



Victoria Government Gazette

No. G 48 Thursday 7 December 1995

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

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Double column	\$1.00	\$3.00
Full page	\$20.00	\$63.00

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9.30 a.m. Monday—(Private)
9.30 a.m. Tuesday—(Government and Outer Budget Sector)

Copy Prices—Page	\$1.50
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- Proofs will be supplied only when requested or at the direction of the Gazette Officer.
- No additions or amendments to material for publication 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 Clerks signature on the relevant document.
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Ensure document is square when sending Documents that are sent skewed are difficult to read and process.

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Telephone inquiries (03) 9387 8135
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PO Box 263
Brunswick Vic 3056
Telephone (03) 9387 8185
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**PUBLICATION OF THE "VICTORIA
GOVERNMENT GAZETTE"**

Christmas/New Year Period

The Victoria Government Gazette for the remainder of 1995 will be published on Thursdays as usual except for the period between Christmas and 11 January 1996.

There will not be a Government Gazette published on 28 December 1995 or 4 January 1996. The first issue of the Gazette for 1996 will be published on Thursday, 11 January 1996, and thereafter on each Thursday.

Where urgent Gazettal is required on days between 22 December 1995 to 2 January 1996, arrangements should be made with Gerard Brick on 019 176 466, or pager number 9483 4600.

JULIA SAAD
Gazette Officer

AGPS—Victorian Operations
60 Fallon Street,
Brunswick 3056
7 December 1995

PLEASE NOTE

The last Gazette for 1995, dated 21 December 1995, will be closing on Monday, 18 December 1995, 11.00 a.m. for all advertisers. Advertisements received from 11.00 a.m. 18 December to 8 January 1996 will be published in Gazette No. 1 of 11 January 1996.

PRIVATE ADVERTISEMENTS

Take Notice that as from 15 August 1995 Faye Anne Blake and Dianne Edith McKay who were previously partners of the business known as the Golden Bread Basket Bakery and Cafe Traralgon located at 35 Princes Street, Traralgon retired from the partnership and will no longer be responsible for the debts of the partnership as from that date.

BusinessNet Australia

Notice is hereby given that Teresa Doohan no longer represents BusinessNet Australia in any capacity. Therefore no contract either verbal or written by her will be honoured by BusinessNet Australia after this date.

Creditors, next of kin and others having claims against the estate of Diana Grace late of 8/33 Irving Road, Toorak, Victoria, widow, deceased who died on 23 May 1995 are hereby required to send particulars in writing of such claims to the executor care of Verna A. Cook, solicitor at her address by 29 January 1996, after which date the said executor will proceed to distribute the assets having regard only to the claims of which she shall then have had notice.

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

Creditors, next of kin and others having claims in respect of the estate of Margaret Mary Hersey late of Apartment 38, 18 Waitara Avenue, Waitara, widow, deceased who died on 26 April 1995 are to send particulars of their claims to the executor care of the undermentioned solicitors by 31 January 1996, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

EALES & MACKENZIE, solicitors, 114-116 Main Street, Lilydale

AILEEN BURDETTE JENKINGS, late of Eaglemont Private Nursing Home, 25 Thoresby Grove, Victoria, pensioner, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 2 July 1995 are required by the executrix Susan Marie Alberti care of Campbell & Shaw, solicitors, 30 Chester street, Oakleigh

to send particulars to them by 5 February 1996, after which date the executrix may convey or distribute the assets having regard only to the claims of which it then has notice.

CAMPBELL & SHAW, solicitors, 30 Chester Street, Oakleigh

Creditors, next of kin and others having claims against the estate of Norman Reginald Smith, late of High Street, Rutherglen, Victoria, retired who died on 16 April 1995 are required to send particulars of their claims to Andrew Patrick Melville solicitor 110 Main Street, Rutherglen the personal representative on or before 30 January 1996, after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ANDREW P. MELVILLE, solicitor, 110 Main Street, Rutherglen

JOHN BERMAN, late of 29 Ercildoune Street, Caulfield North, Victoria, antique dealer, deceased

Creditors, next of kin persons interested and others having claims in respect of the estate of the deceased who died on 25 January 1995 are required by the applicant for grant of Administration, Steven Leslie Weill of 129 Drummond Street, Carlton South, Victoria to send particulars of any claim to him in respect of the estate by 8 February 1996, after which date the applicant for grant of administration may convey or distribute the assets having regard only to the claims of which he then has notice.

Creditors, next of kin and others having claims in respect of the estate of Alexander Bernard Tilemann, late of 2/79 Champion Street, Brighton in the State of Victoria, retired general manager, deceased who died on 11 September 1995 are to send particulars of their claims to the executor Trust Company of Australia Limited care of the undersigned solicitors by 5 February 1996, after which date the executor will distribute the assets having regard only to the claims of which it then has notice.

COADYS, solicitors, 299 Bridge Road, Richmond

MARLENE FAY BRONK, deceased

Creditors, next of kin or others having claims in respect of the estate of Marlene Fay Bronk late of 18 Donnington Street, Swan Hill, widow, deceased who died on 23 October 1995 are to send particulars of their claims to the executors care of the undermentioned solicitors by 2 February 1996, 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, barristers & solicitors, 194-208 Beveridge Street, Swan Hill

DOROTHY SONSEE, late fo Kalonga Private Nursing Home, 381b Belmore Road, Balwyn, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the abovenamed deceased who died on 5 September 1995 are required to send particulars of their claims to the executor James Hopper at the undernoted address by 28 February 1996, after which date he will convey or distribute the assets having regard only to the claims of which he then has notice.

JAMES HOPPER, solicitor, 409 Whitehorse Road, Balwyn

ROSAMOND MARY HOWELLS, late of 20 Redmond Street, Kew, Victoria, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the abovenamed deceased who died on 7 August 1995 are required by Paul Morris Natoli, solicitor of 24 Cotham Road, Kew, Victoria the executor of the deceased's will, to send particulars of their claim to the said executor care of the undermentioned solicitors by 1 March 1996, after which date they will convey or distribute the assets having regard only to the claims which they then have notice.

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

CLARICE AMELIA MAY CRANE, late of Studley Park Private Nursing Home, 24-26 Edgcombe Street, Kew but formerly of Jamari House, 114 Barkers Road, Hawthorn, retired, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 7 November 1995 are required by

the Trustees, John Stephen Hart of 722 High Street, Kew East and Marion Louise Burton of 6/66 Simmons Drive, Altona to send particulars to them care of Henderson & Ball solicitors 722 High Street, Kew East by 15 February 1996, after which date the Trustees may convey or distribute the assets having regard only to the claims of which they then has notice.

HENDERSON & BALL, solicitors, 722 High Street, East Kew

Creditors, next of kin and others having claims in respect of the estate of Thelma Isabella Bennett, late of Bethlehem Home for the Aged Taylor Street, Golden Square, deceased who died on 15 October 1995 are required by the trustee to send particulars of their claims to the trustee care of the undermentioned solicitors by 28 February 1996, after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee then has notice.

BECK SHEAHAN QUINN & KIRKHAM, 110 Pall Mall, Bendigo

Creditors, next of kin and others having claims in respect of the estate of Marjorie Bell Waller late of 126 Holdsworth Road Eaglehawk, deceased who died on 25 September 1995 are required by the trustee to send particulars of their claims to the trustee care of the undermentioned solicitors by 28 February 1996, after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee then has notice.

BECK SHEAHAN QUINN & KIRKHAM, 100 Pall Mall, Bendigo

Creditors, next of kin and others having claims in respect to the estate of Myrtle Lillian Jackson, late of 8 Garden Street, Hawthorn East, in the State of Victoria, married woman, deceased, who died on 1 March 1995 are required to send particulars of such claims to the executor National Mutual Trustees Limited at its registered Office at 65 Southbank Boulevard, Southbank by 8 February 1996, after which date the executor will distribute the estate having regard only to the claims of which it then has notice.

Creditors, next of kin and others having claims in respect to the estate of Isobel Minima Arnott, late of Studley Park Nursing Home, 24-26 Edgcombe Street, Kew in the State of

Victoria, widow, deceased who died on 27 August 1995 are required to send particulars of such claims to the executor National Mutual Trustees Limited at its registered Office at 65 Southbank Boulevard, Southbank by 8 February 1996, after which date the executor will distribute the estate having regard only to the claims of which it then has notice.

ELEANOR MARIE REIMANN, late of 31 Chrystobel Crescent, Hawthorn, Victoria, home duties, deceased

Creditors, next of kin and others having claims in respect to the estate of the deceased who died on 29 June 1995 are required by Perpetual Trustees Victoria Limited of 50 Queen Street, Melbourne, Victoria an operating company of Perpetual Trustees Australia Limited and Erika Marie Reimann of 7 Blair Street, Brunswick, Victoria, entertainment manager the applicants for a grant of probate to send particulars of their claims to the said applicant in the care of the said company by 8 February 1996, after which date they will convey or distribute the assets having regard only to the claims of which they then have notice.

RENNICK GAYNOR KIDDLE BRIGGS, 10 Floor, 530 Little Collins Street, Melbourne

FREDERICK CLIFFORD WENBORN, deceased

Creditors, next of kin or others having claims in respect of the estate of Frederick Clifford Wenborn, late of 105 Rochester Road, Balwyn, Victoria, gentleman, deceased who died on 23 September 1995 are to send particulars of their claims to the executor ANZ Executors & Trustee Company Limited (ACN 006 132 332) of 530 Collins Street, Melbourne, Victoria by 14 February 1996, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

DUNHILL MADDEN BUTLER, solicitors, 575 Bourke Street, Melbourne

HAROLD ROY PORTER, deceased

Creditors, next of kin and others having claims in respect of the estate of Harold Roy Porter, late of Wangaratta, garage proprietor, deceased who died on 5 December 1961 are to send particulars of their claims to the executors care of the undermentioned solicitors by 31 January 1996,

after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

McSWINEYS, solicitors, 57 Reid Street, Wangaratta

MARY FITZGIBBON, formerly of 1 Birdwood Avenue, Warrnambool, Victoria, spinster but late of Koroit Nursing Home, Mill Street, Victoria, spinster, deceased

Creditors, next of kin and all others having claims in respect of the estate of the abovenamed deceased who died on 30 September 1995 are required to send particulars of their claims in writing to the executor John Beynon Dwyer of 97 Botonaic Road, Warrnambool care of the undersigned on or before 7 February 1996, after which date he will distribute the assets of the said deceased's estate having regard only to the claims of which he then has notice as aforesaid.

DESMOND DUNNE & DWYER, solicitors, 95 Kepler Street, Warrnambool

JULIA LEIBIUK, late of 45 Heather Avenue, Thomastown, in the State of Victoria, pensioner, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 26 March 1995 are required by the executrix Stephanie Czernotowycz care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State to send particulars to her by 5 February 1996, after which date the executrix may convey or distribute the assets regard only to claims to which she has notice.

ARTHUR J. DINES & CO., solicitors, 2A Highlands Road, Thomastown

Creditors, next of kin and others persons having claims against the estate of Caroline Louisa Armstrong, late of 10 Gerald Street, Murrumbeena in the State of Victoria, dressmaker, deceased, who died on 1 August 1995 are required to send particulars of their claims to the executor National Mutual Trustees Limited of 65 Southbank Boulevard, Southbank by 15 February 1996, after which date the executor will distribute the assets having regard only for the claims of which they then have had notice.

SOUTHALL PARTNERS, solicitors, 10 Cecil Place, Prahran

Creditors, next of kin and others having claims in respect of the estate of Gerad Johan Krygsman, late of 1 View Street, Upwey, retired engineer, deceased who died on 16 October 1995 are to send particulars of their claims to The Equity Trustees Executors and Agency Company Limited of 472 Bourke Street, Melbourne but 7 February 1996, after which date it will distribute the assets having regard only to the claims of which it then has notice.

JOHN HENRY PRESS CLARK, late of 29 Avenue Athol, Canterbury, Victoria, retired, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 28 September 1995 are required by the applicant for Probate, ANZ Executors & Trustee Company Limited of 530 Collins Street, Melbourne to send particulars to it by 9 February 1996, after which date it may convey or distribute the assets having regard only to the claims of which it then has notice.

ARTHUR ROBINSON & HEDDERWICKS, solicitors, 530 Collins Street, Melbourne

RITA MAY MACPHEE, late of Unit 9, 440 Camberwell Road, Camberwell, Victoria, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 2 July 1995 are required by the personal representatives, Kenneth David James Barry and Martin John O'Dell Armstrong both of 385 Bourke Street, Melbourne, Victoria, solicitors to send particulars to them care of the below mentioned solicitors by 7 February 1996, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

DEACONS GRAHAM & JAMES, solicitors, 385 Bourke Street, Melbourne

Creditors, next of kin and others having claims in respect of the estate of George Romuald Slattery, late of 21 Warnock Street, Maldon, who died on 17 August 1995 are requested to send particulars of their claims to ANZ Executors and Trustee Company Limited, ACN 006 132 332, of 530 Collins Street, Melbourne before 31 January 1996, after which date it will distribute the assets having regard only to the claims of which it then has notice.

DENNIS MORGAN, deceased

Creditors, next of kin and others having claims in respect of the estate of Dennis Morgan, late of 18 Margaret Street, Clayton, Victoria, foreman, deceased, who died on 18 May 1995 are to send particulars of their claims to the Legal Personal Representative care of the undermentioned solicitors by 7 February 1996, after which date the Legal Personal Representative will distribute the assets having regard only to the claims of which the Legal Personal Representative then has notice.

MADDOCK LONIE & CHISHOLM, solicitors, 440 Collins Street, Melbourne

ELIZABETH MABEL CHEAL, late of Unit 2, 1 Lindon Street, East Geelong, Victoria, widow, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 27 October 1995 are required by Ian Ferguson Apted and Alan Henry Williamson both of 63 Yarra Street, Geelong, Victoria, solicitors, the applicants for Grant of Probate of the will dated 8 December 1993 of the deceased to send particulars to them care of the undermentioned solicitors by 10 February 1996, after which date the said applicants may convey and distribute the assets having regard only to the claims of which they then have notice.

APTED & WILLIAMSON, solicitors, 63 Yarra Street, Geelong

JOHN HENRY ANDREW ALFORD, also known as John Henry Alford, late of 43 Nicholas Grove, Heatherton, Victoria, gentleman, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased, who died on 16 July 1995 are required by Terrence John Alford of 27 Marlborough Street, Brighton, South Australia, retired and Rosslyn Joy Reeve of 3 Dublin Drive, Grovedale, Victoria, public servant, the executors of the will dated 20 September 1983 of the deceased to send particulars to them care of the undermentioned solicitors, by 10 February 1996, after which date the said executors may convey and distribute the assets having regard only to the claims of which they then have notice.

APTED & WILLIAMSON, solicitors, 63 Yarra Street, Geelong

Creditors, next of kin and others having claims in respect of the estate of John Karpucis formerly of 55 French Street, Noble Park, Victoria but late of 128 Princes Highway, Dandenong, Victoria, kiln operator, deceased who died on 16 June 1993 are required to send particulars of their claims to the administrator care of the undermentioned solicitors by 7 February 1996, after which date the administrator will distribute the assets having regard only to the claims for which notice has been received.

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

CHARLES GAUCI-BAILEY, late of 14 Norland Street, Cheltenham, in the State of Victoria, retired public servant, deceased

Creditors, next of kin and all other persons having claims against the estate of the said deceased who died on 14 August 1995 are required by Andrew George Gauci of "The Polehouse" Split Solitary Road, Sapphire, in the State of New South Wales, computer communications consultant the executor of the estate of the said deceased to send particulars of such claims to him care of the undermentioned solicitors on or before 12 February 1996, after which date he will distribute the assets having regard only to the claims of which he then has notice.

AMERENAS, solicitors, 5/24 Bay Road, Sandringham

DOREEN BARBARA BOWMAN, late of Chatham Lea Hostel, 13 Chatham Street, Canterbury, Victoria, widow, deceased (who died on 26 May 1995)

Creditors, next of kin and all persons having claims against the estate of the deceased are required to send particulars to the executor Sandhurst Trustees Limited care of 334 Sturt Street, Ballarat, Victoria on or before 8 February 1996, after which date it will distribute the assets having regard only to the claims of which it shall then have notice.

HEINZ & PARTNERS, solicitors, 6 Dawson Street North, Ballarat

HILDA GWENDOLINE EUGENIE CONYBEARE, deceased

Creditors, next of kin or others having claims in respect of the estate of Hilda Gwendoline Eugenie Conybeare, late of 8-10 Aplin Street,

Point Vernon, Queensland, but formerly of Skyline Road, Christmas Hills, Victoria, widow, deceased who died on 23 September 1995 are to send particulars of their claims to the executor care of the undermentioned solicitors by 14 February 1996, after which date the executor will distribute the assets having regard only to the claims of which the executor then has notice.

SETON WILLIAMS, solicitors, 900 Main Road, Eltham

Creditors, next of kin and others having claims in respect of the estate of John Karpucis formerly of 55 French Street, Noble Park, Victoria but late of 128 Princes Highway, Dandenong, Victoria, kiln operator, deceased who died on 16 June 1993 are required to send particulars of their claims to the administrator care of the undermentioned solicitors by 7 February 1996, after which date the administrator 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 claims in respect of the estate of Norman James Westaway, late of 5 Hyde Street, Bendigo, Victoria, deceased who died on 9 September 1995 are required by the trustee to send particulars of their claims to the trustee care of the undermentioned solicitors by 28 February 1996, after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee then has notice.

BECK SHEAHAN QUINN & KIRKHAM, 110 Pall Mall, Bendigo

WASILI BERMAS, late of 79 Queen Street, West Coburg, Victoria, chef, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 30 May 1995 are required by the executrix and trustee, Svetlana Rybar of 2 Bawden Close, Watsonia North, Victoria, secretary to send particulars to her care of the undermentioned solicitors by the date being two calendar months from the date of this advertisement, after which date the executrix and trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

TEMPLER & ASSOCIATES, solicitors, 101 Burgundy Street, Heidelberg

FREDERICK JOHN HEINTZ, late of Unit 8/245 Gower Street, Preston, Victoria, storeman-packer, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 5 July 1995 are required by the executor and trustee, The Equity Trustees Executors and Agency Company Limited ACN 004 031 298 of 472 Bourke Street, Melbourne, Victoria to send particulars to its care of the undermentioned solicitors by the date being two calendar months from the date of this advertisement, after which date the executor and trustee may convey or distribute the assets having regard only to the claims of which it then has notice.

TEMPLER & ASSOCIATES, solicitors, 101 Burgundy Street, Heidelberg

MARGARET MARY WINTERS, late of 17 Botanic Drive, Glen Waverley, Victoria, home duties, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 4 August 1995 are required by the personal representative Margaret Mary Clapper of 4 Botanic Drive, Glen Waverley, Victoria to send particulars to her at the office of the undermentioned solicitors on or before 14 February 1996, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

BEST HOOPER, solicitors, 563 Little Lonsdale Street, Melbourne

SAM WRIGHT (also known as Peter Aubrey Wright), late of Blackwood-Trentham Road, Newbury, pensioner, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 10 August 1995 are required by the trustee Ronald Frederick Barker of 12 Gloster Drive, Heidelberg to send particulars to him by 7 February 1996, after which date the trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ARMSTRONG COLLINS & DELACY, solicitors, 2 Jennings Street, Kyneton

DEBORAH SZEWACH, late of 28 Taylor Street East, Brighton, home duties, deceased

Creditors, next of kin and others having claims in respect of the estate of the deceased who died on 19 May 1995 are required by the personal representatives Sandra Madeleine Dudakov of 721 Toorak Road, Kooyong and Barry Neal Markoff of 85 Roslyn Street, Brighton to send particulars to them care of the undermentioned solicitors by 15 February 1996, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

AITKEN WALKER & STRACHAN, solicitors, 114 William Street, Melbourne

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the—

Name of Owner on Books and Last Known Address	Total Amount Due to Owner	Description of Unclaimed Money	Date when Amount first became Payable
\$			
L TENEKETZIS & ASSOCIATES			
Veitch, Unsworth, Smith, Deering, 27 Palermo St, South Yarra	271.70	Cheque	12.2.93
U. Tong Thai Cuisine, 596 Station St, Box Hill 95202	117.20	..	13.9.93
CONTACT: ANNA TENEKETZIS, PHONE 9428 9555			
GARRY NASH FIRST NATIONAL REAL ESTATE			
Flower, Frederick, 1/45 Evans St, Wangaratta 95200	100.00	Deposit	24.7.93
CONTACT: NOEL PORTER, PHONE (057) 22 2663			

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the—

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
\$			
SANDHURST TRUSTEES LIMITED			
THE MAN FROM SNOWY RIVER II FILM TRUST			
C E Nominees Pty Ltd, 5 Whernside Ave, Toorak	133.00	Distribution	10.12.92
Collins, Roberta G, 32/90 St George Cres, Drummoyne, NSW	266.00	"	"
Dudley, Wynn, 2 Alverstone Cres, Mt Eliza	133.00	"	"
Eagle Cove Pty Ltd, 8 Blake Crt, Mt Eliza	133.00	"	"
Johnstone, William A, 3 Nugent St, Preston	133.00	"	"
Kounnas, George P, 30 Townsend St, Glen Waverley	798.00	"	"
Lyvnette Pty Ltd A F Johnson F/T, c/o Smith Coffey & Partners, PO Box 339, Nedlands, WA	199.50	"	"
B A Mack & Co Pty Ltd, 44 Rutland Rd, Box Hill	133.00	"	"
Mayne, Keith, 7 Norfolk St, Paddington, NSW	266.00	"	"
McGhee, Petrea K, 62 Bryson St, Canterbury	133.00	"	"
McGhee, Roger, 62 Bryson St, Canterbury	133.00	"	"
Patterson, Alan, Toormina Medical Centre, Toormina, NSW	133.00	"	"
Richardson, Karl, 36 Fitzroy St, Kirribilli, NSW	133.00	"	"
Sippe, R, 75/1 Tewkesbury Ave, Darlinghurst, NSW	133.00	"	"
Stewart, Gregor M, PO Box 443, Mitcham	266.00	"	"
Sumner, R, 139 Stuart St, Blakehurst, NSW	133.00	"	"
Swift Investments Pty Ltd, c/o Lloyd & Partners, 345 King William St, Adelaide, SA	133.00	"	"
Wang, L, 9A/516 Toorak Rd, Toorak	133.00	"	"
Wedlick, Phyllis T, 51 Seymour Gve, Camberwell	133.00	"	"
Wettenhall, J, 20 Clarendon St, Frankston	133.00	"	"
Wharton, P, 20 Collins St, Melbourne	133.00	"	"
Wojcick, E, c/o G J Anderson, 3rd Floor, 44 Caroline St, South Yarra 95201	133.00	"	"
CONTACT: BRIAN MITCHAM, PHONE (03) 9672 5744			
ALLSEP'S PTY. LTD.			
Walker, Walter, 11/30 Close Ave, Dandenong West	104.46		22.9.87
Green, Sydney, 84 Burden St, Springvale	137.61		12.9.89
Parker, Daniel, 1/1 Gooing Crt, Dandenong 95203	303.00		17.3.93
CONTACT: CRAIG ALLSEP, PHONE (03) 551 4911			

PROCLAMATIONS

**Liquor Control (Further Amendment) Act
1995
PROCLAMATION**

I, Richard E. McGarvie, Governor of Victoria acting with the advice of the Executive Council and under section 2 (2) of the **Liquor Control (Further Amendment) Act 1995** fix 5 December 1995 as the day on which Part 4 of the Act comes into operation.

Given under my hand and seal of Victoria on 5 December 1995

(L.S.) R. E. McGARVIE
By His Excellency's Command

VIN HEFFERNAN
Minister for Small Business and Youth Affairs

**Electricity Industry (Further Amendment)
Act 1995**

PROCLAMATION OF COMMENCEMENT

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 of the **Electricity Industry (Further Amendment) Act 1995**, fix 5 December 1995 as the day on which section 39 of the Act comes into operation.

Given under my hand and the seal of Victoria on 5 December 1995

(L.S.) R. E. McGARVIE
By His Excellency's Command

ALAN STOCKDALE
Treasurer

**Land Act 1958
PROCLAMATION OF ROADS**

I, Richard E McGarvie, 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 LODDON
SHIRE COUNCIL**

BOORT—Crown Allotments 19 and 22, Section 1, Township of Boort, Parish of Boort as shown on Certified Plan Nos. 113334 and 11335 respectively lodged in the Central Plan Office—(93/03016).

**MUNICIPAL DISTRICT OF THE SWAN
HILL RURAL CITY COUNCIL**

SWAN HILL—Crown Allotment N2, Section 4A, Township of Swan Hill, Parish of Castle Donnington as shown on Certified Plan No. 115045 lodged in the Central Plan office—(W 83362).

Given under my hand and seal of Victoria on 5 December 1995

(L.S.) R. E. McGARVIE
By His Excellency's Command

M.A. BIRRELL
Minister for Conservation and Environment

**Water Mains by Melbourne Water Corporation
PROCLAMATION**

Water mains have been laid to supply water to each property in the streets referred to below. This notice is given under the **Melbourne and Metropolitan Board of Works Act 1958** to require the owner of each property to lay connection pipes for water supply. However, in this case, the connection pipes have been laid and water is now available.

City of Bayside

SA 0083 Brighton Amber Ct lots 55 to 61, Sheridan Ct lots 39 to 52, St James Mews lots 9 and 10 and St James Park Dr lots 11, 12, 14 to 29, 32 to 38, 54, 54 and 82 to 65.

City of Casey

SA 0068 Berwick Elstar Dr No's 2, 6 to 29 and 31 and lots 1 to 19 and 29 to 33, Janos Ct No's 1 and 2, Murray Way No's 1, 2 and 4 and Pater Ct lots 20 to 28.

SA 0084 Berwick Botanical Gr lots 5 to 17, 24 to 36 & 49 to 60 and Liquidamber St No. 23.

SA 0084 Berwick Wilmont Ct all of Close, Sharpe Ct lots 42 to 45, 60, 61.

SA 0092 Berwick Deanswood Way lots 407, 408, 421, 422, 435 to 446, 449, Birchfield Court for all of Court, Maramba Dr lots 423 to 434, Penhurst St lots 401 to 406, 443, 447 and Reserve.

SA 0096 Berwick Villawood Pl all of Place, Nestle Retreat all of Retreat, Cullen Cl all of Close, Wanderer Ct all of Court, Jerilderie Dr lots 1288 to 1316, 1326 to 1329, 1339 to 1345.

SA 0097 Berwick Halcyon Way lots 27 to 31, and St No 40, Sirius Place lots 15 to 26.

City of Frankston

SA 0105 Frankston Balmoral Ct No's 5 to 22 and Manor Dr No's 13, 15, 17 to 20, 22 and 24.

City of Kingston

SA 0081 Springvale Henderson Rd lots 1 to 19, Scotia Cres lots 33 to 42, 60 to 62, 72 to 78, 82 to 84, 89 to 92, and 95 to 97, Emmerson St lots 20 to 32, Erin Pl lots 85 to 88, 104 to 109, Hagan Pl lots 93 and 94, 95 to 103, Lachlan Pl lots 79 to 81, Laidlaw Ct lots 48 to 59, Leeson Pl lots 43 to 47, Luke Ct lots 63 to 71.

SA 0082 Springvale Harbour Dr lots 12 to 18 and 51 to 60, Nautilus Ct lots 22 and 23 and The Parkway lots 1 to 11, 19 to 21, 49 and 50.

City of Knox

SA 0085 Knox Heath Av No's 31 to 35.

SA 0086 Knox Horatio all of Cl and Dandelion Dr 405, 407, 409 and 411.

SA 0087 Knox Cash Fues Pl all of Place and Hibiscus St no's 15 to 18.

SA 0090 Knox Dana Ct all of Court, Fowler Rd lots 1 to 8 and 19 to 74, Narrawong Cl all of Close, Shearer Dr lots 55 to 76 and Wyndham Pl all of Place.

SA 0091 Knox Rathgar Rd No. 30.

SA 0093 Knox Dean Cl all of Close, Andrew Ct all of Court, Armstrong Dr lots 185 to 190, 234 to 237 and 254.

SA 0094 Knox Alan Pl all of Place, Liviana Dr lots 16 to 21 and 35 to 37 and Shearer Dr lots 22 to 34.

SA 0095 Knox Rathgar Rd No. 24 and Units 3, 5 to 8/26.

SA 0098 Knox Gearon Av No's 1, 3 and 5, Goldfinch Way No's 1 to 7 Quail Way No's 7 to 17, 19, 21, 23, 25, 27, 29 and 31.

SA 0100 Knox Allamanda Boul lots 1 to 6, 9 to 21, 29 to 37, 39, 40 and 42 to 48, Alocasia Cl Lot 38, Camphor Cl lots 41 and 126, Catalpa Pl lots 22, 49, 50 and 60 to 63, Major Cres Lot 18, Mels Pl lot 1, Park Rd lots 5 to 8 and 23 to 28, Tetlow Terrace lots 7 and 8 and Wellington Rd Lot 19.

SA 0099 Knox Alida Ct lots 1 to 10.

SA 0100 Knox Heanypark Dr no's 45 & 51 & lots 1 to 5, Liviana Dr lots 5 and 16 to 32. Silverdale Cl lots 6 to 15 and Whitecliffe Dr lots 33 and 34.

SA 0102 Knox Affleck Way lots 678 to 683, Finsbury Cl lots 930 to 945 and Wetherby Ct lots 952 to 959.

SA 0103 Knox Billabong Ct all of Court and Wakley Cres lots 25 to 29, 30 to 31 and 48.

Shire of Mornington Peninsula

SA 0076 Hastings Treehaven Pl lots 2 to 11, 19, 20 and 22 to 25 and Woodlands Dr lots 1 and 12 to 18.

SA 0077 Hastings Hendersons Rd lots 1 to 9.

SA 0107 Hastings Fiona Ct lots 23 to 27, Frankston Flinders Rd lots 1 and 2, Melrose Tee lots 10, 11 and 28 to 39, One Chaon Rd Lot 40 and Vanessa Ct lots 12 to 22.

City of Port Phillip

SA 0106 Prahon Cavendish Pl lots 12 to 15 and 17 to 28 and Cromwell Pl lots 12 to 16 and 27 to 34.

Further particulars may be obtained from Wes Dunkley, telephone (03) 9784 8954.

RUSSELL COOPER
Managing Director
South East Water Limited
ACN 066 902 547

**Australian Grand Prix (Further
Amendment) Act 1995**

PROCLAMATION OF COMMENCEMENT

I, Richard E. McGarvie, Governor of Victoria, acting on the advice of the Executive Council and under Section 2 (2) of the **Australian Grand Prix (Further Amendment) Act 1995** fix 7 December 1995 as the day on which Parts 2, 3A and 3 of that Act come into operation.

Given under my hand and seal of Victoria
on 5 December 1995

(L.S.) R. E. McGARVIE
By His Excellency's Command

PATRICK J. McNAMARA
Minister for Tourism

Trade Measurement Act 1995

No. 59/1995

PROCLAMATION

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 (2) of the **Trade Measurement Act 1995**, fix 1 January 1996 as the day on which sections 7-81 of the Act shall come into operation.

Given under my hand and seal of Victoria on 5 December 1995

(L.S.) R. E. McGARVIE
By His Excellency's Command

VIN HEFFERNAN
Minister for Small Business

Trade Measurement (Administration) Act 1995

No. 60/1995

PROCLAMATION

I, Richard E. McGarvie, Governor of Victoria, acting with the advice of the Executive Council and under section 2 (2) of the **Trade Measurement (Administration) Act 1995**, fix 1 January 1996 as the day on which sections 7, 8, 10-28 of the Act shall come into operation, except section 27 (2), which shall come into operation on 1 April 1996.

Given under my hand and the seal of Victoria on 5 December

(L.S.) R. E. McGARVIE
By His Excellency's Command

VIN HEFFERNAN
Minister for Small Business

**ACTS OF PARLIAMENT
PROCLAMATION**

I, Richard E. McGarvie, Governor of Victoria declare that I have today assented in Her Majesty's name to the following Bills:

No. 87/1995 Australian Grand Prix (Further Amendment) Act 1995

No. 88/1995 Carlton (Recreation Ground) Land (Amendment) Act 1995

No. 89/1995 Casino (Management Agreement) (Further Amendment) Act 1995

No. 90/1995 Classification (Publications, Films and Computer Games) (Enforcement) Act 1995

No. 91/1995 Domestic Building Contracts and Tribunal Act 1995

No. 92/1995 Fisheries Act 1995

No. 93/1995 Heritage Act 1995

No. 94/1995 Land Revocations (And Other Matters) Act 1995

No. 95/1995 Legal Profession Practice (Amendment) Act 1995

No. 96/1995 Liquor Control (Further Amendment) Act 1995

No. 97/1995 Liquor Control (Licences and Permits) Act 1995

No. 98/1995 Mental Health (Amendment) Act 1995

No. 99/1995 Miscellaneous Acts (Health and Justice) Amendment Act 1995

No. 100/1995 Miscellaneous Acts (Omnibus Amendments) Act 1995

No. 101/1995 State Taxation (Further Amendment) Act 1995

No. 102/1995 Superannuation Acts (Miscellaneous Amendments) Act 1995

No. 103/1995 The Constitution Act Amendment (Amendment) Act 1995

No. 104/1995 Trustee and Trustee Companies (Amendment) Act 1995

No. 105/1995 Valuation of Land (Further Amendment) Act 1995

No. 106/1995 Zoological Parks and Gardens Act 1995

Given under my hand and the seal of Victoria at Melbourne on 5 December 1995

(L.S.) R. E. McGARVIE
By His Excellency's Command

J. G. KENNETT
Premier

No. 87/1995 (1) Part 1 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 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 within the period of 6 months beginning on and including

the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 88/1995 This Act comes into operation on the day on that it receives the Royal Assent

No. 89/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 90/1995 (1) Part 1 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 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 within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 91/1995 (1) Part 1 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 sub-section (2) does not come into operation on or before 1 January 1997, it comes into operation on that day.

No. 92/1995 (1) Subject to sub-section (2), this Act comes into operation on a day or days to be proclaimed.

(2) If a provision of this Act (other than sections 36 (3) (y), 42 (3) and 42 (4)) does not come into operation within the period of 24 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

(3) Sections 36 (3) (y), 42 (3) and 42 (4) come into operation on a day to be proclaimed.

No. 93/1995 (1) This Part comes into operation on the day on which this Act receives the Royal Assent.

(2) Sections 215 and 218 (2) come into operation on the day which is the second anniversary of the day on which section 214 comes into operation.

(3) Subject to sub-sections (4) and (5), the remaining provisions of this Act come into operation on a day or days to be proclaimed,

(4) Subject to sub-section (5), if a provision referred to in sub-section (3) does not come into operation within the period of 2 years beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

(5) Part does not apply in or in relation to Victorian coastal waters until a day to be fixed by the Governor in Council by proclamation published in the Government Gazette.

No. 94/1995 (1) Part 1, Part 2 (except for sections 3, 4, 5, 7, 9 and 11), sections 15, 20 and 21 and Schedules 1, 3, 4 and 6 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 within the period of 12 months beginning on, and including the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 95/1995 (1) This Act, except sections 5 and 9, comes into operation on the day on which it receives the Royal Assent.

(2) Subject to subsections (3) and (4), sections 5 and 9 come into operation on a day or days to be proclaimed.

(3) If section 9 has not come into operation before 1 April 1996, it comes into operation on that day.

(4) If section 5 has not come into operation before 1 July 1996, it comes into operation on that day.

No. 96/1995 Section 1 and this section, 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 within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 97/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 98/1995 (1) Section 1 and this section 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 within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 99/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 100/1995 (1) Except as otherwise provided in this section, this Act comes into operation on the day on which it receives the Royal Assent.

(2) Part 15 and section 51 are deemed to have come into operation on 1 August 1994.

(3) Division 2 of Part 22 is deemed to have come into operation on 1 January 1995.

(4) Division 3 of Part 22 is deemed to have come into operation on 1 October 1995.

(5) Subject to sub-sections (6), (7) and (8), Parts 2, 4, 7, 10, 11, 13, 16 and 17 and section 19 come into operation on a day or days to be proclaimed.

(6) If Part 4, 11 or 13 or section 19 does not come into operation within the period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

(7) If Part 2 does not come into operation within the period of 9 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

(8) If Part 7, 10, 16 or 17 does not come into operation within the period of 12 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

No. 101/1995 (1) Except as otherwise provided in this section, this Act comes into operation on the day on which it receives the Royal Assent.

(2) Section 28 is deemed to have come into operation on 20 December 1994.

(3) Part 7 comes into operation on a day to be proclaimed.

No. 102/1995 Subject to sub-sections (2), (3) and (4), this Act comes into operation on the day on which this Act receives the Royal Assent.

(2) Section 28 is deemed to have come into operation on 1 July 1995.

(3) Section 30 is deemed to have come into operation on 1 November 1995.

(4) Sections 14, 15, 26 and 27 come into operation on 12 February 1996.

No. 103/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 104/1995 This Act comes into operation on 1 January 1996.

No. 105/1995 This Act comes into operation on the day on which it receives the Royal Assent.

No. 106/1995 (1) Section 1 and this section come into operation on the day on which this Act receives the Royal Assent.

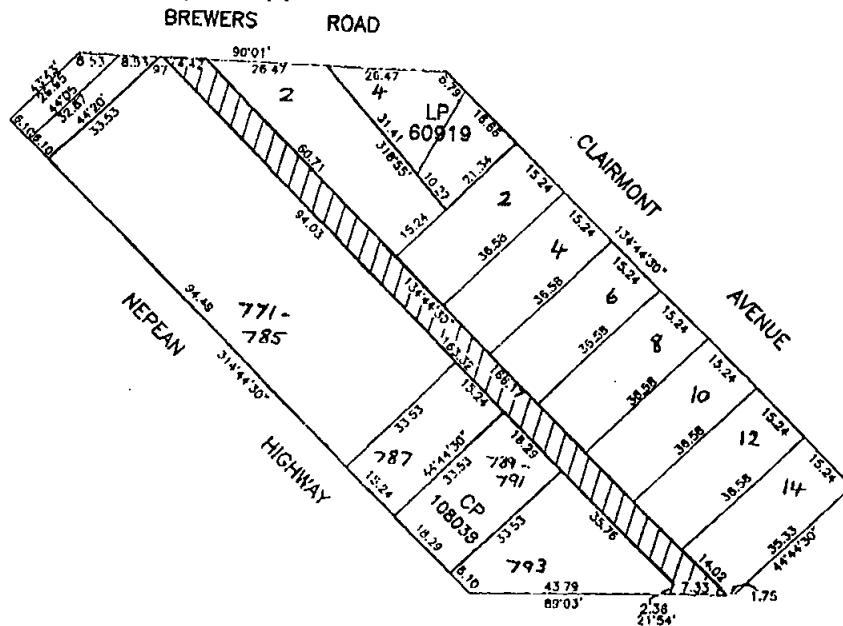
(2) Subject to sub-section (3), the remaining provisions of this Act come into operation on a day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does not come into operation within a period of 6 months beginning on, and including, the day on which this Act receives the Royal Assent, it comes into operation on the first day after the end of that period.

**GOVERNMENT AND OUTER BUDGET SECTOR
AGENCIES NOTICES**

**GLEN EIRA CITY COUNCIL
Road Discontinuance**

In accordance with section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Glen Eira City Council at its meeting held on 4 December 1995 formed the opinion that the road contained in Certificate of Title volume 5490 folio 967 and shown by hatching on the plan below is not reasonably required as a road for public use, and resolved to discontinue the road subject to any right, power or interest held by the Glen Eira City Council and South-East Water in the road in connection with any drains, pipes or cables under control of those authorities in or near the road



PROPOSED DISCONTINUANCE & SALE

STAN CAPP
Chief Executive

**WYNDHAM CITY COUNCIL
Notice of Intention to Amend Local Law
No. 6—General**

Notice is hereby given that at a meeting of Wyndham City Council on 20 November 1995, Council resolved its intention to amend Local Law No. 6, General Local Law, pursuant to the **Local Government Act 1989**.

The purpose of the amendment to Local Law No. 6 is to provide for maintenance of land in a neat and tidy condition.

The purport of the amendment to Local Law No. 6 is as follows:

Part 4 Clause 4.4 (1) (b) be amended to read:

“(b) A haven for vermin, noxious weeds or insects.”

and a new Clause 4.4 (2) be inserted:

"(2) The owner of any vacant land in a residential, business or industrial zone as determined by reference to the Werribee Planning Scheme, shall at all times maintain their land in a neat and tidy condition by:

- (a) Keeping grass and undergrowth cut to a height of no more than 450 mm, and
- (b) Keeping the land clear of all rubbish and litter."

Where the owner of the land fails to comply with the requirements of sub-clause (2), Council may carry out the work required and charge a fee determined by Council.

Sub-clause (2) to be renumbered to sub-clause (3).

A copy of the intended amendment to Local Law No. 6 can be obtained from the Development Services Office, Civic Centre, 45 Princes Highway, Werribee during business hours.

Any person affected by this amendment to Local Law No. 6 may, within fourteen (14) days after publication of this notice, make a submission to it which will be considered in accordance with Section 223 of the **Local Government Act 1989**.

Submissions about the amendment should be forwarded to the Chief Executive Officer, PO Box 197, Werribee 3030 and indicate whether the submitters wish to be heard in support of the submission.

IAN ROBINS
Chief Executive Officer

Planning and Environment Act 1987
FLINDERS PLANNING SCHEME
Notice of Amendment L141

The Mornington Peninsula Shire Council has prepared Amendment No. L141 to the Flinders Planning Scheme.

The amendment amends the planning scheme ordinance to allow 31 Holyrood Avenue, Sorrento to be subdivided into two lots in accordance with Plan of Subdivision 303497B. Prior to the subdivision being released by the Responsible Authority for approval of the Land Titles Office, the owner of the land must enter into an agreement with the Responsible Authority to complete all works required by the Responsible Authority.

The amendment also allows for the existing buildings to be used for the purposes of a dual occupancy without a planning permit.

The amendment can be inspected at; Mornington Peninsula Shire Council, Besgrove Street, Rosebud and Department of Planning and Development, Olderfleet Buildings, 477 Collins Street, Melbourne.

Submissions about this amendment must be sent to The Chief Executive, Mornington Peninsula Shire Council, Locked Bag 1000, Rosebud 3939, by 30 December 1995.

IAN MORRIS
Manager—Economic Planning

Planning and Environment Act 1987
BUNINYONG PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L55

The City of Ballarat has prepared Amendment L55 to the Buninyong Planning Scheme, Local Section—Chapter 2.

The amendment affects land at Crown Allotment G16, Parish of Buninyong (Midland Highway [Buninyong-Sebastopol Road] Buninyong).

The amendment varies Schedule IV to the planning scheme by modifying the provisions to which portion of Crown Allotment G16 Parish of Buninyong Midland highway Buninyong can be used for the purpose of a Panel Beating establishment and Light Industry.

The amendment can be inspected at City of Ballarat: Watershed Office, Grenville Street, Ballarat; Department of Planning and Development, State Government Offices, Corner Mair and Doveton Streets, Ballarat or the Department of Planning and Development, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to the Chief Executive Officer, City of Ballarat, PO Box 655, Ballarat 3353, by Monday 8 January 1996, indicating whether you wish to be heard in respect of the submission.

Dated 5 December 1995

HEDLEY THOMSON
Manager Strategic Planning

3386 G 48 7 December 1995

Planning and Environment Act 1987
DAREBIN PLANNING SCHEME
Notice of Amendment
Amendment No. L15

The Darebin City Council has prepared Amendment No. L15 to the Darebin Planning Scheme.

The amendment proposes to change the Local Section of the Planning Scheme by zoning an approximately 2700 sqm, known as 7-15 Ethel Street, Thornbury, currently reserved as Railways—Existing to Residential C. The amendment also inserts a site specific clause into the Local Section which enables development and subdivision generally in accordance with a defined concept plan, to be established without a planning permit. A copy of this concept plan is exhibited with the amendment.

The amendment can be inspected at Darebin City Council, Preston Office, 350 High Street, Preston or the Department of Planning and Development, Olderfleet Building, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to the Manager Strategic and Urban Planning, City of Darebin, PO Box 91, Preston 3072, by 19 January 1996.

KELVIN SPILLER
Chief Executive Officer
City of Darebin

Planning and Environment Act 1987
DAREBIN PLANNING SCHEME
Notice of Amendment
Amendment No. L15

The Darebin City Council has prepared Amendment No. L15 to the Darebin Planning Scheme.

The amendment proposes to change the Local Section of the Planning Scheme by zoning an area currently reserved as Railways—Existing to Residential C. The amendment also inserts a site specific clause into the Local Section which enables development and subdivision generally in accordance with a defined concept plan, to be established without a planning permit. A copy of this concept plan is exhibited with the amendment.

The amendment can be inspected at Darebin City Council, Preston Office, 350 High Street, Preston or the Department of Planning and Development, Olderfleet Building, 477 Collins Street, Melbourne.

Victoria Government Gazette

Submissions about the amendment must be sent to the Manager Strategic and Urban Planning, City of Darebin, PO Box 91, Preston 3072, by 19 January 1996.

KELVIN SPILLER
Chief Executive Officer
City of Darebin

Planning and Environment Act 1987
WARRNAMBOOL PLANNING SCHEME
Notice of Amendment to a Planning Scheme
Amendment L15

The Warrnambool City Council has prepared amendment L15 to the Warrnambool Planning Scheme.

The amendment affects land on the north-west corner of Allan Street and Mortlake Road (Hopkins Highway) Warrnambool. (being Lot 1, PS344219A, No. 57 Mortlake Road, Warrnambool)

The amendment proposes to introduce site specific controls for the land to facilitate the use and development of the site as a local shopping facility comprising a general store and three shops in accordance with a submitted development plan.

A copy of the amendment can be inspected free of charge during office hours at City of Warrnambool, Municipal Offices, 25 Liebig Street, Warrnambool; Department of Planning, Olderfleet Buildings, 477 Collins Street, Melbourne or the Department of Planning, Regional Office, Corner Fenwick and Little Malop Streets, Geelong.

Submissions about the amendment must be sent to The Town Planner, Warrnambool City Council, PO Box 198, Warrnambool 3280, by 5.00 p.m. on Friday, 12 January 1996.

Dated 7 December 1995

JULIE McGEOWN
Town Planner

Planning and Environment Act 1987
BAYSIDE CITY COUNCIL
Notice of Amendment to a Planning Scheme

Bayside City Council has prepared Amendment No. L27 to the Brighton Planning Scheme, Local Section. This amendment affects 22-24 Centre Road, East Brighton.

The amendment proposes to change the Planning Scheme by rezoning 1.4 hectares fo land, comprising the former City of Brighton

Municipal Depot at 22-24 Centre Road, East Brighton, from Public Use zone—Local Government to Residential C. The amendment also includes a site specific clause requiring a certificate of environmental audit or statement concerning the suitability of land for residential use. Rezoning will facilitate the sale of the land.

The amendment can be inspected at Bayside City Council, Municipal Offices, Royal Avenue, Sandringham or Department of Planning and Development, Olderfleet Building, 477 Collins Street, Melbourne.

Submissions about the amendment will be received until 7 January 1996 and should be sent to Bayside City Council, PO Box 27, Sandringham 3191.

P. A. AKERS
Chief Executive Officer

Planning and Environment Act 1987
MARIBYRNONG PLANNING SCHEME
Notice of Amendment
Amendment L7

The City of Maribyrnong has prepared Amendment No. L7 to the Local Section of the Maribyrnong Planning Scheme.

The amendment changes the Local Section of the Maribyrnong Planning Scheme.

The amendment—

1. Proposes to rezone the former Maribymong Primary School to Part Residential C (Sunshine) and part Highpoint City Regional Retail Centre Zone.

2. Attend the provisions of Clause 109B to allow the following:

- * An increase in the gross leasable floor area for the as of right use of a shop from 91,500m² to 116,000m².
- * Increase to the as of right combined floor area of designated uses (bank, cafe, place of assembly etc) from 8,458m² to 10,908m².
- * An increase in the allowable total floor areas of all uses within the centre from 124,500m² to 156,00m².

3. Replace the current approved Concept Plan and Building Envelope Plan—Highpoint Plan No. 1 with Plan No. 2 to incorporate the former Maribyrnong Primary School site and reflect the proposed enlarged site area.

4. Alteration to the expiry date of Clause 109B, from 1 June 1997 to June 2002.

The amendment can be inspected at the following places during business hours:

- * City of Maribyrnong Town Hall Town Planning Department, corner Hyde and Napier Streets, Footscray.
- * City of Maribyrnong Public Library, Highpoint Shopping and Entertainment Centre, Rosamond Road, Maribyrnong.
- * Highpoint Shopping and Entertainment Centre, Rosamond Road, Maribyrnong.
- * Department of Planning and Development, Ground Floor, Olderfleet Building, 477 Collins Street, Melbourne.

Workshops will be held on 13 December 1995 and 19 December 1995 at the Town Hall at 7.30 p.m. Please register by telephoning Louise Santillo in the Town Planning Office on 9688 0253.

Submissions about the amendment must be sent to Chief Executive Officer, City of Maribyrnong, Town Hall, PO Box 58, Footscray, Victoria 3011, by 31 January 1996.

PHILIP SHANAHAN
Chief Executive Officer

Planning and Environment Act 1987
NOTICE OF AMENDMENT TO A
PLANNING SCHEME

The Mornington Peninsula Shire Council has prepared Amendment No. L 146 to the Flinders Planning Scheme.

The amendment affects land at: CP 164612—37 McCombe Street, Rosebud. (Port Phillip Plaza).

The amendment proposes to change the Planning Scheme by revising the floorspace provisions of Schedule IV of Chapter 1 to make this non specific on use and to correct references to the comprehensive Retail Development zone within the Schedule.

The amendment can be inspected at the Mornington Peninsula Shire Council, Rosebud Office, Boneo Road, Rosebud; Mornington Office, Queen Street, Mornington; Hastings Office, Marine Parade, Hastings or Department of Planning and Development, Olderfleet Building, Buildings, 477 Collins Street, Melbourne.

3388 G 48 7 December 1995

Submissions about this amendment must be sent to the Chief Executive, Mornington Peninsula Shire Council, Private Bag 1000, Rosebud 3939, by 8 January 1996.
Dated 5 December 1995

IAN MORRIS
Manager—Economic Planning

Planning and Environment Act 1987
NOTICE OF AMENDMENT TO A
PLANNING SCHEME
Amendment L7

The Campaspe Shire Council has prepared Amendment L7 to the Campaspe Planning Scheme, Local Section Chapter 3 (Echuca).

The amendment affects land at Echuca being:

1. Crown Allotment 1, Section 54A, Township of Echuca, Parish of Echuca North, commonly known as 140 Anstruther Street, Echuca.

The amendment proposes to change the Planning Scheme by:

1. Introducing a site specific ordinance provision into the Floodway Zone controls in Chapter 3 of the Campaspe Planning Scheme Local Section, Chapter 3 (Echuca) to allow for the storage of logs on the land referred to above.

This amendment can be inspected at Campaspe Shire Council, corner Hare and Heygarth Streets, Echuca, Victoria; Department of Planning and Development, Office of Planning and Heritage, 426 Hargreaves Street, Bendigo, Victoria or the Department of Planning and Development, The Olderfleet Buildings, 477 Collins Street, Melbourne, Victoria.

Submissions about the amendment must be sent to Campaspe Shire Council, PO Box 35, Echuca, Victoria 3564, by 12 January 1996.
Dated 7 December 1995

BARRY WARD
Chief Executive Officer

Planning and Environment Act 1987
NOTICE OF AMENDMENT TO A
PLANNING SCHEME

The Mornington Peninsula Shire has prepared Amendment No. L62 to the Mornington Planning Scheme.

The amendment affects land adjacent to the Moorooduc Freeway, Craigie Road Wastewater Treatment Plant and the South-Eastern Outfall reservation.

Victoria Government Gazette

The amendment proposes to change the planning scheme by rezoning the land from Central Peninsula to Proposed Reservation—Mornington Peninsular and District Water Board. The purpose of the amendment is to facilitate the use and development of part of the land for the construction of up to nine sludge drying pans and associated storage areas.

The amendment can be inspected at Mornington Peninsula Shire, Mornington Office, Queen Street, Mornington; Rosebud Office, Besgrove Street, Rosebud; Hastings Office, Marine Parade, Hastings or Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne.

Submissions about the amendment must be sent to Chief Executive Officer, Mornington Peninsula Shire, Private Bag 1000, Rosebud 3939, by 15 January 1996.

W. DILLEY
Chief Executive Officer

YARRA VALLEY WATER
Declaration Notice
360/295/0016

On behalf of Melbourne Water sewerage pipes have been laid in each Serviced Area referred to below. From 4 January 1996 each property or part of a property within each Serviced Area will be a declared serviced property and rateable under the **Melbourne and Metropolitan Board of Works Act 1958** and the **Water Industry Act 1994**.

City of Hume

Serviced Area No. 6647: Lot 39 Amcor Way on LP 210810 and contains 1 lot.

Further particulars may be obtained from Yarra Valley Water's Declarations Officer, Michael Kirmizi, telephone 872 1552.

THEO MIRITIS
Acting Asset Information Manager

HUME CITY COUNCIL
Local Law No. 1

Notice is hereby given that in accordance with the requirements of the **Local Government Act 1989**, Hume City Council at its ordinary meeting held on 27 November 1995, made Local Law No 1.

The purpose and general purport of the Local Law is for the following:

- * providing for the peace, order and good government of the Municipal District of Hume City Council;
- * promoting a physical and social environment free from hazards to health, in which the residents of the Municipal District can enjoy a quality of life that meets the general expectations of the community;
- * preventing and suppressing nuisances which may adversely affect the enjoyment of life within the Municipal District or the health, safety and welfare of persons within the Municipal District;
- * regulating and controlling activities of residents of the Municipal District which may be dangerous, unsafe or detrimental to the quality of life of other residents of the Municipal District and the environment of the Municipal District;
- * regulating and controlling access to and behaviour in Municipal Places;
- * regulating and controlling the use of Municipal Recreation Centres, Municipal Buildings and Municipal Libraries;
- * protecting Council land and assets;
- * prohibiting interference with water courses and drains;
- * regulating and controlling vehicle crossings;
- * prohibiting the keeping of unsightly land;
- * regulating and controlling the storage, assembly and dismantling of old machinery, materials, goods or vehicles on land;
- * regulating and controlling camping and the use of caravans, tents and like structures;
- * prohibiting vegetation which may constitute a traffic hazard;
- * prohibiting vegetation overhanging roads at a height of less than three (3) metres;
- * prohibiting the encroachment of vegetation on roads and Council land;
- * providing for the destruction of vermin and noxious weeds;
- * preventing fire risks;
- * regulating and controlling the numbering of allotments;
- * prohibiting unreasonable noise;
- * regulating and controlling blasting;
- * regulating and controlling open air fires and the use of incinerators;
- * providing for sanitary facilities on building sites;
- * prohibiting the dilapidation of buildings;
- * regulating and controlling dogs;
- * prohibiting spitting on roads and Council land and in public places, and regulating graffiti in public places;
- * regulating and controlling the placement of goods, advertising signs and furniture on roads and Council land;
- * regulating and controlling obstructions on roads;
- * regulating and controlling works on roads
- * prohibiting the performance of work on vehicles on roads, and Council land;
- * regulating and controlling the consumption and possession of alcohol on roads and Council land;
- * regulating and controlling the sale of goods;
- * regulating and controlling street collections and distributions;
- * regulating and controlling the distribution of unsolicited material;
- * regulating and controlling busking;
- * regulating and controlling wandering stock;
- * regulating and controlling activities at Council waste depots;
- * regulating clothing recycling bins on Council land;
- * prohibiting spoil on roads;
- * providing for bulk rubbish containers on building sites;
- * regulating the use of heavy motor vehicles on land;
- * providing for resident and permit parking areas;
- * regulating and controlling the keeping of animals;

- * regulating and controlling the disposal of disused refrigerators and other compartments;
- * providing for the collection, storage and transportation of refuse, trade waste, hard garbage and recyclable materials; and
- * requiring the screening of approved garbage bins and trade waste hoppers which are unsightly, dangerous or detrimental to the general amenity of the neighbourhood in which they are located.

A copy of the Local Law is available for inspection at the Broadmeadows, Sunbury and Craigieburn Offices during business hours.

JOHN WATSON
Chief Executive Officer

PORT PHILLIP CITY COUNCIL
Local Law No. 6

Notice is given that the Port Phillip City Council ("Council") proposes to make Local Law No. 5 pursuant to the **Local Government Act 1989** ("the Act") for the purposes of—

- (a) regulating parking within specified areas surrounding Albert Park at certain times during the Australian Formula One Grand Prix; and
- (b) making provision for the issuing of special parking permits to residents and other people having business within the area surrounding Albert Park during the Australian Formula One Grand Prix.

The general purport of the Local Law is that it:

- creates a local access zone;
- creates prohibited periods during which it is an offence to park within the local access zone without a permit;
- provides that residents, owners or occupiers of commercial premises within the local access zone and other specified persons may apply for permits;
- authorises the Grand Prix Corporation to act as Councils agent for the issuing of permits;
- provides that certain vehicles are exempt from the prohibition against parking;

- has enforcement provisions which create offences and enables the use of infringement notices.

A copy of the proposed Local Law may be inspected at or obtained from the Council offices at the corner at Carlisle Street and Brighton Road, St Kilda or at South Melbourne Town Hall, Bank Street, South Melbourne.

Any person affected by the proposed amendment may make a submission relating to it to the Council, submission received by the Council within 14 days of the publication of this notice will be considered in accordance with section 223 of the **Local Government Act 1989**. Any person requesting that she or he be heard in support of a written submission is entitled to appear before a meeting of the Council or a Council committee either personally or by a person acting on her or his behalf and will be notified of the time and date of hearing.

Submissions should be lodged at either of the above offices of the Council or posted to the Council at Private Bag No. 3, Post-Office, St Kilda 3182. All interested persons are encouraged to acquaint themselves with the proposed amendment.

JON HICKMAN
Chief Executive Officer

BOROUGH OF QUEENSCLIFFE
Local Law No. 4—(Amending) Local Law

In accordance with section 119 of the **Local Government Act 1989**, the Borough of Queenscliffe at its Ordinary Meeting of Council on 28 November 1995 has proclaimed Local Law No. 4—(Amending) Local Law.

The general purport of the amendments is to affect revision and/or addition to the following:

Enforcement and Penalties (Payment: Hindering Authorised Officer); Meeting Procedures (Divisions); Husbandry of Property (Works and Noise); Keeping of Animals (Birds and Bees (Horses and Donkeys; Dogs); Disposal of Rubbish and Waste (Kerside or Local Collection); Protection, Regulation and Use of Public Land (Damage and Interference to Public Land); Roads and Traffic (Camping, Caravans and Caravan Parks).

The purpose of the amendments is to further provide for the peace, order and good government of the municipal district of the Borough of Queenscliffe; to provide for those

matters which require a local law under the **Local Government Act 1989** and any other act; to provide for the administration and exercise of Council powers and functions; and to prohibit, regulate and control activities, events, practices and behaviour in places so that no nuisance is caused and there is no detriment to the amenity of the neighbourhood, to a person or to a person's property.

A copy of Local Law No. 4—(Amending) Local Law may be inspected at the Council office, 50 Learmonth Street, Queenscliffe between the hours of 8.00 a.m. and 5.00 p.m. weekdays.

SHELLEY E. JONES
Chief Executive Officer

CITY OF HOBSONS BAY

Notice of Making Local Law No. 1
Meeting Procedures and Common Seal

Hobsons Bay City Council, at its meeting on 12 December 1995 made a Local Law which regulates and controls the procedures governing the conduct of meetings, the use of Council's Common Seal, the election of Mayor and Chairpersons of Special Committees and promotes and encourages community participation.

A copy of the Local Law is available for inspection at the Corporate Centre, 115 Civic Parade, Altona, during normal office hours between 8.00 a.m. and 5.00 p.m., Monday to Friday, or by telephone 9316 1212.

Any enquiries can be directed to the Administration Department on telephone 9316 1292.

KEN McNAMARA
Chief Executive Officer
Hobsons Bay City Council

MARKWOOD/DEEP CREEK WATER
MITIGATION SCHEME

Pursuant to section 216 (1) of the **Water Act 1989** notice is hereby given that I have resolved to approve the Water Mitigation Scheme recommended by the Markwood/Deep Creek Community Committee without modification and to appoint the Ovens River Management Board as the implementing authority.

RAY LEIVERS
Director, Catchment and Land Management
Delegate of the Minister for Natural Resources

MEDICAL PRACTITIONERS BOARD OF
VICTORIA NOTICE

The Medical Practitioners Board of Victoria having conducted a Formal Hearing pursuant to Section 46 of the **Medical Practitioners Act 1994** on 12 October 1995 found that Dr George Brian Thomas had engaged in unprofessional conduct of a serious nature.

The Board acting pursuant to Section 50 (2) (d) of the **Medical Practice Act 1994** determined that Dr Thomas:

1. undergo a programme of medical education of such a nature as is determined by the Board over a period of 12 months with regular reports to the Board during that period; and
2. undergo a medical examination by a medical practitioner approved by the Board with a view to determining his physical and mental ability to practise medicine.

Further the Board acting pursuant to Section 50 (2) (e) determined that Dr Thomas' ability to prescribe Schedule 8 drugs as defined in the **Drugs, Poisons and Controlled Substances Act 1981** be suspended until such time as the Board was satisfied with the outcome of the investigations into his competence to practise medicine.

Dated 28 November 1995

JOHN H. SMITH
Registrar

MEDICAL PRACTITIONERS BOARD OF
VICTORIA
Notice

The Medical Practitioners Board of Victoria having conducted a Formal Hearing pursuant to Section 46 of the **Medical Practice Act 1994** on 13 October 1995 found that Dr John Nigel MacLean had engaged in unprofessional conduct of a serious nature.

The Board acting pursuant to Section 50 (2) (d) of the **Medical Practice Act 1994** determined that Dr MacLean undergo a programme of medical education of such a nature as is determined by the Board over a period of 12 months with regular reports to the Board during that period.

Further the Board acting pursuant to Section 50 (2) (e) determined that Dr MacLean's ability to prescribe Schedule 8 drugs as defined in the

3392 G 48 7 December 1995

Drugs, Poisons and Controlled Substances Act 1981 be suspended for a period of 12 months from the date of the Board's determination.

JOHN H. SMITH
Registrar

Land Act 1958
CROWN LEASE
Section 134

Notice is hereby given that Transfield Holdings Pty Ltd (ACN 001 241 265) of 100 Arthur Street, North Sydney, NSW has applied for a Crown Lease pursuant to section 134 of the **Land Act 1958** for a term initially of three years with six options each of a further three years being a total of twenty-one (21) years, in respect of part of Crown Allotment 26A, Section 14, Township of Williamstown, for the purpose of car parking.

Land Acquisition and Compensation Act 1986
and **Transport Act 1983**
SOUTH EASTERN ARTERIAL CITY OF STONNINGTON
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: D. J. Findlay and S. M. Besley.

Description of Interest in Land: Part of Common Property on Plan of Subdivision No. 309322G Parish of Prahran.

Area: 6 square metres.

Title details: Certificate of Title volume 10022, Folio 070.

Survey Plan No.: 19068A shown as Parcel 1.

The survey plan referred to in this notice may be viewed at the Roads Corporation's Property Services Department, 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

Victoria Government Gazette

Land Acquisition and Compensation Act 1986

and **Transport Act 1983**

SOUTH EASTERN ARTERIAL CITY OF STONNINGTON

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: Austlait Pty Ltd and R. K. & P. E. Wood.

Description of Interest in Land: Part of Lot 9 on Plan of Subdivision No. 11301, Parish of Prahran.

Area: 20 square metres.

Title details: Certificate of Title Volume 7981, Folio 110.

Survey Plan No.: 19068A shown as Parcel 2.

The survey plan referred to in this notice may be viewed at the Roads Corporation's Property Services Department, 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

Land Acquisition and Compensation Act 1986

Water Act 1989

NOTICE OF ACQUISITION

Compulsory Acquisition of Interest in Land
Maryborough to Daisy Hill Water Main

The Central Highlands Region Water Authority declares by this notice it acquires the following interest in the land described hereunder:

Owner's Name: F. G. & A. M. Walters.

Interest Acquired: Easement for Water Supply Purposes.

Land in which Interest Subsists: Portion of land known as Crown Allotment 12F, 12E, Section 9A Parish of Amherst, County of Talbot.

Title Details: Volume 8675, Folio 141.

Central Highlands Water Plan No. 4434-12-W9 detailing the location of the land and easement and the Authority's rights in relation to the land and easement is available for perusal at the Offices of the Central Highlands Region Water Authority at 7 Learmonth Road, Wendouree 3355.

Published with the Authority of the Central
Highlands Region Water Authority.

D. R. O'DOHERTY
Secretary
Central Highlands Water

DEPARTMENT OF AGRICULTURE,
ENERGY AND MINERALS

All titles are located on the 1:100,000
mapsheet listed with each title.

EXPLORATION LICENCE REFUSED

No. 3713; E. John Risinger; 209.75 grats,
Ballarat and Creswick

EXPLORATION LICENCE RENEWED

No. 3018/5; Ballarat Goldfields NL; 34 grats,
Ballarat.

EXPLORATION LICENCE SURRENDERED

No. 3308; CRA Exploration P/L; 59 grats,
Ararat.

APPLICATION FOR EXPLORATION
LICENCE WITHDRAWN

No. 3795; Beecorp Pty Ltd; No size given,
Tyrrell.

MINING LICENCE REFUSED

No. 5039; Darryl Harris; 5 ha, Bairnsdale.

MINING LICENCE RENEWAL REFUSED

No. 4432; Glenburn Manor Pty Ltd; 1 ha,
Beaufort.

MINING LEASE EXPIRED

No. 561; Graeme E. Bond and Dianne M
Bond; 17.2 ha, Banu Bonyit.

EXTRACTIVE INDUSTRY LICENCE
GRANTED

No. 1544; Ian J. McCleary; 46.43 ha,
Seymour.

EXTRACTIVE INDUSTRY LICENCE
APPLICATION REFUSED

No. 1252; McGrath Sand and Stone Pty Ltd;
19.19 ha, Cut Paw Paw.

No. 1577; Alpha Conveyancing Pty Ltd;
38.32 ha, Spring Hill.

EXTRACTIVE INDUSTRY LICENCE
RENEWED

No. 275-3; J. Jeffrey and Sons Pty Ltd;
12.0773 ha, Maryvale.

No. 1204; J. Jeffrey and Sons Pty Ltd;
27.5061 ha, Maryvale.

EXTRACTIVE INDUSTRY LICENCE
VARIED

No. 185; CSR Limited trading as Readymix
PBM; 4.65 ha, Korumburra.

No. 478; CSR Limited trading as Readymix
PBM; 4.957 ha, Korumburra.

No. 524; E. B. Mawson and Sons P/L;
35.9627 ha, Waggarandall.

No. 650-1; CSR Limited trading as Readymix
PBM; 10.3425 ha, Korumburra.

No. 680; Riordans Quarries Pty Ltd; 11.5268
ha, Oudit.

No. 1231; CSR Limited trading as Readymix
PBM; 23.41 ha, Korumburra.

No. 1542; Boral Resources (Vic) Pty Ltd;
544.71 ha, Melbourne.

EXTRACTIVE INDUSTRY LICENCE
EXPIRED

No. 373; The President, Councillors and
Ratepayers of the Shire of Belfast; 5 ha, Koroit.

EXTRACTIVE INDUSTRY LICENCE
ASSIGNED

No. 1312; Station Creek Pastoral Co Pty Ltd
to Ranoel Pty Ltd; 72 ha, Langwarrin.

EXTRACTIVE INDUSTRY LEASE
GRANTED

No. 429; E. B. Mawsons & Sons Pty Ltd; 35.9
ha, Waggarandall.

No. 431; Ian John McCleary; 46.43 ha;
Seymour.

EXTRACTIVE INDUSTRY LEASE
APPLICATION REFUSED

No. 445; Alpha Conveyancing Pty Ltd; 4.07
ha, Creswick.

No. 446; Alpha Conveyancing Pty Ltd; 2.40
ha, Creswick.

EXTRACTIVE INDUSTRY LEASE VARIED

No. 16-1; Donmix (Proprietor Lebonny Pty
Ltd); 11.88 ha, Corinella.

Dairy Industry Act 1992
CODE OF PRACTICE
FOR THE QUALITY ASSURANCE OF MILK AND DAIRY PRODUCE
December 1995

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Schedule

Introduction

1. Purpose and objectives

The purpose and objectives of this Code of Practice are to set and maintain standards for the hygienic production, storage, handling and treatment of milk and dairy produce which safeguard public health and protect consumers.

2. Authority

Section 38 of the **Dairy Industry Act 1992** authorises the Victorian Dairy Industry Authority to make Codes of Practice.

Section 39 of the Act provides for a range of matters which may be included in a Code of Practice for the quality assurance of milk and dairy produce.

3. Operation

This Code of Practice is made by the Victorian Dairy Industry Authority and is approved by the Minister pursuant to Section 38 of the **Dairy Industry Act 1992**. It is effective from 1 December 1995 and replaces the Code of Practice for the Quality Assurance of Milk and Dairy Produce of November 1993 which is hereby revoked as of 30 November 1995.

Standards**1. Protection of milk and dairy produce**

- (1) The owner of dairy premises must ensure that milk and dairy produce is to be kept, stored and treated at a dairy farm, factory, milk processing premises and, milk distribution premises, and a milk carrier must ensure that milk and dairy produce is transported in such manner that the milk and dairy produce is protected at all times from all conditions or situations that may allow contamination to enter the milk or dairy produce or cause spoilage or tainting of the milk or dairy produce.
- (2) The owner of dairy premises must ensure that products and materials, other than those used in the production or manufacture of milk and dairy produce or other foods and the cleaning and sanitising of buildings and equipment used in connection with the production or manufacture of milk and dairy produce or other foods, are not stored in the production area, manufacturing area, milk or dairy produce storage area or packaging materials storage area of dairy premises.

2. Cooling of farm milk

The owner of a dairy farm must cool milk within 3½ hours of the commencement of milking to a temperature within the range of 1°C to 5°C and keep the milk at that temperature until collected by a factory.

3. Qualified person to collect farm milk

At the time of collection from a dairy farm for delivery to a factory, the owner of the factory must ensure that the milk is sampled, sensory graded, measured by volume, and a record made of the volume and temperature of the milk by a person who is the holder of one of the following qualifications:

- (1) a Certificate as a grader of milk or cream, endorsed with the words "The holder of this Certificate is qualified to grade milk by the senses test in farm milk tanks only, and to take samples of milk" issued by the Dairy Produce Board under the **Milk and Dairy Supervision Act 1958**; or
- (2) a Certificate of Competence as a Milk Grader: Farm Collection issued by the Department of Agriculture under the **Dairy Industry Act 1984**; or
- (3) a qualification issued for this purpose in any other State or Commonwealth Territory; or
- (4) an authorisation issued for this purpose by the Victorian Dairy Industry Authority under the **Dairy Industry Act 1992**.

4. Sampling farm milk and care of the samples

- (1) The owner of a factory must ensure that milk samples from a farm are taken, stored, transported and treated in accordance with the relevant methods and conditions contained in—
 - (a) Australian Standard 1166: Methods For Sampling Milk And Milk Products (Annex A) issued by Standards Australia from time to time; or
 - (b) the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.
- (2) The owner of a factory must ensure that when a sample of milk is taken at a farm for microbiological testing, a representative sample is taken aseptically.

5. Testing of farm milk samples

- (1) The owner of a factory must ensure that the testing of farm milk samples is carried out in accordance with the methods contained in Table 1.

- (2) A record of the results of the tests referred to in clause 5 (1) must be kept at the factory for 12 months.

TABLE 1	
<i>Test</i>	<i>Test Method</i>
Microbiological	Australian Standard 1766—Methods for the Microbiological Examination of Food issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victoria Dairy Industry Authority from time to time.
Antibiotics	Australian Standard 1766—Methods for the Microbiological Examination of Food issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.
Compositional and Chemical	Australian Standard 2300—Methods of Chemical and Physical Testing for the Dairy Industry issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.

6. Standard for farm milk for purposes of section 32 of the Act

For the purposes of section 32 (1) of the **Dairy Industry Act 1992**, the standard for milk supplied by the holder of a dairy farm licence is that the milk must not contain antibiotics at or in excess of 0.003 microgram per millilitre calculated as Penicillin G.

7. Cooling of market milk at a factory

The owner of a factory must ensure that all milk to be used as market milk, which is received from a dairy farm, must be cooled immediately to and held at a temperature of not more than 4°C until despatch to a milk processing premises.

8. Records to be kept by the owner of a factory

- (1) For the purpose of traceability of product, the owner of a factory must keep a record of the details of—
 - (a) (i) all milk received at the factory; and
 - (ii) all market milk despatched by the factory to milk processors; and
 - (b) the quantity, container type and size, date code or product batch number of each type of dairy produce manufactured at and distributed from the factory.
- (2) The records, referred to in clause 8 (1), must be kept at the factory for 12 months or, in the case of ultra heat treated (UHT) and sterilised cream, for 6 months past the use-by dates on the packages.

9. Testing of market milk to be supplied to a milk processor

- (1) The tests, standards, test methods and test frequencies to be used by the owner of a factory for market milk to be supplied to a milk processor are as set in Table 2.
- (2) The results of the tests, referred to in clause 9 (1), must be advised by the owner of a factory to a milk processor prior to acceptance of the milk by the milk processor.
- (3) The records of the tests, performed pursuant to clause 9 (1), must be kept at the factory for 12 months.

TABLE 2

<i>Test</i>	<i>Standard</i>	<i>Test Method</i>	<i>Test Frequency</i>
Milk fat	39±1 grams of milk fat per litre of milk, or as agreed between the owner of a factory and a milk processor.	Australian Standard 2300—Methods of Chemical and Physical Testing for the Dairy Industry issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victoria Dairy Industry Authority from time to time.	Each consignment
Protein	Not less than 30 grams of true protein per litre of milk (equivalent to not less than 31 grams of crude protein per kilogram).	Australian Standard 2300—Methods of Chemical and Physical Testing for the Dairy Industry issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.	Each consignment
Freezing Point	Not more than -0.517°C.	Australian Standard 2300—Methods of Chemical and Physical Testing for the Dairy Industry issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.	Each consignment
Direct Microscopic Count	Not more than 500,000 individual bacteria per millilitre, or not more than 150,000 clumps of bacteria per millilitre.	Australian Standard 1766—Methods for the Microbiological Examination of Food issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.	Each consignment
Antibiotics and Other Inhibitory Substances	Not at or in excess of 0.003 microgram per millilitre calculated as Pencilillin G.	Australian Standard 1766—Methods for the Microbiological Examination of Food issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victorian Dairy Industry Authority from time to time.	Each consignment
Iodine	Not more than 500 micrograms of iodine per litre of milk.	Australian Standard 2300—Methods of Chemical and Physical Testing for the Dairy Industry issued by Standards Australia from time to time; or the Dairy Test Manual issued by the Victoria Dairy Industry Authority from time to time.	Only if directed by the VDIA

TABLE 2

<i>Test</i>	<i>Standard</i>	<i>Test Method</i>	<i>Test Frequency</i>
Temperature	Not more than 4°C at despatch.	Thermometers used must be calibrated and graduated in a manner which enables them to be read accurately.	Each consignment

10. Sub-standard milk not to be used as market milk

The owner of a factory must ensure that milk that fails to comply with the standards contained in Table 2 of clause 9 (1) is not consigned or appropriated for use in the manufacture of market milk.

11. Temperature of market milk on arrival at milk processing premises

A milk processor must not accept milk from a factory where the temperature of the milk is more than 5°C on arrival at the milk processing premises.

12. Pasteurisation of milk and cream

A milk processor (in the case of milk for human consumption as milk) and the owner of a factory (in the case of cream for human consumption as cream) must ensure that the milk or cream is pasteurised by one of the processes contained in Part H—Milk and Liquid Milk Products of the Australian Food Standards Code issued by the National Food Authority from time to time.

13. Temperature of milk at milk processing premises

- (1) where milk is stored by a milk processor pending pasteurisation, the milk must be kept at a temperature of not more than 5°C; and
- (2) After pasteurisation, pending packing as market milk (other than UHT or sterilised milk) milk must be kept at not more than 4°C; and
- (3) Packaged market milk (other than UHT or sterilised milk) must be cooled to and kept at not more than 4°C, by a milk processor, immediately following the packaging process.

14. Temperature of cream at a factory

- (1) Where cream, intended for human consumption as liquid cream, is stored by a factory pending pasteurisation, the cream must be kept by the owner of the factory at a temperature of not more than 5°C; and
- (2) The owner of a factory must ensure that pasteurised cream, intended for consumption as liquid cream (other than UHT or sterilised cream), is cooled to and kept at a temperature of—
 - (a) not more than 8°C during packing; and
 - (b) not more than 4°C at any other time.

15. Pasteuriser requirements

- (1) A milk processor and the owner of a factory must ensure that all pasteurising equipment used in their respective premises is fitted with a continuous temperature recording device.
- (2) For continuous pasteuriser systems, the record referred to in 15 (1) must contain details of:
 - (a) the time and duration of any diversion of milk or cream; and
 - (b) the temperature of the milk or cream as it leaves both the holding section and the cooling section of the pasteuriser; and
 - (c) the length of time of each process and the hour of the day when each process occurs; and
 - (d) the date and type of product being manufactured or processed from the milk or cream; and
 - (e) the time during which the flow diversion device is in the forward flow position; and
 - (f) the reasons for any diversions or abnormal function of the equipment.
- (3) For batch pasteurising systems, the record referred to in 15(1) must contain details of:
 - (a) the time of reaching pasteurising temperature; and
 - (b) the time of completion of pasteurising; and
 - (c) the temperature at the times in (a) and (b) and at 5-minute intervals in between; and

- (d) the date and type of product being manufactured or processed from the milk or cream.
- (4) The record referred to in 15(1) must be retained at the premises for 12 months or, in the case of UHT milk or cream, for 6 months following the "Use-by" date.

16. Records to be kept by a milk processor

- (1) For the purpose of traceability of product, a milk processor must keep a record of the details of—
 - (a) market milk received from factories; and
 - (b)
 - (i) the date and quantity of milk pasteurised; and
 - (ii) the date and quantity of each kind of pasteurised milk packed in each type and size of package; and
 - (iii) the date code used on each type and size of package; and
 - (iv) distribution of the milk.
- (2) The records, referred to in clause 16 (1), must be kept at the milk processing premises for 12 months or, in the case of UHT and sterilised milk, for 6 months past the use-by dates stamped on the packages.

17. Marking of a milk tanker or vessel used for bulk milk transport

A milk carrier must ensure that any milk tanker or vessel used for the bulk transport of milk is marked on the external rear wall or on both external sides of the tanker or vessel with the words "MILK TRANSPORT VEHICLE" in letters not less than 100 millimetres in height in a colour that contrasts with the background colour of the milk tanker or vessel.

18. Use of a milk tanker or vessel used for bulk milk transport

A milk carrier must ensure that any milk tanker or vessel used for the bulk transport of milk is used only to—

- (1) collect milk from dairy farms; or
- (2) transport milk or cream; or
- (3) transport clean water or food-grade liquids, other than milk or cream, where these liquids will not contaminate or affect the quality of milk or cream or leave residual odours.

19. Cleanliness of a milk tanker or vessel used for bulk milk transport

A milk carrier must ensure that any milk tanker or vessel used for the bulk transport of milk is not used to transport milk or cream unless the tanker or vessel is in good repair and has been inspected to ensure that its interior surfaces are free from visible contaminants and that there are no unusual odours in the tanker or vessel.

20. Sealing of a milk tanker

For market milk despatched by a factory to a milk processing premises, the owner of the factory must ensure that a seal with a mark identifying the factory, is applied to each manhole cover of the tanker, before the tanker leaves the factory.

21. Standards for factories and milk processing premises

- (1) (a) This Code adopts for factories and milk processing premises, the provisions and standards of the Export Control (Processed Food) Orders issued by the Department of Primary Industries and Energy from time to time, as set in Schedule 1 of this Code; and
- (b) For the purposes of this Code, the word "Secretary", wherever appearing in the Export Control (Processed Food) Orders, shall mean "Victorian Dairy Industry Authority".
- (2) The owner of each factory and milk processing premises must ensure that—
 - (a) the premises comply with the structural and operational requirements set in Schedule 1 of this Code; and
 - (b) construction of new premises or alterations to existing premises must not commence before plans of the works are submitted to and approved by the Authority. Plans must be submitted in duplicate, a copy of which will be returned to the applicant, and must include the following details:
 - (i) a site plan clearly showing all existing and proposed buildings; and

- (ii) a plan of each level of the building including details of walls, partitions, doors, windows, other openings, services and principal equipment; and
- (iii) details of drainage, lighting and ventilation systems
- (c) all dairy produce manufactured or packed at the factory or milk processing premises complies with—
 - (i) Schedule 1 of this Code or,
 - (ii) a system of inspection that—
 - * meets the specifications contained in the Australian Standards for Quality Systems issued by Standards Australia from time to time; and
 - * ensures that standards which safeguard public health and protect the consumer are maintained.
- (d) the premises and buildings are kept clean and in good repair.
- (e) all equipment is—
 - (i) cleaned immediately after use and kept clean prior to reuse; and
 - (ii) kept in a clean and sanitary condition, and in good repair.
- (f) the premises, buildings and equipment are not used to manufacture, process or pack—
 - (i) any product other than food, industrial casein or dairy produce stock foods; or
 - (ii) any food that leaves residual odours in the equipment after cleaning.

22. Standards for milk distribution premises

A milk distributor must ensure that—

- (a) milk and cream receipt and storage areas of milk distribution premises are kept clean and in good repair, and kept free of animals, insects, birds and vermin; and
- (b) packaged milk and cream (other than UHT milk and cream) is kept at a temperature of not more than 4°C during storage at the milk distribution premises.

23. Records to be kept by a milk distributor

- (1) A milk distributor must be able to provide details of packaged milk or cream (except UHT or sterilised milk or cream) despatched from the premises in the past 14 days so as to enable traceability in the event of quality problems.
- (2) In the case of UHT or sterilised milk or cream, the details of product type and destination must be retained on the premises until the "Use by" date of the product concerned.

24. Format of records

Where records are required to be kept for the purposes of this Code, the records may be kept on a disk, tape or other device on which the data is recorded, but which must be capable of being reproduced on request in a legible form.

25. Penalty provisions

A person who is guilty of an offence against this Code, for which no penalty is expressly provided for in the Act, shall be liable—

- (1) for a first offence, to a penalty of not more than 10 penalty units; and
- (2) for any subsequent offence, to a penalty of not more than 20 penalty units.

Schedule 1

Clause 21

Dairy Industry Act 1992

Standards For Factories and Milk Processing Premises

This code adopts by reference the following provisions of the Export Control (Processed Food) Orders issued by the Department of Primary Industries and Energy from time to time—

- (a) Schedule 2 Part 1 Divisions I, II, III, IV, Clauses 1 to 28 incl; and
 - Part 2 Division VII, Clauses 49 and 50; and
 - Division X, Clause 54
- (b) Schedule 3 Part 1 Divisions I, II, Clauses 1 to 15 incl, Clause 16.1, 16.2, 16.4 and Clauses 17 to 20 incl; and
 - Division III, Clause 24; and

- Divisions IV, V, Clauses 23 to 31 incl; and
 Part 2 Divisions II, III, Clauses 37 to 61 incl; and
 Division IV, Clauses 62.6, 65 & 66; and
 Division V, Clause 67 and 68; and
 Division VIII, Clauses 81 and 82
- (c) Schedule 7 Part 1 Clause 1 to 7 incl; and
 Part 2 Division I, Clauses 8 to 11 incl; and
 Part 3 Clauses 13 to 16 incl; and
 Part 3 Clauses 18 to 19 incl; and
 Part 6 Divisions I, II, III, Clauses 20 to 36 incl; and
 Division IV, Clause 39; and
 Division V; and
 Division VI, Clauses 40 to 50 incl; and
 Part 7 Clauses 51 to 58 incl; and
- (d) Schedule 8 Part 1 Clauses 1 to 7 incl; and
 Part 2 Division 1, Clauses 8 to 11 incl; and
 Part 3 Clauses 13 to 16 incl; and
 Part 5 Clauses 18 to 19 incl; and
 Part 6 Clauses 20 to 30 incl; and
 Part 7 Clauses 31 to 39 incl.

Creditors, next of kin 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 ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000 the personal representative on or before 8 February 1996, 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.

Barnes, Allan Arthur, formerly of 16 Henry Street, Oakleigh but late of Aaron Private Nursing Home, 577 Neerim Road, Hughesdale, carpenter, died on 24 September 1995.

Davis, Ivan Frederick, late of 33 Sun Crescent, Sunshine, pensioner, died on 22 May 1995.

Dunn, Virtue Lillian Esther, late of 19 Collocott Street, Mordialloc, home duties, died on 25 September 1995.

Geisler, Emmie Irene, late of Eastern Lodge, 124 Maroondah Highway, Croydon, home duties, died on 17 August 1995.

King, Ronald, late of 3 Beech Street, Surrey Hills, pensioner, died on 20 September 1995.

Lee, Ida Anne, late of 44 Cleveland Road, Ashwood, pensioner, died on 10 August 1995.

McAuliffe, John Vincent, late of Flat 1, 13 Young Street, Albert Park, storeman, died on 19 March 1995.

McNally, Kathleen Emma, The Height, 13 Kerford Road, Glen Iris, pensioner, died on 4 October 1995.

Millar, James Henry, formerly of 3 Margaret Street, Canterbury, but late of Kinross Nursing Home, 9-11 Broughton Road, Surrey Hills, retired, died on 15 August 1995.

Phillips, Edmund Porter Palmer Philips, late of Richmond Grove, Private Nursing Home, 33 Bendigo Street, Richmond, pensioner died on 10 October 1995.

Sidders, Walter George James, late of 1-3 Maxflo Street, Highett, retired farmer, died on 9 September 1995.

Dated at Melbourne on 1 December 1995

B. F. CARMODY
 Managing Director
 State Trustees Limited

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 ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000 the personal representative on or before 5 February

1996, after which date the State Trustees Limited may convey or distribute the assets having regard only to the claims of which State Trustees Limited then has notice.

Baird, Sylvie, late of 5/51 Ormond Esplanade, Elwood, home duties, died on 20 August 1995.

Bonnett, Frederick John, late of the Little Sister of the Poor, 112B, St Georges Road, Northcote, retired, died on 28 August 1995.

Corak, Agnieszka, late of 18 Gent Street, Yarraville, widow, died on 7 June 1994.

Dillon, Frank Roger, late of Chelsea Park Private Nursing Home, 53 Broadway, Chelsea, pensioner, died on 13 September 1995.

Durward, Colin Rees, late of 15 Woodmason Road, Boronia, retired machinist, died on 28 August 1995.

Gibson, Eileen Rachel, late of Lake Park Hostel, Lake Road, Blackburn, pensioner, died on 24 August 1995.

Gibson, Nancy Cora, late of 103 Landells Road, Pascoe Vale, pensioner, died on 22 August 1995.

Hudson, Iris Mary, late of 10 Peacock Avenue, Norlane West, widow, died on 10 July 1995.

Kelly, John Ambrose, late of 93/20 Elgin Street, Carlton, retired postal worker, died on 30 December 1994.

Lesar, Mabel Barbara, late of Stanleigh Lodge, 18 Hawthorn Road, Caulfield North, died on 18 February 1995.

Pallot, Stanley Rothwell, 8 Teck Street, Ashwood, pensioner, died on 13 September 1995.

Richardson, Phillip, late of 7 Moola Close, Yallambie, pensioner, died on 1 July 1995.

Seggie, Maude Mary, late of 57 Coppin Street, East Malvern, widow, died on 4 October 1991.

Stratton, Leslie, late of Newcombe Nursing Home, Holmes Street, Newcombe, retired railway worker, died on 16 June 1995.

Dated at Melbourne 28 November 1995

B. F. CARMODY
Managing Director
State Trustees Limited

Trustee Act 1958
SECTION 3AE

I hereby declare the class of Mortgage-Backed Securities known as Australian Mortgage Securities Limited AMS—ARMS II,

Fund I, Bonds Tranche 1, Issued by Permanent Custodians Limited to be approved Mortgage Backed Securities for the purposes of Part 1C of the **Trustee Act 1958**.

Given under my hand and the seal 30
November 1995

HUGH M. WALTER
Commissioner for Corporate Affairs

Trustee Act 1958
SECTION 3AE

I hereby declare the class of Mortgage-Backed Securities known as Australian Mortgage Securities Limited AMS—ARMS II, Fund I, Bonds Tranche 2, Issued by Permanent Custodians Limited to be approved Mortgage Backed Securities for the purposes of Part 1C of the **Trustee Act 1958**.

Given under my hand and the seal 30
November 1995

HUGH M. WALTER
Commissioner for Corporate Affairs

Trustee Act 1958
SECTION 4 (1) (r)

I, Hugh Malcolm Walter, Commissioner for Corporate Affairs for the State of Victoria, pursuant to Rule 6 of the Trustee (Unit Trust) Regulations 1988, hereby approve the alterations to the Deed of Trust dated 30 June 1992 (as amended) between Westpac Financial Services Limited (the Manager) and Permanent Trustee Company Limited (the Trustee) in relation to the Westpac Sector Pool Australian Fixed Interest Trust as set out in the Supplemental Deed dated 31 October 1995 between the Manager and the Trustee.

Given under my hand and seal 30
November 1995

HUGH M. WALTER
Commissioner for Corporate Affairs

Trustee Act 1958
SECTION 4 (1) (r)

I, Hugh Malcolm Walter, Commissioner for Corporate Affairs for the State of Victoria, pursuant to Rule 6 of the Trustee (Unit Trust) Regulations 1988, hereby approve the alterations to the Deed of Trust dated 30 June 1992 (as amended) between Westpac Financial Services Limited (the Manager) and Permanent Trustee Company Limited (the Trustee) in

relation to the Westpac Australian Treasury Management Trust, formerly known as Westpac Treasury Management Trust, as set out in the Supplemental Deed dated 31 October 1995 between the Manager and the Trustee.

Given under my hand and seal 30 November 1995

HUGH M. WALTER
Commissioner for Corporate Affairs

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

Position No. 71/45/2687/7, VPS-3, Technical Officer, Correctional Services Division, Department of Justice.

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 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.

The vacancy has duties and qualifications 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.

WARREN McCANN
Secretary to the Department of Justice

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

Position No. 71/45/2535/3, GOG-2b, Industry Officer, Correctional Services Division, Department of Justice.

Reasons 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.

WARREN McCANN
Secretary to the Department of Justice

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

Position No. 71/45/2687/7, VPS-3, Technical Officer, Correctional Services Division, Department of Justice.

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 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.

The vacancy has duties and qualifications 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.

WARREN McCANN
Secretary to the Department of Justice

Transport Act 1983
TOW TRUCK DIRECTORATE OF
VICTORIA
Tow Truck Applications

Notice is hereby given that the following applications will be considered by the Licensing Authority after 10 January 1996.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, 560 Lygon Street, Carlton (PO Box 160, Carlton South) not later than 4 January 1996.

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

R. Crispin, Tallangatta. Application for variation of conditions of tow truck licence number TOW258 which authorised the licensed vehicle to be managed, controlled and operated from a depot situated at 21 Towong Street, Tallangatta to change the depot address to 12 Reid Street, Wodonga.

Note: This licence is currently under consideration for transfer to B. Grealy, Wodonga.

J. Sahyoun, Ivanhoe. Application for variation of conditions of tow truck licence number TOW616 which authorise the licensed vehicle to be managed, controlled and operated from a depot situated at 1027 Heidelberg Road, Ivanhoe to change the depot address to 2-4 St Georges Road, North Fitzroy.

Note: This licence is currently under consideration for transfer to Varapodio Nominees Pty Ltd, North Fitzroy.

Ringwood Panel Service Pty Ltd, Ringwood. Application for variation of conditions of tow truck licence numbers TOW710 and TOW738 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 18-20 Molan Street, Ringwood to change the depot address to 42 Thornton Crescent, Mitcham.

Croydon District Crash Repairs Pty Ltd, Ringwood. Application for variation of conditions of tow truck licence number TOW524 which authorise the licensed vehicle to be managed, controlled and operated from a depot situated at 18-20 Molan Street, Ringwood to change the depot address to 42 Thornton Crescent, Mitcham.

Baywood Panel Service Pty Ltd, Ringwood. Application for variation of conditions of tow truck licence numbers TOW513 and TOW 514 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 18-20 Molan Street, Ringwood to change the depot address to 42 Thornton Crescent, Mitcham.

Dated 7 December 1995

JOHN R. CONNELL
Director

Transport Act 1983
DEPARTMENT OF TRANSPORT
Victorian Taxi Directorate

Commercial Passenger Vehicle Applications

Notice is hereby given that the following applications will be considered by the Victorian Taxi Directorate, a division of the Department of Transport after 10 January 1996.

Notice of any objection to the granting of an application should be forwarded to reach the Manager, Licensing and Certification, Victorian Taxi Directorate, 598 Lygon Street, Carlton (P.O. Box 666, Carlton South 3053) not later than 4 January 1996.

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

T. S. and P. A. O'Brien, Werribee. Application to licence one commercial passenger vehicle in respect of a 1956 Chevrolet coupe with seating capacity for 5 passengers to operate a service from 92-94 Tarneit Road, Werribee for the carriage of passengers for wedding parties.

D. M. and R. W. O'Connell, Omeo. Application to licence one commercial passenger vehicle in respect of a 1994 Nissan bus with seating capacity for 22 passengers to operate a service from Sebastopol Hill Road, Omeo for the carriage of employees of the Benambra mine, Omeo between the Omeo town and the Benambra Copper Mines, under contract to the mine.

Note: This service is currently operating under a temporary licence SV1714.

S. Colalancia, Reservoir. Application to licence one commercial passenger vehicle licence to be purchased in respect of a 1957 Chevrolet Convertible with seating capacity for 5 passengers to operate a service from 63 Dumbarton Street, Reservoir for the carriage of passengers for wedding parties.

Dated 7 December 1995

GARRY ELLIS
Manager—Licensing and Certification
Victorian Taxi Directorate

Transport Act 1983
ROADS CORPORATION

Commercial Passenger Vehicle Application

Notice is hereby given that the following application will be considered by the Roads Corporation on 10 January 1996.

Notice of any objection to the granting of an application should be forwarded to reach the Regional Manager, Western Region, 1315 Sturt street Ballarat not later than 3 January 1996.

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

Applications which are objected to will be determined by the Roads Corporation.

P. J. Fitzpatrick. Application to license one commercial passenger vehicle in respect 1979 Isuzu bus with a seating capacity of 28

passengers to operate as a country special services omnibus from within a 20 km pick-up radius of the Mildura Post Office.

Note: The vehicle to be licensed would hold a 3 star rating for charter purposes.
Dated 7 December 1995

JOHN WILSON
Regional Manager, Western Region

Planning and Environment Act 1987
SPRINGVALE PLANNING SCHEME

Notice of Approval of Amendment
Amendment L 91

The Minister for Planning has approved Amendment L 91 to the Local Section of the Springvale Planning Scheme.

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

The amendment reduces the carparking requirement for the Aspendale Shopping Centre to allow for better integration and landscaping between the shopping centre and surrounding community facilities.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Kingston, Brindisi Street, Mentone.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
WHITTLESEA PLANNING SCHEME

Notice of Approval of Amendment
Amendment L122

The Minister for Planning has approved Amendment L122 to the Local Section of the Whittlesea Planning Scheme.

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

The amendment rezones a small strip of land adjacent to Whittlesea Wallan Road, to the south of Hadfield Road, Upper Plenty from Landscape Interest A Zone to Proposed Main Road reservation. The reservation will allow both the acquisition and road widening and improvement works as part of the "Better Roads Program".

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Whittlesea, Ferres Boulevard, South Morang.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
HEYWOOD PLANNING SCHEME

Notice of Approval of Amendment
Amendment L13

The Minister for Planning has approved Amendment L13 to the Heywood Planning Scheme.

The amendment comes into operation on the day this notice is published in the Government Gazette.

The amendment rezones a State Government owned property described as Crown Allotment 38A, Section 8, Township of Nelson (former Nelson Primary School Reserve) from Public Use—Utilities and Survey to Residential 1 to facilitate the sale, use and development of the land for residential purposes.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street Melbourne and at the offices of the Glenelg Shire Council, Cliff Street, Portland.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
MELBOURNE PLANNING SCHEME

Notice of Approval of Amendment
Amendment L196

The Minister for Planning has approved Amendment L196 to the Melbourne Planning Scheme.

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

This amendment rezones land at 2-8 Wellington Parade, East Melbourne from Central Melbourne—Residential and Service

Zone R9 to Melbourne Office 1B7 Zone. The amendment also deletes the expression "2 Wellington Parade East Melbourne" from the schedule of Site Specific Controls (Incorporated Document) as found in Clause 313-5. These changes provide for deletion of an obligation to establish residential accommodation at 2-8 Wellington Parade, East Melbourne.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Melbourne, Development Planning Branch, 6th Floor Council House, 200 Little Collins Street, Melbourne.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
HASTINGS PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment L68 Part 2

The Minister for Planning has refused Amendment L68 Part 2 to the Hastings Planning Scheme.

Part 2 of the Amendment related to changing the definition of Peripheral Sales to avoid confusion when comparing this definition with the definition of Industrial Sales.

The amendment lapsed on 27 November 1995.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
OAKLEIGH PLANNING SCHEME
Notice of Approval of Amendment
Amendment L45

The Minister for Planning has approved Amendment L45 to the Local Section of the Oakleigh Planning Scheme.

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

The amendment affects land at Number 45 Dalgety Street, Oakleigh. It rezones from existing Public Open Space Reservation to General Industrial zone land in the north eastern corner of the site,

A copy of the Amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Monash (Waverley Office), 293 Springvale Road, Glen Waverley.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
UPPER YARRA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L51

The Minister for Planning has approved Amendment L51 to the Local Section of the Upper Yarra Planning scheme.

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

The amendment rezones land at 1550, 1570 and 1580 Little Yarra Road, Powelltown from the existing Public Purposes Reservation to a Rural 2 zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne, and at the offices of the Shire of Yarra Ranges at Lilydale and the Yarra Junction office, Main Street, Yarra Junction.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
UPPER YARRA VALLEY AND
DANDENONG RANGES REGIONAL
STRATEGY PLAN
Notice of Approval of Amendment
Amendment No. 84

The Minister for Planning has approved Amendment No. 84 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan.

The amendment comes into operation on the date this notice is Published in the Government Gazette.

The amendment includes three sites at 1550, 1570 and 1580 Little Yarra Road, Powelltown in a Rural 2 Policy Area. The sites are Government-owned houses which are being disposed of and are currently in a Public Land Policy area.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the Shire of Yarra Ranges, Main Street, Yarra Junction.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
YARRA PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment L5

The Minister for Planning has refused Amendment L5 to the Yarra Planning Scheme.

The amendment proposed to allow the development of an institute of Forensic Psychiatry on land at Yarra Bend Road Fairfield.

The amendment lapsed on 23 November 1995

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
YACKANDANDAH PLANNING SCHEME
Notice of Approval of Amendment
Amendment L28

The Minister for Planning has approved Amendment L28 to the Local Section of the Yackandandah Planning Scheme.

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

The amendment rezones land at 83 Kiewa East Road, Tangambalanga from the existing Public Purposes Reservation to a Residential zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development,

Ground Floor, 477 Collins Street, Melbourne, and at the offices of the Shire of Indigo, 34 High Street, Yackandandah.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
NORTHCOTE PLANNING SCHEME
Notice of Lapsing of Amendment
Amendment L38

The Minister for Planning has refused Amendment L38 to the Northcote Planning Scheme.

The amendment proposed to allow the development of an Institute of Forensic Psychiatry on land at Yarra Bend Road Fairfield.

The amendment lapsed on 23 November 1995

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
LILLYDALE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L151

The Minister for Planning has approved Amendment L151 to the Local Section of the Lillydale Planning Scheme.

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

The amendment corrects a number of minor errors and omissions in the Planning Scheme.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, ground floor, 477 Collins Street, Melbourne and at the offices of the Shire of Yarra Ranges, Anderson St, Lilydale.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

3408 G 48 7 December 1995

Planning and Environment Act 1987
KNOX PLANNING SCHEME
Notice of Approval of Amendment
Amendment L97

The Minister for Planning has approved Amendment L97 to the Knox Planning Scheme.

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

The amendment rezones the land at Crown Allotment 53G1 Underwood Road and 53G3 Lane Road, Ferntree Gully, from Reserved Land for Railway Purposes to Knox Residential Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Knox—Knox Office, 420 Burwood Highway, Wantirna South.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
KNOX PLANNING SCHEME
Notice of Approval of Amendment
Amendment L98

The Minister for Planning has approved Amendment L98 to the Knox Planning Scheme.

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

The amendment rezones Lot 1 of Lodged Plan 217332, located on the northeast corner of Fulham Road and Stud Road Rowville, from Knox Service Zone to Knox Office Zone. The amendment corrects a map error only.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Knox, 420 Burwood Highway, Wantirna South.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Victoria Government Gazette

Planning and Environment Act 1987
ALTONA PLANNING SCHEME
Notice of Approval of Amendment
Amendment L44

The Minister for Planning has approved Amendment L44 to the Local Section of the Altona Planning Scheme.

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

The amendment rezones land at 413 Francis Street, Brooklyn, from Public Purpose 1 (Commonwealth Government) and Proposed Primary School to Industrial 3 zone and Public Purpose 20 (other Public uses) to Industrial 3 zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Hobson's Bay, 115 Civic Parade, Altona.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
CRANBOURNE PLANNING SCHEME
Notice of Approval of Amendment
Amendment L131

The Minister for Planning has approved Amendment L 131 to the Cranbourne Planning Scheme.

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

The amendment rezones part of lot 1 PS 314841 Highfield Drive, Baxter from Conservation (Landscape) Zone to Residential (Rural Landscape-Langwarrin) Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne, and at the offices of the City of Frankston, Civic Centre, Davey Street, Frankston.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
BULOKE PLANNING SCHEME
Notice of Approval of Amendment
Buloke Amalgamation Amendment

The Minister for Planning has approved the above amendment to create the Buloke Planning Scheme.

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

The amendment is to the Charlton Planning Scheme, incorporating the Local Sections of the Birchip, Charlton and Wycheproof Planning Schemes and portion of the Local Section of the Donald Planning Scheme as Chapters 2 to 5 of the Buloke Planning Scheme, introduces provisions for the former shire of Kara Kara area as Chapter 6 and creates a new Chapter 1 to apply to the whole of the Buloke Shire. The amendment also revokes the former Planning Schemes as they apply in Buloke Shire.

This amendment does not change the planning provisions applying to land in Buloke Shire. Its purpose is to provide a consolidated planning scheme required as a consequence of the restructure of municipal boundaries.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and 426 Hargreaves Street, Bendigo, and at the offices of Buloke Shire, 367 Broadway, Wycheproof.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME
Notice of Approval of Amendment
Amendment L7

The Minister for Planning has approved Amendment L7 to the Greater Bendigo Planning Scheme.

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

The amendment reinserts controls for the Fosterville gold mining operations into Chapter 8, deletes references to the Loddon Campaspe Regional Planning Authority and changes and deletes other authority names.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development Ground Floor, 477 Collins Street, Melbourne and at the Department of Planning and Development regional office, 426 Hargreaves Street, Bendigo, and at the offices of the City of Greater Bendigo, Lyttleton Terrace, Bendigo.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
FRENCH ISLAND PLANNING SCHEME
Notice of Approval of Amendment
Amendment L8

The Minister for Planning has approved Amendment L8 to the Local Section of the French Island Planning Scheme.

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

The amendment makes aquaculture and poultry farming a use for which a permit can be issued in the Rural Zone. The amendment also introduces a definition for aquaculture together with associated provisions for both aquaculture and poultry farming.

The purpose of the amendment is to allow proposals for such uses, currently prohibited in the zone, to be considered by the Minister for Planning as the responsible authority for the Scheme.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne, and at the offices of the Mornington Peninsula Shire, Marine Parade, Hastings, and the Tankerton Post Office, Tankerton Road, Tankerton.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
MACEDON RANGES PLANNING SCHEME
Local Section, Chapter 2
Notice of Approval of Amendment
Amendment L26

The Minister for Planning has approved Amendment L26 to the Local Section, Chapter 2 of the Macedon Ranges Planning Scheme.

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

The amendment rezones land in Robertson, Goode and Prince Streets, Gisborne from Existing Public Purposes—Telecom Australia (PP14) to Reserved Business Zone (B1A).

The land is surplus to the requirements of Telecom Australia.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the Shire of Macedon Ranges, 129 Mollison Street, Kyneton.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
OAKLEIGH PLANNING SCHEME
Notice of Approval of Amendment
Amendment L42

The Minister for Planning has approved Amendment L42 to the Local Section of the Oakleigh Planning Scheme.

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

The amendment rezones land at 1127A and 1129 North Road, Oakleigh from Office Zone to Restricted Business Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Monash (Waverley Office), 293 Springvale Road, Glen Waverley.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
BASS PLANNING SCHEME
Notice of Approval of Amendment
Amendment L41

The Minister for Planning has approved Amendment L41 to the Bass Planning Scheme.

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

The amendment rezones the former Kilcunda Primary School, Ridge Road, Kilcunda, from Public Purposes—2—Education Department to Residential Development Zone.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the Bass Coast Shire Council, Mc Bride Avenue, Wonthaggi.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987
MITCHELL PLANNING SCHEME
Notice of Approval of Amendment
Amendment L10

The Minister for Planning has approved Amendment L10 to the Local Section, Chapter 2 of the Mitchell Planning Scheme.

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

The amendment rezones strips of land adjacent to Whittlesea Wallan Road between Munts Road and Hadfield, Upper Plenty from General Farming Zone to Reserved—Main Road. The rezoning will allow both the acquisition and road widening and improvement works as part of the "Better Roads Program".

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the Shire of Mitchell, Tallarook Street, Seymour and Sydney Street, Kilmore.

GEOFF CODE
Manager
Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Approval of Amendment
Amendment L94

The Minister for Planning has approved Amendment L94 to the Knox Planning Scheme.

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

The amendment removes the specific-site control within the Knox Commercial Drive-In Zone which affects part of the land at 1202-1204 Mountain Highway The Basin and restricts the use of the land to a petrol station use only.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Knox, 420 Burwood Highway, Wantirna South.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Approval of Amendment
Amendment L95

The Minister for Planning has approved Amendment L95 to the Knox Planning Scheme.

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

The amendment includes the use 'Display Homes' as a Permit Required—Section 2 use within the Knox Residential Zone. Currently, display homes can not be considered within this zone, although they are consistent with the purpose of the zone. Amendment L95 to the Knox Planning Scheme rectifies this inconsistency.

A copy of the amendment can be inspected free of charge during office hours at the Department of Planning and Development, Ground Floor, 477 Collins Street, Melbourne and at the offices of the City of Knox, 420 Burwood Highway, Wantirna South.

GEOFF CODE
Manager

Planning Co-ordination Branch
Department of Planning and Development

Adoption Act 1984

Under the functions the powers assigned to me by the Director-General of Department of Health and Community Services under Section 10 (2) of the **Community Welfare Services Act 1970** in relation to Section 5 of the Adoption Act.

I, Ron Tiffen approve the following persons under Section 5 (1) and Section 5 (2) (b) of the Act as approved Counsellor for the purposes of Section 35 of the Act.

Aileen Wilson
Naomi Howard

RON TIFFEN

Regional Director
Grampians Region

Department of Health and Community Services

Co-operation Act 1981

**CO-OPERATIVE SOCIETIES (GENERAL)
REGULATIONS 1993**

Regulations 61 (2)

Form 61

DISSOLUTION OF SOCIETIES

ASIA PACIFIC CO-OPERATIVE TRAINING
CENTRE LTD

BERWICK PRIMARY SCHOOL CO-
OPERATIVE LTD

COCKATOO COMMUNITY CO-
OPERATIVE LIMITED

DONCASTER HIGH SCHOOL CO-
OPERATIVE LIMITED

DTC (TENNIS) CO-OPERATIVE LTD

GAIA TRADING/WORK CO-OPERATIVE
LTD

MANNA CO-OPERATIVE LIMITED

SUN GARDEN CO-OPERATIVE SALES
LIMITED

I hereby notify that I have this day registered the dissolution of the abovenamed societies and cancelled their registration under the abovenamed Act.

Dated at Melbourne 28 November 1995

K. N. FLOWERS

Deputy Registrar of Co-operative Societies

Farm Produce Wholesale Act 1990

I, Bill McGrath, Minister for Agriculture, pursuant to the powers conferred on me by section 44 of the **Farm Produce Wholesale Act 1990**, fix the following fees for the purposes of the Act:

Section 11—application for grant of licence

- * where the application is made on or after 1 July in a calendar year and before 1 October in the same calendar year \$745
- * where the application is made on or after 1 October in a calendar year and before 1 July in the next calendar year \$62 for each month or part of a month of the term of the licence

Section 11—application for renewal of licence \$745

Section 11—application for approval to transfer licence \$242

Section 8—inspect and copy register \$24

Section 24—inspect and copy indemnity \$24

The above fees—

- * replace the fees fixed by notice published in the Government Gazette of 20 April 1995; and
- * apply on and from 1 January 1996

BILL McGRATH
Minister for Agriculture

Hindmarsh Shire Council (Remainder)

Rural City of Horsham

Yarriambiack Shire Council (Part) That part south of the wire netting fence excluding that part formerly the Shire of Dunmunkle.

Gannawarra Shire Council (Remainder) That part south of the Boort-Kerang Road, Kerang-Murrabit Road, to the Murray River and including the road reserve and urban areas of Kerang and Murrabit.

Buloke Shire Council (Remainder) That part south of the Beulah-Birchip, Birchip-Wycheproof, Boort-Wycheproof arterial roads, including the road reserve and urban townships of Birchip and Wycheproof.

Moira Shire Council

Loddon Shire Council (Northern Part) Commencing at the Buloke Shire boundary at the Charlton-Borong Road; then generally easterly along the Charlton-Borong Road to the Loddon River, then generally southerly along the Loddon River to the northern boundary of the township of Bridgewater; then easterly and southerly along the township of Bridgewater boundary to the Calder Highway; then generally easterly along the Calder Highway to the shire boundary with the City of Greater Bendigo.

To commence from 0100 hours on Monday, 18 December 1995:

Yarriambiack Shire Council (Remainder)

L. R. FOSTER
Chairman

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 Conservation and Natural Resources, 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 Wednesday, 1 May 1996.

To commence from 0100 hours on Monday, 11 December 1995:

West Wimmera Shire Council (Part) That part within CFA Fire Control Region 17, south of the wire netting fence and north of Mosquito Creek.

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

Tenders close 2.00 p.m., Thursday, 8 February 1996.

Property Address: 28 Main Neerim Road, Neerim South.

Crown Description: Crown Allotment 86C, Parish of Neerim.

Area: 1011 m².

Ref: P260746.

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

Tenders: addressed to—Crown Land Sales Tender Box, Department of Conservation and Natural Resources, 71 Hotham street, Traralgon 3844.

Application Form: Available on request.

Co-ordinating Officer: Ninette Kattos, Land Sales Officer, Department of Conservation and Natural Resources, Traralgon, telephone (051) 722 150.

ROGER M. HALLAM
Minister for Finance

Selling Agent: Jim Barham, J. B. Barham Real Estate, 3 Patrick Street, Stawell 3380, phone (053) 583939.

ROGER M. HALLAM
Minister for Finance

Department of Treasury and Finance
SALE OF CROWN LAND BY PUBLIC
AUCTION

Saturday, 24 February 1996, from 10.30 a.m. at the Corner of Griffiths and Leslie Streets, Stawell.

Lot 1:

Property Address: Corner Griffiths and Leslie Streets, Stawell.

Crown Description: Allotment 13, Section 5, Township of Stawell.

Area: 2554 m2.

Ref: 02/03133.

Lot 2:

Property Address: Newington Road, Stawell.

Crown Description: Allotment 25, Section 100, Parish of Stawell.

Area: 5658 m2.

Ref: P023714.

Lot 3:

Property Address: Clemes Street, Stawell.

Crown Description: Allotment 14B, Section 38, Parish of Stawell.

Area: 739 m2.

Ref: P025955.

Lot 4:

Property Address: Colquhoun Street, Stawell.

Crown Description: Allotment 12, Section 52, Parish of Stawell.

Area: 1252 m2.

Ref: 2179.130.

Lot 5:

Property Address: Short Street, Stawell.

Crown Description: Allotment 12, Section 89, Parish of Stawell.

Area: 1507 m2.

Ref: 02/04321.

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

Co-ordinating Officer: Graham Campbell, Estate Manager, Department of Conservation and Natural Resources Horsham.

Shop Trading Act 1987
ORDER GRANTING APPLICATION TO
PERMIT SHOPS OUTSIDE THE
METROPOLITAN AREA TO BE OPEN ON A
SUNDAY

Whereas:

- (i) I am the Minister for the time being administering the **Shop Trading Act 1987**.
- (ii) Sundays 10, 17 and 24 December 1995, are days on which a shop in the metropolitan area is permitted to be open under S.7A of the **Shop Trading Act 1987**; and
- (iii) the municipal council of the municipal district listed in the schedule hereto has made application to me for an Order permitting shops within the specified municipal district to be open between the hours of 10.00 a.m. and 5.00 p.m. on Sundays 10, 17 and 24 December 1995.

Now therefore I, Vin Heffernan, acting pursuant to the power conferred upon me by S.7B (2) of the **Shop Trading Act 1987** by this Order grant this application.

Schedule

Name of Applicant Municipal Council—
Southern Grampians Shire Council.

*Municipal District—*Hamilton Urban Area.

Dated 30 November 1995

VIN HEFFERNAN
Minister for Small Business

Shop Trading Act 1987
ORDER GRANTING APPLICATION TO
PERMIT SHOPS OUTSIDE THE
METROPOLITAN AREA TO BE OPEN ON A
SUNDAY

Whereas:

- (i) I am the Minister for the time being administering the **Shop Trading Act 1987**.

- (ii) Sundays 10, 17 and 24 December 1995, are days on which a shop in the metropolitan area is permitted to be open under S.7A of the **Shop Trading Act 1987**; and
- (iii) the municipal council of the municipal district listed in the schedule hereto has made application to me for an Order permitting shops within the specified municipal district to be open between the hours of 10.00 a.m. and 5.00 p.m. on Sundays 10, 17 and 24 December 1995.

Now therefore I, Vin Heffernan, acting pursuant to the power conferred upon me by S.7B (2) of the **Shop Trading Act 1987** by this Order grant this application.

Schedule

Name of Applicant Municipal Council—East Gippsland Shire Council.

Municipal District—Bairnsdale Urban Area.

Dated 30 November 1995

VIN HEFFERNAN
Minister for Small Business

Water Act 1989

BULK ENTITLEMENT (UPPER WEST MOORABOOL SYSTEM) CONVERSION ORDER 1995

I, Charles Geoffrey Coleman, as Minister administering the **Water Act 1989**, make the following Order—

1. Citation

This Order may be cited as the Bulk Entitlement (Upper West Moorabool System) Conversion Order 1995.

2. Empowering Provisions

This Order is made under sections 43 and 47 of the **Water Act 1989**.

3. Commencement

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

4. Definitions

In this Order—

“**Act**” means the **Water Act 1989**;

“**annual entitlement**” means the total amount of water which the Authority may take from the system under this entitlement in any year;

“**Authority**” means the Central Highlands Region Water Authority;

“**channel**” means the Beales-Pincotts channel in the Moorabool Basin;

“**entitlement holder**” means a person holding a bulk entitlement under the Act;

“**licence**” means any licence granted under Part 4 of the Act;

“**Moorabool Basin Water Accounts**” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Moorabool Basin, with the terms of their bulk entitlements or licences;

“**passing flow**” means an amount of the flow into the reservoir which must be—

- (a) allowed to pass through the storage; and
- (b) released without delay to the waterway immediately downstream of the storage;

“**Resource Manager**” means any person appointed by the Minister to do all or any of the following—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

“**specified point A**” means the point on the waterway approximately 200 metres upstream of the tail water of the Moorabool Reservoir full supply level of 604.7 metres;

“**specified point B**” means the point on Devils Creek approximately 50 metres upstream of the tail water of the Moorabool Reservoir full supply level of 604.7 metres;

“specified point C” means the flow gauging site located on the channel below the system diversion points and the system storages;

“specified point D” means the site of the Wallace offtake located on the Moorabool Reservoir pipeline;

“system” means the Upper West Moorabool Water Supply System which is composed of—

- (a) the system diversion points; and
- (b) the system storages; and
- (c) the channel;

“system diversion points” means—

- (a) the Black Swamp Creek diversion point; and
- (b) the Two Mile Creek diversion point; and
- (c) the Geddes Creek diversion point; and
- (d) the Lal Lal Creek diversion point; and
- (e) the Whisky Creek diversion weir;

“system storages” means—

- (a) Beales Reservoir on Lal Lal Creek; and
- (b) Wilsons Reservoir on Lal Lal Creek; and
- (c) Moorabool Reservoir on the West Moorabool River;

“waterway” means the West Moorabool River;

“year” means the 12 months next following 1 July.

5. Conversion to a Bulk Entitlement

All of the Authority’s entitlement to take water from the Upper West Moorabool System is converted to a bulk entitlement on the conditions set out in this Order.

6. Bulk Entitlement

6.1 The Authority may take up to 10 500 ML of water from the system at specified points C and D, in any year, at a rate not exceeding—

- (a) 140 ML/d at specified point C; and
- (b) 12 ML/d at specified point D but not exceeding a total amount of 1000 ML in any year.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

6.3 The Minister may vary the maximum rate of extraction specified under sub-clause 6.1 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act for water from the system storages.

7. Share of Capacity

7.1 The capacity of each of the system storages is as follows:—

- (a) Beales Reservoir, up to 440 ML at full supply level of 585.8 metres Australian Height Datum; and
- (b) Wilsons Reservoir, up to 1 012 ML at full supply level of 606.9 metres Australian Height Datum; and
- (c) Moorabool Reservoir, up to 6 738 ML at full supply level of 604.7 metres Australian Height Datum.

7.2 The Authority is entitled to:—

- (a) 100% of capacity of the system storages; and
- (b) all water stored in the system storages—

but may not use or transfer any more than its annual entitlement in any year.

8. Share of Flow

8.1 In order to satisfy its annual entitlement, the Authority may take—

- (a) up to 100% of the flow into the channel, at a total constant rate not exceeding 140 ML/d from all or any of:
 - (i) Black Swamp Creek diversion point; and
 - (ii) Two Mile Creek diversion point; and
 - (iii) Geddes Creek diversion point; and
 - (iv) Lal Lal Creek diversion point; and
 - (v) Whisky Creek diversion weir, at a constant rate not exceeding 13 ML/d; and
- (b) up to 100% of the flow into all or any of—
 - (i) Wilsons Reservoir when it is below full supply level; and
 - (ii) Beales Reservoir when it is below full supply level; and
 - (iii) Moorabool Reservoir when it is below full supply level, less the passing flow.

8.2 The Authority must not take, as part of its bulk entitlement, any flow of water in the system which is being transferred by the holder of—

- (a) any other bulk entitlement or licence held by another person; or
- (b) any licence—
to a transferee pursuant to the Act.

9. Passing Flow

9.1 The Authority must provide the following passing flows from the Moorabool Reservoir:

when $F \leq 3$ ML/d, $P = F$; and

when $F > 3$ ML/d, $P = 3$ ML/d;

where

F = the flow past specified point A plus the flow past specified point B measured and calculated in ML/d; and

P = the passing flow specified in ML/d.

9.2 Except for as provided in sub-clause 9.1, the Authority is not required to provide passing flows at system diversion points and system storages.

10. Releases

10.1 Subject to sub-clause 10.2, the Authority may operate the system storages and make releases from them as it sees fit, in order to satisfy its annual entitlement.

10.2 The Authority may release at a constant rate not exceeding—

- (a) 25 ML/d from Beales Reservoir; and
- (b) 40 ML/d from Wilsons Reservoir; and
- (c) 15 ML/d from Moorabool Reservoir.

11. Making Allowances

11.1 In calculating water available to the Authority under this bulk entitlement at any point other than specified points C and D, allowance must be made for—

- (a) any losses which may result from taking water at the other point instead of specified points C or D; and
- (b) the time taken by the flow to reach the other point from specified point C or D.

11.2 If the Authority proposes to take water under this entitlement from a point other than specified points C and D, it must first—

- (a) propose to the Minister—
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 11.1; and
 - (ii) details of the proposed location and amount of the extraction; and
- (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
- (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.

11.3 The Minister may—

- (a) approve all or any means proposed under sub-clause 11.2; or
- (b) require the Authority to amend all or any means proposed; and
- (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.

11.4 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 11.3; and
- (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

12. Environmental Obligations

12.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—

- (a) impacts on the bed and banks of the waterway in the vicinity of the Authority's works; and
- (b) operational practices to remove silt from works; and
- (c) operational practices to manage the water quality in works on the waterway; and
- (d) operational rules for controlled releases of water from the Authority's works to the waterway; and
- (e) operational rules to manage flood flows through the system storages.

12.2 The Minister may—

- (a) approve the program proposed under sub-clause 12.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and

(ii) to propose an amended program to the Minister.

12.3 The Authority must at its cost—

- (a) implement the approved program; and
- (b) keep a record of all work undertaken under paragraph (a).

13. Metering Program

13.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) the amount of water taken by the Authority under this bulk entitlement; and
- (b) the flow into the system storages; and
- (c) the amount of water in the system storages; and
- (d) the passing flow—

for the purpose of assessing whether or not the Authority complies with this bulk entitlement.

13.2 The metering program prepared under sub-clause 13.1 must include details of any agreement between the Authority and any other person for measuring and calculating instream flows.

13.3 The Minister may—

- (a) approve the program proposed under sub-clause 13.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

13.4 The Authority must at its cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate it in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

14. Reporting Requirements

14.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:

- (a) the flow past the specified points A and B;
- (b) daily amount of water taken from the system under this entitlement;
- (c) the daily passing flow;
- (d) the amount of water in each or any of the system storages;
- (e) the annual amount of water taken under this entitlement;
- (f) the approval, amendment and implementation of programs approved under sub-clauses 12.2 and 13.3;
- (g) any temporary or permanent transfer of all or part of this bulk entitlement;
- (h) any bulk entitlement or licence in respect of the waterway temporarily or permanently transferred to the Authority with respect to the Upper West Moorabool Water Supply System;
- (i) any amendment to this bulk entitlement;
- (j) any new bulk entitlement granted to the Authority with respect to the Upper West Moorabool Water Supply System;
- (k) any failure by the Authority to comply with any provision of this bulk entitlement;
- (l) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.

14.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 14.1—

- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
- (b) within 14 days of receiving the Minister's written request.

14.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 14.1, except—

- (a) paragraphs (a) to (c) of sub-clause 14.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of sub-clause 14.1.

14.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 14.1.

14.5 Any report under sub-clause 14.4 must be made—

- (a) in such form as may be agreed between the Authority and the Resource Manager; and
- (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (d) of sub-clause 14.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (e) to (l) of sub-clause 14.1.

15. Water Resource Management Costs

15.1 Subject to sub-clause 16.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.

15.2 The proportion of the costs referred to in sub-clause 15.1 is to be determined by the Resource Manager under paragraph 16.3.

16. Duty to Keep Accounts and Fix Proportions

16.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 15 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

16.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 15.1.

16.3 The Resource Manager must, by 1 July in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 15.1.

16.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

17. Duty to make Payments

Any amount payable by the Authority under sub-clause 15.1 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

18. Data

18.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.

18.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 13 and 14 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

19. Dispute Resolution

19.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

19.2 The independent expert will be either—

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

19.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

19.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

19.5(a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.

(b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

19.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

19.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 1995

GEOFF COLEMAN
Minister administering the **Water Act 1989**

Water Act 1989
BULK ENTITLEMENT (UPPER EAST
MOORABOOL SYSTEM) CONVERSION
ORDER 1995

I, Charles Geoffrey Coleman, as Minister administering the **Water Act 1989**, make the following Order—

1. Citation

This Order may be cited as the Bulk Entitlement (Upper East Moorabool System) Conversion Order 1995.

2. Empowering Provisions

This Order is made under sections 43 and 47 of the **Water Act 1989**.

3. Commencement

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

4. Definitions

In this Order—

“**Act**” means the **Water Act 1989**;

“**annual entitlement**” means the total amount of water which the Authority may take from the system under this entitlement in any year;

“**Authority**” means the Barwon Region Water Authority;

“**entitlement holder**” means a person holding a bulk entitlement under the Act;

“**licence**” means any licence granted under Part 4 of the Act;

“**Moorabool Basin Water Accounts**” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Moorabool Basin, with the terms of their bulk entitlements or licences;

“**passing flow**” means an amount of the flow into the system storages which must be—

- (a) allowed to pass through the storage; and
- (b) released without delay to the waterway immediately downstream of the storage;

“**Resource Manager**” means any person appointed by the Minister to do all or any of the following—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

“**specified point A**” means the Ballan offtake at Bostock Reservoir;

“**specified point B**” means the aqueduct offtake from the Upper Stony Creek Reservoirs;

“**specified point C**” means the pipeline offtake at Lower Stony Creek Reservoir;

“**system**” means the Upper East Moorabool Water Supply System which is composed of the system storages and connecting works;

“system storages” means—

- (a) Korweinguboora Reservoir on the waterway; and
- (b) Bolwarra Weir the waterway; and
- (c) Bostock Reservoir on the waterway; and
- (d) Upper Stony Creek Reservoirs No 1, No 2 and No 3; and
- (e) Lower Stony Creek Reservoir;

“waterway” means the East Moorabool River;

“year” means the 12 months next following 1 July.

5. Conversion to a Bulk Entitlement

All of the Authority's entitlement to the supply of water from the Upper East Moorabool System is converted to a bulk entitlement on the conditions set out in this Order.

6. Bulk Entitlement

6.1 The Authority may take up to 9 000 ML of water from the system at specified points A, B and C, in any year.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

6.3 The Minister may vary the maximum rate of extraction specified under sub-clause 10.2 for the purpose of making any transfer of this bulk entitlement authorised under Division 1, Part 4 of the Act for water from the system storages.

7. Share of Capacity

7.1 The capacity of each of the system storages is as follows—

- (a) Korweinguboora Reservoir, up to 2 091 ML at full supply level of 585.19 metres Australian Height Datum (AHD); and
- (b) Bolwarra Weir, up to 122 ML at full supply level of 524.00 metres AHD; and
- (c) Bostock Reservoir, up to 7 455 ML at full supply level of 493.94 metres AHD; and
- (d) Upper Stony Creek Reservoirs No 1, No 2 and No 3, up to 9 325 ML at full supply level of 357.00, 364.25, and 362.79 metres AHD; and

- (e) Lower Stony Creek Reservoir, up to 641 ML at full supply level of 260.00 metres AHD.

7.2 The Authority is entitled to—

- (a) 100% of capacity of the system storages; and
- (b) all water stored in the system storages—

but may not use or transfer any more than its annual entitlement in any year.

8. Share of Flow

8.1 In order to satisfy its annual entitlement, the Authority is entitled to take up to 100% of the flow into the system storages when they are below full supply level except for the passing flows specified in Clause 9.

8.2 The Authority must not take, as part of its bulk entitlement, any flow of water in the system which is being transferred by the holder of—

- (a) any other bulk entitlement or licence held by another person, or
 - (b) any licence—
- to a transferee pursuant to the Act,

9. Passing Flow

9.1 The Authority must provide a passing flow from the Korweinguboora Reservoir and from Bolwarra Weir which is the lesser of the flow into Korweinguboora Reservoir and the following amounts:

- (a) 0.6 ML/d for December, January, February and March;
- (b) 0.4 ML/d for April, May, October and November; and
- (c) 0.1 ML/d for June, July, August and September, where—

the flow into Korweinguboora Reservoir is the amount measured and calculated less any amount of water under transfer pursuant to sub-clause 8.2.

9.2 The Authority must provide a passing flow from the Bostock Reservoir which is the lesser of the flow into Bostock Reservoir and the following amounts:

- (a) 1.2 ML/d for December to July inclusive; and
- (b) 0.8 ML/d for August to November inclusive, where—

the flow into Bostock Reservoir water under transfer is the amount measured and calculated less any amount of water under transfer pursuant to sub-clause 8.2.

10. Releases

10.1 Subject to sub-clauses 10.2 and 10.3, the Authority may operate the system storages and make releases of water from them as it sees fit, in order to satisfy its annual entitlement.

10.2 The Authority is entitled to release water up to a rate not exceeding—

- (a) 100 ML/d from Korweinguboora Reservoir; and
- (b) 35 ML/d from Bolwarra Weir, but no more than 6 700 ML in any year; and
- (c) 27 ML/d to the Bostock channel from Bostock Reservoir, but no more than 6 000 ML in any year; and
- (d) 22 ML/d to the aqueduct from Upper Stony Creek Reservoirs No 1, No 2 and No 3; and
- (e) 9 ML/d to the pipeline from Lower Stony Creek Reservoir; and
- (f) a total of 25 ML/d at specified points B and C; and
- (g) 3.2 ML/d at specified point A.

10.3 The Authority must use its best endeavours to ensure water taken from the waterway is not spilled from the system into the Little River Basin.

11. Making Allowances

11.1 In calculating water available to the Authority under this bulk entitlement at any point other than specified points A, B and C, allowance must be made for—

- (a) any losses which may result from taking water at the other point instead of either of the specified point A, B or C; and
- (b) the time taken by the flow to reach the other point from the specified point.

11.2 If the Authority proposes to take water under this entitlement from a point other than the specified points, it must first—

- (a) propose to the Minister —
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 11.1; and
 - (ii) details of the proposed location and amount of the extraction; and
- (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
- (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.

11.3 The Minister may—

- (a) approve all or any means proposed under sub-clause 11.2; or
- (b) require the Authority to amend all or any means proposed; and
- (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.

11.4 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 11.3; and
- (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

12. Environmental Obligations

12.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—

- (a) impacts on the bed and banks of the waterway in the vicinity of the Authority's works; and
- (b) operational practices to remove silt from works; and
- (c) operational practices to manage the water quality in the system storages and ancillary works; and
- (d) operational rules for controlled releases of water from the Authority's works to the waterway; and
- (e) operational rules to manage flood flows through the system storages.

12.2 The Minister may—

- (a) approve the program proposed under sub-clause 12.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and

(ii) to propose an amended program to the Minister.

12.3 The Authority must at its cost—

- (a) implement the approved program; and
- (b) keep a record of all work undertaken under paragraph (a).

13. Metering Program

13.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) the amount of water taken by the Authority under this bulk entitlement; and
- (b) the flow into the system storages; and
- (c) the amount of water in the system storages; and
- (d) the passing flow—
for the purpose of assessing whether or not the Authority complies with this bulk entitlement.

13.2 The metering program prepared under sub-clause 13.1 must include details of any agreement between the Authority and any other person for measuring and calculating instream flows.

13.3 The Minister may—

- (a) approve the program proposed under sub-clause 13.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

13.4 The Authority must at its cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate it in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

14. Reporting Requirements

14.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:

- (a) the daily flow past the specified points;
- (b) daily amount of water taken;
- (c) the daily passing flows;
- (d) the amount of water in each or any of the system storages;
- (e) the annual amount of water taken under this entitlement;
- (f) the approval, amendment and implementation of programs approved under sub-clauses 12.2 and 13.3;
- (g) any temporary or permanent transfer of all or part of this bulk entitlement;
- (h) any bulk entitlement or licence in respect of the waterway temporarily or permanently transferred to the Authority with respect to the system;
- (i) any amendment to this bulk entitlement;
- (j) any new bulk entitlement granted to the Authority with respect to the system;
- (k) any failure by the Authority to comply with any provision of this bulk entitlement;
- (l) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.

14.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 14.1—

- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
- (b) within 14 days of receiving the Minister's written request.

14.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 14.1, except—

- (a) paragraphs (a) to (c) of sub-clause 14.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of sub-clause 14.1.

14.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 14.1.

14.5 Any report under sub-clause 14.4 must be made—

- (a) in such form as may be agreed between the Authority and the Resource Manager; and
- (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (d) of sub-clause 14.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (e) to (l) of sub-clause 14.1.

15. Water Resource Management Costs

15.1 Subject to sub-clause 16.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

15.2 The proportion of the costs referred to in sub-clause 15.1 is to be determined by the Resource Manager under paragraph 16.3.

16. Duty to Keep Accounts and Fix Proportions

16.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 15 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

16.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 15.1.

16.3 The Resource Manager must, by 1 July in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 15.1.

16.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

17. Duty to make Payments

Any amount payable by the Authority under sub-clause 15.1 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

18. Data

18.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.

18.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 13 and 14 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

19. Dispute Resolution

19.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

19.2 The independent expert will be either—

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

19.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

19.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

19.5(a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.

(b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

19.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

19.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 1995

GEOFF COLEMAN
Minister administering the Water Act 1989

Water Act 1989
BULK ENTITLEMENT (MEREDITH)
CONVERSION ORDER 1995

I, Charles Geoffrey Coleman, as Minister administering the Water Act 1989, make the following Order—

1. Citation

This Order may be cited as the Bulk Entitlement (Meredith) Conversion Order 1995.

2. Empowering Provisions

This Order is made under sections 43 and 47 of the Water Act 1989.

3. Commencement

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

4. Definitions

In this Order—

“Act” means the Water Act 1989;

“annual entitlement” means the total amount of water which the Authority may take from the waterway in any year;

“Authority” means the Barwon Region Water Authority;

“entitlement holder” means a person holding a bulk entitlement under the Act;

“licence” means any licence granted under Part 4 of the Act;

“Moorabool Basin Water Accounts” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Moorabool Basin, with the terms of their bulk entitlements or licences;

“passing flow” means an amount of the flow past the specified point which must pass to the waterway immediately downstream of the Meredith Pumping Station;

“Resource Manager” means any person appointed by the Minister to do all or any of the following—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

“specified point” means immediately upstream of the Meredith Pumping Station on the waterway;

“waterway” means the Moorabool River;

“year” means the 12 months next following 1 July.

5. Conversion to a Bulk Entitlement

All of the Authority's entitlement to take water from the waterway to supply water to the Meredith Water Supply System is converted to a bulk entitlement on the conditions set out in this Order.

6. Bulk Entitlement

6.1 The Authority may—

- (a) take the share of flow in the waterway specified in clause 7, up to a total of 600 ML in any year; and

- (b) any amount transferred to the specified point in accordance with the Bulk entitlement (Lal Lal—Barwon) Conversion Order, 1995.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

7. Share of Flow

7.1 The Authority may take a share of the flow in the waterway passing the specified point, calculated as follows:

- (a) when $F \leq 0.5$ ML/day,
 $E = F$, and
- (b) when $0.5 < F \leq 10$ ML/day,
 $E = 0.34 + 0.33F$ ML/day, and
- (c) when $F > 10$ ML/day,
 $E = 3.64$ ML/day.

where—

"E" means the Authority's entitlement; and
"F" means the flow past the specified point less any amount of water—

- (i) under transfer pursuant to sub-clause 7.2; and
- (ii) any releases to the waterway made under the Bulk Entitlement (Lal Lal—Barwon) Conversion Order, 1995 which pass the specified point.

7.2 The Authority is not entitled to any flow past the specified point, as part of its bulk entitlement, which is being transferred by the holder of—

- (a) any other bulk entitlement or licence held by another person; or
- (b) any licence—
to a transferee pursuant to the Act.

8. Making Allowances

8.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the specified point, allowance must be made for—

- (a) any losses of water incurred between that point and the specified point; and
- (b) the time taken by the flow to reach that point from the specified point.

8.2 If the Authority proposes to take water under this entitlement from a point other than the specified point, it must first—

- (a) propose to the Minister—
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 8.1; and
 - (ii) details of the proposed location and amount of the extraction; and
- (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
- (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.

8.3 The Minister may—

- (a) approve a proposal made under sub-clause 8.2; or
- (b) require the Authority to amend the proposal; and
- (c) require the Authority—
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to make an amended proposal to the Minister.

8.4 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 8.3; and
- (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

9. Environmental Obligations

9.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—

- (a) impacts on the bed and banks of the waterway in the vicinity of works;
- (b) operational practices to remove silt from works;
- (c) operational practices to manage the water quality in works on the waterway;
- (d) operational rules for controlled releases from works to the waterway; and

- (e) operational rules for management of flood flows through works on the waterway.

9.2 The Minister may—

- (a) approve the program proposed under sub-clause 9.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

9.3 The Authority, must at its cost—

- (a) implement the approved program; and
- (b) keep a record of all work undertaken under paragraph (a).

10. Metering Program

10.1 The Authority, must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) subject to clause 15, the flow of the waterway at the specified point, or at any other point from which water is taken under this entitlement;
- (b) subject to clause 15, the passing flow; and
- (c) the amount of water taken by the Authority under this bulk entitlement—

for the purpose of assessing whether or not the Authority complies with this bulk entitlement.

10.2 The metering program prepared under sub-clause 10.1 must include details of any agreement between the Authority and any other person for measuring and calculating instream flows.

10.3 The Minister may—

- (a) approve the program proposed under sub-clause 10.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

10.4 The Authority, must at its cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate it in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

11. Reporting Requirements

11.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:

- (a) subject to clause 15, the daily flow at the specified point;
- (b) subject to clause 15, the daily passing flow;
- (c) the daily amount of water taken by the Authority from the waterway;
- (d) the approval, amendment and implementation of programs under clauses 9 and 10;
- (e) the annual amount of water taken under this entitlement;
- (f) any temporary or permanent transfer of all or part of this bulk entitlement;
- (g) any bulk entitlement or licence in respect of the waterway temporarily or permanently transferred to the Authority with respect to the Meredith Water Supply System;
- (h) any amendment to this bulk entitlement;
- (i) any new bulk entitlement granted to the Authority with respect to the Meredith Water Supply System;
- (j) any failure by the Authority to comply with any provision of this bulk entitlement;
- (k) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.

11.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 11.1—

- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and

- (b) within 14 days of receiving the Minister's written request.

11.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 11.1, except—

- (a) paragraphs (a) to (c) of sub-clause 11.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (j) of sub-clause 11.1.

11.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 11.1.

11.5 Any report under sub-clause 11.4 must be made—

- (a) in such form as may be agreed between the Authority and the Resource Manager; and
- (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (c) of sub-clause 11.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (d) to (k) of sub-clause 11.1

12. Water Resource Management Costs

12.1 Subject to sub-clause 13.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and

- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

12.2 The proportion of the costs referred to in sub-clause 12.1 is to be determined by the Resource Manager under sub-clause 13.3.

13. Duty to Keep Accounts and Fix Proportions

13.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 12 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

13.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 12.1.

13.3 The Resource Manager must, by 1 July in any year, determine, for the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 12.1.

13.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

14. Duty to make Payments

Any amount payable by the Authority under sub-clause 12.1 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and Resource Manager agree otherwise.

15. Exemption from Metering and Reporting

If the Authority installs works at or near each point at which it takes water from the waterway under this bulk entitlement which, in the opinion of the Resource Manager, automatically ensure that only water to which the Authority is entitled is taken by it, the Authority is exempted from—

- (a) the metering requirements of sub-clause 10.1(a) and (b); and
- (b) the reporting requirements of sub-clauses 11.1(a) and (b).

16. Data

16.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.

16.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 10 and 11

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

17. Dispute Resolution

17.1 If any difference or dispute arises between the Authority, the Minister and, with their consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

17.2 The independent expert will be either—

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

17.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

17.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

17.5(a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.

- (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

17.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

17.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 1995

GEOFF COLEMAN
Minister administering the **Water Act 1989**

Water Act 1989 BULK ENTITLEMENT (SHE OAKS) CONVERSION ORDER 1995

I, Charles Geoffrey Coleman, as Minister administering the **Water Act 1989**, make the following Order—

1. Citation

This Order may be cited as the Bulk Entitlement (She Oaks) Conversion Order 1995.

2. Empowering Provisions

This Order is made under sections 43 and 47 of the **Water Act 1989**.

3. Commencement

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

4. Definitions

In this Order—

“**Act**” means the **Water Act 1989**;

“**Authority**” means the Barwon Region Water Authority;

“**entitlement holder**” means a person holding a bulk entitlement under the Act;

“**licence**” means any licence granted under Part 4 of the Act;

“**Moorabool Basin Water Accounts**” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Moorabool Basin, with the terms of their bulk entitlements or licences;

“**passing flow**” means an amount of the flow past the specified point which must pass without delay to the waterway immediately downstream of the weir;

“**Resource Manager**” means any person appointed by the Minister to do all or any of the following—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and

- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

“**specified point**” means immediately upstream of the weir pool on the waterway;

“**three year entitlement**” means the total amount of water which the Authority may take from the waterway in any period of three consecutive years;

“**waterway**” means Moorabool River;

“**weir**” means the She Oaks Diversion Weir on the waterway;

“**weir pool**” means the pool formed by, and immediately upstream of, the weir;

“**year**” means the 12 months next following 1 July.

5. Conversion to a Bulk Entitlement

All of the Authority's entitlement to take water from the waterway to supply water to the She Oaks Water Supply System is converted to a bulk entitlement on the conditions set out in this Order.

6. Bulk Entitlement

6.1 The Authority may take up to—

- (a) 6000 ML of water from the specified point in any three consecutive years; and
- (b) any entitlement from a release in accordance with the Bulk Entitlement (Lal Lal—Barwon) Conversion Order, 1995—

at a rate not exceeding 65 ML/day.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

7. Share of Capacity

The Authority is entitled to—

- (a) all water at any time stored in the weir pool; and

- (b) the full capacity of the weir, up to 150 ML at full supply level of 119.15 metres Australian Height Datum—
but may not use or transfer any more than its three year entitlement in any three year period.

8. Share Flow

The Authority is empowered to store all of the flow passing the specified point, except for —

- (a) the passing flow; and
- (b) any flow being transferred by the holder of—
 - (i) any other bulk entitlement or licence held by another person; or
 - (ii) any licence—
to a transferee pursuant to the Act.

9. Passing Flow

The Authority must provide the following passing flows from the weir:

when $F \leq 40$ ML/day, the passing flow = F ; and

when $F > 40$ ML/day, the passing flow = 40 ML/day;

where

“ F ” means the flow past the specified point less any amount of water—

- (i) under transfer pursuant to sub-clause 8 (b); and
- (ii) any releases to the waterway made under the Bulk Entitlement (Lal Lal—Barwon) Conversion Order 1995 which passes the specified point.

10. Making Allowances

10.1 In calculating water available to the Authority under this bulk entitlement at any point downstream of the specified point, other than from the weir pool, allowance must be made for—

- (a) any losses from the waterway, or other waterway, downstream of the specified point; and
- (b) the time taken by the flow to reach that point from the specified point.

10.2 If the Authority proposes to take water under this entitlement from a point, other than from the weir pool, it must first—

- (a) propose to the Minister —
 - (i) fair, reasonable and representative means for calculating the allowances required by sub-clause 10.1; and

- (ii) details of the proposed location and amount of the extraction; and
 - (b) ascertain and provide the Minister with any operational requirements of the Resource Manager; and
 - (c) satisfy the Minister that the proposal will have no impact on any other bulk entitlement or licence held by another person.
- 10.3 The Minister may—
- (a) approve all or any means proposed under sub-clause 10.2; or
 - (b) require the Authority to amend all or any means proposed; and
 - (c) require the Authority—
 - (i) to review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose amended means to the Minister.
- 10.4 The Authority must—
- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 10.3; and
 - (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

11. Environmental Obligations

11.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes—

- (a) impacts on the bed and banks of the waterway in the vicinity of works;
- (b) operational practices to remove silt from works;
- (c) operational practices to manage the water quality in works on the waterway;
- (d) operational rules for controlled releases from works to the waterway; and
- (e) operational rules for management of flood flows through works on the waterway.

11.2 The Minister may—

- (a) approve the program proposed under sub-clause 11.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

11.3 The Authority, must at its cost—

- (a) implement the approved program; and
- (b) keep a record of all work undertaken under paragraph (a).

12. Metering Obligations

12.1 The Authority, must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) subject to clause 17, the flow of the waterway passing the specified point; and
- (b) subject to clause 17, the passing flow; and
- (c) the amount of water taken by the Authority under this bulk entitlement; and
- (d) the amount of water in the weir pool— for the purpose of assessing whether or not the Authority complies with this bulk entitlement.

12.2 The metering program prepared under sub-clause 12.1 must include details of any agreement between the Authority and any other person for measuring and calculating instream flows.

12.3 The Minister may—

- (a) approve the program proposed under sub-clause 12.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

12.4 The Authority, must at its cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate it in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

13. Reporting Requirements

13.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:

- (a) subject to clause 17, the flow past the specified point;
- (b) the passing flow;
- (c) the daily amount of water taken from the waterway;
- (d) the water level and amount of water stored in the weir pool;
- (e) the annual amount of water taken under this entitlement;
- (f) the amount of water taken in the past three years under this entitlement;
- (g) the approval, amendment and implementation of programs under clause 11 and 12;
- (h) any temporary or permanent transfer of all or part of this bulk entitlement;
- (i) any bulk entitlement or licence in respect of the waterway temporarily or permanently transferred to the Authority with respect to the She Oaks Water Supply System;
- (j) any amendment to this bulk entitlement;
- (k) any new bulk entitlement granted to the Authority with respect to the She Oaks Water Supply System;
- (l) any failure by the Authority to comply with any provision of this bulk entitlement;
- (m) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.

13.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 13.1—

- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
- (b) within 14 days of receiving the Minister's written request.

13.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 13.1, except—

- (a) paragraphs (a) to (c) of sub-clause 13.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (l) of sub-clause 13.1.

13.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 13.1.

13.5 Any report under sub-clause 13.4 must be made—

- (a) in such form as may be agreed between the Authority and the Resource Manager; and
- (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (d) of sub-clause 13.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (e) to (m) of sub-clause 13.1.

14. Water Resiprce Management Costs

14.1 Subject to sub-clause 15.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and

- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

14.2 The proportion of the costs referred to in sub-clause 14.1 is to be determined by the Resource Manager under paragraph 15.3.

15. Duty to Keep Accounts and Fix Proportions

15.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 14 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.

15.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 14.1.

15.3 The Resource Manager must, by 1 July in any year, determine, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 14.1.

15.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

16. Duty to make Payments

Any amount payable by the Authority under clause 14 must be paid in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

17. Exemption from Metering and Reporting

If the Authority installs works at or near each point at which it takes water from the waterway under this bulk entitlement which, in the opinion of the Resource Manager, automatically ensure that only water to which the Authority is entitled is taken by it, the Authority is exempted from—

- (a) the metering requirements of sub-clause 12.1(a); and
- (b) the reporting requirements of sub-clauses 13.1(a) and (b).

18. Data

18.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.

18.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 12 and 13 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

19. Dispute Resolution

19.1 If any difference or dispute arises between the Authority, the Minister and, with its consent, the Resource Manager, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

19.2 The independent expert will be either—

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

19.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

19.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

19.5(a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.

- (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

19.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

19.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 1995

GEOFF COLEMAN
Minister administering the Water Act 1989

Water Act 1989
BULK ENTITLEMENT
(LAL LAL—CENTRAL HIGHLANDS)
CONVERSION ORDER 1995

I, Charles Geoffrey Coleman, Minister administering the **Water Act 1989**, make the following Order—

1. Citation

This Order may be cited as the Bulk Entitlement (Lal Lal—Central Highlands) Conversion Order 1995.

2. Empowering Provisions

This Order is made under sections 43 and 47 of the **Water Act 1989**.

3. Commencement

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

4. Definitions

In this Order—

“**Act**” means the **Water Act 1989**;

“**Authority**” means the Central Highlands Region Water Authority;

“**entitlement**” means the total amount of water which the Authority may take from the reservoir in any year, determined in accordance with sub-clause 6.1;

“**entitlement holder**” means a person holding a bulk entitlement under the Act;

“**licence**” means a licence granted under Part 4 of the Act;

“**Moorabool Basin Water Accounts**” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Moorabool Basin, with the terms of their bulk entitlements or licences;

“**passing flow**” means an amount of the flow into the reservoir which must be—

- (a) allowed to pass through the reservoir; and
- (b) released without delay to the waterway immediately downstream of the reservoir;

“**reservoir**” means the Lal Lal Reservoir formed by Bungal Dam on the West Branch of the Moorabool River;

“**reservoir entitlement holder**” means a person holding a bulk entitlement under the Act to store and take water from the reservoir;

“**Resource Manager**” means any person appointed by the Minister to do all or any of the following—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

“**specified point A**” means the outlet of the reservoir;

“**source costs**” means the total annual cost of—

- (a) operating, maintaining and administering; and
- (b) making an appropriate allowance for financing and renewing; and
- (c) managing the catchment for water supply purposes to protect the quality of water; and
- (d) implementing, in accordance with clause 16, the program to manage the environmental effects—

of the reservoir and the ancillary works related to the supply of this bulk entitlement;

“**Storage Operator**” means any person appointed by the Minister to operate the reservoir;

“**surplus water**” means an amount of water the Barwon Region Water Authority may release to the waterway in any year from the Authority's share of reservoir capacity in accordance with clause 11;

“**waterway**” means the West Branch of the Moorabool River;

“year” means the 12 months next following 1 July.

5. Conversion to a Bulk Entitlement

All of the Authority's entitlement to water from the reservoir is converted to a bulk entitlement on the conditions set out in this Order.

6. Bulk Entitlement

6.1 The Authority may take from its share of reservoir capacity at specified point A up to 42 000 ML of water in any consecutive 3 year period which includes the current year; less

- (a) the total amount of surplus water released from the reservoir by Barwon Region Water Authority in the previous two years; and
- (b) the amount of surplus water to be released by Barwon Region Water Authority in the current year, determined in accordance with clause 11.

6.2 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

7. Share of Capacity

7.1 The capacity of the reservoir is up to 59 549 ML at the full supply level of 412.39 metres Australian Height Datum.

7.2 The Authority is entitled to—

- (a) two thirds of the capacity of the reservoir; and
- (b) all water stored in its share of the reservoir—

but may not release or transfer any more than its entitlement in any consecutive 3 year period.

8. Share of Flow

8.1 Subject to sub-clause 8.2, the Authority is entitled to store in its share of reservoir capacity—

- (a) two thirds of the flow into the reservoir; or
- (b) all of the flow into the reservoir when the other reservoir entitlement holders' share of reservoir capacity is full.

8.2 The Authority must not release as part of its bulk entitlement or store in the reservoir—

- (a) the passing flows specified in sub-clause 9.1; or
- (b) any flow into the reservoir which is being transferred by the holder of—
 - (i) any other bulk entitlement; or
 - (ii) any licence; or
- (c) any flow into the reservoir when the Authority's share of reservoir capacity is full.

9. Passing Flow

9.1 The following passing flow must be provided from the reservoir—

- (a) when the cumulative flow into the reservoir during the preceding 24 month period is greater than or equal to Q then:
 - when $F \leq 20$ ML/d, $P = F$; and
 - when $F > 20$ ML/d, $P = 20$ ML/d; and
- (b) when the cumulative flow into the reservoir during the preceding 24 month period is less than Q then:
 - when $F \leq 5$ ML/d, $P = F$; and
 - when $F > 5$ ML/d, $P = 5$ ML/d;

where—

F = the flow into the reservoir calculated in ML/d less any flow under transfer pursuant to sub-clause 8.2 (b); and

P = the passing flow in ML/d; and

Q = the 24 month cumulative flow into the reservoir that is equalled or exceeded 90% of the time.

9.2 The Minister may review the calculation of Q if, in the Minister's opinion, the result of that calculation is, at any time, no longer fair and reasonable.

10. Releases

10.1 Subject to sub-clause 10.2, the capacity of the outlet works of the reservoir is to be shared equally between all reservoir entitlement holders.

10.2 The Authority must within 12 months of the date of this Order and then may from time to time, jointly with the other reservoir entitlement holders, propose to the Minister fair and reasonable means of sharing the capacity of the outlet works of the reservoir.

10.3 The Minister may—

- (a) approve all or any means proposed under sub-clause 10.2; or

- (b) require the reservoir entitlement holders to amend all or any means proposed; and
- (c) require the reservoir entitlement holders to—
 - (i) review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair or reasonable; and
 - (ii) propose amended means to the Minister.

11. Surplus Water

11.1 For the purpose of sub-clause 6.1, the amount of surplus water available in any year, in megalitres, is either—

- (a) zero when $E > 14\ 000$; or
- (b) the lesser of -
 - (i) $14\ 000 - E$; and
 - (ii) $42\ 000 - (E + U)$; when—
the cumulative flow into the reservoir during the 24 months preceding the first of September is more than Q ; or
- (c) zero when the cumulative flow into the reservoir during the 24 months preceding the first of September is less than Q , where—

E is the amount of water that the Authority estimates it will use from its share of reservoir capacity in that year; and

U is the total amount for the previous 2 years of—

- (i) water taken by the Authority from its share of reservoir capacity; and
- (ii) surplus water released by the Barwon Region Water Authority; and

Q is as defined in clause 9.

11.2 The Authority must by 30 September of any year —

- (a) calculate the amount of water it intends to take under this entitlement for that year; and
- (b) advise the Barwon Region Water Authority in writing of the amount.

11.3 The amount of the surplus water to be released by Barwon Region Water Authority in any year is either—

- (a) the amount the Barwon Region Water Authority advises the Authority in writing by 30 October of that year; or
- (b) zero.

11.4 The Authority must by 30 November of any year advise the Storage Operator of the amount of surplus water the Barwon Region Water Authority may release from the reservoir for that year.

11.5 When the Authority takes more than 13 000 ML a year from its share of reservoir capacity for three consecutive years, the Authority and the Barwon Region Water Authority must, within one year, jointly propose to the Minister future arrangements for determining surplus water.

11.6 The Minister may—

- (a) approve the arrangements proposed under sub-clause 11.5; or
- (b) require the Authority and the Barwon Region Water Authority to jointly propose amended means to the Minister.

11.7 The amount of surplus water released by Barwon Region Water Authority is to be accounted under this entitlement.

12. Supply of Water

12.1 The Authority and the Storage Operator must endeavour to agree on operational arrangements for the supply of water from the reservoir.

12.2 If the Authority and the Storage Operator have not reached agreement under sub-clause 12.1 within twelve months of the date of this Order, either party may give written notice to the other party requiring the matter to be determined in accordance with clause 24.

13. Accounting for Entitlements to Water from the Reservoir

13.1 The Authority and other reservoir entitlement holders must jointly propose to the Minister, within 12 months of the date of this Order, means of accounting for—

- (a) the reservoir inflows and passing flows; and
- (b) losses through evaporation, seepage or any other means from the reservoir; and
- (c) the amount of water taken or released from the reservoir by each entitlement holder; and

- (d) the amount of water in each entitlement holder's share of reservoir capacity; and
- (e) the apportionment of the shares of inflow when an entitlement holder's share of reservoir capacity is full; and
- (f) surplus water when the Barwon Region Water Authority does not release the volume of surplus water proposed under sub-clause 11.3(a) in that year.

13.2 The Minister may—

- (a) approve a proposal made under sub-clause 13.1; or
- (b) require the Authority to amend the proposal; and
- (c) require the Authority—
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose an amended proposal to the Minister.

14. Taking Water at any Point other than Specified Point A

14.1 If the Authority proposes to take water under this entitlement from a point other than specified point A must first propose to the Minister—

- (a) details of the proposed location and amount of the extraction; and
- (b) details of the means of accounting for any losses through evaporation, seepage or any other means from the waterway; and
- (c) an analysis demonstrating that there will be no impact on any other bulk entitlement or licence held by another person; and
- (d) details of any proposed amendment to the Authority's metering program approved under sub-clause 17.2; and
- (e) details of the Resource Manager's operational requirements.

14.2 The Minister may—

- (a) approve a proposal made under sub-clause 14.1; or
- (b) require the Authority to amend the proposal; and
- (c) require the Authority—

- (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
- (ii) to propose an amended proposal to the Minister.

14.3 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 14.1; and
- (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

15. Environmental Obligations

15.1 The Authority and other reservoir entitlement holders must jointly propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of storing and releasing water from the reservoir which includes—

- (a) impacts on the bed and banks of the waterway in the vicinity of the reservoir and ancillary works; and
- (b) operational practices to remove silt from works; and
- (c) operational practices to manage water quality in the reservoir; and
- (d) operational rules for controlled releases of water from the reservoir; and
- (e) operational rules to manage flood flows through the reservoir.

15.2 The Minister may—

- (a) approve the program proposed under sub-clause 15.1; or
- (b) require the reservoir entitlement holders to amend the proposed program; and
- (c) require the reservoir entitlement holders—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

15.3 The Authority, together with the other reservoir entitlement holders, must at their cost—

- (a) implement the approved program; and
- (b) keep a record of all work undertaken under paragraph (a).

16. Joint Metering Program

16.1 The Authority and other reservoir entitlement holders must jointly propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) the flow into the reservoir; and
- (b) the amount of water in the reservoir; and
- (c) the passing flow.

16.2 The Minister may—

- (a) approve the program proposed under sub-clause 16.1; or
- (b) require the reservoir entitlement holders to amend the proposed program; and
- (c) require the reservoir entitlement holders—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

16.3 The Authority, together with the other entitlement holders, must at their own cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate the metering equipment in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

17. Authority's Metering Program

17.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine the amount of water taken by the Authority at specified point A.

17.2 The Minister may—

- (a) approve the program proposed under sub-clause 17.1; or
- (b) require the Authority to amend the proposed program; and

(c) require the Authority to—

- (i) review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
- (ii) propose an amended program to the Minister.

17.3 The Authority, must at its own cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate the metering equipment in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

18. Reporting Requirements

18.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:

- (a) the daily flow into the reservoir;
- (b) the daily flow into the Authority's share of reservoir capacity;
- (c) the daily passing flow;
- (d) the daily amount of water taken at specified point A;
- (e) the amount of water in the Authority's share of reservoir capacity;
- (f) the annual flow into the Authority's share of reservoir capacity;
- (g) the annual amount of water taken at specified point A under this entitlement;
- (h) the annual amount of surplus water available and the amount released by Barwon Region Water Authority under its entitlement;
- (i) the location and annual amount of water taken pursuant to clause 14;
- (j) the annual amount of losses debited to the Authority's share of reservoir capacity;
- (k) the implementation of programs approved under sub-clauses 15.2, 16.2 and 17.2;
- (l) any temporary or permanent transfer of all or part of this bulk entitlement;
- (m) any bulk entitlement or licence in respect of the waterway temporarily or permanently transferred to the Authority with respect to the reservoir;

- (n) any amendment to this bulk entitlement;
- (o) any new bulk entitlement granted to the Authority with respect to its entitlement to a share of reservoir capacity;
- (p) any failure by the Authority to comply with any provision of this bulk entitlement;
- (q) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.

18.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 18.1—

- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
- (b) within 14 days of receiving the Minister's written request.

18.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 18.1, except—

- (a) paragraphs (a) to (d) of sub-clause 18.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (p) of sub-clause 18.1.

18.4 The Resource Manager may require the Authority to report to it from time to time, on all or any of the matters set out in sub-clause 18.1.

18.5 Any report under sub-clause 18.4 must be made—

- (a) in such form as may be agreed between the Authority and the Resource Manager; and
- (b) unless the Authority and the Resource Manager agree otherwise—
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (e) of sub-clause 18.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (f) to (q) of sub-clause 18.1.

19. Water Resource Management Costs

19.1 Subject to sub-clause 21.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.

19.2 The proportion of costs referred to in sub-clause 19.1 is to be determined by the Resource Manager under sub-clause 21.3.

20. Operator Costs

20.1 Subject to sub-clause 21.1 the Authority must pay the Storage Operator an annual source charge, agreed between the Storage Operator and reservoir entitlement holders, or if they cannot agree, determined under sub-clause 20.2.

20.2 The source charge is calculated as follows:

$$C_s = \$(\frac{2}{3} (A \div 21000)) \times (S + R) \text{ and}$$

where—

C_s = the annual source charge.

A = the amount of surplus water to be released by the Barwon Region Water Authority, determined in accordance with sub-clause 11.3 for the year for which the charges are prepared.

S = the estimated source costs for the year for which charges are prepared.

R = return to Bungal Dam equity holders for the year for which charges are prepared.

20.3 The annual source charge must be paid by the Authority each year, whether or not water has been taken from the reservoir by the Authority in that year.

21. Duty to Keep Accounts and Fix Proportions

21.1 The Authority is not obliged to make any payment to—

- (a) the Resource Manager under clause 19; or
- (b) the Storage Operator under clause 20—

unless the person to whom the payment is payable chooses to comply with the provisions of this clause relevant to those payments.

21.2 Separate accounts of all costs and payments must be kept—

- (a) by the Resource Manager, in respect to clause 19; and
- (b) the Storage Operator, in respect to clause 20.

21.3 The Resource Manager must, by 1 July in any year, determine, for the ensuing year a fair and reasonable proportion of the costs referred to in sub-clause 19.1.

21.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

22. Duty to Make Payments

Any amount payable by the Authority—

- (a) under clause 19 must be paid quarterly; and
- (b) under clause 20 must be paid—
in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

23. Data

23.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.

23.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 16, 17 and 18 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

24. Dispute Resolution

24.1 If any difference or dispute arises between the Authority, the Minister and, with their consent, another reservoir entitlement holder, the Resource Manager, the Storage Operator, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

24.2 The independent expert will be either—

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

24.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

24.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

24.5(a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.

- (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

24.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

24.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 1995

GEOFF COLEMAN
Minister administering the **Water Act 1989**

Water Act 1989
BULK ENTITLEMENT
(LAL LAL—BARWON) CONVERSION
ORDER 1995

I, Charles Geoffrey Coleman, Minister administering the **Water Act 1989**, make the following Order—

1. Citation

This Order may be cited as the Bulk Entitlement (Lal Lal—Barwon) Conversion Order 1995.

2. Empowering Provisions

This Order is made under sections 43 and 47 of the **Water Act 1989**.

3. Commencement

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

4. Definitions

In this Order—

“**Act**” means the **Water Act 1989**;

“**Authority**” means the Barwon Region Water Authority;

“**entitlement**” means the total amount of water which the Authority may take from the reservoir in any year, determined in accordance with sub-clause 6.1;

“**entitlement holder**” means a person holding a bulk entitlement under the Act;

“**licence**” means a licence granted under Part 4 of the Act;

“**Moorabool Basin Water Accounts**” means an annual report, required by the Minister, on compliance by entitlement holders and licensees, respectively, in the Moorabool Basin, with the terms of their bulk entitlements or licences;

“**passing flow**” means an amount of the flow into the reservoir which must be—

- (a) allowed to pass through the reservoir; and
- (b) released without delay to the waterway immediately downstream of the reservoir;

“**reservoir**” means the Lal Lal Reservoir formed by Bungal Dam on the West Branch of the Moorabool River;

“**reservoir entitlement holder**” means a person holding a bulk entitlement under the Act to store and take water from the reservoir;

“**Resource Manager**” means any person appointed by the Minister to do all or any of the following—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and
- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;

“**specified point A**” means the outlet of the reservoir;

“**specified point B**” means the She Oaks Diversion Weir;

“**source costs**” means the total annual cost of—

- (a) operating, maintaining and administering; and
- (b) making an appropriate allowance for financing and renewing; and
- (c) managing the catchment for water supply purposes to protect the quality of water; and
- (d) implementing, in accordance with clause 16, the program to manage the environmental effects—

of the reservoir and the ancillary works related to the supply of this bulk entitlement;

“**Storage Operator**” means any person appointed by the Minister to operate the reservoir;

“**surplus water**” means an amount of water the Authority may release to the waterway in any year from the Central Highlands Region Water Authority's share of reservoir capacity in accordance with clause 11;

“waterway” means the West Branch of the Moorabool River;

“year” means the 12 months next following 1 July.

5. Conversion of a Bulk Entitlement

All of the Authority's entitlement to water from the reservoir is converted to a bulk entitlement on the conditions set out in this Order.

6. Bulk Entitlement

6.1 The Authority may release water from the reservoir to the waterway, at specified point A—

- (a) up to 21 000 ML of water from its share of reservoir capacity in any consecutive 3 year period which includes the current year; and
- (b) an amount of surplus water determined in accordance with clause 11.

6.2 Subject to clause 14 the Authority may take water released to the waterway under sub-clause 6.1 at specified point B.

6.3 Subject to Division 1, Part 4 of the Act, this bulk entitlement may be transferred—

- (a) temporarily or permanently;
- (b) in whole or in part;
- (c) for any purpose, including an in-stream use of water.

7. Share of Capacity

7.1 The capacity of the reservoir is up to 59 549 ML at the full supply level of 412.39 metres Australian Height Datum.

7.2 The Authority is entitled to—

- (a) one third of the capacity of the reservoir; and
- (b) all water stored in its share of reservoir capacity—

but may not release or transfer any more than its entitlement in any consecutive 3 year period.

8. Share of Flow

8.1 Subject to sub-clause 8.2, the Authority is entitled to store in its share of reservoir capacity—

- (a) one third of the flow into the reservoir; or
- (b) all of the flow into the reservoir when the other reservoir entitlement holders' share of reservoir capacity is full.

8.2 The Authority must not release as part of its bulk entitlement or store in the reservoir—

- (a) the passing flows specified in sub-clause 9.1; or
- (b) any flow into the reservoir which is being transferred by the holder of—
 - (i) any other bulk entitlement; or
 - (ii) any licence; or
- (c) any flow into the reservoir when the Authority's share of reservoir capacity is full.

9. Passing Flow

9.1 The following passing flow must be provided from the reservoir—

- (a) when the cumulative flow into the reservoir during the preceding 24 month period is greater than or equal to Q then:
when $F \leq 20$ ML/d, $P = F$; and
when $F > 20$ ML/d, $P = 20$ ML/d; and
- (b) when the cumulative flow into the reservoir during the preceding 24 month period is less than Q then:
when $F \leq 5$ ML/d, $P = F$; and
when $F > 5$ ML/d, $P = 5$ ML/d;

where—

F = the flow into the reservoir calculated in ML/d less any flow under transfer pursuant to sub-clause 8.2 (b); and

P = the passing flow in ML/d; and

Q = the 24 month cumulative flow into the reservoir that is equalled or exceeded 90% of the time.

9.2 The Minister may review the calculation of Q if, in the Minister's opinion, the result of that calculation is, at any time, no longer fair and reasonable.

10. Releases

10.1. Subject to sub-clause 10.2, the capacity of the outlet works of the reservoir is to be shared equally between all reservoir entitlement holders.

10.2 The Authority must within 12 months of the date of this Order and then may from time to time, jointly with the other reservoir entitlement holders, propose to the Minister fair and reasonable means of sharing the capacity of the outlet works of the reservoir.

10.3 The Minister may—

- (a) approve all or any means proposed under sub-clause 10.2; or

- (b) require the reservoir entitlement holders to amend all or any means proposed; and
- (c) require the reservoir entitlement holders to—
 - (i) review all or any of the means approved by the Minister if, in the Minister's opinion, they are, at any time, no longer fair or reasonable; and
 - (ii) propose amended means to the Minister.

11. Surplus Water

11.1 For the purpose of sub-clause 6.1, the amount of surplus water available in any year, in megalitres, is either—

- (a) zero when $E > 14\ 000$; or
- (b) the lesser of—
 - (i) $14\ 000 - E$; and
 - (ii) $42\ 000 - (E + U)$; when—
the cumulative flow into the reservoir during the 24 months preceding the first of September is more than Q ; or
- (c) zero when the cumulative flow into the reservoir during the 24 months preceding the first of September is less than Q , where—

E is the amount of water that the Central Highlands Region Water Authority estimates it will use from its share of reservoir capacity in that year; and

U is the total amount of water taken in the previous 2 years by the Central Highlands Region Water Authority from its share of reservoir capacity and any surplus water taken by the Authority; and

Q is as defined in clause 9.

11.2 The Authority must by 30 October of any year —

- (a) calculate the amount of surplus water available for that year; and
- (b) advise the Central Highlands Region Water Authority in writing of the amount of the surplus water for that year, the Authority intends to release under this entitlement, otherwise—

the Authority has no entitlement to release surplus water for that year.

11.3 When the Central Highlands Region Water Authority takes more than 13 000 ML a year from its share of reservoir capacity for three consecutive years, the Authority and the Central Highlands Region Water Authority must, within one year, jointly propose to the Minister future arrangements for determining surplus water.

11.4 The Minister may—

- (a) approve the arrangements proposed under sub-clause 11.3; or
- (b) require the Authority and the Central Highlands Region Water Authority to jointly propose amended means to the Minister.

11.5 The amount of surplus water released by the Authority is to be accounted against the Central Highlands Region Water Authority's entitlement to water from the reservoir.

12. Supply of Water

12.1 The Authority and the Storage Operator must endeavour to agree on operational arrangements for the supply of water from the reservoir.

12.2 If the Authority and the Storage Operator have not reached agreement under sub-clause 12.1 within twelve months of the date of this Order, either party may give written notice to the other party requiring the matter to be determined in accordance with clause 25.

13. Accounting for Entitlements to Water from the Reservoir

13.1 The Authority and other reservoir entitlement holders must jointly propose to the Minister, within 12 months of the date of this Order, means of accounting for—

- (a) the reservoir inflows and passing flows; and
- (b) losses through evaporation, seepage or any other means from the reservoir; and
- (c) the amount of water taken or released from the reservoir by each entitlement holder; and
- (d) the amount of water in each entitlement holder's share of reservoir capacity; and
- (e) the apportionment of the shares of inflow when an entitlement holder's share of reservoir capacity is full; and
- (f) surplus water when the Authority does not release the volume of surplus water calculated under sub-clause 11.2 in that year.

13.2 The Minister may—

- (a) approve a proposal made under sub-clause 13.1; or
- (b) require the Authority to amend the proposal; and
- (c) require the Authority—
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose an amended proposal to the Minister.

14. Accounting for Losses from Releases to the Waterway

14.1 The Authority must propose to the Minister, within 12 months of the date of this Order, means for accounting for losses through evaporation, seepage or any other means from releases made to the waterway from the reservoir and taken at specified point B.

14.2 The Minister may—

- (a) approve a proposal made under sub-clause 14.1; or
- (b) require the Authority to amend the proposal; and
- (c) require the Authority—
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose an amended proposal to the Minister.

14.3 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 14.2; and
- (b) provide the Resource Manager with such other information concerning accounting for losses from releases as the Resource Manager may, from time to time, require.

15. Taking Water at any Point other than specified Point B

15.1 If the Authority proposes to take water under this entitlement from a point downstream of specified point A, other than specified point B, it must first propose to the Minister—

- (a) details of the proposed location and amount of the extraction; and
- (b) details of the means of accounting for any losses through evaporation, seepage or any other means from the waterway; and
- (c) an analysis demonstrating that there will be no impact on any other bulk entitlement or licence held by another person; and
- (d) details of any proposed amendment to the Authority's metering program approved under sub-clause 18.2; and
- (e) details of the Resource Manager's operational requirements.

15.2 The Minister may—

- (a) approve a proposal made under sub-clause 15.1; or
- (b) require the Authority to amend the proposal; and
- (c) require the Authority—
 - (i) to review all or part of any proposal approved by the Minister if, in the Minister's opinion, it is, at any time, no longer fair, reasonable or representative; and
 - (ii) to propose an amended proposal to the Minister.

15.3 The Authority must—

- (a) advise the Resource Manager in writing within 14 days of any proposal approved by the Minister under sub-clause 15.1; and
- (b) provide the Resource Manager with such other information concerning the proposed diversion as the Resource Manager may, from time to time, require.

16. Environmental Obligations

16.1 The Authority and other reservoir entitlement holders must jointly propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of storing and releasing water from the reservoir which includes—

- (a) impacts on the bed and banks of the waterway in the vicinity of the reservoir and ancillary works; and
- (b) operational practices to remove silt from works; and
- (c) operational practices to manage water quality in the reservoir; and

- (d) operational rules for controlled releases of water from the reservoir; and
- (e) operational rules to manage flood flows through the reservoir.

16.2 The Minister may—

- (a) approve the program proposed under sub-clause 16.1; or
- (b) require the reservoir entitlement holders to amend the proposed program; and
- (c) require the reservoir entitlement holders—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

16.3 The Authority, together with the other reservoir entitlement holders, must at their cost—

- (a) implement the approved program; and
- (b) keep a record of all work undertaken under paragraph (a).

17. Joint Metering Program

17.1 The Authority and other reservoir entitlement holders must jointly propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) the flow into the reservoir; and
- (b) the amount of water in the reservoir; and
- (c) the passing flow.

17.2 The Minister may—

- (a) approve the program proposed under sub-clause 17.1; or
- (b) require the reservoir entitlement holders to amend the proposed program; and
- (c) require the reservoir entitlement holders—
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.

17.3 The Authority, together with the other entitlement holders, must at their own cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate the metering equipment in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

18. Authority's Metering Program

18.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine—

- (a) the amount of water released to the waterway at specified point A; and
- (b) the amount of water taken by the Authority from the waterway downstream of the reservoir.

18.2 The Minister may—

- (a) approve the program proposed under sub-clause 18.1; or
- (b) require the Authority to amend the proposed program; and
- (c) require the Authority to—
 - (i) review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) propose an amended program to the Minister.

18.3 The Authority, must at its own cost—

- (a) implement the approved metering program; and
- (b) operate and maintain metering equipment in good condition and periodically re-calibrate the metering equipment in accordance with any guidelines issued by the Minister; and
- (c) keep a record of all work undertaken under paragraph (b).

19. Reporting Requirements

19.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:

- (a) the daily flow into the reservoir;
- (b) the daily flow into the Authority's share of reservoir capacity;
- (c) the daily passing flow;

- (d) the daily amount of water released from the reservoir at specified point A to the waterway under this entitlement;
- (e) the daily amount of water taken at specified point B;
- (f) the amount of water in the Authority's share of reservoir capacity;
- (g) the annual flow into the Authority's share of reservoir capacity;
- (h) the annual amount of water released from the reservoir at specified point A to the waterway under this entitlement;
- (i) the annual amount of water taken at specified point B under this entitlement;
- (j) the annual amount of surplus water available and released under this entitlement;
- (k) the location and annual amount of water taken pursuant to clause 15;
- (l) the annual amount of losses debited to the Authority's share of reservoir capacity;
- (m) the annual amount of losses from releases between specified point A and specified B;
- (n) the implementation of programs approved under sub-clauses 16.2, 17.2 and 18.2;
- (o) any temporary or permanent transfer of all or part of this bulk entitlement;
- (p) any bulk entitlement or licence in respect of the waterway temporarily or permanently transferred to the Authority with respect to the reservoir;
- (q) any amendment to this bulk entitlement;
- (r) any new bulk entitlement granted to the Authority with respect to its entitlement to a share of reservoir capacity;
- (s) any failure by the Authority to comply with any provision of this bulk entitlement;
- (t) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.

19.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 19.1—

- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
- (b) within 14 days of receiving the Minister's written request.

19.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 19.1, except—

- (a) paragraphs (a) to (e) of sub-clause 19.1; and
- (b) with the approval of the Minister, any particular failure referred to in paragraph (s) of sub-clause 19.1.

19.4 The Resource Manager may require the Authority to report to it from time to time, on all or any of the matters set out in sub-clause 19.1.

19.5 Any report under sub-clause 19.4 must be made—

- (a) in such form as may be agreed between the Authority and the Resource Manager; and
- (b) unless the Authority and the Resource Manager agree otherwise -
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraphs (a) to (f) of sub-clause 19.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraphs (g) to (t) of sub-clause 19.1.

20. Water Resource Management Costs

20.1 Subject to sub-clause 22.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to—

- (a) prepare the Moorabool Basin Water Accounts; and
- (b) monitor whether entitlement holders in the Moorabool Basin comply with the conditions of their bulk entitlements; and
- (c) direct the release of any water set aside for maintaining water quality in the Moorabool River; and
- (d) investigate and mediate disputes between entitlement holders in the Moorabool Basin; and
- (e) investigate and deal with significant unauthorised uses of water in the Moorabool Basin; and

- (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act.

20.2 The proportion of costs referred to in sub-clause 20.1 is to be determined by the Resource Manager under sub-clause 22.3.

21. Operator Costs

21.1 Subject to sub-clause 22.1 the Authority must pay the Storage Operator an annual source charge, agreed between the Storage Operator and reservoir entitlement holders, or if they cannot agree, determined under sub-clause 21.2.

21.2 The source charge is calculated as follows:

$$C_s = \$\left(\frac{1}{3} + (A \div 21000)\right) \times (S + R)$$

where—

C_s = the annual source charge.

A = the amount of surplus water requested by the Authority, in accordance with sub-clause 11.2 for the year for which the charges are prepared.

S = the estimated source costs for the year for which charges are prepared.

R = return to Bungal Dam equity holders for the year for which charges are prepared.

21.3 The annual source charge must be paid by the Authority each year, whether or not water has been released from the reservoir by the Authority in that year.

22. Duty to Keep Accounts and Fix Proportions

22.1 The Authority is not obliged to make any payment to—

- (a) the Resource Manager under clause 20; or
- (b) the Storage Operator under clause 21—

unless the person to whom the payment is payable chooses to comply with the provisions of this clause relevant to those payments.

22.2 Separate accounts of all costs and payments must be kept—

- (a) by the Resource Manager, in respect to clause 20; and
- (b) the Storage Operator, in respect to clause 21.

22.3 The Resource Manager must, by 1 July in any year, determine, for the ensuing year a fair and reasonable proportion of the costs referred to in sub-clause 20.1.

22.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

23. Duty to Make Payments

Any amount payable by the Authority—

- (a) under clause 20 must be paid quarterly; and

(b) under clause 21 must be paid—
in arrears, within 28 days of the Authority receiving an invoice, unless the Authority and the person to whom the amount is payable agree otherwise.

24. Data

24.1 The Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority, free of charge.

24.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 17, 18 and 19 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

25. Dispute Resolution

25.1 If any difference or dispute arises between the Authority, the Minister and, with their consent, another reservoir entitlement holder, the Resource Manager, the Storage Operator, or any of them (the "parties") concerning the interpretation or application of this Order, which is not resolved within 14 days of it arising, any party may give written notice to the others requiring the matter to be determined by an independent expert, if it is not otherwise resolved, within 14 days of that notice.

25.2 The independent expert will be either -

- (a) a person agreed on by the parties to the difference or dispute; or
- (b) if those parties cannot agree, a person nominated by the Minister.

25.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.

25.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.

- (a) In any difference or dispute to which the Minister is a party, the independent expert must express the conclusion as a recommendation.
- (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.

25.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.

25.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 21 November 1995

GEOFF COLEMAN

Minister administering the **Water Act 1989**

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

Position No. DBE005004, Executive Officer,
Regional Youth Committee, Class VPS-3,
Department of Business and Employment.

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.

RIK HART

Secretary

Department of Business and Employment

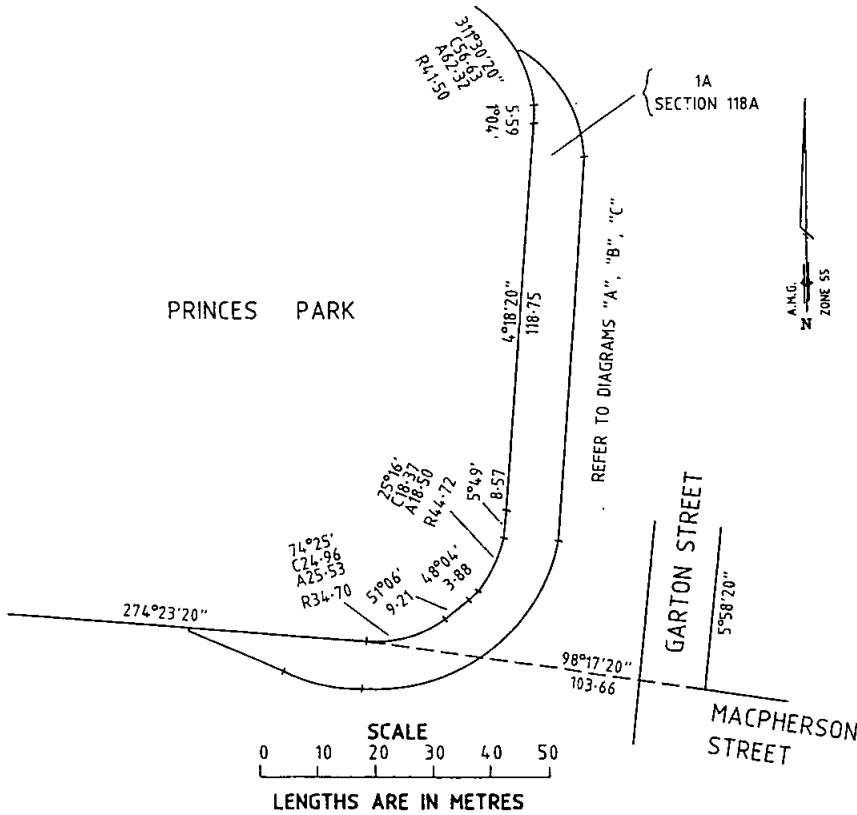
ORDERS IN COUNCIL

Carlton (Recreation Ground) Land Act 1966

The Governor in Council, under section 5(4) of the **Carlton (Recreation Ground) Land Act 1966**, on the recommendation of the Minister for Conservation and Environment who has received a plan of survey signed by the Surveyor-General of a stratum consisting of—

- (a) as nearly as practicable, a space above the surface of the land shown hatched on the plan in Schedule 2 to the **Carlton (Recreation Ground) Land Act 1966** to be used for the construction of a cantilevered grandstand; and
- (b) other parts of the hatched land above below and on the surface that he is satisfied are necessary for the construction of supports for the proposed grandstand;

adds the stratum specified in the following plan of survey to the area in Schedule 1 of the Act.



CROWN ALLOTMENT 1A of Section 118A, AT CARLTON, PARISH of JIKA JIKA, is a stratum of Crown Land within the meaning of the **Land Act 1958** defined by that parcel shown within the continuous thick line on diagram "A" where the upper boundary is a plane of Reduced Level 75 metres on the Australian Height Datum and the lower boundary is:

- (a) a plane a Reduced Level 44.20 metres on the Australian Height Datum for that part shown as marked "X" within the continuous thick line and not shown as hatched on diagram "B" and
- (b) a plane of Reduced Level 45.20 metres on the Australian Height Datum for that part shown as marked "Y" within the continuous thick line and not shown as hatched on diagram "B" and
- (c) planes of reduced level 35 metres on the Australian Height Datum for those parts shown hatched on diagram "B"

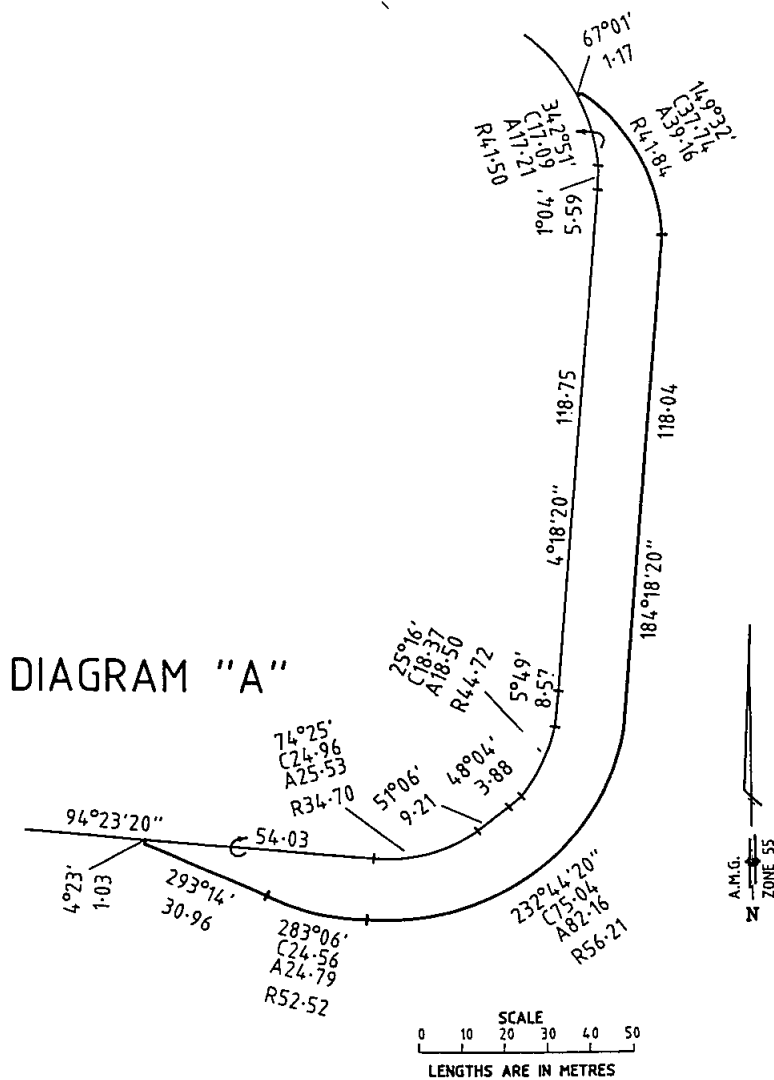
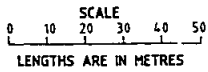
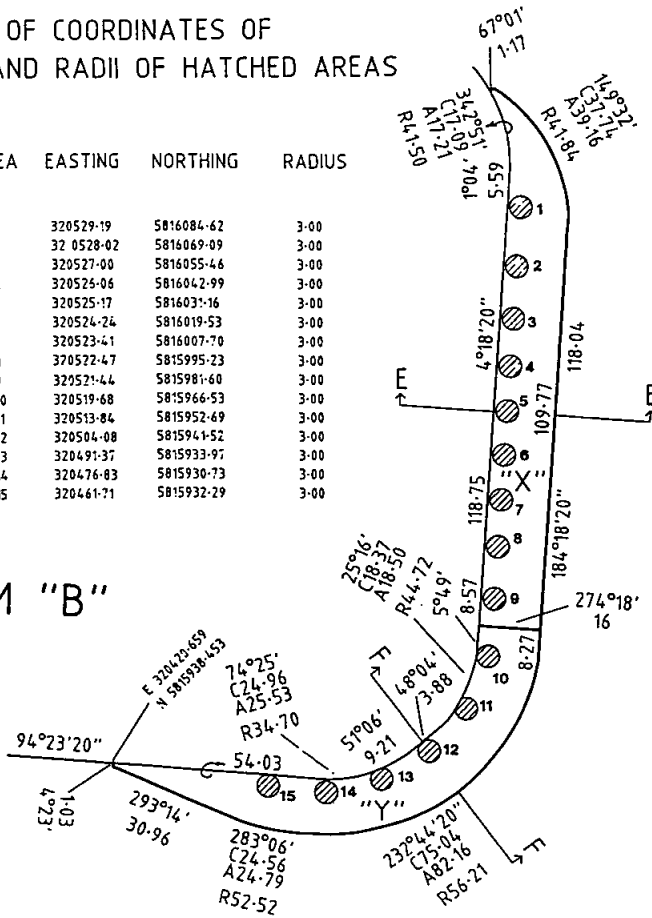


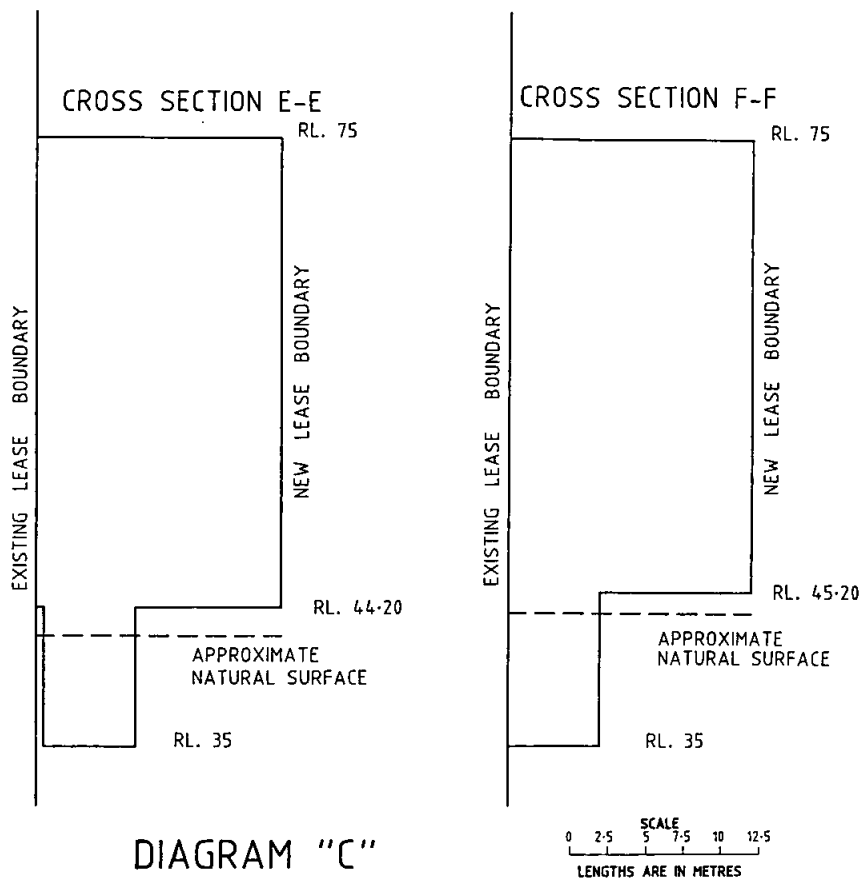
TABLE OF COORDINATES OF CENTRES AND RADII OF HATCHED AREAS

AREA	EASTING	NORTHING	RADIUS
1	320529.19	5816084.62	3.00
2	32 0528.02	5816069.09	3.00
3	320527.00	5816055.46	3.00
4	320526.06	5816042.99	3.00
5	320525.17	5816031.16	3.00
6	320524.24	5816019.53	3.00
7	320523.41	5816007.70	3.00
8	370522.47	5815995.23	3.00
9	320521.44	5815981.60	3.00
10	320519.68	5815966.53	3.00
11	320513.84	5815952.69	3.00
12	320504.08	5815941.52	3.00
13	320491.37	5815933.97	3.00
14	320476.83	5815930.73	3.00
15	320461.71	5815932.29	3.00



DIAGRAM "B"





Dated 5 December 1995
Responsible Minister:
M. A. BIRRELL
Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Vocational Education and Training Act 1990

The Governor in Council, acting under section 38 (1) of the **Vocational Education and Training Act 1990** and on the recommendation of the Minister for Tertiary Education and Training made in accordance with that section, makes the following Order:

PUBLIC ADMINISTRATION AND COMMUNITY SAFETY TRAINING BOARD ORDER 1995

1. Name of Order

This Order is called the Public Administration and Community Safety Training Board Order 1995.

2. Purpose of Order

(1) The purpose of the Order is to amend the Order in Council called "Declaration of the Local Government Industry Training Board Inc. as an Industry Training Board" made on 28 August 1990 and published in the Government Gazette on 29 August 1990 ("the Principal Order") to change the industries in respect of which that incorporated association is declared to be an industry training board.

(2) This Order records that on 2 October 1995 the name of the Local Government Industry Training Board Inc. was changed to "Public Administration and Emergency Services Industry Training Board Inc." and that on 13 November 1995 the name was changed again to "Public Administration and Community Safety Training Board Inc."

3. Amendment of Principal Order

For clause 4 of the Principal Order substitute—

"4. The industries specified are—

Government Administration, Justice, Foreign Government Representation, Defence, Education, Scientific Research, Police Services, Corrective Services and Fire Brigade Services."

Dated 5 November 1995

Responsible Minister:

HADDON STOREY

Minister for Tertiary Education and Training

KATHY WILSON

Clerk of the Executive Council

Local Government Act 1989
ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE LA
TROBE SHIRE COUNCIL

The Governor in Council acting under section 220R of the **Local Government Act 1989** Orders that—

Definitions

1. In this Order—

"charge" means any charge under Part 8 of the **Local Government Act 1989**, but does not include a special charge.

"Council" means the La Trobe Shire Council.

"rate" means any rate under Part 8 of the **Local Government Act 1989**, but does not include a special rate.

"rateable property" means any land or portion of any land which is rateable within the meaning of the **Local Government Act 1989** and for which there is a separate valuation.

"specified percentage" means a percentage to be determined in a resolution of the Council which specifies the maximum percentage reduction allowed in the sum of the rates and charges levied in respect of a rateable property in the 1995-1995 financial year compared with the sum of the rates and charges levied in respect of that rateable property in the 1994-1995 financial year.

"supplementary valuation" means a supplementary valuation under section 13DF of the **Valuation of Land Act 1960**.

Rates and Charges Payable in the 1995-1996
Financial Year

2. If the sum of the rates and charges which would but for this Order be levied in respect of a rateable property in the 1995-1996 financial year exceeds the sum of the rates and charges levied on that property in the 1994-1995 financial year, the Council may grant a rebate in relation to those rates and charges of an amount which is calculated in the manner specified in a resolution of the Council.

3. If the sum of the rates and charges levied in respect of a rateable property in the 1995-1996 financial year would, by reason of the declaration of rates and charges for that financial year, be less than the sum of the rates and charges levied on that property in the 1994-1995 financial year, and that lesser sum would but for this Order exceed the specified percentage, the Council may, in relation to any such property and notwithstanding anything contained in its declaration of rates and charges for the particular year, levy such rates and charges as ensure that the specified percentage is not exceeded.

Supplementary Valuations

4. This Order shall not apply to a rateable property—

- (a) which was not a rateable property or the same rateable property as at 1 October 1994; or
- (b) in respect of which a supplementary valuation was made or could have been made during the 1994-1995 financial year.

Commencement

5. This Order comes into operation on the day it is published in the Government Gazette.
Dated 5 November 1995
Responsible Minister:
ROGER M. HALLAM
Minister for Local Government

KATHY WILSON
Clerk of the Executive Council

Local Government Act 1989
ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
MOUNT ALEXANDER SHIRE COUNCIL
The Governor in Council acting under section
220R of the **Local Government Act 1989**
Orders that—

Definitions

1. In this Order
“municipal charge” means any charge under
section 159 of the **Local Government Act**
1989.
“Council” means the Mount Alexander Shire
Council.
“minimum rate” has the same meaning as in
the **Local Government (Consequential**
Provisions) Act 1989.
“Original Order” means the Order
constituting the Shires of Central Goldfields,
Hepburn, Loddon, Macedon Ranges and Mount
Alexander, and altering the boundaries of the
municipal districts of the Greater Bendigo City
Council and the Campaspe and Mitchell Shires
Councils, and published in Government Gazette
S 2 on 19 January 1995.
“rateable property” means any land or portion
of any land which is rateable within the meaning
of the **Local Government Act 1989** and for
which there is a separate valuation.

Rates and Charges Payable in the 1995-1996
Financial Year

2. Notwithstanding anything contained in the
Local Government Act 1989, the **Local**
Government (Consequential Provisions) Act
1989 or the Original Order, the Council may
levy the same minimum rate and municipal
charge in respect of a rateable property in the
1995-1996 financial year as were levied in
respect of that rateable property in the 1994-
1995 financial year.

Commencement

3. This Order comes into operation on the
day it is published in the Government Gazette.
Dated 5 November 1995
Responsible Minister:
ROGER M. HALLAM
Minister for Local Government

KATHY WILSON
Clerk of the Executive Council

Local Government Act 1989
ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
SWAN HILL RURAL CITY COUNCIL
The Governor in Council acting under section
220R of the **Local Government Act 1989**
Orders that—

Definitions

1. In this Order—
“charge” means any charge under Part 8 of
the **Local Government Act 1989**, but does not
include a special charge.
“Council” means the Swan Hill Rural City
Council.
“rate” means any rate under Part 8 of the
Local Government Act 1989, but does not
include a special rate.
“rateable property” means any land or portion
of any land which is rateable within the meaning
of the **Local Government Act 1989** and for
which there is a separate valuation.
“supplementary valuation” means a
supplementary valuation under section 13DF of
the **Valuation of Land Act 1960**.

Rates and Charges Payable in the 1995-1996
Financial Year

2. If the sum of the rates and charges which
would but for this Order be levied in respect of a
rateable property in the 1995-1996 financial
year exceeds the sum of the rates and charges
levied on that property in the 1994-1995
financial year, the Council may grant a rebate in
realtion to those rates and charges of an amount
which is calculated in the manner specified in a
resolutaion of the Council.

Supplementary Valuations

3. This Order shall not apply to a rateable
property—

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- (a) which was not a rateable property or the same rateable property as at 1 October 1994; or
- (b) in respect of which a supplementary valuation was made or could have been made during the 1994-1995 financial year.

Commencement

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

Dated 5 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON
Clerk of the Executive Council

Local Government Act 1989
ORDER TO PROVIDE TRANSITIONAL
RATING ARRANGEMENTS FOR THE
YARRIAMBIACK SHIRE COUNCIL

The Governor in Council acting under section 220R of the **Local Government Act 1989** Orders that—

Definitions

1. In this Order—

“charge” means any charge under Part 8 of the **Local Government Act 1989**, but does not include a special charge.

“Council” means the Yarriambiack Shire Council.

“rate” means any land under Part 8 of the **Local Government Act 1989**, but does not include a special rate.

“rateable property” means any land or portion of any land which is rateable within the meaning of the **Local Government Act 1989** and for which there is a separate valuation.

Rates and Charges Payable in the 1995-1996
Financial Year

2. The Council may grant a rebate in relation to the rates and charges levied in respect of a rateable property in the 1995-1996 financial year of an amount which is calculated in the manner specified in a resolution of the Council.

Victoria Government Gazette

Commencement

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

Dated 5 November 1995

Responsible Minister:

ROGER M. HALLAM

Minister for Local Government

KATHY WILSON
Clerk of the Executive Council

Fisheries Act 1968
DECLARATION OF NORTHERN PACIFIC
SEASTAR AND SABELLA WORM AS
NOXIOUS FISH

The Governor in Council—

(a) under section 3 of the **Fisheries Act 1968**, declares—

(i) Northern Pacific seastar; and

(ii) Sabella worm

as fish for the purposes of that Act; and

(b) under section 38 of the **Fisheries Act 1968**, declares—

(i) Northern Pacific seastar; and

(ii) Sabella worm

as noxious fish for the purposes of Part IV of that Act.

Dated 5 December 1995

Responsible Minister

C. G. COLEMAN

Minister for Natural Resources

KATHY WILSON
Clerk of the Executive Council

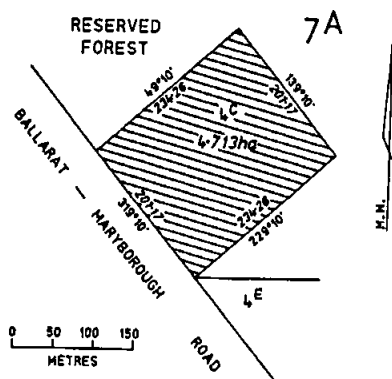
Forests Act 1958
EXCHANGE OF RESERVED FOREST FOR
CROWN LAND

The Governor in Council, under section 49 of the **Forests Act 1958** authorises, in exchange for the Crown land described in the Dedication schedule hereunder, the excision of the land described in the Excision Schedule hereunder from reserved forest.

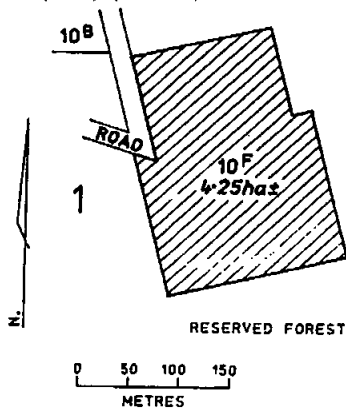
DEDICATION SCHEDULE

An area of 8.963 hectares, more or less, of Crown land comprising—

- (a) 4.713 hectares in the Parish of Clunes as indicated by hatching on the plan hereunder—(C 395(L6)) (06/15599).



(b) 4.25 hectares, more or less, in the Parish of Holcombe as indicated by hatching on the plan hereunder—(2760) (L1/3971).



- (d) 3.609 hectares being Crown Allotment 8A, Section S, Parish of Enfield, as shown on Certified Plan No. 116435 lodged in the Central Plan Office; (94/1010)
- (e) 1050 square metres being Crown Allotment 44F, Parish of Glenmaggie, as shown on Certified Plan No. 116108 lodged in the Central Plan Office; (L10/5744)
- (f) 2465 square metres being Crown Allotment 7A, Section O, Parish of Monbulk, as shown on Certified Plan No. 116312 lodged in the Central Plan Office; (L12/0650)
- (g) 4800 square metres being Crown Allotment 2D, Section Q2, Parish of Sandhurst, as shown on Certified Plan No. 112606 lodged in the Central Plan Office (L6/4981); and
- (h) 3.671 hectares being Crown Allotment 14, Section 2B, Parish of Wombat, as shown on Certified Plan No. 110301 lodged in the Central Plan Office (05/12428).

Such excisions and dedications to come into effect on the fourteenth day after publication of this Order in the Victoria Government Gazette.

Dated 5 December 1995

Responsible Minister:

C. G. COLEMAN

Minister for Natural Resources

KATHY WILSON
Clerk of the Executive Council

EXCISION SCHEDULE

An area of 15.9454 hectares, more or less, of reserved forest comprising—

- (a) 1.8325 hectares being Crown Allotments 58Q, 58R and 58S, Parish of Beenak as shown on Certified Plan No. 116186 lodged in the Central Plan Office; (18/95/103)
- (b) 5.5995 hectares being Crown Allotments S3A and S3B, Parish of Bright, as shown on Certified Plan No. 116317 lodged in the Central Plan Office; (P201544)
- (c) 4019 square metres being Crown Allotment 4A, Section A1, Township of Bright, Parish of Bright, as shown on Certified Plan No. 113276 lodged in the Central Plan Office; (L8/4300)

ERRATUM

Control of Weapons Act 1990

Exemption under the Control of Weapons Act 1990

The Governor in Council hereby grants the following exemption under section 5 (2) of the **Control of Weapons Act 1990** with respect to the provisions of section 5 (1) of the **Control of Weapons Act 1990** to:

all sworn members of the Victoria Police Force for the purpose of carriage and operational use of oleoresin capsicum sprays in the performance of their duty; and

all officers and employees of the office of the Chief Commissioner of Police required to handle oleoresin capsicum sprays in the

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performance of their administrative duties in relation to the supply, distribution, transportation, storage and disposal of such sprays.

Dated 28 November 1995

Responsible Minister:

PATRICK McNAMARA
Minister for Police and Emergency Services

KATHY WILSON
Clerk of the Executive Council

Public Sector Management Act 1992
DECLARATION UNDER SECTION 81A

The Governor in Council acting under section 81A of the **Public Sector Management Act 1992** and all other powers declares.

- (a) the Victorian Interpreting and Translating Service to be a designated body for the purposes of that section; and
- (b) the group of officers and employees described in the Schedule to the Order to be a designated group of officers and employees for the purposes of that section

Schedule

Mr Abdallatif Almatrah
Mr Gerald McCutcheon
Ms Penelope Vergara
Ms Sophia Angelopoulos

Dated 28 November 1995

Responsible Minister:

J. G. KENNETT
Premier

KATHY WILSON
Clerk of the Executive Council

Historic Buildings Act 1981 (No. 9667)
AMENDMENT OF REGISTER OF
HISTORIC BUILDINGS

Under Section 14 of the **Historic Buildings Act 1981** the Governor in Council amends the Register by adding Historic Building No. 1139.

Chateau Yering, Melba Highway, Coldstream, Yarra Ranges Shire.

Extent:

To the extent of:

1. The building known as Chateau Yering, being the homestead, the stables, the winery and the shed as marked

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respectively B-1, B-2, B-3 and B-4 on plan 603994A endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

2. Part of the land described in Certificates of Title Volume 9992, Folio 178 and Volume 9992 Folio 179, as marked L-1 on Plan 603994B endorsed by the Chair, Historic Buildings Council and held by the Director, Historic Buildings Council.

Dated 5 December 1995

Responsible Minister:

ROBERT MACLELLAN
Minister for Planning

KATHY WILSON
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 CITY OF
GREATER BENDIGO

AXEDALE—The road in the Township of Axedale, Parish of Axedale shown as Crown Allotment 1A, Section 4 on Certified Plan No. 116527 lodged in the Central Plan Office—(06/L6-8851).

MUNICIPAL DISTRICT OF THE GOLDEN
PLAINS SHIRE COUNCIL

SCARSDALE—The road in the Parish of Scarsdale shown as Crown Allotment 10A, Section 27 on Certified Plan No. 116488 lodged in the Central Plan Office—(93/1145).

MUNICIPAL DISTRICT OF THE ARARAT
RURAL CITY COUNCIL

WICKLIFFE SOUTH—The road in the Parish of Wickliffe South shown as Crown Allotment 6C, Section 41 and Crown Allotment 6C, Section 42 on Certified Plan No. 116581 lodged in the Central Plan Office—(94-1009).

Dated 5 November 1995

Responsible Minister:

M. A. BIRRELL
Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
BACCHUS MARSH RACECOURSE AND
RECREATION RESERVE

The Governor in Council under Section 14B(3) of the **Crown Land (Reserves) Act 1978** appoints Allan Comrie to be chairperson of the "Bacchus Marsh Racecourse and Recreation Reserve Committee of Management Incorporated" in the place of Neville Stuart Bond—MGR 5882.

Dated 5 December 1995

Responsible Minister:

M. A. BIRRELL
Minister for Conservation and Environment

KATHY WILSON
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:

DAYLESFORD WEST—The temporary reservation by Order in Council of 5 December, 1864 of an area of 4330 square metres of land in Section 26, Township of Daylesford West, Parish of Wombat (formerly Parish of Wombat [Daylesford]) as a site for Manure Depot for the Borough of Daylesford—(Rs 07704).

DAYLESFORD WEST—The temporary reservation by Order in Council of 18 February 1958 of an area of 8094 square metres, more or less, of land in Section 26, Township of Daylesford West, Parish of Wombat as a site for a Garbage Depot—(Rs 07704).

TURRUMBERRY NORTH—The temporary reservation by Order in Council of 29 January 1878 of an area of 43 hectares of land in Section 5, Parish of Turrumberry North as a site for Watering purposes—(Rs 6799).

Dated 5 December 1995

Responsible Minister:

M. A. BIRRELL
Minister for Conservation and Environment

KATHY WILSON
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:

KYNETON—The temporary reservation by Order in Council of 30 November, 1982 of an area of 4856 square metres of land being Crown Allotment 31, Section 50, Township of Kyneton, for the purposes of the the Department of Crown Lands and Survey—(Rs 12224).

NAPOLEONS—The temporary reservation by Order in Council of 6 September, 1886 of an area of 5.20 hectares of land in the Township of Napoleons (formerly Crown Allotments 52C and 53G, Parish of Yarrowee) as a site for Supply of Materials for Road-making purposes—(Rs 13661).

NELSON—The temporary reservation by Order in Council of 2 October, 1893 of an area of 2954 square metres of land in Section 6, Township of Nelson, Parish of Glenelg (formerly Crown Allotments 3 and 4, Section 6, town of Nelson) as a site for Police purposes, so far only as the portion containing 2196 square metres shown as Crown Allotment 3A, Section 6, Township of Nelson on Certified Plan No. 116559 lodged in the Central Plan Office—(C 82236).

Dated 5 December 1995

Responsible Minister:

M. A. BIRRELL
Minister for Conservation and Environment

KATHY WILSON
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:

BRINGALBART—The temporary reservation by Order in Council of 9 April 1883 of an area of 8094 square metres of land in the Parish of Bringalbart (formerly part of Crown Allotment 4) as a site for Public purposes (State School)—(Rs 35028).

COLVINSBY—The temporary reservation by Order in Council of 1 August 1864 of an area of 8094 square metres of land in the Parish of

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Colvinsby (formerly part of Crown Allotment 63, Parish of Colvinsby [Gorrinn]) as a site for a Common School—(Rs 6887).

Dated 5 December 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
REVOCAION OF TEMPORARY
RESERVATIONS

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

CALLAWADDA—The temporary reservation by Order in Council of 14 June 1886 of an area of 2.02 hectares of land in Section 1, Township of Callawadda, Parish of Callawadda (formerly Parish of Callawadda) as a site for a State School—(Rs 5395).

CALLAWADDA—The temporary reservation by Order in Council of 24 May, 1943 of an area of 2327 square metres of land in Section 1, Township of Callawadda, Parish of Callawadda (formerly Parish of Callawadda) as a site for a State School in addition to and adjoining the site temporarily reserved therefor by Order in Council of 14 June 1886—(Rs 5395).

CRESWICK—The temporary reservation by Order in Council of 15 August 1961 of an area of 2.023 hectares of land in the Township of Creswick, Parish of Creswick as a site for a Rubbish Depot—(Rs 8058).

CRESWICK—The temporary reservation by Order in Council of 27 November, 1899 of an area of 4.09 hectares of land in Section 89, Township of Creswick (formerly municipal district of Creswick) as a site for a Night-soil Depot—(Rs 13572).

CRESWICK—The temporary reservation by Order in Council of 23 December 1884 of an area of 9713 square metres of land in Section 89, Township of Creswick (formerly municipal district of Creswick) as a site for a Manure Depot—(Rs 6733).

GERANG GERUNG—The temporary reservation by Order in Council of 23 September 1935 of an area of 5919 square metres of land in the Parish of Gerang Gerung as a site for a State School—(Rs 4484).

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NURRABIEL—The temporary reservation by Order in Council of 11 March 1879 of an area of 2.02 hectares of land in the Township of Nurrabel, (formerly Parish of Nurrabel) as a site for Public purposes (State School)—(Rs 14224).

Dated 5 December 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

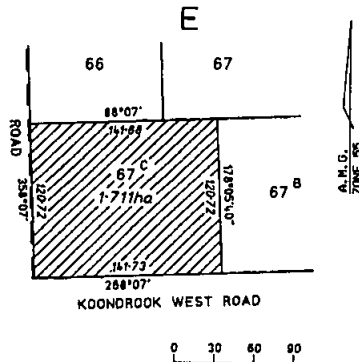
KATHY WILSON
Clerk of the Executive Council

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
GANNAWARRA SHIRE COUNCIL

KOONDROOK—Cemetery purposes, 1.711 hectares being Crown Allotment 67C, Section E, Township of Koondrook, Parish of Murrabit as indicated by hatching on plan hereunder—(K 163 [2]) (06/7567).



Dated 5 December 1995

Responsible Minister:

M. A. BIRRELL

Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Crown Land (Reserves) Act 1978
FLAGGY CREEK PUBLIC HALL AND
RECREATION RESERVE

The Governor in Council under Section 14B(3) of the **Crown Land (Reserves) Act 1978** appoints Terry Dervusoski to be chairperson of the "Flaggy Creek Hall Committee of Management Incorporated" in the place of Allan Baylis—Rs 6453.

Dated 5 December 1995
Responsible Minister
MARK BIRRELL
Minister for Conservation and Environment

KATHY WILSON
Clerk of the Executive Council

Health Services Act 1988
AMENDMENT OF ORDER
AMALGAMATING WIMMERA BASE
HOSPITAL AND DIMBOOLA DISTRICT
HOSPITAL

The Governor in Council pursuant to all enabling powers and on the recommendation of the Minister for Health under section 65 of the **Health Services Act 1988** ("the Act"), by this Order—

amends alters or varies the Order dated 31 October 1995 amalgamating Wimmera Base Hospital and Dimboola District Hospital, and appointing the board for the Wimmera Health Care Group, by substituting "Peter" for "Robert" in the appointment of the board member named as "Robert Fuller Brown".

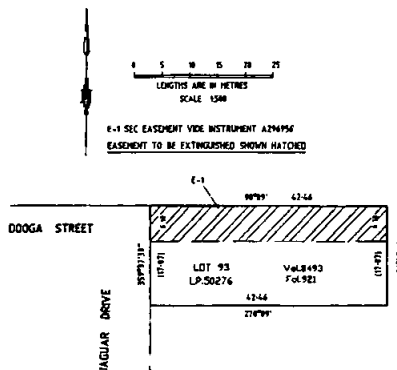
Dated 5 December 1995
Responsible Minister:
MARIE TEHAN
Minister for Health

KATHY WILSON
Clerk of the Executive Council

Housing Act 1983
CITY OF MONASH
Extinguishment of Easements

The Governor in Council under Section 16 of the **Housing Act 1983** extinguishes the easements indicated by hatching on the plan hereunder (see attached plan).

PLAN FOR EXTINGUISHMENT OF
EASEMENT
Part of Crown Allotment 11
Section 3
Parish of Mordialloc
County of Bourke



Dated 31 October 1995
Responsible Minister:
ROB KNOWLES
Minister for Housing

KATHY WILSON
Clerk of the Executive Council

Environment Protection Act 1970
DECLARATION OF WASTE
MANAGEMENT REGIONS

The Governor in Council acting under section 50E (1) of the **Environment Protection Act 1970** declares the following waste management regions:

WESTERN METROPOLITAN WASTE
MANAGEMENT REGION

- consisting of the municipal districts of:
- Brimbank City Council
 - Hobsons Bay City Council
 - Maribyrnong City Council
 - Melbourne City Council
 - Melton Shire Council
 - Moonee Valley City Council
 - Port Phillip City Council
 - Wyndham City Council
 - Yarra City Council

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**EASTERN METROPOLITAN WASTE
MANAGEMENT REGION**

consisting of the municipal districts of:

Knox City Council
Manningham City Council
Maroondah City Council
Whitehorse City Council
Yarra Ranges Shire Council

**MORNINGTON PENINSULA WASTE
MANAGEMENT REGION**

consisting of the municipal district of:

Mornington Peninsula Shire Council

**SOUTH EASTERN METROPOLITAN
WASTE MANAGEMENT REGION**

consisting of the municipal districts of:

Bayside City Council
Boroondara City Council
Cardinia Shire Council
Casey City Council
Frankston City Council
Glen Eira City Council
Greater Dandenong City Council
Kingston City Council
Monash City Council
Stonnington City Council

**NORTHERN METROPOLITAN WASTE
MANAGEMENT REGION**

consisting of the municipal districts of:

Banyule City Council
Darebin City Council
Hume City Council
Moreland City Council
Nillumbik Shire Council
Whittlesea City Council

Dated 28 November 1995

Responsible Minister:

MARK BIRRELL

Minister for Conservation and Environment

KATHY WILSON
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:

149. *Statutory Rule:* Magistrates' Court Civil Procedure (Miscellaneous Amendments) Rules 1995

Authorising Act: Magistrates' Court Act 1989

Date of Making: 24 November 1995

150. *Statutory Rule:* Solicitors' Remuneration Order 1995

Authorising Act: Supreme Court Act 1986

Date of Making: 21 November 1995

151. *Statutory Rule:* Veterinary Surgeons (Fees) Regulations 1995

Authorising Act: Veterinary Surgeons Act 1958

Date of Making: 5 December 1995

152. *Statutory Rule:* Magistrates' Court (Arbitration) (Professional Costs) Regulations 1995

Authorising Act: Magistrates' Court Act 1989

Date of Making: 5 December 1995

153. *Statutory Rule:* Firearms Regulations 1995

Authorising Act: Firearms Act 1958

Date of Making: 5 December 1995

154. *Statutory Rule:* Road Safety (Procedures) (Towing Infringements) Regulations 1995

Authorising Act: Road Safety Act 1986

Date of Making: 5 December 1995

**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, 318 Little Bourke Street, Melbourne on the date specified:

147. *Statutory Rule:* Pharmacists (Fees) Regulations 1995

Authorising Act: Pharmacists Act 1974

Date first obtainable: 1 December 1995

Code A

148. *Statutory Rule:* Physiotherapists (Fees) Regulations 1995

Authorising Act: Physiotherapists Act 1978

Date first obtainable: 1 December 1995

Code A

149. *Statutory Rule:* Magistrates' Court Civil Procedure (Miscellaneous Amendments) Rules 1995

Authorising Act: Magistrates Court Act 1989

Date first obtainable: 24 November 1995

Code B

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