Responsible Minister:

ROBERT MACLELLAN

Minister for Planning and
Local Government

SHARNE BRYAN

Clerk of the Executive Council

Melbourne City Link Act 1995
INCREASING THE PROJECT AREA

The Governor in Council, on the recommendation of the Minister for Planning and Local Government (being the Minister administering the **Melbourne City Link Act 1995** and the Minister administering the **Planning and Environment Act 1987**), under section 8 (1) of the **Melbourne City Link Act 1995** varies the Project area by increasing the Project area by adding the land shown hatched turquoise on the plan numbered LEGL./97-55 lodged in the Central Plan Office.

Dated 16 December 1997

Responsible Minister:

ROBERT MACLELLAN

Minister for Planning and
Local Government

SHARNE BRYAN

Clerk of the Executive Council

Melbourne City Link Act 1995
SURRENDER OF INTERESTS IN
UNRESERVED CROWN LAND

The Governor in Council, on the recommendation of the Minister for Planning and Local Government (being the Minister administering the **Melbourne City Link Act 1995**) under section 26 (2) of the **Melbourne City Link Act 1995** declares that the interests (if any) in the area of 115m² (being land which section 13 of the **Land Act 1958** applies) shown hatched on the plan numbered LEGL./97-315 lodged in the Central Plan Office are surrendered to the Crown.

Dated 16 December 1997

Responsible Minister:

ROBERT MACLELLAN

Minister for Planning and
Local Government

SHARNE BRYAN

Clerk of the Executive Council

Superannuation (Portability) Act 1989
DECLARATION OF AN APPROVED
EMPLOYER

The Governor in Council, under Section 5 (1) (c) of the **Superannuation (Portability) Act 1989**, declares CoINVEST Limited (A.C.N. 078 004 985) to be an "approved employer" for the purposes of that section to cover employees of the Construction Industry Long Service Leave Board who are members of the State Superannuation Fund and who transfer employment to CoINVEST Limited between 1 December 1997 and 31 January 1998.

Dated 16 December 1997

Responsible Minister:

ROGER M. HALLAM

Minister for Finance

SHARNE BRYAN

Clerk of the Executive Council

**Borrowing and Investment
Powers Act 1987**

GLENELG REGION WATER AUTHORITY
Declaration Under Section 17A

The Governor in Council under Section 17A of the **Borrowing and Investment Powers Act 1987** ("the Act") hereby declares that Sections 5, 8, 11, 11AA, 12, 14, 20, 20A and 21 of the Act apply to the Glenelg Region

Water Authority, an "Authority" within the meaning of the **Water Act 1989**, with effect from and including 16 December 1997.

Dated 16 December 1997

Responsible Minister:
ALAN R. STOCKDALE
Treasurer

SHARNE BRYAN
Clerk of the Executive Council

**Vocational Education and
Training Act 1990
PRACTICAL PLACEMENTS
(RATE OF PAYMENT) ORDER 1997**

The Governor in Council makes the following Order.

1. Purpose

The purpose of this Order is to fix the rate of payment for students of a TAFE provider employed under an agreement referred to in Section 87 (1) of the **Vocational Education and Training Act 1990**.

2. Authority for Order

This Order is made under Section 87 (3) of the **Vocational Education and Training Act 1990** on the recommendation of the Minister for Tertiary Education and Training.

3. Name of Order

This Order is called the Practical Placements (Rate of Payment) Order 1997.

4. Rate of Payment

The rate of payment for students employed under an agreement referred to in Section 87 (1) of the **Vocational Education and Training Act 1990** is fixed at \$5.00 (five dollars) per day.

5. Date of Effect

This Order takes effect on the date this Order is published in the Government Gazette or 1 January 1998, whichever is the later.

Dated 16 December 1997

Responsible Minister:
PHIL HONEYWOOD
Minister for Tertiary Education and
Training

SHARNE BRYAN
Clerk of the Executive Council

**Vocational Education and
Training Act 1990
LOCAL GOVERNMENT
INDUSTRY TRAINING BOARD
(REVOCATION) ORDER 1997**

The Governor in Council makes the following Order.

1. Purpose

The purpose of this Order is to revoke the Order declaring the Local Government Industry Training Board Inc. to be an industry training board.

2. Authority for Order

This Order is made under Section 40 (1) (b) of the **Vocational Education and Training Act 1990** on the recommendation of the Minister for Tertiary Education and Training.

3. Name of Order

This Order is called the Local Government Industry Training Board (Revocation) Order 1997.

4. Revocation of Declaration

The Order of the Governor in Council dated 28 August 1990 and published in the Government Gazette on 29 August 1990 declaring the Local Government Industry Training Board Inc. to be an Industry Training Board, as amended by the Order of the Governor in Council entitled "Public Administration and Community Safety Training Board Order 1995" dated 5 November 1995 and published in the Government Gazette on 7 December 1995 is revoked.

5. Date of Effect

This Order takes effect on the date this Order is published in the Government Gazette or 1 January 1998, whichever is the later.

Dated 16 December 1997

Responsible Minister:
PHIL HONEYWOOD
Minister for Tertiary Education and
Training

SHARNE BRYAN
Clerk of the Executive Council

Health Services Act 1988
AMALGAMATION OF PENINSULA HEALTH CARE NETWORK AND
FRANKSTON COMMUNITY HEALTH CENTRE INC.
TO BE KNOWN AS PENINSULA HEALTH CARE NETWORK

The Governor in Council acting on the recommendation of the Minister for Health made after receiving advice from the Secretary to the Department of Human Services ("the Secretary") under Section 64A of the **Health Services Act 1988** ("the Act"), and acting under Section 65 of that Act, by this Order—

1. Directs under Section 65 (1) of the Act, that Peninsula Health Care Network and Frankston Community Health Centre Inc. be amalgamated.
2. Specifies under Section 65 (2) of the Act, 1 January 1998 as the date that -
 - (a) the incorporation of each of Peninsula Health Care Network and Frankston Community Health Centre Inc., each being registered funded agencies under the **Health Services Act 1988**, shall be cancelled; and
 - (b) a new registered funded agency, to be known as Peninsula Health Care Network, comes into existence, as if on that date it had been incorporated under the **Health Services Act 1988**; and
 - (c) the initial board of management of Southern Health Care Network shall be constituted as specified in the table below and appointed for the terms as specified below:

Members of the Board of Management:	
Polk, Robert	until 1 August 1998
Glanville, David	until 1 August 1998
Anderson, Jeremy	until 1 August 1998
Chandler, Peter	until 1 August 1998
Boyle, Barry	until 1 August 1998
Davey, Loreto	until 1 August 1998
Maughan, Robert	until 1 August 1998
von Hartel, Yvonne	until 1 August 1998
Fox, Chris	until 1 August 1998

3. Orders under Section 65 (3) of the Act that:
 - (a) the by-laws of Peninsula Health Care Network shall be the by-laws approved by the Acting Secretary on 18 July 1995 and as altered by Peninsula Health Care Network from time to time in accordance with the **Health Services Act 1988**; and
 - (b) the objects of Peninsula Health Care Network shall be the objects approved by the Acting Secretary on 18 July 1995 and as altered by Peninsula Health Care Network from time to time in accordance with the **Health Services Act 1988**.
4. Declares under Section 65 (4) of the Act, that the new registered funded agency named Peninsula Health Care Network shall be a metropolitan hospital.
5. Amends pursuant to Section 8 (1) (a) and (b) of the Act, Schedule 3 by:
 - (a) removing the name of "Peninsula Health Care Network"; and
 - (b) adding the name of "Peninsula Health Care Network";

to take effect from 1 January 1998.

Dated 16 December 1997

Responsible Minister:
 ROB KNOWLES
 Minister for Health

SHARNE BRYAN
 Clerk of the Executive Council

Public Sector Management Act 1992
AMENDMENT TO SCHEDULE 2 TO THE ACT

The Governor in Council, under Sections 89 (2) and 89 (3) of the **Public Sector Management Act 1992**, by this Order amends Schedule 2 by making the following insertions:

DECLARED AUTHORITIES

<i>Column 1</i> Authority	<i>Column 2</i> Position having functions of Department Head	<i>Column 3</i> Provisions of Act or Regulations to apply to Authority
Managing Director, Cinemedia	Chairman of the Board, Cinemedia	Part 2, Division 3 and all of Part 4 of the Act.

Dated 9 December 1997

Responsible Minister:
 J. G. KENNETT
 Premier

SHARNE BRYAN
 Clerk of the Executive Council

Children And Young Persons Act 1989
Adoption Act 1984
DECLARATION OF
ABORIGINAL AGENCY

The Governor in Council, acting under Section 50 of the **Adoption Act 1984** and on the recommendation of the Minister for Youth and Community Services, by this Order declares the following organisation to be an Aboriginal agency:

The Victorian Aboriginal Child Care Agency
 34 Warruk Avenue
 PRESTON

The Governor in Council, acting under Section 6 of the **Children and Young Persons Act 1989** and on the recommendation of the Minister for Youth and Community Services, by this Order declares the following organisation to be an Aboriginal agency:

The Victorian Aboriginal Child Care Agency
 34 Warruk Avenue
 PRESTON

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

Dated 16 December 1997

Responsible Minister:
 DENIS NAPTHINE
 Minister for Youth and
 Community Services

SHARNE BRYAN
 Clerk of the Executive Council

Fisheries Act 1995
ORDER SPECIFYING APPOINTED DAY
FOR ABALONE LICENCES UNDER
THE FISHERIES ACT 1968

The Governor in Council, under Section 155 (4) of the **Fisheries Act 1995**, specifies that 1 April 1998 is the appointed day in respect of abalone licences issued under Part III of the **Fisheries Act 1968**.

Dated 16 December 1997

Responsible Minister:
 BILL McGRATH
 Acting Minister for Agriculture and
 Resources

SHARNE BRYAN
 Clerk of the Executive Council

State Owned Enterprises Act 1992
APPOINTMENT OF DIRECTORS OF
MELBOURNE WATER CORPORATION

The Governor in Council, under Sections 8 (2) (b) and 8 (3) of the **State Owned Enterprises Act 1992** appoints:

- Christopher Stewart as Chairman of Melbourne Water Corporation from 1 January 1998 to 31 December 1999 (both dates inclusive) for a fee of *\$60,000 per annum;
- Judith King as a Director of Melbourne Water Corporation from 1 January 1998 to 31 December 1998 (both dates inclusive) for a fee of *\$30,000 per annum;

- Baard Solnordal as a Director of Melbourne Water Corporation from 22 March 1998 to 31 December 2000 (both dates inclusive) for a fee of *\$30,000 per annum;
- Roy Gilbert as a Director of Melbourne Water Corporation from 22 March 1998 to 31 December 1999 (both dates inclusive) for a fee of *\$30,000 per annum;
- Anthony Browne as a Director of Melbourne Water Corporation from 22 March 1998 to 31 December 2000 (both dates inclusive) for a fee of *\$30,000 per annum

* In addition to the fee payable,

- the Corporation must pay any superannuation contributions arising from these appointments required under the **Commonwealth Superannuation Guarantee (Administration) Act 1992**;
- the Directors will be entitled to reimbursement by the Corporation of all expenses reasonably incurred in the discharge of office.

Dated 9 December 1997

Responsible Minister:
ALAN R. STOCKDALE
Treasurer

SHARNE BRYAN
Clerk of the Executive Council

Environment Protection Act 1970
DECLARATION OF THE
CREATION OF A REGIONAL
WASTE MANAGEMENT GROUP

The Governor in Council acting under Section 50F (2) of the **Environment Protection Act 1970** declares the creation of the following regional waste management group:

Barwon Regional Waste Management Group consisting of the following members—

- Colac Otway Shire Council
- Surfcoast Shire Council
- Borough of Queenscliffe Council
- City of Greater Geelong Council.

The constitution of the Barwon Regional Waste Management Group will take effect on the date of publication of this Order.

The group is to be governed in accordance with Division 2A of the **Environment Protection Act 1970** and the constitution of the Group.

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Environment Protection Act 1970
DECLARATION OF THE
CREATION OF A REGIONAL
WASTE MANAGEMENT GROUP

The Governor in Council acting under Section 50F (2) of the **Environment Protection Act 1970** declares the creation of the following regional waste management group:

Central Murray Regional Waste Management Group consisting of the following members—

- Gannawarra Shire Council
- Swan Hill Rural City Council
- Buloke Shire Council
- Loddon Shire Council.

The constitution of the Central Murray Regional Waste Management Group will take effect on the date of publication of this Order.

The group is to be governed in accordance with Division 2A of the **Environment Protection Act 1970** and the constitution of the Group.

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Environment Protection Act 1970
DECLARATION OF THE
CREATION OF A REGIONAL
WASTE MANAGEMENT GROUP

The Governor in Council acting under Section 50F (2) of the **Environment Protection Act 1970** declares the creation of the following regional waste management group:

Highlands Regional Waste Management Group consisting of the following members—

Ballarat City Council
Central Goldfields Shire Council
Hepburn Shire Council
Golden Plains Shire Council
Moorabool Shire Council
Pyrenees Shire Council.

The constitution of the Highlands Regional Waste Management Group will take effect on the date of publication of this Order.

The group is to be governed in accordance with Division 2A of the **Environment Protection Act 1970** and the constitution of the Group.

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Forests Act 1958
REVOCATION OF DECLARATION OF
PROTECTED PUBLIC LAND

The Governor in Council under Section 62 (1) of the **Forests Act 1958** revokes the declaration as protected public land of the Crown land in the Parishes of Angahook, Gherang Gherang, Jan Juc and Wombete by Order in Council of 27 October 1987, so far only as the portions containing 127.715 hectares shown as Crown Allotments 12M, 12M1, 12N and 12P, Parish of Angahook on Certified Plan No. 118402 lodged in the Central Plan Office—(81/3248).

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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Control of Weapons Act 1990
ORDER TO PROVIDE FOR
EXEMPTIONS FROM THE PROVISIONS
REGULATING BODY ARMOUR
December 1997

The Governor in Council acting under Section 8A (2) of the **Control of Weapons Act 1990** hereby makes the following order exempting the following persons from the operation of Section 8A (1) of the **Control of Weapons Act 1990**.

1. A person possessing, or using carrying body armour which was acquired by that person prior to 16 December 1997 for the purpose of—

- (a) any lawful employment, duty or activity;
- (b) participation in any lawful sport, recreation; or
- (c) the legitimate collection or display or exhibition of body armour.

The exemption granted under Paragraph 1 (c) is subject to the condition that the body armour is stored in a safe and secure manner.

The exemption in Paragraph (1) is subject to the condition that it expires on 1 July 1998.

2. A person possessing, carrying or using body for the purpose of—

- (a) any lawful employment, duty or activity;
- (b) participation in any lawful sport, recreation; or
- (c) the legitimate collection or display or exhibition of body armour;

other than for the purpose of protection against the effects of any firearm.

An exemption granted under Paragraph 2 (c) is subject to the condition that the body armour is stored in a safe and secure manner.

3. A person possessing, carrying or using body armour which is designed, intended or adapted for the purpose of protecting the body from the effects of any firearm within the meaning of Section 3 (1) of the **Firearms Act 1996** for the purpose of participation in any lawful sport or recreation.

An exemption granted under Paragraph 3 is subject to the condition that the body armour is stored in a safe and secure manner.

4. Any member of the police force, recruit, officer or employee in the Office of the Chief Commissioner of Police or Protective Service Officer when possessing, carrying or using body armour for their official duty.

5. Any person serving as a member of the naval, military or air forces of the Commonwealth of Australia when possessing, carrying or using body armour for their official duty.

6. Any member of the police force of the Commonwealth or any other Territory or State of the Commonwealth when possessing, carrying or using body armour for their official duty.

7. Any prison officer (within the meaning of the **Corrections Act 1986**) or authorised person under Section 9A of the **Corrections Act 1968** when possessing, carrying or using body armour for their official duty.

This Order comes into operation on 31 December 1997.

Dated 16 December 1997

Responsible Minister:
BILL McGRATH
Minister for Police and
Emergency Services

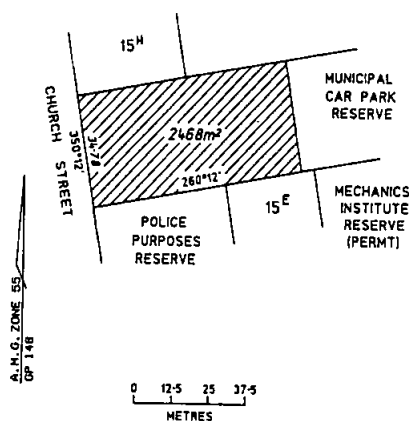
SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION

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

BRUTHEN—The temporary reservation by Order in Council of 29 June 1885 of an area of 2.175 hectares of land in the Township of Bruthen, (formerly Parish of Tambo) as a site for Police Purposes, revoked as to part by various Orders, so far only as the portion

containing 2468 square metres as indicated by hatching on plan hereunder (B790[3])—(Rs 3251).



BRUTHEN—The whole of the temporary reservation by Order in Council of 24 May 1983 of an area of 2055 square metres of land being Crown Allotment 15G, Township of Bruthen, Parish of Tambo as a site for a Car Park—(Rs 12446).

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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION

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

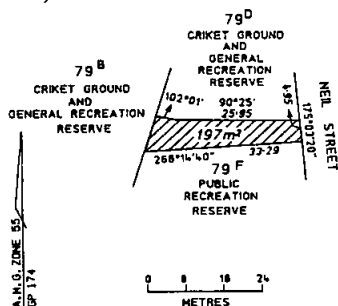
BAMGANIE—The whole of the temporary reservation by Order in Council of 24 April 1990 of an area of 1.16 hectares, more or less, of land being Crown Allotment 33H, Section A, Parish of Bamganie as a site for Conservation of an area of natural interest—(Rs 14153).

COLLINGWOOD—The temporary reservation by Order in Council of 12 May 1981 of an area of 8.462 hectares of land being Crown Allotment 42, Section 20, At Clifton Hill, City of Collingwood, Parish of Jika Jika as a site for Public Park and Public Recreation, so far only as the portion containing 5687 square metres shown as Crown Allotment 44, Section 20, At Clifton Hill, City of Collingwood, Parish of Jika Jika on Certified Plan No. 118330 lodged in the Central Plan Office—(Rs 602).

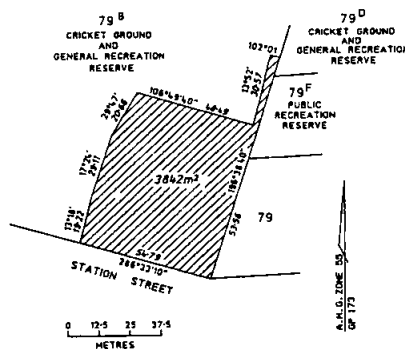
ELDORADO—The temporary reservation by Order in Council of 19 October 1971 of an area of 2074 square metres of land in Section 4, Township of Eldorado, Parish of Byawatha as a site for Public Recreation, so far only as the portion containing 644 square metres shown as Crown Allotment 4C, Section 4, Township of Eldorado, Parish of Byawatha on Certified Plan No. 118377 lodged in the Central Plan Office—(Rs 9543).

KANGAROO FLAT—The whole of the temporary reservation by Order in Council of 5 November 1986 of an area of 1390 square metres of land being Crown Allotment 79F, Township of Kangaroo Flat, Parish of Sandhurst as a site for Public Recreation—(Rs 13098).

KANGAROO FLAT—The temporary reservation by Order in Council of 31 January 1950 of an area of 4629 square metres, more or less, of land in the Township of Kangaroo Flat, Parish of Sandhurst, in two separate portions, as a site for Public Recreation, in addition to and adjoining the site temporarily reserved as a site for Cricket Ground and purposes of General Recreation by Order in Council of 10 March 1873, revoked as to part by Orders in Council of 25 September 1973 and 11 June 1986, so far only as the portion containing 197 square metres as indicated by hatching on plan hereunder—(5403-1) (Rs 2233).



KANGAROO FLAT—The temporary reservation by Order in Council of 10 March 1873 of an area of 3.668 hectares of land in the Township of Kangaroo Flat (formerly at Kangaroo Flat), Parish of Sandhurst as a site for Cricket Ground and purposes of General Recreation, revoked as to the first mentioned purpose by Order in Council of 22 June 1885 so far only as the portion containing 3842 square metres as indicated by hatching on plan hereunder—(5403-1) (Rs 2233).



MEREDITH—The whole of the temporary reservation by Order in Council of 10 October 1881 of an area of 19.02 hectares of land being Crown Allotment 39, Parish of Meredith as a site for Public Recreation and for affording Access to Water—(M26599).

SALE—The temporary reservation by Order in Council of 21 January 1937 of an area of 4249 square metres of land in Section 7, Township of Sale, Parish of Sale (formerly Crown Allotment B, Section 7, Town of Sale) as a site for an Ornamental Plantation, so far only as the portion containing 1120 square metres shown as Crown Allotment E, Section 7, Township of Sale, Parish of Sale, on Certified Plan No. 118404 lodged in the Central Plan Office—(Rs 4650).

WA-DE-LOCK—The whole of the temporary reservation by Order in Council of 29 August 1893 of an area of 2.023 hectares of land in Section 6, Parish of Wa-de-lock as a site for the Supply of Gravel—(Rs 12965).

WA-DE-LOCK—The whole of the temporary reservation by Order in Council of 18 November 1986 of an area of 4.842 hectares of land in Section 6, Parish of Wa-de-lock as a site for the Supply of Gravel—(Rs 12965).

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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

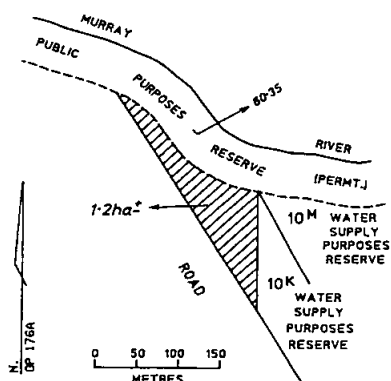
SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
NOTICE OF INTENTION

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

BALLARAT EAST—The temporary reservation by Order in Council of 30 August 1983 of an area of 7355 square metres of land being Crown Allotment 27, Section Z1, Township of Ballarat East, Parish of Ballarat as a site for State School Purposes—(Rs 5838).

BONEGILLA—The temporary reservation by Order in Council of 8 October 1877 of an area of 31.566 hectares, more or less, of land in the Parish of Bonegilla, as a site for Public Purposes, revoked as to part by Orders in Council of 23 January 1962 and 19 April 1988, so far only as the portion containing 1.2 hectares, more or less, as indicated by hatching on plan hereunder—(2178) (Rs 44).



DROUIN—The temporary reservation by Order in Council of 19 March 1974 of an area of 2530 square metres, more or less, of land being Crown Allotment 20, Section 12,

Township of Drouin, Parish of Drouin West as a site for Public Purposes (Car Park)—(Rs 9127).

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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
NOTICE OF INTENTION

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

BAIRNSDALE—The whole of the temporary reservation by Order in Council of 25 October 1966 of an area of 1745 square metres of land in Section A, Township of Bairnsdale, Parish of Bairnsdale as a site for Public Purposes (Government Buildings)—(Rs 8655).

CONEWARRE—The temporary reservation by Order in Council of 2 February 1872 of an area of 113.3 hectares, more or less, of land in Section 28, Parish of Conewarre as a site for Recreation Purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 8 May 1871, revoked as to part by Order in Council of 28 July 1992, so far as the balance remaining containing 59.3 hectares, more or less—(Rs 10256).

LAANG—The whole of the temporary reservation by Order in Council of 13 July 1875 of an area of 2.023 hectares of land in the Parish of Laang (now in the Township of Laang) as a site for State School Purposes—(Rs 10641).

PANTON HILL—The whole of the temporary reservation by Order in Council of 5 August 1980 of an area of 2.242 hectares of land being Crown Allotment 3A, Township of Panton Hill, Parish of Greensborough as a site for Educational Purposes—(Rs 10585).

SALE—The whole of the temporary reservation by Order in Council of 1 March 1949 of an area of 6170 square metres of land in Section 69, Township of Sale, Parish of Sale, (formerly Town of Sale), as a site for Hospital Purposes—(Rs 753).

THALIA—The temporary reservation by Order in Council of 17 July 1962 of an area of 3.673 hectares of land in the Parish of Thalia as a site for Public Recreation, so far only as the portion containing 1.528 hectares shown as Crown Allotment 106B, Parish of Thalia on Certified Plan No. 114465 lodged in the Central Plan Office—(Rs 8145).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION

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

PHILLIP ISLAND—The temporary reservations for various purposes under Section 5 (7) of the **Crown Land (Reserves) Act 1978** of 54 hectares, more or less, of land being Crown Allotments 1A, 1B, 2A, 2B, 2C, 2D, 2E, 3A, 3B, 3C, 4A, 4B, 4C, 5A, 6A, 7A, 7B, 8A, 9A, 9B, 9C, 10A, 10B, 11A, 11B, 11C, 12A, 12B, 13A, 13B, 13C, 14A, 14B, 14C, 14D, 15A, 15B, 15C, 15D, 16A, 16B, 16C, 17A, 17B, 17C, 17D, 18A, 18B, 18C, 18D, 19A, 19B, 20A, 20B, 21A, 21B, 22A, 23A, 24A, 25A, 26A and 26B, Section B, Parish of Phillip Island, as cross hatched red on plan LEGL/97-291 lodged in the Central Plan Office.—(Rs 37110).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN
Minister for Conservation and
Land Management

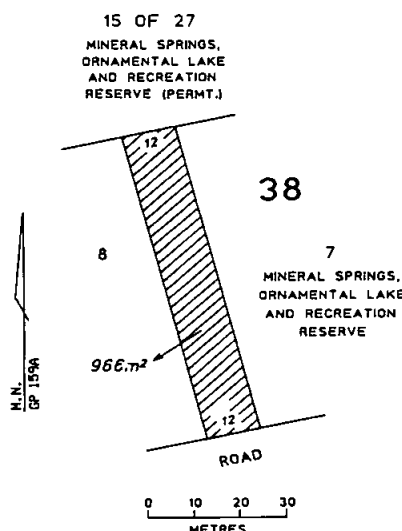
SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978 NOTICE OF INTENTION

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

CARDIGAN—The whole of the temporary reservation by Order in Council of 1 February 1994 of an area of 8809 square metres of land being Crown Allotment 11B, Section 11, Parish of Cardigan as a site for School of Mines—(Rs 21005).

DAYLESFORD—The temporary reservation by Order in Council of 21 January 1937 of an area of 5982 square metres of land in Section 38, Township of Daylesford, Parish of Wombat (formerly Town of Daylesford, Borough of Daylesford), in two separate portions, as a site for Mineral Springs and Ornamental Lake, and for the Recreation, Convenience, and Amusement of the People, so far only as the portion containing 966 square metres as indicated by hatching on plan hereunder—(D13[5]) (Rs 183).



FRANKSTON—The whole of the temporary reservation by Order in Council of 27 October 1981 of an area of 2272 square metres of land being Crown Allotment 7, Section 4, Township of Frankston, Parish of Frankston as a site for Municipal Buildings—(Rs 7505).

RAYWOOD—The whole of the temporary reservation by Order in Council of 29 February 1864 of an area of 2023 square metres of land being Crown Allotments 9 and 10, Section 5 (formerly block 5), Township of Raywood, Parish of Neilborough as a site for Church of England Purposes—(06/17113).

RAYWOOD—The whole of the temporary reservation by Order in Council of 1 August 1864 of an area of 5059 square metres of land in Section 5, Township of Raywood (formerly Parish of Neilborough) as a site for Public Buildings—(06/17114).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
NOTICE OF INTENTION

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

TOONGABBIE—The temporary reservation by Order in Council of 14 December 1885 of an area of 7826 square metres of land in Section 5, Township of Toongabbie, Parish of Toongabbie North, (formerly Crown Allotments 5, 6, 7 and 8 of Section 5 at Toongabbie) as a site for Railway Purposes—(82.L.11529).

TOONGABBIE SOUTH—The temporary reservation by Order in Council of 28 May 1968 of an area of 1214 square metres, more or less, of land in the Parish of Toongabbie South as a site for Railway Purposes—(Rs 8964).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
REVOCATION OF TEMPORARY
RESERVATIONS

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

BAIRNSDALE—The temporary reservation by Order in Council of 8 March 1960 of an area of 1.917 hectares, more or less, of land in the Township of Bairnsdale, Parish of Bairnsdale as a site for Public Park and Gardens, and the temporary reservation for the additional purpose of Public Recreation by Order in Council of 27 July 1965, revoked as to part by Orders in Council of 15 May 1973 and 30 June 1981, so far only as the portion containing 2120 square metres, more or less, as indicated by hatching on plan published in the Victoria Government Gazette on 6 November 1997—Page 3102—(Rs 3441).

BAIRNSDALE—The temporary reservation by Order in Council of 8 March 1960 of an area of 1189 square metres, more or less, of land in Section 21, Township of Bairnsdale, Parish of Bairnsdale, as a site for a Children's Playground, so far only as the portion containing 120 square metres, more or less, as indicated by hatching on plan published in the Victoria Government Gazette on 6 November 1997—Page 3102—(Rs 7891).

BARRARBOOL—The whole of the temporary reservation by Order in Council of 7 June 1988 of an area of 1.283 hectares of land being Crown Allotment 9B, Parish of Barrarbool as a site for Recreation Purposes—(Rs 14116).

ELLIMINYT—The whole of the temporary reservation by Order in Council of 4 March 1879 of an area of 2.023 hectares of land in Section M, Parish of Elliminyt as a site for Watering Purposes—(05/13496).

LAL LAL—The whole of the temporary reservation by Order in Council of 10 June 1969 of an area of 26.848 hectares, more or less, of land in Section 8, Parish of Lal Lal as a site for Public Park and Recreation—(Rs 2543).

LONGWARRY—The whole of the temporary reservation by Order in Council of 3 September 1888 of an area of 2023 square metres of land being Crown Allotment 10,

Section 2, Township of Longwarry, Parish of Drouin West as a site for supply of Gravel and Sand—(Rs 11292).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
REVOCATION OF TEMPORARY
RESERVATION

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

TRAWALLA—The temporary reservation by Order in Council of 18 July 1905 of an area of 6.113 hectares of land being Crown Allotment 73P, Parish of Trawalla as a site for Watering Purposes—(Rs 6283).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
REVOCATION OF TEMPORARY
RESERVATIONS

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

BALMORAL—The temporary reservation by Order in Council of 28 October 1872 of an area of 8094 square metres of land in Section 3, Township of Balmoral, Parish of Balmoral (formerly Crown Allotments 1, 2, 3 and 4 of Section 3, Town of Balmoral) as a

site for Police Purposes, revoked as to part by various Orders, so far only as the portion containing 3982 square metres shown as Crown Allotment 3C, Section 3, Township of Balmoral, Parish of Balmoral on Certified Plan No. 118288 lodged in the Central Plan Office—(Rs 6649).

EUROA—The whole of the temporary reservation by Order in Council of 30 September 1872 of an area of 8094 square metres of land in Section G, Parish of Euroa (formerly part of Crown Allotment 27) as a site for Common School Purposes—(Rs 6862).

EUROA—The whole of the temporary reservation by Order in Council of 23 March 1874 of an area of 3060 square metres of land in Section G, Parish of Euroa (formerly part of Crown Allotment 27 of Section G) as a site for State School Purposes, adjoining the site temporarily reserved therefor by Order in Council of 30 September 1872—(Rs 6862).

MILDURA—The temporary reservation by Order in Council of 16 May 1989 of an area of 1900 square metres of land being Crown Allotment 12, Section 30, Block D, Parish of Mildura as a site for Public Purposes (Departmental Residence), so far only as the portion containing 950 square metres shown as Crown Allotment 12A, Section 30, Block D, Parish of Mildura on Certified Plan No. 117925 lodged in the Central Plan Office—(Rs 10261).

REDESDALE—The temporary reservation by Order in Council of 4 May 1863 of an area of 8094 square metres of land in Section 11A, Township of Redesdale, Parish of Redesdale (formerly at Redesdale, Parish of Redesdale) as a site for a Public Pound, revoked as to part by Order in Council of 14 December 1954, so far as the balance remaining containing 2302 square metres—(Rs 7021).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
REVOCATION OF TEMPORARY
RESERVATIONS

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

EUROA—The temporary reservation by Order in Council of 25 May 1965 of an area of 5818 square metres of land in Section 41, Township of Euroa, Parish of Euroa as a site for Public Purposes (Showground), so far only as the portion containing 1705 square metres shown as Crown Allotment 5A, Section 41, Township of Euroa, Parish of Euroa on Certified Plan No. 118315 lodged in the Central Plan Office—(Rs 8447).

GOORNONG—The whole of the temporary reservation by Order in Council of 30 October 1979 of an area of 4546 square metres of land being Crown Allotment 9, Section 3, Township of Goornong, Parish of Goornong as a site for a Municipal Store-yard—(Rs 11024).

QUAMBY—The whole of the temporary reservation by Order in Council of 8 December 1981 of an area of 5722 square metres of land being Crown Allotment 1C, Section 1, Parish of Quamby as a site for Public Recreation—(Rs 11969).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
 Land Management

SHARNE BRYAN
 Clerk of the Executive Council

Crown Land (Reserves) Act 1978
INCORPORATION OF COMMITTEE OF
MANAGEMENT OF THE BOOLARRA
MUSEUM RESERVE

The Governor in Council under Section 14A (1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interests to declare to be a corporation the Committee of Management appointed under Section 14A (2) of the Act of the land described in the schedule hereunder:

- (a) declares that the Committee of Management shall be a corporation;

- (b) assigns the name "Boolarra Museum Reserve Incorporated" to the corporation; and

under Section 14B (3) of the Act, appoints Ian Hibbins to be Chairperson of the corporation.

SCHEDULE

Crown Allotment 3E, Section 3, Township of Boolarra, Parish of Mirboo temporarily reserved as a site for a Museum by Order in Council of 3 September 1991—(Rs 6163).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and
 Land Management

SHARNE BRYAN
 Clerk of the Executive Council

Crown Land (Reserves) Act 1978
INCORPORATION OF COMMITTEE OF
MANAGEMENT OF THE DARGO
MECHANICS INSTITUTE, CRICKET
GROUND AND RECREATION RESERVES

The Governor in Council under Section 14A (1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interests to declare to be a corporation the Committee of Management appointed under Section 14A (2) of the Act of the land described in the schedule hereunder:

- (a) declares that the Committee of Management shall be a corporation;
- (b) assigns the name "Dargo Hall and Recreation Reserve Committee Incorporated" to the corporation; and

under Section 14B (3) of the Act, appoints Brian Madigan to be Chairperson of the corporation.

SCHEDULE

The remaining lands in the Township of Dargo, Parish of Dargo temporarily reserved as a site for a Cricket Ground by Order in Council of 13 September 1869, a Mechanics Institute by Order in Council of 3 November 1879 and Public Recreation by Order in Council of 22 January 1957—(Rs 5775) (Rs 7448).

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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
INCORPORATION OF COMMITTEE OF
MANAGEMENT OF THE
TARRAVILLE PUBLIC HALL AND
RECREATION RESERVE

The Governor in Council under Section 14A (1) of the **Crown Land (Reserves) Act 1978**, being satisfied that it is in the public interests to declare to be a corporation the Committee of Management appointed under Section 14A (2) of the Act of the land described in the schedule hereunder:

- declares that the Committee of Management shall be a corporation;
- assigns the name "Tarraville Living History Museum Committee Incorporated" to the corporation; and

under Section 14B (3) of the Act, appoints Nancy Fordham to be Chairperson of the corporation.

SCHEDULE

Crown Allotment 9A, Section 6, Township of Tarraville, Parish of Tarra Tarra temporarily reserved as a site for Public Hall and Recreation by Order in Council of 8 June 1993—(15/10528).

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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

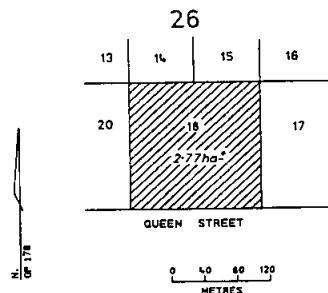
SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
CROWN LAND TEMPORARILY
RESERVED

The Governor in Council under Section 4 of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown land for the purpose mentioned:

MUNICIPAL DISTRICT OF THE
MITCHELL SHIRE COUNCIL

WALLAN—Cemetery Purposes, 2.77 hectares, more or less, being Crown Allotment 18, Section 26, Township of Wallan, Parish of Wallan Wallan as indicated by hatching on plan hereunder—(W18[6]) (Rs 17010).



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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
CROWN LANDS TEMPORARILY
RESERVED

The Governor in Council under Section 4 of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands for the purposes mentioned:

MUNICIPAL DISTRICT OF THE
MACEDON RANGES SHIRE COUNCIL

GISBORNE—Police Purposes, 3966 square metres, being Crown Allotment 11, Section 19, Township of Gisborne, Parish of Gisborne as shown on Certified Plan No. 107666 lodged in the Central Plan Office—(Rs 13784).

MUNICIPAL DISTRICT OF THE GOLDEN PLAINS SHIRE COUNCIL

HADDON—Public Recreation, 4998 square metres, being Crown Allotment 2R2, Section 18, Township of Haddon, Parish of Haddon as shown on Certified Plan No. 109152 lodged in the Central Plan Office—(P105956).

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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN

Minister for Conservation and Land Management

SHARNE BRYAN
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978
CROWN LANDS TEMPORARILY
RESERVED**

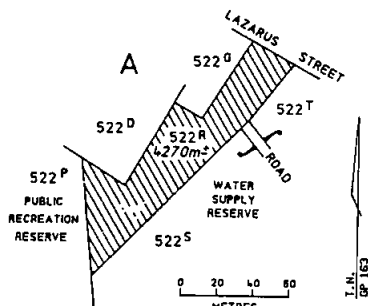
The Governor in Council under Section 4 of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands for the purposes mentioned:

MUNICIPAL DISTRICT OF THE YARRA RANGES SHIRE COUNCIL

BEENAK—Public Purposes, 2007 square metres, being Crown Allotment 43D, Parish of Beenak as shown on Certified Plan No. 117389 lodged in the Central Plan Office—(Rs 37177).

MUNICIPAL DISTRICT OF THE GREATER BENDIGO CITY COUNCIL

BENDIGO—Public Recreation, 4270 square metres, more or less, being Crown Allotment 522R, Section A, At Bendigo, Parish of Sandhurst as indicated by hatching on plan hereunder—(S372[115]) (Rs 5074).

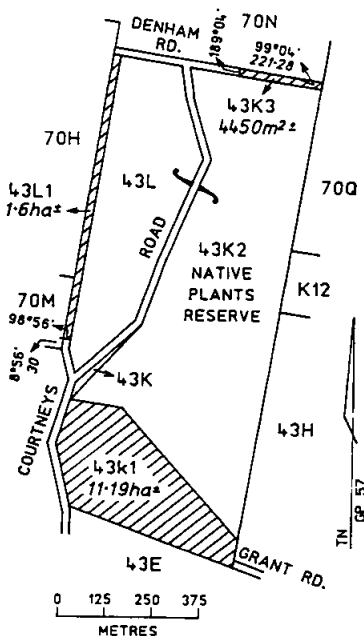


MUNICIPAL DISTRICT OF THE BAYSIDE CITY COUNCIL

ELSTERNWICK—Public Park and Recreation, 1723 square metres being Crown Allotment 5A, Section 13A, At Elsternwick, Parish of Prahran as shown on Certified Plan No. 113007 lodged in the Central Plan Office—(Rs 3090).

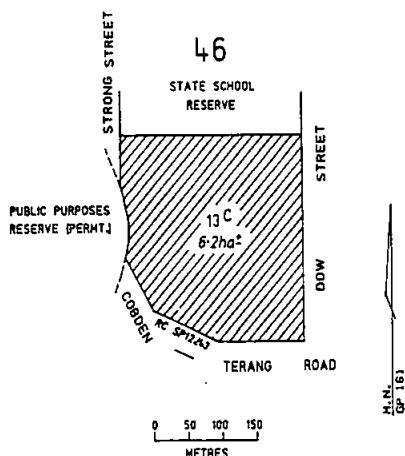
MUNICIPAL DISTRICT OF THE YARRA RANGES SHIRE COUNCIL

NARREE WORRAN—Public Purposes (preservation species of native plants), 13.24 hectares, more or less, being Crown Allotments 43K1, 43K3 and 43L1, Parish of Narree Worrان as indicated by hatching on plan hereunder—(N19[10]) (Rs 862).



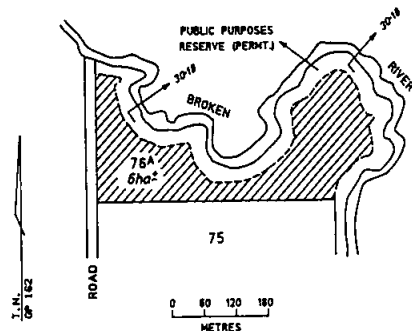
MUNICIPAL DISTRICT OF THE CORANGAMITE SHIRE COUNCIL

TERANG—State School Purposes, 6.2 hectares, more or less, being Crown Allotment 13C, Section 46, Township of Terang, Parish of Terang as indicated by hatching on plan hereunder—(T85[3]) (Rs 3091).



MUNICIPAL DISTRICT OF THE STRATHBOGIE SHIRE COUNCIL

UPOTIPOTPON—Public Purposes, 6 hectares, more or less, being Crown Allotment 76A, Parish of Upotipotpon as indicated by hatching on plan hereunder—(U53[4]) (P162667).



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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Land Act 1958 UNUSED ROADS CLOSED

The Governor in Council under Section 349 of the Land Act 1958 and with the consents in writing of the municipalities concerned and the adjoining owners closes the following unused roads:

MUNICIPAL DISTRICT OF THE BAW BAW SHIRE COUNCIL

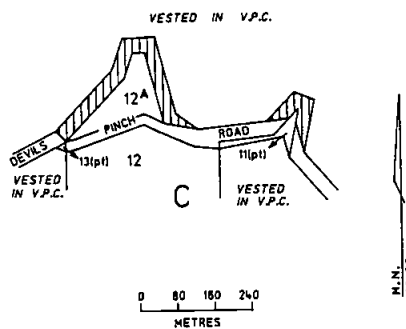
TRAFALGAR—The road in the Township of Trafalgar, Parish of Yarragon shown as Crown Allotment 21A, Section 14, on Certified Plan No. 117645 lodged in the Central Plan Office—(L10-5663).

MUNICIPAL DISTRICT OF THE BASS COAST SHIRE COUNCIL

WONTHAGGI—The road in the Parish of Wonthaggi shown as Crown Allotment 57A, on Certified Plan No. 118379 lodged in the Central Plan Office—(L12--579).

MUNICIPAL DISTRICT OF THE SOUTH GIPPSLAND SHIRE COUNCIL

WOORARRA—The road in the Parish of Woorarra as indicated by hatching on plan hereunder—(W379[4]) (L10-6168).



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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

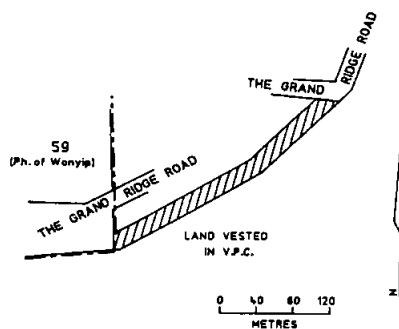
SHARNE BRYAN
Clerk of the Executive Council

**Land Act 1958
UNUSED ROADS CLOSED**

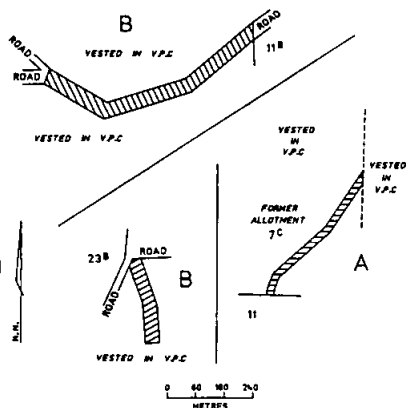
The Governor in Council under Section 349 of the **Land Act 1958** and with the consent in writing of the municipality concerned closes the following unused roads:

**MUNICIPAL DISTRICT OF THE
WELLINGTON SHIRE COUNCIL**

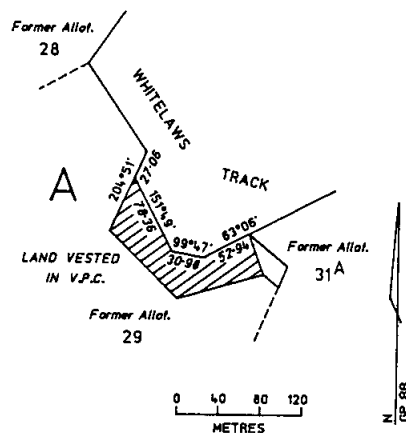
BINGINWARRI—The road in the Parish of Binginwarri as indicated by hatching on plan hereunder—(B707[11]) (L10-6183).



CALLIGNEE—The roads in the Parish of Callignee as indicated by hatching on plan hereunder—(C433[9]) (L10-6113, L10-6112 and L10-6226).



JUMBUK—The road in the Parish of Jumbuk as indicated by hatching on plan hereunder—(J49[5]) (L10-6268).



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

Dated 16 December 1997

Responsible Minister:
MARIE TEHAN
Minister for Conservation and
Land Management

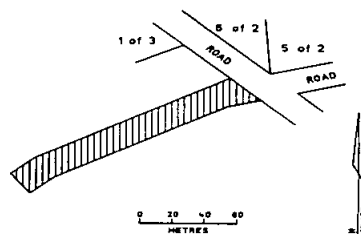
SHARNE BRYAN
Clerk of the Executive Council

**Land Act 1958
UNUSED ROAD CLOSED**

The Governor in Council under Section 349 of the **Land Act 1958** and with the consent in writing of the municipality concerned closes the following unused road:

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

MARENGO—The road in the Township of Marengo, Parish of Krambruk as indicated by hatching on plan hereunder—(M611[2]) (L1-1694).



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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Land Act 1958 UNUSED ROADS CLOSED

The Governor in Council under Section 349 of the **Land Act 1958** and with the consents in writing of the municipalities concerned and the adjoining owners closes the following unused roads:

MUNICIPAL DISTRICT OF THE SOUTH GIPPSLAND SHIRE COUNCIL

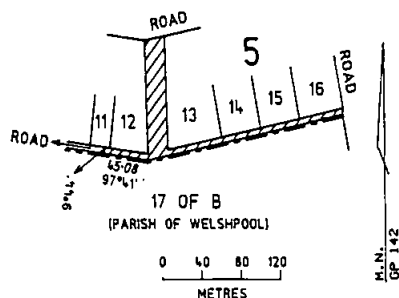
ALLAMBEE—The road in the Parish of Allambree shown as Crown Allotment 90Q, on Certified Plan No. 118201 lodged in the Central Plan Office—(L10-10027).

MUNICIPAL DISTRICT OF THE WODONGA RURAL CITY COUNCIL

BELVOIR WEST—The roads in the Parish of Belvoir West shown as Crown Allotment 23A, Section 4A on Certified Plan No. 118382 lodged in the Central Plan Office—(L8-5973).

MUNICIPAL DISTRICT OF THE SOUTH GIPPSLAND SHIRE COUNCIL

HEDLEY—The road in the Township of Hedley, Parish of Welshpool as indicated by hatching on plan hereunder—(H127[1]) (P280278).



MUNICIPAL DISTRICT OF THE MACEDON RANGES SHIRE COUNCIL

LAURISTON—The road in the Township of Lauriston, Parish of Lauriston shown as Crown Allotment 10A, Section 298, on Certified Plan No. 117513 lodged in the Central Plan Office—(L6-8856).

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

Dated 16 December 1997

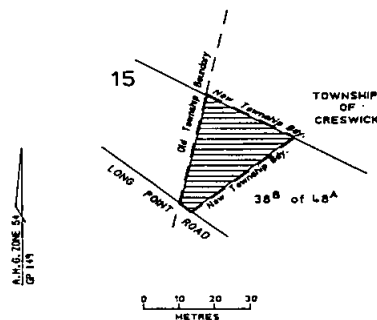
Responsible Minister:

MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Land Act 1958 AMENDMENT TO TOWNSHIP OF CRESWICK

The Governor in Council under Section 25 (3) (d) of the **Land Act 1958** amends the Township of Creswick, proclaimed on 17 April 1951, extended by proclamation of 28 August 1979, by the excision therefrom of the area indicated by diagonal hatching on plan hereunder—(C318[11]) (C92825).



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

Dated 16 December 1997

Responsible Minister:

MARIE TEHAN
Minister for Conservation and
Land Management

SHARNE BRYAN
Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of the Crown land described below.

<i>Property Address</i>	<i>Crown Description</i>
-------------------------	--------------------------

Upper Road, California Gully	Allotment 224B, Section M, At Eaglehawk, Parish of Sandhurst
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Dated 16 December 1997

Responsible Minister:
 ROGER M. HALLAM
 Minister for Finance

SHARNE BRYAN
 Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of the Crown land described below.

<i>Property Address</i>	<i>Crown Description</i>
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Morgans Road, Doobooteic	Allotment 45C, Parish of Coonoor West
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Dated 16 December 1997

Responsible Minister:
 ROGER M. HALLAM
 Minister for Finance

SHARNE BRYAN
 Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of the Crown land described below.

<i>Property Address</i>	<i>Crown Description</i>
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McLoughlans Road, Charlton	Allotment 42B, Parish of Wooronook
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Dated 16 December 1997

Responsible Minister:
 ROGER M. HALLAM
 Minister for Finance

SHARNE BRYAN
 Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of the Crown land described below.

<i>Property Address</i>	<i>Crown Description</i>
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Tunnock Road, Numurkah	Allotment 1A, Township of Numurkah
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Dated 16 December 1997

Responsible Minister:
 ROGER M. HALLAM
 Minister for Finance

SHARNE BRYAN
 Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of Crown Allotment 13^A, Section 10, Township and Parish of Yackandandah located at Railway Avenue, Yackandandah.

Dated 16 December 1997

Responsible Minister:
 ROGER M. HALLAM
 Minister for Finance

SHARNE BRYAN
 Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of Crown Allotment 31^b, Section 31, Parish of Tyabb located at 1 Lumeah Road, Tyabb.

Dated 16 December 1997

Responsible Minister:
ROGER M. HALLAM
Minister for Finance

SHARNE BRYAN
Clerk of the Executive Council

Land Act 1958
APPROVAL BY THE GOVERNOR IN
COUNCIL TO THE SALE OF CROWN
LAND BY PRIVATE TREATY

The Governor in Council, pursuant to Sections 99A (1) (a) and 99A (2) of the **Land Act 1958**, approves the sale by private treaty of Crown Allotment B³, Parish of Moorooduc, located at Racecourse Road, Mornington.

Dated 16 December 1997

Responsible Minister:
ROGER M. HALLAM
Minister for Finance

SHARNE BRYAN
Clerk of the Executive Council

**SUBORDINATE LEGISLATION ACT 1994
NOTICE OF MAKING OF STATUTORY
RULES**

Notice is given under Section 17 (2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rules:

155. *Statutory Rule:* Corrections (Police Gaols) (Amendment) Regulations 1997

Authorising Act: Corrections Act 1986

Date of Making: 16 December 1997

156. *Statutory Rule:* Wildlife (Whales) Regulations 1997

Authorising Act: Wildlife Act 1975

Date of Making: 16 December 1997

157. *Statutory Rule:* Tobacco (Victorian Health Promotion Foundation) (Amendment No. 1) Regulations 1997

Authorising Act: Tobacco Act 1987

Date of Making: 16 December 1997

158. *Statutory Rule:* Plant Health and Plant Products (Amendment) Regulations 1997

Authorising Act: Plant Health and Plant Products Act 1995

Date of Making: 16 December 1997

159. *Statutory Rule:* Prevention of Cruelty to Animals Regulations 1997

Authorising Act: Prevention of Cruelty to Animals Act 1986

Date of Making: 16 December 1997

160. *Statutory Rule:* Residential Tenancies (Fees) Regulations 1997

Authorising Act: Residential Tenancies Act 1980

Date of Making: 16 December 1997

161. *Statutory Rule:* Small Claims Tribunal (Fees) Regulations 1997

Authorising Act: Small Claims Tribunal Act 1973

Date of Making: 16 December 1997

162. *Statutory Rule:* Education (Amendment) Regulations 1997

Authorising Act: Education Act 1958

Date of Making: 16 December 1997

163. *Statutory Rule:* Human Tissue (Prescribed Institutions) Regulations 1997

Authorising Act: Human Tissue Act 1982

Date of Making: 16 December 1997

164. *Statutory Rule:* Infertility Treatment Regulations 1997

Authorising Act: Infertility Treatment Act 1995

Date of Making: 16 December 1997

165. *Statutory Rule:* Cancer (Reporting) (Amendment) Regulations 1997

Authorising Act: Cancer Act 1958

Date of Making: 16 December 1997

166. *Statutory Rule:* Dentists (Fees) Regulations 1997

Authorising Act: Dentists Act 1972

Date of Making: 16 December 1997

167. *Statutory Rule:* Pharmacists (Fees) Regulations 1997

Authorising Act: Pharmacists Act 1974

Date of Making: 16 December 1997

168. *Statutory Rule:* Subordinate Legislation (Road Safety (Vehicles) Regulations 1988—Extension of Operation) Regulations 1997

Authorising Act: Subordinate Legislation Act 1994

Date of Making: 16 December 1997

169. *Statutory Rule:* Subordinate Legislation (Road Safety (Procedures) Regulations 1988—Extension of Operation) Regulations 1997

Authorising Act: Subordinate Legislation Act 1994

Date of Making: 16 December 1997

170. *Statutory Rule:* Subordinate Legislation
(Road Safety (Traffic)
Regulations 1988—
Extension of Operation)
Regulations 1997

Authorising Act: Subordinate Legislation
Act 1994

Date of Making: 16 December 1997

171. *Statutory Rule:* Road Safety (Vehicles)
(Registration
Amendment)
Regulations 1997

Authorising Act: Road Safety Act 1986

Date of Making: 16 December 1997

172. *Statutory Rule:* Taxation Administration
Regulations 1997

Authorising Act: Taxation Administration
Act 1997

Date of Making: 16 December 1997

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

Notice is given under Section 17 (3) of the
Subordinate Legislation Act 1994 that the
following Statutory Rules were first obtainable
from Information Victoria, 356 Collins Street,
Melbourne on the date specified:

146. *Statutory Rule:* Gas and Fuel
Corporation (Gas
Installation) (Further
Amendment)
Regulations 1997

Authorising Act: Gas Industry Act 1994

Date first obtainable: 18 December 1997

Code A

147. *Statutory Rule:* Gas and Fuel
Corporation (Supply)
(Amendment)
Regulations 1997

Authorising Act: Gas Industry Act 1994

Date first obtainable: 18 December 1997

Code A

148. *Statutory Rule:* Gas Industry (Supply)
(Revocation) Regulations
1997

Authorising Act: Gas Industry Act 1994

Date first obtainable: 18 December 1997

Code A

149. *Statutory Rule:* Treasury Corporation of
Victoria (Prescribed
Agencies) (Amendment)
Regulations 1997

Authorising Act: Treasury Corporation of
Victoria Act 1992

Date first obtainable: 18 December 1997

Code A

150. *Statutory Rule:* Dentists (Dental
Auxiliaries) Regulations
1997

Authorising Act: Dentists Act 1972

Date first obtainable: 18 December 1997

Code A

151. *Statutory Rule:* Planning and Environment (Fees) (General Amendment) Regulations 1997

Authorising Act: Planning and Environment Act 1987

Date first obtainable: 18 December 1997

Code B

152. *Statutory Rule:* Subordinate Legislation (Planning and Environment (Fees) Regulations 1988—Extension of Operation) Regulations 1997

Authorising Act: Subordinate Legislation Act 1994

Date first obtainable: 18 December 1997

Code A

153. *Statutory Rule:* Road Safety (Road Rules—Give Way to Stock) Regulations 1997

Authorising Act: Road Safety Act 1986

Date first obtainable: 18 December 1997

Code A

154. *Statutory Rule:* Park (Catchment Protection) Regulations 1997

Authorising Act: National Parks Act 1975

Date first obtainable: 18 December 1997

Code A

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G	193-240		\$15.00
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As from 18 December 1997

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Dated 17 December 1997

The last Periodical Gazette was No. 1
Dated 4 June 1997

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Victoria Government Gazette





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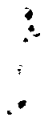
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Victoria Government Gazette



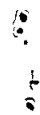
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