

Victoria Government Gazette

By Authority of Victorian Government Printer

No. G 21 Thursday 24 May 2018

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The last Special Gazette was No. 238 dated 23 May 2018. The last Periodical Gazette was No. 1 dated 16 May 2018.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
- or contact our office on 8523 4601 between 8.30 am and 5.30 pm Monday to Friday

PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (General) QUEEN'S BIRTHDAY WEEK 2018 (Monday 11 June 2018)

Please Note Deadlines for General Gazette G24/18:

The Victoria Government Gazette (General) for Queen's Birthday week (G24/18) will be published on **Thursday 14 June 2018**.

Copy deadlines:

Private Advertisements
Government and Outer

Budget Sector Agencies Notices

9.30 am on Friday 8 June 2018

9.30 am on Tuesday 12 June 2018

Office Hours:

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

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

JENNY NOAKES Government Gazette Officer

PRIVATE ADVERTISEMENTS

Re: EVDOXIA GABRIELIDES, also known as Evdoxia Gabrielidis, deceased, late of 81–85 Porter Street, Templestowe, Victoria, lady.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 July 2017 at Heidelberg, Victoria, leaving property in Victoria and, in particular, at 205 Serpells Road, Templestowe, Victoria, are required by the trustee, Kelly Leeds, to send particulars to the trustee, care of Antippa Lawyers of Room 3, Level 5, 2 Collins Street, Melbourne, Victoria, by 15 July 2018, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

JOAN MARY BOLDERSTON, late of 4 Alexandra Road, Ringwood East, Victoria 3135

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 January 2018, are required by the personal representatives, Glen Andrew Egerton and Santina Michelle Della-Rossa, to send particulars to them, care of the undermentioned solicitors, by 31 July 2018, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

AUGHTERSONS,

267 Maroondah Highway, Ringwood 3134.

EDWARD STEPHEN DUKE, late of 56 Grandview Grove, Wendouree, researcher, deceased.

Creditors, next-of-kin and all others having claims in respect of the estate of the abovenamed deceased, who died on 21 September 2017, are required by the executor, Beverley Margaret Guest, to send particulars of their claims to the trustee, care of the undermentioned solicitors, by a date not later than 60 days from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

BOWLEN DUNSTAN & ASSOCIATES PTY, ACN 068 823 192, solicitors for the applicant, 38 Beetham Parade, Rosanna 3084.

DOUGLAS HARTLEY, late of Swan Hill, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 August 2017, are required by Kenneth Noel Donaldson, the executor of the Will of the deceased, to send particulars of their claims to him, care of the undermentioned solicitor, within 60 days from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

Trustee Act 1958

SECTION 33 NOTICE

Notice to Claimants

NELSON CHARLES WATSON, late of Unit 3, 40 Barkly Street, Ararat, Victoria, retired, deceased

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 March 2018, are required by Equity Trustees Limited of Level 1, 575 Bourke Street, Melbourne, Victoria, the executor of the estate of the deceased, to send particulars of their claims by 24 July 2018, after which date the executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

HUNT & HUNT, Level 5, 114 William Street, Melbourne, Victoria 3000. Ref: 9622234.

Re: Estate of KENNETH RAYMOND MICHAEL, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of KENNETH RAYMOND MICHAEL, late of 403 Kellys Road, Woomelang, in the State of Victoria, farmer, deceased, who died on 31 January 2018, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 25 July 2018, after which the

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

JOLIMAN LAWYERS, Beveridge Dome, 194–208 Beveridge

Beveridge Dome, 194–208 Beveridge Street, Swan Hill 3585.

Re: MYRTLE MAUD HASTIE, late of Amberlea Aged Care, 5 Pearson Road, Drouin, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 April 2018, are required by the trustee, Stuart Edward Hastie, to send particulars to him, care of the undersigned, by 20 July 2018, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

KEN SMITH & ASSOCIATES, solicitors, 434 Maroondah Highway, Lilydale 3134.

KELVIN EDWIN FREDERICK McINTOSH, late of 108 Dow Street, Port Melbourne, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 February 2018, are required by the executors to send particulars of their claims to the undermentioned lawyers by 23 July 2018, after which date the executors may convey or distribute the estate, having regard only to the claims of which they have notice.

McCLUSKYS LAWYERS,

111 Bay Street, Port Melbourne, Victoria 3207.

JENNIFER JEAN WISHART, late of 47 Wilson Street, Wedderburn, Victoria 3518, supervisor, deceased.

Creditors, next-of-kin and others having claims in respect of the Will of the abovenamed deceased, who died on 28 September 2017, are required by the executor, Kimberley Anne Wishart, care of the undermentioned solicitor, to send particulars of their claims to her by 24 July 2018, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

MCL LEGAL,

78 Napier Street, St Arnaud, Victoria 3478.

CAROLYN DRYDEN, late of 4 Mahoney Street, Fitzroy, Victoria 3065, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 2 December 2015, are required by the administrators, Nicholas Fleetwood Dryden and Anne Louise Butler, care of 2 Sparks Street, Beaumaris, Victoria 3193, to send particulars of their claims to them by 25 July 2018, after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 21 May 2018

MJS LAW,

2 Sparks Street, Beaumaris, Victoria 3193.

GRAHAM MICHAEL HEATH, late of 53 Landcox Street, Brighton East, Victoria 3187, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 11 September 2017, are required by the executor, Jodie Ann Heath, care of 2 Sparks Street, Beaumaris, Victoria 3193, to send particulars of their claims to her by 25 July 2018, after which date the executor may convey or distribute the assets and distribute the estate, having regard only to the claims of which she then has notice.

Dated 24 May 2018

MJS LAW.

2 Sparks Street, Beaumaris, Victoria 3193.

Re: MARLENE MERLE SPITERI, also known as Marlene Merle Ellin, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 December 2017, are required by the trustees, Gary John Ellin and Jan Leah White, to send particulars to their solicitors at the address below by 24 July 2018, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MST LAWYERS,

315 Ferntree Gully Road, Mount Waverley 3149.

Re: SARIN WONGPRASARTSUK, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 January 2018, are required by the trustee, Sharon Louise Wongprasartsuk, to send particulars to her solicitors at the address below by 24 July 2018, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice. MST LAWYERS.

315 Ferntree Gully Road, Mount Waverley 3149.

Re: JOHN ALBERT POPE, late of Unit 417, 100 Janefield Drive, Bundoora, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 January 2018, are required by the trustee, Calvin John Pope, to send particulars to the trustee, care of the undermentioned solicitors, within two calendar months from the date of this advertisement, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MW LAW (GREENSBOROUGH) PTY LTD RYAN MACKEY & McCLELLAND (a Firm), solicitors

65 Main Street, Greensborough 3088.

Re: RICHARD DAVID ALEXANDER THOMAS, late of 56 Lakeside Boulevard, Rowville, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 October 2017, are required by the trustee, Derek Neil Fowler, to send particulars to the trustee, care of the undermentioned solicitors, by 27 July 2018, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MAHONS with Yuncken & Yuncken, solicitors, 101/177 Surrey Road, Blackburn 3130. CD:HP:2172233

Re: ANGUS McDOUGALL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 October 2017, are required by the trustee, Richard James Manly, to send particulars to him, care of the undermentioned

solicitors, by 3 August 2018, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

PEARCE WEBSTER DUGDALES, lawyers, 4th Floor, 379 Collins Street, Melbourne 3000.

Re: TULLI RACHAEL BESCHI, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 September 2017, are required by the trustees, Terence Alan Beschi and Veronica Gay Beschi, to send particulars of such claims to them, in care of the below mentioned lawyers, by 18 July 2018, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

GIACOMO FLORIANO BARRO, late of 8 Valentine Street, Bulleen, Victoria, builder, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 January 2018, are required by Teresa Alnorah Maria Lord and Dominic Steven Barro, the executors of the Will of the deceased, to send particulars of their claims to them, care of the undermentioned solicitor, by 1 November 2018, after which date the executors may convey or distribute the assets, having regard only to the claims of which they have notice.

ROSA MIMMO, solicitor, Suite 6, 857–859 Doncaster Road, Doncaster East 3109.

Re: NELSON DRACOPOULOS, late of 5/631 Waverley Road, Malvern East, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 November 2017, are required by Sharon Tomas, the trustee of the estate of the deceased, to send particulars of their claims to her, care of the undermentioned lawyers, by 26 July 2018, by which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

RUSSO PELLICANO CARLEI, lawyers, 43 Atherton Road, Oakleigh, Victoria 3166.

GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES NOTICES

BOROONDARA CITY COUNCIL

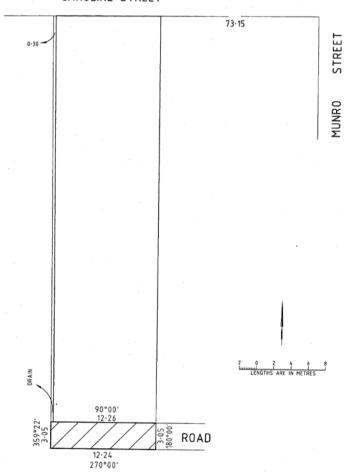
Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has resolved to discontinue the road at the rear of 30 and 32 Caroline Street and 251 and 255 Riversdale Road, Hawthorn East, shown by hatching on the plan below and to sell the land from the road to the abutting property owners by private treaty.

The land from the road is to be sold subject to the right, power or interest held by Yarra Valley Water in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.

PARISH OF BOROONDARA (AT HAWTHORN) PART OF CROWN PORTION 103

CAROLINE STREET



PHILLIP STORER Chief Executive Officer

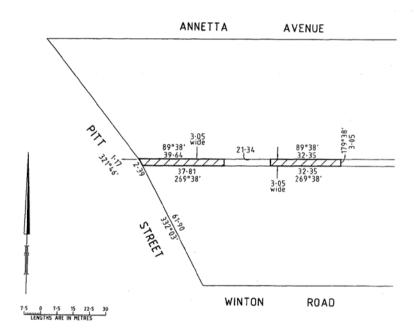
BOROONDARA CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has resolved to discontinue the road at the rear of 8, 10 and 14 Annetta Avenue, 51 and 53 Winton Road and adjoining 5 and 7 Pitt Street, Ashburton, shown by hatching on the plan below and to sell the land from the road to the abutting property owners by private treaty.

The land from the road is to be sold subject to the right, power or interest held by Boroondara City Council and Yarra Valley Water in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.

PARISH OF BOROONDARA
PART CROWN ALLOTMENT 1378



PHILLIP STORER Chief Executive Officer



PUBLIC NOTICE

Amendment of Local Law Meeting Procedure

At the Ordinary Meeting of Council held on 16 May 2018, Council amended the Local Law Meeting Procedure 2018 in accordance with the procedure set out in section 119(3) of the **Local Government Act 1989**.

A copy of the Local Law Meeting Procedure 2018 is available at www.basscoast.vic.gov.au

CITY OF PORT PHILLIP

Notice of Amendment of an Incorporated Document

Notice is given that, at its meeting on 21 February 2018 and in accordance with Clause 62A(2)(b) of its Community Amenity Local Law ('the Local Law'), Port Phillip City Council ('Council') designated an area into or onto which a person must not take any glass container, bottle, receptible, vessel or like product without a permit. The designation becomes effective on 1 July 2018.

In doing so Council also resolved to make amendments to its Procedures and Protocols Manual ('Manual'), amending clause 62A.2 of the Manual. The Manual is a document incorporated by reference into the Local Law. Notice is therefore also given of the amendment to the Manual. The amendment reflects the terms of the designation.

The area so designated is that part of the municipal district which comprises the foreshore, including beaches, reserves and parkland, from Elwood to Port Melbourne and between the water and State Route 33 (comprising Ormond Esplanade, Marine Parade, Jacka Boulevard, Beaconsfield Parade and Beach Street). It is depicted in the hatched area highlighted in the map below.



A copy of the Local Law and the incorporated documents are available from Council offices, or from Council's website at www.portphillip.vic.gov.au

PETER SMITH Chief Executive Officer

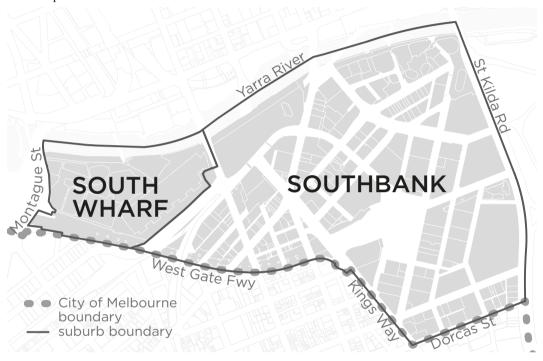
Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

Notice of the Preparation of an Amendment Amendment C305

The Melbourne City Council has prepared Amendment C305 to the Melbourne Planning Scheme.

The Amendment affects 48 places in the suburbs of Southbank and South Wharf shown below and one place in Port Melbourne located at 344–370 Lorimer Street and 231–249 Todd Road.



The Amendment proposes to implement the findings of the 'Southbank and Fishermans Bend Heritage Review', Biosis and Graeme Butler, 16 June 2017 by:

- amending the Schedule to Clause 43.01 Heritage Overlay for places in Southbank and South Wharf to:
 - apply the Heritage Overlay to 20 additional places, including one precinct, two group listings and 17 individual places;
 - delete the Heritage Overlay from 11 places due to buildings being demolished or incorrectly mapped;
 - amend the Heritage Overlay for 17 places to correct addresses, descriptions or boundary anomalies;
- amending the Schedule to Clause 43.01 Heritage Overlay for one place in Port Melbourne located at 344–370 Lorimer Street and 231–249 Todd Road to reflect that an aircraft hangar that was previously in this location has been relocated to Tyabb;
- inserting the following new Incorporated Documents into the Schedule to Clause 81.01:
 - 'Southbank Statements of Significance', 2 October 2017;
 - Southbank Heritage Places Inventory', 26 April 2018;
 - 'Former PMG garage, stores & workshops, part 45–99 Sturt Street Southbank Incorporated Document', 19 December 2017;

- amending Local Policies Clause 22.04 (Heritage Places within the Capital City Zone) and Clause 22.05 (Heritage Places outside the Capital City Zone) to make reference to the 'Southbank and Fishermans Bend Heritage Review', 16 June 2017 and the 'Southbank Statements of Significance', 2 October 2017; and
- amending planning scheme maps 8HO, 8HO1, 8HO2 and 11HO to reflect the changes described above

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the City of Melbourne, Customer Service Counter, Ground Floor, Melbourne Town Hall Administration Building, 120 Swanston Street, Melbourne; at the City of Melbourne website: www.participate.melbourne.vic.gov.au/Amendment C305; and at the Department of Environment, Land, Water and Planning website at: www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is Friday 29 June 2018.

A submission must be in writing and lodged either online: https://participate.melbourne.vic.gov.au/ AmendmentC305; by email: amendmentC305@melbourne.vic.gov.au; or by post: Team Leader – Heritage, City of Melbourne, GPO Box 1603, Melbourne, Victoria 3001.

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

EMMA APPLETON Manager, Urban Strategy

Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

Notice of the Preparation of an Amendment

Amendment C307

The Melbourne City Council has prepared Amendment C307 to the Melbourne Planning Scheme.

The land affected by the Amendment is all land within the Melbourne municipal area.

The Amendment proposes to implement the outcomes of a review into City of Melbourne's gaming policy in the Melbourne Planning Scheme, by making the following changes:

- Amend Clause 21.10-6 Cultural/Arts and Entertainment Facilities, to strengthen policy to ensure
 that electronic gaming machines operate as part of the overall range of entertainment activities
 in the municipality.
- Amend Clause 21.12 Hoddle Grid, to strengthen policy to reduce the concentration of electronic gaming machines in the Hoddle Grid where they contribute to convenience gambling.
- Amends Clause 22.12 to introduce a revised policy which enables a more comprehensive assessment of the social and economic impacts of gaming, and assists in guiding the appropriate location and operation of gaming venues.
- Amend the Schedule to Clause 52.28 Gaming, to update the list of shopping complexes where the installation or use of a gaming machine is prohibited.

Amendment C307 is supported by the reference documents; 'City of Melbourne Electronic Gaming Machine Decision-Making Framework, 2017', and 'City of Melbourne Electronic Gaming Machine Review Background Report, 2017'.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, the City of Melbourne, at Melbourne Town Hall, Administration Building, 120 Swanston Street, Melbourne; at the City of Melbourne website, https://participate.melbourne.vic.gov.au/AmendmentC307; or at the Department of Environment, Land, Water and Planning website, www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority about the Amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. The closing date for submissions is Friday 29 June 2018. A submission must be sent to the Team Leader — Planning Policy, City of Melbourne and lodged either online: https://participate.melbourne.vic.gov.au/ AmendmentC307; via email: planningpolicy@melbourne.vic.gov.au; or post: Robyn Hellman, Team leader — Planning Policy, City of Melbourne, GPO Box 1603, Melbourne, Victoria 3001.

The planning authority must make a copy of every submission available at its office for any person to inspect, free of charge, for two months after the Amendment comes into operation or lapses.

EMMA APPLETON Manager, Urban Strategy

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 24 July 2018, 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.

BATESON, Noel Terence, also known as Noel Terrence Bateson, late of Wilson Lodge, 155 Guthridge Parade, Sale, Victoria 3850, deceased, who died on 5 December 2017. BOUDEWYN, Deston Ralph, late of Wintringham Aged Care, 23 Harding Street, Coburg, Victoria 3058, deceased, who died on 10 May 2017.

KEENEY, Carl Thomas, late of 5 Elder Court, Sunshine North, Victoria 3020, deceased, who died on 18 January 2018.

KLAGYIVIK, Piroska, late of Bupa Caulfield, 349–351a North Road, Caulfield South, Victoria 3162, deceased, who died on 12 April 2018.

LEACH, Lorna Olivia, late of Unit 3, 53 Yarra Street, Heidelberg, Victoria 3084, deceased, who died on 22 August 2017.

Dated 15 May 2018

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal representative, on or before 26 July 2018, 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.

AISBETT, Beverley Carol, late of Alan David Lodge, 382 Torquay Road, Grovedale, Victoria 3216, deceased, who died on 9 March 2017.

LAUBE, Irene, late of Warrawee Community, 854A Centre Road, Bentleigh East, Victoria 3165, pensioner, deceased, who died on 9 April 2018.

MILLS, Yvonne, late of Bupa Aged Care, 18 McGlynn Avenue, South Morang, Victoria 3752, deceased, who died on 5 April 2018.

WILLIAMS, Zita May, late of Highwood Court Aged Care, 3259 Warrigal Road, Burwood, Victoria 3125, deceased, who died on 3 February 2018.

WITHEROW, Colin, late of United Aged Care Wyndham Manor, 15 Buffalo Crescent, Wyndham Vale, Victoria 3024, deceased, who died on 18 March 2018.

Dated 17 May 2018

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, of 1 McNab Avenue, Footscray, Victoria 3011, the personal

representative, on or before 30 July 2018, 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.

- ARITONOVICI, George, late of Unit 2, 45 Strathmerton Street, Reservoir, Victoria 3073, deceased, who died on 29 January 2018.
- GAILIS, Percy James, late of 294 Kooyong Road, Caulfield, Victoria 3162, deceased, who died on 2 April 2018.
- PENNA, Frederick, late of Unit 116, 159 Melrose Street, North Melbourne, Victoria 3051, deceased, who died on 30 January 2018.
- TAYLOR, Cheryl Ann, late of 3 Leyland Street, Croydon, Victoria 3136, deceased, who died on 16 December 2017.

Dated 21 May 2018

INTERIM EXEMPTION

Application No. H139/2018

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 89 of the **Equal Opportunity Act 2010** (the Act) by The Peninsula School Limited trading as Peninsula Grammar (the applicant). The application for exemption is to enable the applicant to:

- (a) structure waiting lists and enrolment lists, allocate placements and offer enrolments to prospective male or female students; and
- (b) to offer scholarships to male or female students or male or female prospective students for 2019

for the purpose of promoting and maintaining a gender balance of students at the school (the exempt conduct).

Upon reading the material filed in support of this application, including the affidavit of Stuart Johnston and having regard to an earlier exemption which will expire on 16 May 2018, the Tribunal is satisfied that it is appropriate to grant an interim exemption from sections 38, 44, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct until the application is finally heard and determined.

In granting this exemption the Tribunal noted:

- The applicant is an independent private school in Mt Eliza, established in 1961.
 It commenced as a boys-only school and became co-educational in 1994.
- Co-education is provided across all levels in the school, from 3 year-old kindergarten to year 12. It has about 1,367 students. The majority of all classes at all year levels are coeducational, with limited exceptions.
- In 2013 the applicant was granted an exemption which is in force until 16 May 2018 for various measures enabling it to promote enrolments and applications from female students and prospective female students to maintain a gender balance of the students at the school.
- The applicant has supplied enrolment and waitlist data which shows that gender disparity is more pronounced at some year levels than others but that such disparity persists in favour of applications from male students. The applicant contends that the gender disparity would have been more severe had the exemption not been operative.
- The applicant is in the process of offering 2019 placements. The main enrolment process is conducted between February and July each year and will not be completed until after the current exemption expires on 16 May 2018.
- The applicant has applied for an interim exemption. Pending the Tribunal's consideration of the exemption application, it is appropriate to grant an interim exemption as otherwise the exempt conduct may amount to prohibited discrimination.
- When making decisions about exemptions, the Tribunal is required to give proper consideration to relevant human rights as set out in the Charter of Human Rights and Responsibilities Act 2006 (Charter). Arguably, this exemption limits the right to equality and in particular the right to equal and effective protection against discrimination of males or females who would wish to enrol at the school or apply for a scholarship at the school. I am satisfied that, in the circumstances discussed above, the limit imposed by this exemption is reasonable and justified under the Charter.

The Tribunal hereby grants an interim exemption from the operation of sections 16, 18, 107 and 182 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from 16 May 2018 until 16 August 2018.

Dated 14 May 2018

A. SMITH Member

Associations Incorporation Reform Act 2012 SECTION 135

On 24 April 2018 I issued a notice under section 135(2) of the **Associations Incorporation Reform Act 2012** (the Act) to the incorporated associations listed below, requesting them to show cause as to why their incorporation should not be cancelled.

I am now satisfied that the incorporation of the below listed incorporated associations should be and are hereby cancelled in accordance with section 135(3) of the Act.

Alay Sa Kaunlaran Inc.; Ararat Golden Gateway Festival Committee Inc.; Artesur of Victoria Inc.; Arthurs Seat Precinct Committee Inc.; Asia Pacific Association of Political Consultants Inc.; Australian 6 Day Race Colac Inc.; Australian Guang Dong & Guang Xi United Chamber of Commerce Inc.; Australian Mobile Broadband Association Inc.; Australian National Committee of the ICC Inc.; Australian Naturist Development Association Inc.; Australian Salary Packaging Industry Association Inc.; Australian Tamil Cultural and Traditions Association Inc.; Australians Supporting Kids Inc.; Australia's Voice Inc.; Big House Communities Inc.; Bint Al Huda Iraqi Women's Association Inc.; Blackjack.Org.Au - The Australian Gaming Community Inc.; Captain Cook Hotel Social & Sporting Club Inc.; Chinese Cultural Education and Theatre Art Alliance of Victoria Inc.; Clifton Hill Hotel Sporting Club Inc.; Condah Events Committee Inc.; Cornerstone Youth of Today & Tomorrow Inc.; Cup Day in the Park Inc.; Daylesford & District Landscape Guardians Inc.; Distillery Social Club Inc.; Djibouti Community Association Inc.; Drumborg Tennis Club Inc.; Dunstan Reserve Community Facility Committee of Management Inc.; East Gippsland Regional Sports Assembly Inc.; Employee Assistance Professionals Association Inc.; Endeavour Hills Toy Library Inc.; Ensign Basketball Club Inc.; Eritrean Youth Group Association Inc.; Ethick Community Mozambique of Victoria Inc.; Executive Coaching Association Inc.;

Federation of Timber Industrial Associations Inc.; Glengarry Carnival & Agricultural Society Inc.; Global Organisation of People of Indian Origin (GOPIO) Melbourne Inc.; Mmrne Inc.; Goulburn Valley Pacific Islanders Association Inc.; Grassroots Sportsmen's Club Inc.; Greenvale Softball Club Inc.; Group of Six Inc.; History Educators' Network of Australia Inc.; History of Police in Bendigo Inc.; Hobson's Bay African Women's Association (In the West) Inc.; Home Is Where the Heartaches Inc.; Hope Foundation International Inc.; Horsham Softball Association Inc.; Hotshot Panthers Basketball Club Inc.; Hume Netball Region Inc.; Information Technology Social Club Inc.; International Association of Contemporary Lifestyle Coaches Inc.; Jet Australia Inc.; Koroit and District Sports Association Inc.; Kyneton Trainers Association Inc.; Latin American Multicultural Association Inc.; Libra Ensemble Inc.: Lucid Fashion Business Network Inc.: Macedon Range Conservation Society Inc.; Mansfield Car Club of Victoria Inc.; Manuae Sports and Social Club Inc.; Melbourne Chinese & Tibetan Friendship Association Inc.; Melbourne TLC Inc.; MFB Netball Club Inc.; Mordialloc Senior Citizens Club Inc.; Mount Duneed Cricket Club Inc.; Mullum Mullum Sports Club Inc.; Museum of Lasting Impressions Inc.; Northern Plains Business and Tourism Network Inc.; Nullawarre North Netball Club Inc.; Nyah Animal Shelter Inc.; Om Al Banin Community Inc.; Ovens & King Tennis Association Inc.; Over 38 Tourers Inc.; Pascale Tanantella Dance Group Inc.; Pelister Club Inc.; Phoenix Unity Cantonese Opera of Victoria Inc.: Pinewood-Brentwood Rebels Softball Club Inc.; Piston-Broke Social Club Inc.; Poker. Org.Au - The Australian Gaming Community Inc.; Poly. Flavas Inc.; Portland and District Aero Modellers Club Inc.; Pt'chang Nonviolent Community Safety Group Inc.; Pure Poverty Inc.; Rainbow Multicultural Inc.; Reclaim Resident Rights Inc.; Renaissance of Chinese Li Yue Geelong Society Inc.; Ropar Patiala Cricket Club (RPCC) Inc.; Rye Beach Commerce Association Inc.: Saad Relief Association Inc.: Saffron Herbal Inc.; Shepparton & District Council for the Prevention of Child Abuse and Neglect Inc.; Sino Australia Advanced Education Foundation Inc.: Sophisticated Swing Big Band Inc.; South Eastern Australian Arabic Club Inc.; South West Action for Refugees Inc.; Southern Peninsula Opportunity Shop Inc.; Southern Sting Sports Club Inc.: Sportsbook. Org.Au – The Australian Gaming Community Inc.; St. Kilda Sailing Club Inc.; St. Lawrence L.M. Society Inc.; St. Leonards Playgroup Inc.;

St. Michael's Tennis Club, Ashburton Inc.; St. Sabresho Social Association Inc.; Still Missing In Australia Inc.; Straight Edge Inc.; Streamline Swimming Club Inc.; Sunraysia Caravan Parks Group Inc.; Sunshine Senior Citizens Centre Inc.; Support Humane Policies Campaign Inc.; Swan Hill Community Workers Inc.; Swan Hill Pensioners Social Club Inc.; T.O.P.I.C. (Take off Pounds in Company) Inc.; Tellstars Badminton Club Inc.; The Australian Window Rating Authority Inc.; The Australian World Community Service Association Inc.; The Fashion Group International of Melbourne Inc.; The Habitat Foundation Inc.; The Kinship Collective Inc.; The Lancefield Club Inc.; The Melbourne Storm Supporters Club Inc.; The National Hellenic Council Senior Citizens Club of the St. Andrews Beach Inc.; The Powder Blue Army Inc.; The Street Science Institute Inc.; The Sudanese Community in Melton Inc.; The TGG Almond Committee Inc.; The Victorian Action Committee for the Promotion of the Bengali Language (Vacbeng) Inc.; The Werribee-Laverton Karate Club Inc.; Thok Nath Development Agency Inc.; Tomorrow Concerts Inc.; Tongan Tennis Association Victoria Inc.; Traditionalist League for Christendom Inc.; Tri Generation Club Inc.; Tylden Tennis Club Inc.; Unisoul Inc.; Vermont Village Traders Inc.; Victorian Frog Group Inc.; Vietnam Australia Business Council Inc.; Wallan Indoor Cricket Inc.; Water Falls Inc.; Wef Victoria Inc.; Wendouree Junior Chamber Inc.; Western Antique Bottle Club of Williamstown Inc.; Western Tamils Sports Club; Yarra Valley Cougars Football Club Inc.

Dated 24 May 2018

DAVID JOYNER Deputy Registrar of Incorporated Associations PO Box 4567 Melbourne, Victoria 3001

Agent-General and Commissioners for Victoria Act 2007

I, Philip Dalidakis, Minister for Trade and Investment, under section 11(1) of the **Agent-General and Commissioners for Victoria Act 2007** (the Act), direct the Commissioner for Victoria, Mr Adam Cunneen, to perform functions and carry out duties under the Act in the below listed post territories, with the position to be based in Tokyo, from 8 September 2018.

Post Territories:

Japan	
Republic of Korea	

Dated 9 May 2018

HON. PHILIP DALIDAKIS MP Minister for Trade and Investment

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of Cemetery Trust Fees and Charges

I, Bryan Crampton, as Delegate of the Secretary to the Department of Health and Human Services for the purposes of section 40(2) of the Cemeteries and Crematoria Act 2003, give notice that I have approved the scales of fees and charges fixed by the following cemetery trust.

The approved scales of fees and charges will take effect from the date of publication of this notice in the Victoria Government Gazette and will be published on the internet.

The fees will be published on the internet at http://www.health.vic.gov.au/cemeteries The Pannoobamawm Cemetery Trust

Dated 21 May 2018

BRYAN CRAMPTON Manager Cemetery Sector Governance Support



Honouring and celebrating life

Cemeteries and Crematoria Act 2003 NOTICE OF INTENT TO ADOPT NEW CEMETERY FEES

In accordance with section 39 of the Cemeteries and Crematoria Act 2003, Southern Metropolitan Cemeteries Trust (SMCT) gives notice of new proposed fees and charges relating to pricing for cemetery services.

Objectives

The objective of the proposed fee schedule is to set fees that promote efficiency and equity (through a choice of services at the minimum cost to the community) and ongoing financial sustainability (to recover legacy costs) of SMCT consistent with the requirements of the Cemeteries and Crematoria Act 2003.

A primary function of the consultation process is to allow members of the public to comment on any proposed fees before they are finalised. Public input provides valuable information and can improve the overall quality of decision-making.

Submissions

Submissions on the proposed fees are invited and must be received no later than 5.00 pm on Friday 22 June 2018. The submissions will be considered before the proposed regulations are made. Please note that submissions are subject to the **Freedom of Information Act 1982** and copies will be provided to the Scrutiny of Acts and Regulations Committee.

Email submissions are preferred and can be sent to: Enquiries@smct.org.au with the subject 'SMCT Fee Regulations'.

Alternatively, submissions can be made by post marked 'SMCT Fee Regulations' and addressed to: Director of Finance and Business Services, Southern Metropolitan Cemeteries Trust, PO Box 1159, Clayton, Victoria 3169.

Further information can be obtained from the SMCT website at www.smct.org.au

NOEL RENWICK Director of Finance and Business Services

Gas Industry Act 2001



ABN 41 154 914 075

Deemed and standing offer tariffs to business customers pursuant to section 42 and section 46 of the **Gas Industry Act 2001** to take effect on 24 June 2018 until such time as the tariffs are varied.

For more information contact Powershop on 1800 462 668, fax 03 9620 9955, GPO Box 1639, Melbourne, Victoria 3000, or visit powershop.com.au

Applicability of rates:

Rates subject to confirmation of distribution zone, meter type and configuration, and details of supply address. Guidance regarding applicability is set out below.

Rates are as set out in the following pages.

Australian Gas Network Business	Zone	Unit	excl. GST	incl. GST
Anytime Usage	Central	c/MJ	1.680	1.848
Daily Supply Charge		c/day	98.000	107.800
A 4: II	NT /1	/> / / / /	1.600	1.040
Anytime Usage	North	c/MJ	1.680	1.848
Daily Supply Charge		c/day	98.000	107.800
Multinet Business	Zone	Unit	excl. GST	incl. GST
Peak Usage	Metro	c/MJ	1.580	1.738
Shoulder Usage		c/MJ	1.580	1.738
Off Peak Usage		c/MJ	1.580	1.738
Daily Supply Charge		c/day	99.000	108.900
AusNet Services Business	Zone	Unit	excl. GST	incl. GST
	Central	c/MJ	1.500	1.650
Peak Usage Off Peak Usage	Central	c/MJ	1.300	
		-, -, -,		1.570
Daily Supply Charge		c/day	106.000	116.600
Peak Usage	West	c/MJ	1.520	1.670
Off Peak Usage		c/MJ	1.400	1.540
Daily Supply Charge		c/day	106.000	116.600
Peak Usage	Adjoining	c/MJ	1.830	2.010
Off Peak Usage	Central	c/MJ	1.800	1.980
Daily Supply Charge		c/day	106.000	116.600
Dools Hanna	A dinimin -	a/MI	1 900	2.000
Peak Usage	Adjoining West	c/MJ	1.890	2.080
Off Peak Usage	, vvcst	c/MJ	1.830	2.010
Daily Supply Charge		c/day	106.000	116.600

Seasonal Usage period:

Multinet distribution area

- Peak rates apply from 1 June to 30 September inclusive
- Shoulder rates apply from 1 May to 31 May and 1 October to 31 October inclusive
- Off Peak rates apply from 1 November to 30 April inclusive.

AusNet Services distribution area

- Peak rates apply from 1 June to 30 September inclusive
- Off Peak rates apply from 1 October to 31 May inclusive.

Serviceable Postcode:

Australian Gas Network - Central Zone:

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3000, 3001, 3002, 3003, 3005, 3008, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3065, 3066, 3067, 3068, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3078, 3079, 3081, 3082, 3083, 3084, 3085, 3087, 3088, 3089, 3090, 3091, 3093, 3094, 3095, 3096, 3097, 3099, 3121, 3201, 3750, 3752, 3754, 3759, 3770, 3198, 3199, 3200, 3755, 3760, 3761, 3777, 3803, 3805, 3806, 3807, 3808, 3809, 3810, 3816, 3818, 3820, 3822, 3823, 3824, 3825, 3840, 3842, 3844, 3847, 3850, 3851, 3852, 3854, 3856, 3857, 3858, 3859, 3860, 3862, 3869, 3873, 3910, 3911, 3912, 3913, 3915, 3916, 3918, 3919, 3920, 3921, 3926, 3927, 3928, 3929, 3930, 3931, 3933, 3934, 3936, 3937, 3938, 3939, 3940, 3941, 3942, 3943, 3944, 3975, 3976, 3977, 3978, 3980, 3981, 3987.
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Australian Gas Network – North Zone:

3521, 3522, 3523, 3561, 3564, 3607, 3608, 3614, 3616, 3617, 3618, 3620, 3621, 3622, 3623, 3624, 3629, 3630, 3631, 3633, 3658, 3659, 3660, 3662, 3663, 3664, 3665, 3666, 3669, 3672, 3673, 3675, 3677, 3678, 3682, 3683, 3688, 3690, 3691, 3694, 3726, 3747, 3749, 3753, 3756, 3758, 3764.

Multinet – Metro Zone:

3000, 3004, 3006, 3008, 3097, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3111, 3113, 3114, 3115, 3116, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3158, 3159, 3160, 3161, 3162, 3163, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3201, 3202, 3204, 3205, 3206, 3207, 3765, 3766, 3767, 3770, 3781, 3782, 3783, 3785, 3786, 3787, 3788, 3789, 3791, 3792, 3793, 3795, 3796, 3802, 3804, 3976.

AusNet Services - Central Zone:

3008, 3011, 3012, 3013, 3015, 3016, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3055, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3073, 3211, 3212, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3228, 3335, 3337.

AusNet Services - West Zone:

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

AusNet Services - Adjoining West Zone:

3260, 3284, 3357, 3363, 3364, 3431, 3434, 3435, 3437, 3438, 3440, 3441, 3442, 3551.

AusNet Services – Adjoining Central Zone:

3213, 3227, 3331.

Some postcodes may contain shared boundaries with other distribution zones or no gas areas.

Geographic Place Names Act 1998

NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES

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

Road Naming:

Change Request Number	Road Name	Locality	Naming Authority and Location
106839	Jack Hore Way	Wodonga	Wodonga City Council Formerly known as Bond Street. The road traverses east from Church Street to High Street.

Localities:

Change Request Number	Naming Authority	Affected Localities	Location
84154	Moonee Valley City Council	Aberfeldie and Moonee Ponds	The boundary is to be amended to include 128A Park Street, Aberfeldie, into the locality of Moonee Ponds. The revised boundary will head north from Park Street, centre line of the laneway and along the northern and eastern boundaries of 128A Park Street. All other boundaries remain unchanged. For further details see map at www.delwp.vic.gov.au/namingplaces

Feature naming:

Change Request Number	Place Name	Naming Authority and Location
108376	Munro Recreation Reserve	Wellington Shire Council Formerly known as Swan Road Recreation Reserve. Located between Swans Road and Old Munro Road, Munro. For further details see map at www.delwp.vic.gov.au/namingplaces
108366	Denison Recreation Reserve	Wellington Shire Council Formerly known as Denninson Recreation Reserve. Located at 1422 Sale–Heyfield Road, Denison. For further details see map at www.delwp.vic.gov.au/namingplaces
_	Navigators Bridge	VicTrack Located at the intersection of Navigator–Dunnstown Road, Navigators, and the rail line. For further details see map at www.delwp.vic.gov.au/namingplaces

Change Request Number	Place Name	Naming Authority and Location
_	Gascards Lane Bridge	VicTrack Located at the intersection of Gascards Lane, Ballan, and the rail line. For further details see map at www.delwp.vic.gov.au/namingplaces
-	Fred Lewin Bridge	VicTrack Located at the intersection of Telephone Road, Parwan, and the rail line. For further details see map at www.delwp.vic.gov.au/namingplaces
_	Paces Bridge	VicTrack Located at the intersection of Paces Lane, Rowsley, and the rail line. For further details see map at www.delwp.vic.gov.au/namingplaces
_	McCormacks Bridge	VicTrack Located at the intersection of McCormacks Road, Maddingley, and the rail line. For further details see map at www.delwp.vic.gov.au/namingplaces

School Naming:

School Name	Naming Authority and Location
South Melbourne Park Primary School	Department of Education and Training The new school will be located at 29 Albert Road Drive South, Albert Park.

Office of Geographic Names

Land Use Victoria 2 Lonsdale Street Melbourne 3000

> CRAIG L. SANDY Registrar of Geographic Names

Health Complaints Act 2016

Section 90

INTERIM PROHIBITION ORDER

This Order is made pursuant to section 90 of the Health Complaints Act 2016.

The Health Complaints Commissioner (the Commissioner) has made this Interim Prohibition Order because the Commissioner reasonably believes that the general health service provider named below has contravened a code of conduct applying to the general health service and is satisfied that it is necessary to make this order to avoid a serious risk to the health, safety or welfare of the public.

Name of the general health service provider on whom the order is imposed:	Dennis Wayne Jensen of North Warrandyte, Victoria 3113	
Date this Interim Prohibition Order is made:	14 May 2018	
Date on which this Interim Prohibition Order expires:	6 August 2018 (12 weeks from 14 May 2018 while an investigation is conducted).	
Effect of this Interim Prohibition Order:	The general health service provider named above is prohibited from: 1. Providing any general health service, paid or	
	otherwise, in a clinical or non-clinical capacity.Claiming or representing (including on any internet based forum) that the provider is qualified, able or willing to cure cancer or other terminal illnesses.	
	3. Supplying, promoting, recommending or making available to any person any product, therapy or other treatment, including, but not limited to, black salve.	

This Interim Prohibition Order takes effect on the service of the Order on the general health service provider to whom it applies.

This Order will be published in the Victoria Government Gazette and on the internet site of the Health Complaints Commissioner, www.hcc.vic.gov.au

KAREN CUSACK Health Complaints Commissioner



Heritage Act 2017

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 2017**, I give notice under section 53 that the Victorian Heritage Register is amended by including the following place in the Heritage Register:

Number: H2381 Category: Heritage Place

Place: Maroondah Water Supply System (Upper

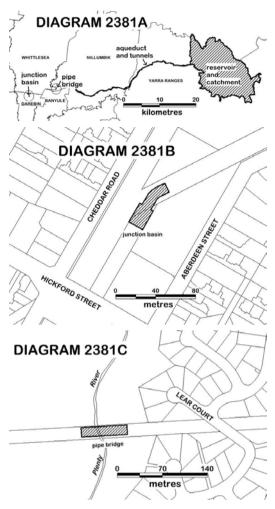
and Central Sections)

Location: Fernshaw, Warburton, Toolangi, Healesville, Badger Creek, Chum Creek, Dixons Creek, Yarra Glen, Christmas Hills, Bend of Islands, Kangaroo Ground, Research, Eltham, Diamond Creek, Greensborough, Bundoora and Reservoir

Municipality: Yarra Ranges Shire, Nillumbik Shire and Whittlesea Shire

All of the place shown hatched on Diagrams 2381A, 2381B and 2381C encompassing parts of Reserve 1 on Plan of Subdivision 405436 and Lot 1 on Plan of Subdivision 626463, parts of Lot 1 on Title Plan 512205. Lot 1 on Title Plan 951035, Lot 1 on Title Plan 567584, Lot 1 on Title Plan 572081, Lot 1 on Title Plan 951037, Lot 1 on Title Plan 553777, Lots 1 and 2 on Title Plan 554064, Lot 1 on Title Plan 951039, Lot 1 on Title Plan 566879, Lot 1 on Title Plan 901208, Lot 1 on Title Plan 618334, Lot 1 on Title Plan 553762, Lots 1 and 2 on Title Plan 561884, Lots 1 and 2 on Title Plan 441739, Lots 1 and 2 on Title Plan 906272, Lot 1 on Title Plan 951034, Lots 1 and 2 on Title Plan 553811, Lot 1 on Title Plan 554325, Lots 1 and 2 on Title Plan 573143, Lot 2 on Title Plan 959045, Lot 1 on Title Plan 562029, Lots 1 and 2 on Title Plan 683849, Lots 1 and 2 on Title Plan 559268, Lot 1 on Title Plan 951041, Lot 1 on Title Plan 566952, Lots 1 and 2 on Title Plan 561886, Lot 1 on Title Plan 951049, Lots 1 and 2 on Title Plan 950873, Lot 1 on Title Plan 951046, Lot 1 on Title Plan 554225, Lot 1 on

Title Plan 562039, Lot 1 on Title Plan 443405, Lot 1 on Title Plan 588224, Lot 1 on Title Plan 605914, Lot 1 on Title Plan 438606, Lots 1 and 2 on Title Plan 874803 and Lot 1 on Title Plan 218707, parts of Crown Allotments 6A and A. Section 1, Crown Allotment 9B, Section 4A, Crown Allotment 1B, Section 8A, Crown Allotment 4A, Section 9, Crown Allotments 8 and 8A, Section 17, Crown Allotments 6A and 7A. Section 18. Crown Allotments 2010, 2019. 2048, 2050, 2051 and 2052 Parish of Nillumbik, Crown Allotments 24C, 29A, 33A1, 47D and 2024 Parish of Sutton, Crown Allotments 34A, 45P. 45P1 and 45P2 Parish of Tarrawarra and Crown Allotment 2A, Parish of Monda, all of Crown Allotments A2A, 9B, 9D, 9E, 9F, 9G, 9H, 9J, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020 and 2021 Parish of Monda, Crown Allotments 61, 2003, 2011, 2012, 2015, 2016 and 2017 Parish of Nar-bethong, Crown Allotment 7, Section A, Crown Allotments 7, 8, 12 and 13 Section B and Crown Allotments 20B, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009 2010, 2011 and 2012 Parish of Glenwatts, Crown Allotments 2002, 2004, 2005 and 2006 Parish of Yuonga, Crown Allotment 3C, Section A, and Crown Allotments 2001, 2022, 2023, 2025, 2026, 2027, 2028, 2029 and 2036 Parish of Gracedale, part of the waterway reserve for the Plenty River, parts of the road reserves for Allendale Road, Maroong Drive, Ingrams Road, Main Road and Bells Hill Road, Research, Bellbird Lane, Kangaroo Ground-Warrandyte Road, Henley Road, Nicholas Lane and Calwell Road, Kangaroo Ground, Skyline Road, Bend of Islands, Skyline Road, Christmas Hills, Yarraview Road, King Street, Yarra Glen-Eltham Road, Steels Creek Road, Gulf Road, Melba Highway and Bleases Lane, Yarra Glen, Bleases Lane and Pauls Lane, Dixons Creek, Long Gully Road, Myers Creek Road and Maroondah Highway, Healesville, Chaffer Street and Healesville–Kinglake Road, Chum Creek, Maroondah Highway and Road 24 Fernshaw and Badger Weir Road, Badger Creek being the footprint of the concrete junction basin, a 5 metre curtilage from the Plenty River pipe bridge and a curtilage of 5 metres either side of the centre line of the aqueduct, tunnels and inverted siphons.



Dated 24 May 2018

STEVEN AVERY Executive Director



Heritage Act 2017

NOTICE OF REGISTRATION

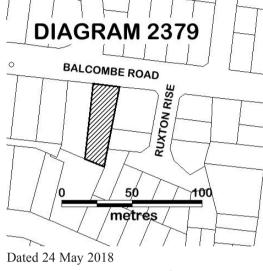
As Executive Director for the purpose of the **Heritage Act 2017**, I give notice under section 53 that the Victorian Heritage Register is amended by including the following place in the Heritage Register: Number: H2379

Category: Heritage Place Place: David Godsell House

Location: 491 Balcombe Road, Beaumaris

Municipality: Bayside City

All of the place shown hatched on Diagram 2379 encompassing all of Lot 1 on Title Plan 710912.



STEVEN AVERY Executive Director

Magistrates' Court Act 1989

NOTICE SPECIFYING ASSESSMENT AND REFERRAL COURT LIST AT LATROBE VALLEY (MORWELL) AND KORUMBURRA

Pursuant to section 4S(4) of the **Magistrates' Court Act 1989**, I specify that the Assessment and Referral Court List of the Magistrates' Court of Victoria sit and act at the venues of the Magistrates' Court of Victoria at LaTrobe Valley (Morwell) and Korumburra.

Dated 16 May 2018

JELENA POPOVIC Acting Chief Magistrate

Public Health and Wellbeing Act 2008 ORDER UNDER SECTION 45 OF THE PUBLIC HEALTH AND WELLBEING ACT 2008

The Consultative Council on Obstetric and Paediatric Mortality and Morbidity

I, Hon. Jill Hennessy MP, Minister for Health, acting under section 45 of the **Public Health and Wellbeing Act 2008** (the Act), by Order:

Appoint in accordance with sections 45(1), 45(2)(a) and 45(3) of the Act the following person to the Consultative Council on Obstetric and Paediatric Mortality and Morbidity (being the Council established by section 162C of the **Health Act 1958**):

Name	Title	Term of Appointment
Tanya Farrell	Member and Chairperson	2 June 2018 until 1 June 2021

Remuneration of the person named and appointed above shall be in accordance with the Act and the Public Health and Wellbeing Regulations 2009 and the Appointment and Remuneration Guidelines issued by the Department of Premier and Cabinet.

HON. JILL HENNESSY MP Minister for Health



Subordinate Legislation Act 1994

NOTICE OF AMENDMENTS TO VICTORIAN LOCAL RULES OF HARNESS RACING (VLR)

Notice is hereby given under section 16A(2) of the **Subordinate Legislation Act 1994** of the making of amendments to the VLR, made by Harness Racing Victoria under section 49 of the **Racing Act 1958**.

Details of the amendments to the VLR may be obtained by contacting Harness Racing Victoria, Integrity Department: (in person) 400 Epsom Road, Flemington; or (by mail) PO Box 184, Moonee Ponds 3039.



Subordinate Legislation Act 1994

NOTICE OF AMENDMENTS TO AUSTRALIAN RULES OF HARNESS RACING (ARHR)

Notice is hereby given under section 16A(2) of the **Subordinate Legislation Act 1994** of the making of amendments to the ARHR, made by Harness Racing Victoria under section 49 of the **Racing Act 1958**.

Details of the amendments to the ARHR may be obtained by contacting Harness Racing Victoria, Integrity Department: (in person) 400 Epsom Road, Flemington; or (by mail) PO Box 184, Moonee Ponds 3039.

Water Act 1989

GOULBURN-MURRAY WATER CONNECTIONS PROJECT

Notice of Adoption of a Reconfiguration Plan

TO03 RP05 TO12 RP01

TO21 RP03

On 17 May 2018, the Connections Reconfiguration Committee, being a committee established by Goulburn–Murray Water under the **Water Act 1989**, determined to adopt Reconfiguration Plan TO03 RP05, Reconfiguration Plan TO12 RP01 and Reconfiguration Plan TO21 RP03.

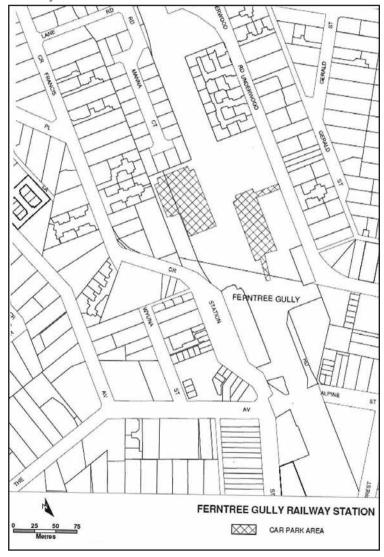
A copy of each Reconfiguration Plan map can be inspected, free of charge, at the Goulburn–Murray Water website at www.connectionsproject.com.au and free of charge, during office hours, at the offices of the Goulburn–Murray Water Connections Project, 55 Welsford Street, Shepparton.

FRANK FISSELER Project Director Connections Project Goulburn–Murray Water

Road Safety Act 1986

ORDER UNDER SECTION 98 OF THE **ROAD SAFETY ACT 1986** EXTENDING PROVISIONS TO VICTRACK, FERNTREE GULLY

- I, Aidan McGann, Regional Director, Metro South East, VicRoads, as delegate of the Minister for Roads and Road Safety, under section 98 of the **Road Safety Act 1986** (the Act) extend the application of the following provisions to Metro Trains Melbourne Pty Ltd, Ferntree Gully Station, Ferntree Gully 3156, particulars of which are shown hatched on the attached plan:
- (a) sections 17A, 59, 61, 61A, 65, 65A, 65B, 65C and 99 and 100 of the Act; and
- (b) the Road Safety Road Rules 2017.

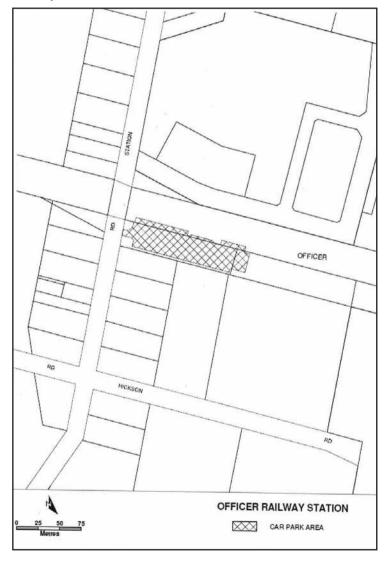


Dated 8 May 2018

Road Safety Act 1986

ORDER UNDER SECTION 98 OF THE **ROAD SAFETY ACT 1986**EXTENDING PROVISIONS TO VICTRACK, OFFICER

- I, Aidan McGann, Regional Director, Metro South East, VicRoads, as delegate of the Minister for Roads and Road Safety, under section 98 of the **Road Safety Act 1986** (the Act) extend the application of the following provisions to Metro Trains Melbourne Pty Ltd, Officer Railway Station, Officer 3809, particulars of which are shown hatched on the attached plan:
- (a) sections 17A, 59, 61, 61A, 65, 65A, 65B, 65C and 99 and 100 of the Act; and
- (b) the Road Safety Road Rules 2017.



Dated 8 May 2018

Victorian Energy Efficiency Target Act 2007

VICTORIAN ENERGY EFFICIENCY TARGET GUIDELINES

1 June 2018

VERSION	ISSUE DATE
1	1 January 2009
2	28 October 2010
3	9 March 2011
4	25 July 2012
5	12 September 2013
6	9 June 2016
7	1 June 2018

1 Background

- 1.1 Purpose and authority
- 1.2 Scope of guidelines
- 1.3 Interpretation
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1 BACKGROUND

1.1 Purpose and authority

These Guidelines are the 'ESC guidelines' referred to in the Victorian Energy Efficiency Target Act 2007 (*Act*).

The *Commission* is responsible for the general administration of the *Act* and the *VEET* scheme for which the *Act* provides. Section 74 of the *Act* authorises the *Commission* to issue Guidelines relating to any matter required or permitted by the *Act* to be provided for by the Guidelines.

1.2 Scope of guidelines

The *Act* requires or permits the Guidelines to provide for the following matters:

- the accreditation of a person;
- the creation, form and transfer of a certificate;
- the manner in which a prescribed activity is to be undertaken;
- the manner and form in which rights to create certificates may be assigned;
- the form of, and the information to be included in, an *energy acquisition statement*;
- the auditing by the *Commission* of the creation of certificates by an *accredited person*;
- the auditing of an *energy acquisition statement* by a third party engaged by a *relevant entity*;
- the records to be kept by an *accredited person* or a *relevant entity*;
- the information to be contained in the register of *accredited person*s and the register of energy efficiency certificates; and
- any other matter that the *Commission* considers is relevant to its functions under the

These Guidelines include clauses concerning the registers, *project-based activities* and the manner in which certain activities are undertaken, including compliance with training requirements.

1.3 Interpretation

In these Guidelines:

- headings and footnotes are for convenience only and do not affect the interpretation of these Guidelines:
- words importing the singular include the plural and vice versa;
- words importing a gender include any gender;
- words importing a natural person include a company or other body corporate, partnership, trust, joint venture, association and governmental agency;
- a reference to any statute includes all regulations, proclamations, orders in council, ordinances, by-laws, declarations and determinations made under that statute; and
- a reference to any legislation or to any other document is to that legislation or document as amended, consolidated, restated or re-enacted.

1.4 Legislative objectives

The objects of the *Act*, as set out in section 4, are to:

- reduce greenhouse gas emissions;
- encourage the efficient use of electricity and gas; and
- encourage investment, employment and technology development in industries that supply goods and services which reduce the use of electricity and gas by consumers.

1.5 Commencement date

These Guidelines originally commenced on 1 January 2009. This amendment commenced on 1 June 2018.

1.6 Priority of Act, Regulations and Guidelines

Except as specifically provided in the *Act* or *Regulations*, nothing in these Guidelines affects the interpretation of the *Act* or *Regulations*. If there is any inconsistency between these Guidelines and a provision of the *Act* or *Regulations*, the relevant provision of the *Act* or *Regulations* will prevail to the extent of that inconsistency. These Guidelines should be read in conjunction with the *Act* and *Regulations*.

2 DEFINITIONS

Terms defined in the *Act* and the *Regulations* have the same meaning when used in these Guidelines irrespective of whether they appear in bold and italics. Terms shown in *bold and italics* in these Guidelines have the meanings shown opposite them below.

accredited person A person accredited under Part 3 of the Victorian Energy

Efficiency Target Act 2007 (Vic.).

Act Victorian Energy Efficiency Target Act 2007 (Vic.).

approved measurement and verification professional A person who is approved as a measurement and verification professional under the *PBA regulations*.

approved project plan A project plan that is approved under the *PBA regulations*.

audit deed A tripartite audit deed between a relevant entity, its approved

auditor and the *Commission* for the purposes of clause 14 of these Guidelines, in the form published by the *Commission* for the *VEET* scheme or otherwise in a form satisfactory to the

Commission.

authorised signatory A person who is authorised, or appears to be authorised, by the

consumer to assign the right to create certificates on behalf of

the *consumer*.

Australian Skills Quality

Authority

The national regulator for Australia's vocational education and training sector established pursuant to the **National Vocational Education and Training Regulator Act 2011** (Cth), or such successor body or authority established from time to time.

authorised user A person designated by the holder of a VEET account to access

and transact on that account on the holder's behalf.

Commission The Essential Services Commission established under section 7

of the Essential Services Commission Act 2001 (Vic.).

consumer The consumer of electricity or gas in respect of whom the

prescribed activity is undertaken or, the owner of a premises in the circumstances set out in section 16(2)(a) or (b) of the *Act*, or, in the circumstances set out in section 16(2A) of the *Act*, the person responsible for payment of the electricity or gas supplied

for public lighting purposes.

Policy Victorian Energy Efficiency Target scheme compliance and

enforcement policy.

project impact report A project impact report made under the *PBA regulations*.

PBA regulations Victorian Energy Efficiency Target (Project-Based Activities)

Regulations 2017.

Principal regulations Victorian Energy Efficiency Target Regulations 2008.

project plan A project plan made under the PBA regulations.

register of approved measurement and verification professionals

The register created under the *PBA regulations* listing *approved*

measurement and verification professionals.

register of approved project plans

The register created under the *PBA regulations* listing *approved project plans*.

register of products

The list of approved products and devices to be maintained by

the *Commission* as described in these Guidelines.

Regulations Principal regulations and PBA regulations.

relevant entity A person defined as a relevant entity under section 3 of the

Victorian Energy Efficiency Target Act 2007 (Vic.).

relevant fee In respect of an application, notification or registration, the

relevant fee (if any) published by the Minister under section 73 of the **Victorian Energy Efficiency Target Act 2007** (Vic.). The *Commission* will maintain a list of current *relevant fees* on

its website.

scoping approval A scoping made under the *PBA regulations*.

Secretary Secretary to the Department of Environment, Land, Water and

Planning.

shortfall statement A statement issued by the Commission to a relevant entity in

accordance with section 36 of the Act.

VEEC A Victorian energy efficiency certificate created in accordance

with the *Act* and *Regulations*.

VEET Victorian Energy Efficiency Target

VEET account An account established under clause 3 of these Guidelines in

which certificates must be held.

VEET registry The registry established by the **Commission** for the purposes of

the **VEET** scheme.

VEET website The website established by the **Commission** for the purposes of

the **VEET** scheme (www.veet.vic.gov.au).

Victorian Registration and Qualifications

Authority

The statutory authority established under Chapter 4 of the **Education and Training Reform Act 2006** (Vic.) to be responsible for ensuring that employers, apprentices, trainees and providers of education and training (including course and qualification owners) meet quality standards, and that information is readily available to support informed choice in

education and training.

3 ESTABLISHMENT OF VEET ACCOUNTS

Act reference: section 74(2)(i).

Applies to: accredited persons, relevant entities, persons trading certificates.

The *Act* requires energy efficiency certificates to be created in electronic form. In order to establish registry systems, implement appropriate security measures and generally administer the *VEET* scheme, the *Commission* requires a person to hold a *VEET account* as a prerequisite to accreditation, and to the creation, transfer and surrender of certificates. This clause 3 sets out the requirements for the establishment and maintenance of *VEET accounts*.

3.1 Requirement for account

A person must hold a valid *VEET account* in order to:

- become an *accredited person*;
- create a certificate:
- become the registered owner of a certificate; or
- transfer or surrender a certificate.

3.2 Account application

An application for a *VEET account* must be made on the designated form published by the *Commission* on its *VEET website*. All sections of the form must be completed.

3.3 Use of account and VEET registry

A *VEET account* holder must (and must ensure that its *authorised user*s will) use the *VEET account* and the *VEET registry* only in accordance with, and for the purposes permitted by, these Guidelines and any terms and conditions of use published by the *Commission* from time to time.

3.4 Information in English

All information supplied to the *Commission* must be in English, or accompanied by a certified translation if the original is in a language other than English.

4 ACCREDITATION OF PERSONS

Act reference: sections 9 and 10. Applies to: *accredited persons*.

A person must be accredited by the *Commission* before creating certificates. The process for application is provided for in sections 9 to 12 of the *Act*. In particular, section 9(2) requires applicants for accreditation to provide information which the *Commission* considers necessary for the purposes of the *VEET* scheme, and documents which the *Commission* considers necessary for the purposes of deciding whether to approve the application. Under section 10 of the *Act*, the *Commission* may also require consents or undertakings for the purposes of ensuring that double benefits are not obtained under both the *VEET* scheme and any other scheme prescribed by the *Principal regulations*. This clause 4 describes what the *Commission* will generally require from applicants for accreditation.

4.1 Accreditation application

4.1.1 Submission of application

An application for accreditation must be made by a **VEET account** holder by using the electronic form designated by the **Commission** on its **VEET website**, and in accordance with any explanatory notes issued by the **Commission**.

All sections of the electronic form must be completed unless otherwise indicated on the form. The completed form must be submitted via the online accreditation function designated by the *Commission* on the *VEET website*, together with:

- the additional information and documents indicated on the electronic form or in an
 explanatory note issued by the *Commission*; and
- the form of consent and the applicable forms of undertaking referred to in clause 4.2.

The applicant must pay the *relevant fee* in the manner specified on the electronic application form or any explanatory notes issued by the *Commission*. The application is taken to have been received by the *Commission* on the date the *Commission* received the electronic submission together with all additional information and forms and the *relevant fee*.

4.1.2 Assessment of application

Commission staff will make an initial assessment of the information and documents provided to it in accordance with the requirements under section 9 of the **Act**.

Where, on the basis of the information and documents provided, the *Commission* considers that the application is inadequate the *Commission* may exercise its discretion to:

- refuse the application; or
- request the applicant to provide additional information and documents.

If the *Commission* exercises its discretion to request additional information or documents, it will specify a timeframe within which the applicant is to provide the additional information or documents.

If the *Commission* does not receive the additional information or documents within the set timeframe, and has not agreed to an extension of the period, then the *Commission* will determine the application based on the information provided to it on expiry of the relevant timeframe.

4.2 Forms of consent or undertaking – prescribed greenhouse gas schemes

The *Commission* requires applicants for accreditation to provide the undertakings referred to in clauses 4.2.2 and 4.2.3, and if applicable, the consent referred to in clause 4.2.1, to cover any scheme which is or may in future be prescribed in the *Principal regulations* as a greenhouse gas scheme for the purposes of the *Act*.

4.2.1 Consent under section 10(1) of the Act

If an applicant for accreditation is a participant in a prescribed greenhouse gas scheme set out in the *Principal regulations*, that applicant must submit a signed consent, in the designated form published by the *Commission* on the *VEET website* and addressed to the administrator of that scheme, authorising the disclosure of information relating to the applicant by that administrator to the *Commission*.

4.2.2 Undertaking under section 10(2) of the Act

All applicants for accreditation must give the *Commission* a signed undertaking, in the designated form published by the *Commission* on the *VEET website*, not to claim any benefit under a prescribed greenhouse gas scheme (whether current or future) if that would result in a benefit being obtained under both that scheme and the *VEET* scheme in respect of the same activity.

4.2.3 Undertaking in relation to future scheme participation

All applicants for accreditation must give the *Commission* a signed undertaking, in the designated form published by the *Commission* on the *VEET website*, to provide the *Commission* with the form of consent referred to in clause 4.2.1, promptly upon:

- becoming a participant in any prescribed greenhouse gas scheme; or
- a greenhouse gas scheme in which the applicant is a participant becoming prescribed by the *Principal regulations*.

4.3 Insurance

As a condition of accreditation, an accredited person must:

- maintain, or ensure that persons undertaking prescribed activities on its behalf maintain, insurance of the applicable type and minimum level of cover specified by the *Commission* on its *VEET website*; and
- submit a certificate of currency of such insurance to the *Commission* at intervals of not less than 12 months and within 7 days after each renewal, reissue or change of a relevant policy

except in circumstances where the *Commission* does not require the *accredited person* to do so. Those circumstances will be contained in explanatory notes issued by the *Commission*.

A person who is an *accredited person* on the relevant date or who has applied for accreditation before the relevant date and whose application has not been decided by that date must, within 3 months of the relevant date, submit to the *Commission* a certificate of currency of insurance of the applicable type and minimum level of cover specified by the *Commission* on the *VEET website*.

In this clause, the *relevant date* is the date on which the *Commission* specifies a type and minimum level of cover of insurance on the *VEET website* for the purposes of this clause 4.3.

4.4 Accredited persons and approval of activities

Prior to carrying out an activity under the *Act* and *Regulations*, an *accredited person* must apply to the *Commission* for approval for that activity. As part of submitting an application for accreditation, an accredited person must nominate one or more activities which they intend to carry out under the *VEET* scheme. In approving the *accredited persons*' application for accreditation, the *Commission* also approves the *accredited person* to undertake the activities as specified in the submitted accreditation application form.

An *accredited person* can make an application at any time for approval of activities in addition to those already approved.

An application for approval to carry out an activity in addition to those already approved must be made using the electronic form designated by the *Commission* on the *VEET website*.

All sections of the electronic form must be completed unless indicated on the form. The completed form must be submitted via the online submission function on the *VEET website*, together with any additional information and documents indicated on the electronic form or in any explanatory notes issued by the *Commission*. The *Commission* may require the *accredited person* to provide further information in relation to the application.

After receiving an application for approval to carry out an activity, the *Commission* will decide whether to grant or refuse the application.

As soon as practicable after granting or refusing an application to carry out an activity, *Commission* staff will notify the *accredited person* in writing of the decision.

4.5 Cancellation of accreditation

An *accredited person* may request the *Commission* to cancel that person's accreditation.

Such a request must be made by written notice to the *Commission*.

If the *Commission* decides to cancel that person's accreditation, the cancellation takes effect:

- when the *Commission* notifies the person in writing; or
- on a date mutually agreed upon by the *Commission* and the *accredited person*.

5 COMMISSION REGISTERS

Act reference: section 75 Applies to: accredited persons.

The *Commission* is required by the *Act* and *Regulations* to establish, maintain and publish a number of registers. The registers required include the *register of products*, *register of approved project plans* and *register of approved measurement and verification professionals*. This clause provides information in relation to these registers and any applicable requirements.

5.1 Register of products

One of the *Commission*'s roles in relation to prescribed activities is to assess applications for approval of products for use in the *VEET* scheme and to establish, maintain and publish a register of efficient products and devices for the purposes of certain prescribed activities (the *register of products*).

5.1.1 Application for approval of products

An application for approval of a product must be made by a *VEET account* holder using the electronic form designated by the *Commission* on the *VEET website* and in accordance with any explanatory notes issued by the *Commission*.

All sections of the electronic form must be completed unless otherwise indicated on the form. The completed form must be submitted via the online product approval function designated by the *Commission* on the *VEET website*, together with any additional information and documentation indicated on the electronic form or in any explanatory note issued by the *Commission*. The *Commission* may require the applicant to provide further information in relation to the application.

5.1.2 Meeting standards set by the Commission

Where provided by the *Principal regulations* and if indicated in the *register of products*, the *Commission* may specify requirements that are to apply to certain products, with these requirements to be included on the *VEET website* and in explanatory notes issued by the *Commission*.

5.1.3 Rejection of a product application

Should the *register of products* criteria as set out in the *Principal regulations* and any explanatory notes issued by the *Commission* not be met by an application submitted by a *VEET account* holder, the *Commission* may reject such an application.

5.1.4 Requests to modify the register of products

Any person may submit a request in writing to the *Commission* to modify the *register of products* by adding, removing or amending the description of a product. The request must specify:

- the nature of the modification requested;
- the prescribed activity category and the name and any applicable brand or model number of the product;
- for the addition of a product, a description of how that product or device is consistent
 with the minimum standards and requirements for that activity set out in the *Principal*regulations;
- for the removal of a product, the reasons for requesting its removal;
- for an amendment to the description of a product, a description of the proposed amendment and the reasons for requesting it;
- the nature of the requesting person's interest in the product; and
- any other information or supporting evidence that the requesting person considers relevant.

5.1.5 Amendments to the register of products

The *Commission* may, at its discretion:

- modify the *register of products*
- suspend a product from the *register of products*
- remove a product from the *register of products*.

5.1 Register of approved project plans (project-based activities)

The *PBA regulations* require the *Commission* to approve project plans as well as to maintain and publish a *register of approved project plans*.

5.2.1 Information to be contained in the register of approved project plans

The *register of approved project plans* will contain the following information:

- the name of each project that has received project plan approval;
- the name of each *accredited person* for each project;
- the location of each project;
- the method or methods intended to be used to calculate the reduction in greenhouse gases;
- the date which the project plan application was received by the *Commission*;
- the date which the project plan was approved by the *Commission*;
- the date which the project plan was relinquished by the *accredited person* (if applicable);
- the date which the project plan was cancelled by the *Commission* (if applicable); and
- any other information the *Commission* considers appropriate.

The *Commission* must update the *register of approved project plans* where:

- it has approved a variation to an *approved project plan*
- it has cancelled an *approved project plan*
- an approved project plan has been relinquished.

5.3 Register of approved measurement and verification professionals

The *PBA regulations* require the *Commission* to approve a person to become a *measurement* and verification professional for the purposes of project-based activities as well as maintain and publish a register of approved measurement and verification professionals.

5.3.1 Application to become an approved measurement and verification professional

The *Commission* requires persons wanting to become an *approved measurement and verification professional* to meet the experience and professional competency requirements referred to in clause 5.3.2 of the Guidelines. The *Commission* also requires an undertaking from the applicant to avoid conflicts as set out in the *PBA regulations*.

An application to become an *approved measurement and verification professional* must be made by a person using the electronic form designated by the *Commission* on the *VEET website*.

All sections of the electronic form must be completed unless otherwise indicated on the form. The completed form must be submitted via the online submission function on the *VEET website*, together with any additional information and documentation indicated on the form or in any explanatory note issued by the *Commission*. The *Commission* may require the applicant to provide further information in relation to the application.

The application must be accompanied by any relevant fixed fee.

After receiving an application for approval to become an *approved measurement and verification professional*, the *Commission* will decide whether to grant or refuse the application.

As soon as practicable after granting or refusing an application to become an *approved measurement and verification professional*, *Commission* staff will notify the applicant in writing of the *Commission*'s decision.

5.3.2 Measurement and verification experience and professional competency requirements

The **PBA regulations** allow the **Commission** to specify the experience and professional competency requirements that need to be met by persons wanting to become an **approved measurement and verification professional**. These requirements include the person:

- being certified by the Association of Energy Engineers as a Certified Measurement and Verification Professional;
- demonstrating an understanding of best practice measurement and verification techniques;
- demonstrating an understanding of how end-use equipment converts energy into end-use services;
- demonstrating an understanding of how end-use equipment is affected by independent variables:
- demonstrating the ability to perform either 'regression analysis' or 'estimate of the mean analysis'; and
- demonstrating the ability to provide an independent opinion on the validity of energy models as set out in the *Secretary*'s specifications.

5.3.3 Form of undertaking – application to become an approved measurement and verification professional

The *PBA regulations* require all persons applying to become an *approved measurement and verification professional* to give the *Commission* a signed undertaking stating the applicant will avoid conflicts.

The undertaking is to be in the form published by the *Commission* on the *VEET website*. It requires the applicant to avoid conflicts and to promptly report any conflicts of interest or potential conflicts of interest (real or perceived) to the *Commission*.

5.3.4 Information to be contained in the register of approved measurement and verification professionals

The *PBA regulations* require the *Commission* to publish and maintain a *register of approved measurement and verification professionals*. The *register of approved measurement and verification professionals* will contain the following information:

- the name of the approved person;
- the contact details of the approved person;
- the type of certification(s) and/or standard accreditation(s) that the approved person holds;
- the end-use equipment for which the approved person has a nominated understanding;
- the energy model(s) for which the person has a demonstrated understanding;
- the date of approval of measurement and verification professional application; and
- any other information the *Commission* considers appropriate.

5.3.5 Removal of a person from the register of approved measurement and verification professionals

As set out in the *PBA regulations*, the *Commission* may remove a person from the *register of approved measurement and verification professionals* under the following circumstances:

• the person's certification by the Association of Energy Engineers as a Certified Measurement and Verification Professional is suspended or has expired;

- the person no longer meets the experience or professional competency requirements outlined in clause 5.3.2 of the Guidelines; and
- the person has breached the undertaking outlined in clause 5.3.3 of the Guidelines.

The *Commission* must give a person 28 days' notice in writing of its intention to remove them from the *register of approved measurement and verification professionals*. This notice must request reasons why the person should not be removed. The *Commission* will consider any reasons given before a decision is made to act on its intention to remove a person from the *register of approved measurement and verification professionals*.

6 PRESCRIBED ACTIVITIES

Act reference: sections 15 and 74(2)(c). Applies to: *accredited person*s.

Under section 74(2)(c) of the *Act*, the Guidelines may provide for the manner in which prescribed activities are to be undertaken. This clause 6 sets out applicable requirements for certain prescribed activities.

6.1 Commission's role in relation to prescribed activities

The *Regulations* provide for a number of specified activities which reduce greenhouse gas emissions to be prescribed activities for the purposes of the *VEET* scheme. The *Regulations* may also specify when a prescribed activity is taken to have been undertaken, when a reduction in greenhouse gas is taken to have occurred, and the methodology used to calculate the number of certificates that may be created for a prescribed activity.

The *Commission*'s role in relation to prescribed activities is to perform the functions specified in the *Regulations*, and where the *Commission* considers appropriate having regard to the *Regulations*, to provide for the manner in which prescribed activities must be undertaken in order for certificates to be created.

6.2 Prescribed activities – compliance with legal obligations

In addition to the requirements, standards and specifications set out in the *Act* and *Regulations*, prescribed activities must be undertaken in accordance with all laws, regulations and codes of practice applicable to that activity. By way of example, and without limitation, these may include:

- Competition and Consumer Act 2010 (Cth);
- Occupational Health and Safety Act 2004 (Vic.)
- Electricity Safety Act 1998 (Vic.);
- Gas Safety Act 1997 (Vic.);
- Building Act 1993 (Vic.), including the mandatory standards in the Schedule to that Act;
- Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 (Cth);
- Privacy and Data Protection Act 2014 (Vic.);
- Building Code of Australia (as amended from time to time);
- Electricity Safety (Installations) Regulations 2009 (Vic.);
- Electricity Safety (Equipment) Regulations 2009 (Vic.);
- Gas Safety (Gas Installation) Regulations 2008 (Vic.);
- Plumbing Regulations 2008 (Vic.):
- Electricity Distribution Code (Vic.); and
- Code of Practice for Safe Electrical Work (Vic.).

6.3 Compliance with training requirements

From a date to be specified by the *Commission*, a prescribed activity must be undertaken by a person who meets any applicable training requirements specified by the *Commission* under clause 7.1.

6.4 Project-based activities

The *Commission* has the role of administering projects carried out under the *PBA regulations*.

6.4.1 Scoping approval

An application for scoping approval must be made by an *accredited person* using the electronic form designated by the *Commission* on the *VEET website*.

All sections of the electronic form must be completed unless indicated on the form. The completed form must be submitted via the online submission function on the *VEET website*, together with any additional information and documentation indicated on the form or in any explanatory notes issued by the *Commission*. This includes any information required by the *PBA regulations*.

The application must be accompanied by any relevant fixed fee.

The *Commission* may require the *accredited person* to provide further information in relation to the application or facilitate an inspection of the premises where the project will be undertaken

After receiving an application for scoping approval, the *Commission* may grant or refuse scoping approval as provided in the *PBA regulations*. The decision to grant or refuse a scoping approval must be made within 60 days of the application.

As soon as practicable after granting or refusing an application for scoping approval, *Commission* staff must notify the *accredited person* in writing of the *Commission*'s decision.

An *accredited person* may apply to the *Commission* to vary a scoping plan for which they have received approval as outlined in clause 6.4.2 of the Guidelines.

6.4.2 Scoping approval variations

An application to vary scoping approval the *Commission* has granted must be made by an *accredited person* using the electronic form designated by the *Commission* on the *VEET website*.

All sections of the electronic form must be completed unless indicated on the form. The completed form must be submitted via the online submission function on the *VEET website*, together with any additional information and documentation indicated on the electronic form or in an explanatory note issued by the *Commission*.

The application must be accompanied by any relevant fixed fee.

The *Commission* may require the applicant to provide further information in relation to the application.

The *Commission* may approve an application to vary scoping approval if it is satisfied:

- the address of the premises where the project will be undertaken has not changed;
- the description of the activities to be undertaken as part of the project included in the scoping approval application has not substantially changed;
- the scope of the service or services has not expanded;
- the scope of the energy sources has not expanded; and
- the application has demonstrated that the applicant holds or can access the knowledge, skills or capacity to deliver the project described in the application.

As soon as practicable after granting or refusing an application to vary scoping approval, *Commission* staff must notify the *accredited person* in writing of the *Commission*'s decision.

6.4.3 Project plan approval

An application for project plan approval must be made by an *accredited person* using the electronic form designated by the *Commission* on the *VEET website*.

All sections of the application form must be completed unless indicated on the form. The completed form must be submitted via the online submission function on the *VEET website* together with any additional information and documentation indicated on the form or in any explanatory notes issued by the *Commission*. This includes any information required by the *PBA regulations*.

The application must be accompanied by any relevant fixed fee.

The *Commission* may require the *accredited person* to provide further information in relation to an application for project plan approval.

After receiving an application for project plan approval, the *Commission* may grant or refuse the project plan approval as provided in the *PBA regulations*. The decision to grant or refuse a project plan must be made within 180 days of the application.

As soon as practicable after granting or refusing an application for project plan approval, *Commission* staff must notify the *accredited person* in writing of the *Commission*'s decision. Once a project plan is approved, the *Commission* must update the *register of approved project plans*.

6.4.4 Project plan variations

An application to vary a project plan must be made by an *accredited person* using the electronic form designated by the *Commission* on the *VEET website*.

All sections of the electronic form must be completed unless indicated on the form. The completed form must be submitted via the online submission function on the *VEET website* together with information and documentation indicated on the electronic form or in any explanatory notes issued by the *Commission*.

The application must be accompanied by any relevant fixed fee.

The *Commission* may approve an application to vary a project plan if it is satisfied:

- the address of the premises where the project will be undertaken has not changed;
- the description of the activities to be undertaken as part of the project included in the scoping approval application has not substantially changed;
- the scope of the service or services has not expanded;
- the scope of the energy sources has not expanded; and
- the application has demonstrated that the applicant holds or can access the knowledge, skills or capacity to deliver the project described in the application.

As soon as practicable after granting or refusing an application to vary a project plan, the *Commission* must notify the *accredited person* in writing of the *Commission*'s decision.

VEECs should not be created for a project while the **Commission** is processing an application to vary the project plan approved in respect of the project. **VEEC**s will not be registered until the **Commission** can determine the impact of the variation on the number of **VEEC**s created.

6.4.5 Project plan relinquishment

A request to relinquish an *approved project plan* must be made in writing by an *accredited person* in respect of a project where the *accredited person* has received project plan approval. The request must be made in accordance with any explanatory note issued by the *Commission*. The *Commission* may require the *accredited person* to provide further information in relation to a request to relinquish an *approved project plan*.

As soon as practicable after granting or refusing a request to relinquish an *approved project plan*, *Commission* staff must notify the *accredited person* in writing of the *Commission*'s decision. The *Commission* must also update the *register of approved project plans*.

A project plan that has been relinquished cannot be varied.

6.4.6 Project plan cancellation

The *Commission* may cancel an approved project plan where it is satisfied there has been an unreasonable delay in work commencing to undertake the activities specified in the application for *project plan approval*.

The *Commission* must give the *accredited person* 28 days' notice in writing of its intention to cancel the *approved project plan*. This notice must request reasons why the *approved project plan* should not be cancelled. The *Commission* will consider any reasons given before a decision is made to act on its intention to cancel the *approved project plan*.

As soon as practicable after cancelling an *approved project plan*, *Commission* staff must notify the *accredited person* in writing of the *Commission*'s decision. The *Commission* must also update the *register of approved project plans*.

A project plan that has been cancelled cannot be varied.

6.4.7 Project impact report approval

An application for approval of a project impact report may be made by an *accredited person* for a project where they have received a project plan approval.

The application must be made using the electronic form designated by the *Commission* on the *VEET website*. All sections of the electronic form must be completed unless indicated on the form

The completed form must be submitted via the online submission function on the *VEET website* together with any additional information and documentation indicated on the form or in any explanatory notes issued by the *Commission*. This includes any information required by the *PBA regulations*.

The application must be accompanied by any relevant fixed fee.

Information to be supplied with the application for approval of a project impact report includes:

- a project impact report that complies with the *PBA regulations*
- if it is the initial application, the assignment form;
- a report from an approved measurement and verification professional (verification report) advising that the information contained in the project impact report complies with the PBA regulations and these guidelines;
- a declaration by the *approved measurement and verification professional* that they are independent from the accredited person and the project;
- evidence that any lighting equipment removed was decommissioned; and
- evidence that any lighting equipment installed was on the *register of products*.

The *Commission* may require the *accredited person* to provide further information in relation to the application or facilitate an inspection of the premises where the project will be undertaken.

After receiving an application for approval of a project impact report, the *Commission* may approve a project impact report if it is satisfied that, having regard to the verification report from an *approved measurement and verification professional*, the project impact report demonstrates a reasonably accurate and reliable estimate of greenhouse gas emission reduction.

As soon as practicable after approving or refusing a project impact report, *Commission* staff must notify the *accredited person* in writing of the *Commission*'s decision.

An *accredited person* may only create *VEEC*s for a project after the *Commission* has approved the project impact report. This application and approval process must be undertaken each time an *accredited person* wants to create *VEEC*s for a project.

If the *Commission* believes on reasonable grounds that the *accredited person* has breached an undertaking to decommission equipment or failed to use the equipment listed on the *register of products* for a lighting upgrade, the *Commission* must issue a notice to the *accredited person* stating the nature of the breach. The *Commission* must not approve a project impact report for a project if such a notice has been issued.

7 SAFETY AND TRAINING

Act reference: section 74(2)(c). Applies to: *accredited persons*.

Prescribed activities are determined by the **Regulations**, but under section 74(2)(c) of the **Act**, the Guidelines may provide for the manner in which prescribed activities are to be undertaken. This clause 7 sets out applicable requirements for certain prescribed activities.

7.1 Commission to specify units of competency

The *Commission* may specify that certain units of competency provided by registered training organisations accredited by the *Australian Skills Quality Authority* or the *Victorian Registration and Qualifications Authority* are required for safety reasons by persons undertaking certain prescribed activities.

Prior to specifying a unit of competency, the *Commission* will consult on the proposal and on the lead time required by industry to implement the proposal if it proceeds.

Details of units of competency specified under this clause will be provided to all *accredited person*s and published on the *Commission*'s *VEET website*. Unless otherwise stated, each unit of competency is taken to be specified for the purposes of this clause on the date it is published on the *Commission*'s *VEET website*.

7.2 Compliance with training requirements

When undertaking a prescribed activity, an accredited person must:

- ensure that all individuals undertaking relevant prescribed activities for or on behalf of the *accredited person*, have been assessed as competent in all the applicable units of competency specified by the *Commission* under clause 7.1; and
- on request by the *Commission*, supply evidence that all relevant individuals have achieved competency in those units.

A person who is an *accredited person* on the relevant date or who has applied for accreditation before the relevant date and whose application has not been decided by that date must, within 3 months of the relevant date, supply evidence that its business systems provide for the applicable training to be completed by all individuals undertaking relevant prescribed activities for or on behalf of that person.

In this clause, the *relevant date* is the date on which the *Commission* specifies units of competency under this clause that are relevant to prescribed activities undertaken, or to be undertaken, by individuals for or on behalf of an *accredited person*.

8 ASSIGNMENT OF RIGHTS TO CREATE CERTIFICATES

Act reference: section 16.

Applies to: *accredited persons*, *consumers*, authorised signatories

Where a prescribed activity is undertaken, section 16(1)(b) of the *Act* contemplates that the *consumer* may assign the right to create certificates for that prescribed activity. In some situations the *consumer* of gas or electricity may not be available to assign the right to create certificates. In this situation, a person authorised, or who appears to be authorised, by the *consumer* may assign the right to create certificates on behalf of the *consumer*. In either situation, section 16(3) of the *Act* requires an assignment of such rights to be made by written notice or for activities prescribed for the purposes of section 16(3)(a)(ii) of the *Act*, in a manner prescribed in the *Regulations*. In either case, the assignment must occur in the manner and form specified by these Guidelines. This clause 8 sets out those requirements.

8.1 Parties to the assignment

Rights to create certificates can only be assigned by the *consumer* or *authorised signatory* in respect of the prescribed activity to an *accredited person*.

8.2 What may be assigned?

The rights to create all of the certificates attributable to a prescribed activity must be assigned to the same *accredited person* (the assignee).

A single form of assignment may relate to more than one prescribed activity.

8.3 Time of assignment

An assignment:

- may be made at any time up to and including the latest date for creation of certificates in respect of the relevant prescribed activity under the *Act*; but
- must not take effect before the prescribed activity has been undertaken in accordance with the *Regulations*.

8.4 Manner and form of assignment

For the purposes of section 16(3) of the *Act*, each assignment of a right to create certificates in respect of a prescribed activity must be made:

- in writing;
- electronically; or
- orally in the case of the prescribed activity set out in regulation 6(1)(o) being refrigerator or freezer destruction, when undertaken in the residential sector, and where written assignment cannot reasonably be obtained.

The assignee must comply with the requirements in clause 8.5 for electronic assignment, 8.6 for assignments in writing and clause 8.7 for oral assignments.

8.5 Completion of electronic assignment form

Each electronic assignment must be made in a form containing the mandatory information and fields designated by the *Commission* and published on the *VEET website*.

Compliance with these requirements can be met using the appropriate electronic communication and storage methods set out in the **Electronic Transactions Act 2000** (Vic.).

8.6 Completion of written assignment form

Each written assignment must be made on a form containing the mandatory information and fields designated by the *Commission* and published on its *VEET website*. The *Commission* may designate separate mandatory information and fields relating to different categories of prescribed activity.

8.7 Completion of oral assignment form

In the case of the prescribed activity set out in regulation 6(1)(o) being refrigerator or freezer destruction undertaken in the residential sector, the assignee must:

- (a) obtain confirmation from the *consumer* or *authorised signatory* that the *consumer* is the tenant, landlord or owner of the premises from which the appliance is removed, and that the appliance is in working order and was manufactured before 1996;
- (b) clearly explain the following to the *consumer* or *authorised signatory*:
 - the mandatory information required to be given to the *consumer* as set out in the assignment form for the prescribed activity published in the *Commission*'s *VEET website*:
 - the assignee will destroy the appliance in accordance with the requirements of the **Victorian Energy Efficiency Target Act 2007** (Vic.);
 - the *consumer* is assigning to the assignee its right to create Victorian energy efficiency certificates for that activity;
 - information relating to this activity will be disclosed to the *Commission* for the purpose of creating certificates and for related verification, audit and scheme monitoring purposes; and
 - penalties can be applied for providing misleading information under the **Victorian Energy Efficiency Target Act 2007** (Vic.);
- (c) obtain the *consumer* or *authorised signatory*'s verbal consent to the assignment of the right to create certificates; and
- (d) ensure that all relevant sections of the applicable assignment form are completed and that the form is signed by the assignee or its agent.

8.8 Consumer to receive a copy of assignment form or similar document

The *consumer* or *authorised signatory* must be provided with a copy of the assignment form or another document that shows:

- the assignment date;
- specific details of the quantity and type of goods and services provided at the premises;
- the type and amount of benefit provided in exchange for the assignment of a right to create certificates in respect of the prescribed activity;
- the name of the *accredited person*;
- the name of the individual undertaking the activity; and
- (if different from the *accredited person*) the organisation the individual works for.

The assignment form copy or other document must be given to the *consumer* or *authorised signatory*:

- in the case of written assignment, at the time of signing the assignment form;
- in the case of electronic assignment, within ten business days after the date of assignment; or
- in the case of oral assignment, within ten business days after the date of assignment.

8.9 Records to be retained by the assignee

An assignee must maintain for six years after the date of the assignment in the case of an activity carried out under the *Principal regulations* or six years after the final certificate has been registered for the activity in the case of an activity carried out under the *PBA regulations*:

• if assignment is in writing, a copy of the completed form of assignment signed by the *consumer* or *authorised signatory* and assignee; or

- if assignment is oral, a copy of the completed form of assignment signed by the assignee and any other document sent to the *consumer* or *authorised signatory* under clause 8.8; or
- if assignment is in electronic form, an electronic copy of the completed form of assignment with evidence of agreement on behalf of the *consumer* or *authorised signatory*; and
- evidence of the benefit provided to the *consumer*.

8.10 Consumer personal information to comply with the Information Privacy Principles

The assignee must ensure that the collection, storage and use of all *personal information* collected in an assignment form or otherwise about the *consumer, authorised signatory* or any other individual (such as an installer) complies with the Information Privacy Principles (IPPs) contained in the **Privacy and Data Protection Act 2014** and where applicable, the **Privacy Act 1988** (Cth).

The IPPs and information about how to comply with them can be found at http://www.privacy.vic.gov.au

9. CREATION AND REGISTRATION OF CERTIFICATES

Act reference: sections 21 and 22. Applies to: accredited persons.

A certificate may be created by an *accredited person* in respect of a prescribed activity, subject to and in accordance with sections 16 to 20 of the *Act*. Sections 21 and 22 provide for the form and content of certificates and the registration of certificates by the *Commission*. This clause 9 specifies the electronic form for creating certificates for the purposes of section 21(1) of the *Act*, the manner of notification and additional information for the purposes of determining whether the certificate has been properly created and is eligible for registration.

9.1 Form for creation of certificates

An *accredited person* may only create certificates using the electronic form designated by the *Commission* on the *VEET website*, and in accordance with any explanatory notes issued by the *Commission*.

9.2 Creation of certificates

An *accredited person* is taken to have created a certificate when that person has complied with the creation requirements of the *Act* and *Regulations*.

Submission of creation information in the specified form must occur via the online creation function designated by the *Commission* on its *VEET website*.

9.3 Notification of creation

For the purposes of section 22(2) of the *Act* an *accredited person* is taken to have notified the *Commission* that it has created a certificate when that person submits the required creation information in the form specified by clause 9 above.

9.4 Payment of fee

The *accredited person* must remit the *relevant fee* for registration of each certificate as required by the *Commission*. Subject to clause 9.6 of these Guidelines, the *Commission* will not register certificates unless the *relevant fee* is paid.

9.5 Unique identification code

The *Commission* will allocate a unique identification code for each certificate.

9.6 Further information

In some circumstances, the *Commission* may request the *accredited person* to provide additional information after a certificate has been created, in order to decide whether the certificate is eligible for registration and has been properly created. Any information requested must be provided within ten business days unless otherwise agreed between the *Commission* and the *accredited person*. The *Commission* may decide not to register the relevant certificate if that information is not provided.

9.7 Reduction, waiver or refund of creation fee

In exceptional circumstances, the *Commission* may consider reducing, waiving or refunding, in whole or in part, the fee for the creation of a certificate under the *Act*, where:

- the certificate was created to make good a registered certificate which was not eligible for registration or was improperly created; and
- the reason that the original certificate was ineligible or improperly created was outside the control of the *accredited person*.

10 TRANSFER OF CERTIFICATES

Act reference: section 24.

Applies to: accredited persons, relevant entities, persons trading certificates.

Certificates may be transferred to any person under section 24 of the *Act*. The form and terms of the transfer agreement itself are commercial matters for the parties. The *Commission* is obliged under the *Act* to register transfers that are notified in the manner specified in these Guidelines. This clause 10 sets out the requirements for transfer notifications for the purposes of section 24(3) of the *Act*.

10.1 Transfer requirements

Certificates may be transferred by the owner of those certificates to any person. However, the *Commission* will not register a transfer of certificates unless:

- both the transferor and the transferee hold a **VEET account**;
- the transferor is the current registered owner of the certificates; and
- the transferor has complied with the requirements in clause 10.2.

10.2 Electronic notification of transfer

In order to notify the *Commission* of a transfer of a certificate, the following steps must be completed:

- the transferor must submit a completed transfer offer using the electronic form designated for those purposes by the *Commission* on the *VEET website*; and
- the transferor must complete any additional verification requests made by the *Commission*.

A single transfer offer may be used in respect of the transfer of any number of certificates in a single transaction on the same date and between the same transferor and transferee.

11 SURRENDER OF CERTIFICATES

Act reference: section 25, 33, 38 to 40.

Applies to: *accredited persons*, relevant entities, persons trading certificates.

A certificate owner may surrender a certificate at the same time giving the *Commission* reasons in writing for the surrender (known as voluntary surrender).

Before 30 April each year, relevant entities must surrender registered *VEEC*s equal to their *VEET* scheme liability for the previous calendar year (known as obligatory surrender).

In separate circumstances, the *Commission* may require an *accredited person* or other person to surrender *VEEC*s equal to the number of certificates which are found to be improperly created, or created in breach of a person's obligations under the *Act* or *Regulations*. This is known as mandatory surrender.

This clause 11 describes the notification to be given to the *Commission*.

11.1 Notification of surrender

The registered owner of a certificate may surrender that certificate by:

- completing a surrender application using the online surrender function designated for those purposes by the *Commission* on its *VEET website*; and
- completing any additional verification requests made by the *Commission*.

A single surrender application may be submitted for the surrender of any number of certificates.

11.2 Voluntary surrender

A certificate may be surrendered voluntarily under section 25 of the Act.

The registered owner of a certificate may surrender that certificate by:

- notifying the *Commission* according to the procedure outlined by clause 11.1 above;
- providing reasons for the voluntary surrender of the certificate(s).

Certificates that have been surrendered voluntarily must not be included in an *energy acquisition statement*.

11.3 Obligatory surrender

A *relevant entity* must surrender the number of certificates specified in the *energy acquisition statement* under section 33(4) of the *Act*:

- using the notification procedure outlined in clause 11.1 above,
- on or before the date on which the statement is required to be lodged pursuant to section 33(1) of the *Act*.

If the *Commission* is satisfied that the surrendered certificates are eligible for surrender the *Commission* will invalidate those certificates permanently.

11.4 Mandatory surrender

The *Commission* may require mandatory surrender of certificates under section 38, 39 and 40 of the *Act*.

A person may surrender a certificate in accordance with section 38, 39 or 40 of the *Act* by using the notification procedure outlined in clause 11.1 above.

12 ENERGY ACQUISITION STATEMENTS

Act reference: sections 29 and 31 to 35.

Applies to: relevant entities.

Under section 33 of the *Act*, if a *relevant entity* makes a scheme acquisition in a calendar year, it must submit an *energy acquisition statement* to the *Commission* by 30 April in the following year. This clause 12 describes the information to be contained in each statement in addition to that specified in section 33(2)(a) to (f), and the form and manner in which *energy acquisition statement*s must be submitted.

12.1 Form of energy acquisition statement

Relevant entities must prepare *energy acquisition statement*s using the designated form published by the *Commission* on its *VEET website*.

12.2 Submission of energy acquisition statement

Each *energy acquisition statement* must be signed and audited as required by the *Act* and clause 14 of these Guidelines. The *relevant entity* must submit to the *Commission* each of:

- the audited *energy acquisition statement*;
- the auditor's report;
- details of certificates surrendered (or to be surrendered) as required by section 33(4) of the *Act* and clause 11.3 of these Guidelines; and
- the *relevant fee* for lodgement of the statement,

in the manner specified in the form of *energy acquisition statement* or any explanatory notes published by the *Commission*.

12.3 Additional information required

In addition to the information specified in section 33(2)(a) to (f) of the *Act*, each *energy acquisition statement* must set out:

- the telephone number and email address of the *relevant entity*;
- the year to which the statement applies;
- the date of the statement;
- the quantity of energy acquired under scheme acquisitions from each of the persons or bodies referred to in paragraphs (a) and (b) of the definition of 'scheme acquisition' in the *Act*:
- the *relevant entity*'s calculation, in accordance with section 29 of the *Act*, of whether the *relevant entity* had an energy efficiency certificate shortfall for the year;
- the *relevant entity*'s methodology for the calculation of energy acquisitions and exclusions; and
- any changes during the year to information (even if already given to the *Commission*) about the following matters for the *relevant entity*:
 - ownership;
 - material business acquisitions and disposals;
 - location and contact details; and
 - energy purchase arrangements.

13 RECORD KEEPING

Act reference: section 72.

Applies to: *accredited person*s and relevant entities.

Accredited persons and relevant entities must keep records as specified in section 72 of the **Act**. This clause 13 sets out additional record keeping requirements for **accredited persons** and relevant entities.

13.1 Accredited persons

In addition to the requirements set out in section 72 of the *Act*, *accredited person*s must keep records and documents which provide evidence of the following, to the extent applicable:

- the records referred to in clause 8.9 of these Guidelines in relation to assignments of rights to create certificates;
- sales, purchase and/or service records of each product or service which constitutes a
 prescribed activity for which certificates have been created, including make, model
 number and product specifications if applicable;
- the street address and postcode of the *consumer* (if in a residential premises) or the ABN, business name, address and postcode (if in a business or non-residential premises);
- evidence of removal, destruction and decommissioning of existing products where removal, destruction or decommissioning is required by the *Regulations*;
- evidence that all relevant individuals have been assessed as competent in each relevant unit of competency specified by the *Commission* under clause 7.1, including the title of each unit, the name of each relevant individual, the date(s) on which they were assessed as competent, and by which registered training organisation as accredited by the *Australian Skills Quality Authority* or the *Victorian Registration and Qualifications Authority*; and
- any additional record keeping requirement set out in the explanatory notes published by the *Commission* on its *VEET website* at the time the activity was completed.

In addition, for activities carried out under the *PBA regulations*, plans, reports and information records used must be kept.

13.2 Project-based activities

To meet the document retention requirements set out in section 72 of the *Act*, where the activity is carried out under the *PBA regulations*, the time period an *accredited person* must keep the evidence required under clause 13.1 of the Guidelines starts when the final certificate has been registered for the activity.

13.3 Relevant entities

In addition to the requirements set out in section 72 of the *Act*, relevant entities must keep records and documents which provide evidence of matters outlined under clause 12.3 of these Guidelines.

13.4 Record keeping whilst accreditation is suspended or revoked

The requirement for an *accredited person* or *relevant entity* to retain records for the purposes of the *Act* or *Regulations* is not affected by any period of suspension or revocation of accreditation.

14 AUDIT OF ENERGY ACQUISITION STATEMENTS

Act reference: section 33(6).

Applies to: relevant entities, auditors.

Section 33(6) of the *Act* requires each *energy acquisition statement* to be audited by an independent third party before lodgement by a *relevant entity*. This clause 14 identifies the requirements for the audit of *energy acquisition statements*.

14.1 Nominating, approving and appointing an auditor

14.1.1 Nominating an auditor

- (a) By a date specified by the *Commission* in each year, each *relevant entity* must nominate to the *Commission* for approval an independent auditor to undertake the relevant audit, unless a current approval from the *Commission* is in place in respect of that *relevant entity* and auditor.
- (b) The *Commission* will consider approving auditors for a period greater than 1 year but no more than 5 years.
- (c) In nominating an auditor to the *Commission*, the *relevant entity* must provide details of:
 - (i) the proposed auditor who will undertake the specified audit;
 - (ii) the proposed individuals who will undertake any relevant audit work for the auditor (that is, the audit team);
 - (iii) the proposed individual who will lead the audit team (who must be a partner or equivalent of the auditor and who will be required to sign the audit report and take full responsibility for the audit findings);
 - (iv) the work history and skills of the audit team leader and each audit team member, and the role they will play in undertaking the audit;
 - (v) the auditor's field of work, core expertise, experience and corporate or business structure (unless the auditor has been selected from the panel of auditors established under clause 14.1.2);
 - (vi) any work undertaken by the auditor for the *relevant entity* in the previous two years, and any work that the auditor is currently doing or has bid for in relation to the *relevant entity*;
 - (vii) any potential or perceived conflict of interest and the manner in which the potential or perceived conflict of interest is proposed to be managed; and
 - (viii) the term of the approval requested.
- (d) In deciding whether to approve an auditor nominated by a *relevant entity*, the *Commission* will have regard to the following key criteria:
 - (i) demonstrated skill, experience in, and detailed knowledge of quality assurance, including operational or compliance auditing and where relevant, science or engineering, and information systems (in terms of both the nominated auditor and the proposed audit team);
 - (ii) appropriate knowledge of the electricity and gas industries (in terms of both the nominated auditor and the purposed audit team);
 - (iii) an absence of conflicts; and
 - (iv) if relevant, the resource capacity to undertake multiple audits under tight time constraints.

14.1.2 Audit panel

- (a) The *Commission* will establish a panel of auditors who it considers meet the skill, experience and knowledge criteria in clause 14.1.1(d) and the resource capacity to undertake more than one audit.
- (b) Panel members will need to agree:
 - (i) in principle to the terms of the *audit deed*; and
 - (ii) to take actions to ensure that staff maintain the necessary skill level and familiarity with the *Commission*'s audit requirements.
- (c) If the *relevant entity* fails to nominate an auditor as required under clause 14.1.1(a) or the *Commission* decides not to approve the nominated auditor, the *Commission* may (but is not obliged to) appoint an auditor from its audit panel in respect of a statement to be provided by that *relevant entity*, without limiting or qualifying any liability of the *relevant entity*, and the *relevant entity* will be responsible for the costs of any auditor appointed by the *Commission*.

14.1.3 Approval of auditors

- (a) If the *Commission* is satisfied that the nominated auditor and audit team members satisfy the key criteria in clause 14.1.1(d), it will provide the *relevant entity* with written notice of the *Commission*'s intention to approve the auditor, which may be conditional. Approval will only be provided of a person nominated as auditor by a *relevant entity*, if:
 - (i) the *Commission* has given notice of its intention to approve the person as auditor with respect to the *relevant entity*;
 - (ii) any conditions applicable to that notice have been satisfied (or waived by the *Commission*); and
 - (iii) an *audit deed* has been delivered to the *Commission* duly executed by both the auditor and the *relevant entity*.
- (b) The approval of the *Commission* will take effect upon the *Commission*'s execution of the relevant *audit deed*.

14.1.4 Appointment and termination of approval

- (a) The *relevant entity* must ensure that no person nominated by it as auditor commences an audit until that person has been approved by the *Commission* under clause 14.1.3. Such a person cannot commence an audit before the *Commission*'s receipt of a duly executed *audit deed*.
- (b) Once approved, the primary duty of care of the auditor is to the *Commission*.
- (c) The *relevant entity* must not:
 - (i) require or seek changes to be made to an auditor's report that conflict with the auditor's professional judgment and its primary responsibility to the *Commission* including, for instance, requiring a change to be made that would, in effect, remove or obscure any adverse finding of the auditor; or
 - (ii) unreasonably withhold payment or terminate any contract with the auditor over a disputed audit finding.
- (d) If the auditor believes that an event described in clause 14.1.4(c) has occurred, the auditor must advise the *Commission* as soon as possible after the event has occurred.
- (e) Once approved, the auditor must:
 - (i) notify the *Commission* immediately of any change to the audit team members;

- (ii) ensure that no member of the audit team performs fee earning work for the *relevant entity* except as disclosed under clause 14.1.1(c) and that no work is undertaken that either influences any members of the audit team or could reasonably be considered to give rise to a material risk of any members of the audit team being influenced in relation to the relevant audit;
- (iii) minimise the risk of conflicts of interest arising or being seen to arise, for example an approved auditor will be required not to do, and not to have done in the 12 months preceding its appointment, work which would create, or could be seen to create, a conflict of interest; and
- (iv) notify the *Commission* of and manage any conflicts of interest or perceived conflicts of interest that arise in accordance with any conditions approved by the *Commission*.
- (f) The *audit deed* elaborates on these requirements and qualifies their application in the context of work undertaken in connection with the audit.
- (g) The *Commission*'s approval of an auditor to conduct audits will end upon the expiry or termination of the relevant *audit deed*.
- (h) The *Commission*'s approval of an auditor constitutes an approval of that auditor only for the purpose of conducting audits which the nominating *relevant entity* is obliged under the *Act* to arrange and for no other purpose.
- (i) The *Commission* may at its absolute discretion, remove an auditor from the panel of auditors at any time.

14.2 Briefing the auditors

The *Commission* may, at its discretion, brief auditors annually (either individually or jointly) to ensure that the audit requirements are clearly understood.

If the *Commission* exercises this discretion, representatives of each *relevant entity*'s auditor must attend the briefing. The *relevant entity* may also attend the briefing.

14.3 Audit timing

An indicative process timeline for the *relevant entity* audit of *energy acquisition statement*s is set out in Figure 1 at the end of this document.

14.4 General audit scope

Except as otherwise required in a specific audit scope issued by the *Commission* to a *relevant entity* under clause 14.5, auditors must:

- (a) *investigate compliance* with the requirements of sections 29, 31 and 33 of the *Act*, and clause 12 of the Guidelines;
- (b) analyse relevant data in the **relevant entity**'s information systems and records to:
 - (i) ensure that the data in those systems and records is consistent with the data reported to the *Commission* in the *energy acquisition statement*;
 - (ii) verify the correct application of formulae and the accuracy of arithmetical calculations in the *energy acquisition statement*;
 - (iii) assess the *relevant entity*'s methodology for the calculation of energy acquisitions and exclusions; and
 - (iv) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation.
- (c) analyse documented procedures to assess whether they are consistent with the matters that are subject to audit. Documented procedures include anything that guides staff in complying with obligations or acting in relation to relevant matters, for example training manuals and procedures for generating, entering and reporting information and source data used as an input for the *energy acquisition statement*;

- (d) interview responsible staff to assess whether they understand and comply with the documented procedures:
- (e) analyse information systems to assess the extent to which they produce information that supports information presented in the *energy acquisition statement*. This will require an examination of:
 - (i) system design and security; and
 - (ii) the design of queries and calculations formulae that are used to compute the amount of electricity and/or gas acquired under scheme acquisitions.
- (f) analyse quality controls to assess whether misrepresented data is and information defects are systematically identified and corrected;
- (g) test a sample of cases or data. The auditor must establish the extent to which there has been actual compliance (insofar as compliance is subject of audit) or the extent to which relevant information is free of defect; it is not enough to ensure only that procedures are robust; and
- (h) take any other action set out in an audit scope issued to the *relevant entity* under clause 14.5.

14.5 Specific audit scopes

14.5.1 Issue of specific audit scope by the Commission

The *Commission* may decide and issue to a *relevant entity* by 1 October in any year an audit scope which specifies additional requirements for the conduct of audits.

An audit scope issued under this clause will apply to the audit of the *energy acquisition statement* due in the following calendar year and all subsequent audits unless the *Commission* varies or withdraws that audit scope by notice to the *relevant entity* by 1 October in any year.

In specifying additional requirements in an audit scope issued under this clause, the *Commission* will have regard to:

- (a) the obligations of the *relevant entity* under the *Act*;
- (b) the objectives of the *Act*;
- (c) its assessment of risk associated with a *relevant entity* in accordance with clause 14.5.2; and
- (d) such other matters as it considers relevant.

14.5.2 Assessing risk

In assessing the risk associated with a *relevant entity* the *Commission* will consider:

- (a) the likelihood and the consequences of non-compliance;
- (b) in the case of information, the likelihood and consequences of it being defective, unreliable, lacking in quality or not conforming with relevant specifications;
- (c) In assessing the likelihood of non-compliance and the likelihood of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the *Commission* will consider the following factors:
 - (i) any previous audit results or evidence of non-compliance;
 - (ii) the likely or known extent of information defects;
 - (iii) any issues identified by the *Commission* during the ongoing administration of the scheme:
- (d) In assessing the consequences of non-compliance or of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the *Commission* will consider the following factors:
 - (i) the effect on the *Commission*'s ability to administer the scheme:

- (ii) the effect on the market for certificates;
- (iii) the effect on the objectives of the Act; and
- (iv) the effect on commercial and administrative decision making (for example, the setting of the greenhouse gas reduction rate at an inadequate level based on inaccurate information); and
- (e) The *Commission* will conduct any risk assessment under this clause 14.5.2 in accordance with Australian/New Zealand Standard AS/NZS ISO 31000:2009, which has been issued by Standards Australia and is the Australian standard relating to Risk management Principles and guidelines.

14.6 Reliance and standards

Auditors:

- (a) may have regard to internal audit assessments but in arriving at a conclusion in relation to an audit matter must not rely on them exclusively. Where an auditor has previously audited a matter, they should exercise professional judgment as to the depth of inquiry required;
- (b) must have regard to the requirements of the Auditing and Assurance Standards Board (AUASB) and the relevant Australian Standards for Assurance Sampling, Compliance and Risk Management; and
- (c) notwithstanding clause 14.7, must issue an audit report under ASAE 3000 'Assurance Engagements Other than Audits or Reviews of Historical Information' which provides for reasonable assurance.

14.7 Generic issues to be addressed

- (a) In auditing the quality, reliability or conformity of information with specified requirements, an auditor should address the following generic issues:
 - (i) is the information generated in accordance with documented methodologies, policies, practices and procedures?
 - (ii) are the methodologies, policies, practices and procedures fully understood by relevant staff?
 - (iii) how accurately do those procedures and the information reflect applicable information specifications in the *Act* and *Regulations*?
 - (iv) is the information based on sound information systems and records?
- (b) In auditing compliance, an auditor should address the following generic issues:
 - (i) is the matter under investigation reflected in documented policies, practices and procedures?
 - (ii) has the matter been fully understood by staff?
 - (iii) has the matter been performed as specified?
 - (iv) is the matter the subject of effective compliance monitoring and quality control (e.g. internal audits)?
 - (v) does the culture appear to support compliant behaviour?
 - (vi) does the organisational structure support compliant behaviour and outcomes?

The objective of reasonable assurance engagement is defined under ASAE 3000 'Assurance Engagements Other than Audits or Reviews of Historical Financial Information', issued July 2014, as 'a reduction in the engagement risk to an acceptably low level in the circumstances of the engagement as the basis for the assurance practitioner's conclusion'.

14.8 Audit report

14.8.1 Form of audit report

An auditor must prepare a report that addresses all applicable matters and issues identified in clause 14.4. The audit report must contain at least the following:

- (a) an executive summary identifying key issues arising from the audit that reflects any current standard reporting format issued by the *Commission*;
- (b) a description of the audit methodology used;
- (c) a description of the systems and procedures that have been put in place to complete the *energy acquisition statement*;
- (d) grades pursuant to clause 14.8.2 and a summary of findings for each matter, which includes a detailed description of each issue of non-compliance; and
- (e) a completed data assessment table.

14.8.2 Data integrity grades

The auditor must assess the integrity of the data presented in the *relevant entity*'s *energy acquisition statement* by using a standard grading system.

The grading system is a two-step process requiring auditors to use Harvey balls and a traffic light system to assess the data.

Reporting – Step one

Harvey balls are used to represent the presence and quality associated with each of the five principles represented in Table 1 below.

Table 1: Principles for auditing information relevant to the scheme

Principle	Definition
1. Faithful representation	1. Information should faithfully represent the events and transactions that it purports to represent or could reasonably be expected to represent.
	2. Uncertainties should be identified and quantified where possible.
2. Completeness	1. Information should be complete in all respects in accordance with any applicable requirements of the <i>Act</i> , such that information is not misleading or unreliable in terms of relevance to the processes of the <i>relevant entity</i> .
	2. All relevant transactions or events shall be included within the calculation or estimation of data.
3. Consistency	1. Consistent methodologies, measurements and source data should be used such that comparative assessments can be made from year to year and over time.
	2. Estimates should be consistent with relevant Australian and state government estimates.
4. Reliability	1. Information and source data should be free of misstatement and able to be relied upon by users of the information to faithfully represent that which it either purports to represent or could reasonably be expected to represent.

Principle	Definition
5. Transparency	Data shall be replicable by a third party through adequate record keeping.
	2. Data will have a clearly defined audit trail.
	3. Reference sources, methodologies and approaches to data generation shall be clearly documented.
	4. Changes to data and methodologies over time shall be clearly documented.

Grade	Description
	No adherence to the principle.
	Some adherence to the principle.
	General regard to the principle.
•	High regard to the principle.
	Total adherence to the principle.

Reporting – Step 2

A traffic light system is used to indicate the overall integrity of the data.

- R Unacceptable
- A Acceptable but adjustments needed
- G Acceptable

14.8.3 Signed statement

The auditor must include in its final audit report a statement signed by the leader of its audit team that states that:

- (a) the audit report findings accurately reflect the professional opinion of the auditor;
- (b) the auditor and team members have observed the requirements of this guideline and the relevant *audit deed* in conducting the audit, making audit findings and preparing the report;
- (c) the conclusion of the audit specified as a reasonable assurance review opinion under ASAE 3000; and
- (d) the audit report findings have not been unduly influenced by the *relevant entity*.

14.9 Commission response to audits

- (a) The *Commission* may (without limiting its powers and rights under the *Act*, an *audit deed* or otherwise):
 - (i) obtain and analyse the auditor's record of its contacts with the *relevant entity*, for example to obtain more details of reported non-compliance, misrepresentation of data, or to investigate whether significant changes have been made to drafts of the report;
 - (ii) require further auditing to be undertaken (whether by the relevant auditor or another) where it considers the report is or may be unsatisfactory in a material respect, for example where the *Commission* has independent information contradicting an assessment made by the auditor;
 - (iii) require that the *relevant entity* arrange for another auditor approved by the *Commission* to undertake any such further auditing work;
 - (iv) require further information from the *relevant entity* under Part 8 of the *Act*;
 - (v) through its authorised officers, exercise any powers under Part 7 of the *Act* to the extent necessary to substantiate the information provided in an *energy acquisition statement*, or otherwise to determine whether the *relevant entity* has complied with the *Act*;
 - (vi) require termination of any contract by which the auditor was engaged to conduct the relevant audit; or
 - (vii) remove a firm from the audit panel if it has failed to follow this audit guideline or has not observed the necessary level of independence.
- (b) The *Commission* may report publicly and/or comment on the aggregated results of the audits undertaken. This may include but is not limited to reporting aggregated audit results as part of its annual reporting function under section 67 of the *Act*.
- (c) Should the results of an audit of an energy acquisition statement provide reason, the Commission may issue a shortfall statement in accordance with section 36 of the Act.

15 AUDIT OF CREATION OF CERTIFICATES AND COMPLIANCE INVESTIGATIONS

Act reference: sections 7(2)(b), 7(2)(d) and 7(2)(e). Applies to: **accredited persons**, auditors.

Under section 7(2)(d) of the *Act*, the *Commission* may audit the creation of certificates by *accredited persons*. Under section 7(2)(b) of the *Act*, the *Commission* may monitor the creation of certificates. Under section 7(2)(e) of the *Act*, the *Commission* may monitor compliance with the *Act*. This clause 15 describes the basis on which the *Commission* will exercise its discretion to monitor compliance with the *Act* including the monitoring and auditing of the creation of certificates. This clause 15 also identifies the manner in which those audits will be carried out.

15.1 Auditor

The *Commission* may appoint one or more members of staff of the *Commission* or another appropriately qualified or experienced person or firm to investigate compliance with the *Act*, the *Regulations* or the Guidelines, or to perform a general audit under clause 15.2 following the process in Figure 2 at the end of this document, or a project-based activity audit under clause 15.3 following the process in Figure 3 at the end of this document.

15.2 General audit

15.2.1 Purpose of audit

The purpose of an audit is to ensure compliance with the *Act*, *Principal regulations* and these Guidelines.

15.2.2 Matters to be audited

The appointed *Commission* staff member or auditor may:

- (a) *investigate compliance* with each obligation or matter identified in the *Act*, the *Principal regulations* and Guidelines in relation to the creation of certificates.
- (b) analyse relevant data in the accredited person's information systems and records kept under clause 13 of the Guidelines to:
 - (i) ensure that the data in those systems and records is consistent with the content of the registered certificates and data within the *VEET registry*;
 - (ii) ensure that the data in those systems and records is consistent with the content of the pending certificates and data within the *VEET registry*;
 - (iii) ensure that the prescribed activities have been undertaken in accordance with the requirements set out in the *Principal regulations*;
 - (iv) verify the correct application of formulae and the accuracy of arithmetical calculations; and
 - (v) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation.
- (c) analyse any documented procedures to assess whether they are consistent with the matters that are the subject of audit. Documented procedures include anything that guides staff in complying with obligations or acting in relation to relevant matters, for example training manuals and procedures for generating, entering and reporting information and source data used as an input for the creation of certificates;
- (d) interview responsible staff to assess whether they understand and comply with the requirements in the *Act* and *Principal regulations*;
- (e) analyse any quality controls to assess whether misrepresented data is, and information defects are, systematically identified and corrected;

- (f) test a sample of cases. The auditor must establish the extent to which there has been actual compliance (insofar as compliance is subject of audit) or the extent to which relevant information is free of defect; it is not enough to ensure only that procedures are robust; and
- (g) take any other action as the **Commission** considers necessary to complete the audit.

15.2.3 Reliance and standards

The auditor will have regard to the requirements of the Auditing and Assurance Standards Board (AUASB) and the relevant Australian Standards for Assurance Sampling, Compliance and Risk Management.

15.2.4 Audit report

The *Commission* will require the auditor to prepare a report that addresses all applicable matters and issues identified in clause 15.2.1 and 15.2.2 and contains;

- (a) an executive summary identifying key issues arising from the audit;
- (b) a description of the audit methodology used;
- a traffic light assessment of the audit findings for each matter or issue identified as part of the audit;
- (d) a summary of findings for each matter, which includes a detailed description of each issue of non-compliance;
- (e) the response from the accredited person to each of the recommendations as to how they will implement each of the recommendations and reduce the risk of improper VEEC creation; and
- (f) a date within which the *accredited person* is required to provide the *Commission* with evidence of implementation of each audit recommendation.

Reporting

A traffic light system is used to represent the level of risk associated with the provision of information and records as part of an audit report. It is used to indicate the overall integrity of the data.







15.2.5 Signed statement

For instances where an external auditor has been engaged by the *Commission*, the auditor must include in its final audit report to the *Commission* a signed statement that:

- (a) the audit report findings accurately reflect the professional opinion of the auditor;
- (b) the auditor and team members have observed the requirements of this guideline and the relevant *audit deed* in conducting the audit, making audit findings and preparing the report; and
- (c) the audit report findings have not been unduly influenced by the *accredited person*.

15.2.6 Commission response to an audit

- (a) following completion of the audit *Commission* staff will assess the audit results to determine whether any further investigation is required;
- (b) *Commission* staff will provide a draft copy of the audit report to the *accredited person* for comment, including how the *accredited person* intends to implement the audit report's recommendations;
- (c) upon receiving a satisfactory response to the draft audit report from the *accredited person*, the audit report is finalised and signed by relevant *Commission* staff;
- (d) upon completion of the audit report, the *Commission* will provide a copy of the audit report to the *accredited person*;
- (e) the *Commission* may report publicly and/or comment on the aggregated results of the audits undertaken under this clause 15. This may include but is not limited to reporting aggregated audit results as part of its annual reporting function under section 7(4) of the *Act*;
- (f) in assessing the consequences of non-compliance or of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the *Commission* will consider the following factors:
 - (i) the effect on the *Commission*'s ability to administer the scheme:
 - (ii) the effect on the market for certificates; and
 - (iii) the effect on the objectives of the Act.
- (g) the *Commission* may conduct further investigation into matters relating to the creation of certificates; and
- (h) the *Commission* may also require further information from the *accredited person* under Part 8 of the *Act*.

15.3 Project-based activity audit

15.3.1 Purpose of audit

The purpose of a project-based activity audit is to ensure compliance with the *Act*, *Regulations* and Guidelines.

15.3.2 Matters to be audited

The appointed *Commission* staff member or auditor may:

- (a) *investigate compliance* with each obligation or matter identified in the *Act*, *Regulations*, and Guidelines in relation to the creation of certificates;
- (b) analyse relevant data in the accredited person's information systems and records kept under clause 13 of the Guidelines to:
 - (i) ensure that the data in those systems and records is consistent with the content of the pending certificates and data within the *VEET registry*;
 - (ii) if applicable, ensure that the data in those systems and records is consistent with the content of the registered certificates and data within the *VEET registry*;
 - (iii) ensure that the project-based activity has been undertaken in accordance with the requirements set out in the *Regulations*;
 - (iv) ensure that the project-based activity has been undertaken in accordance with the requirements set out in the Guidelines;
 - (v) verify the correct application of formulae and the accuracy of arithmetical calculations; and
 - (vi) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation.

- (c) analyse any documented procedures to assess whether they are consistent with the matters that are the subject of audit. Documented procedures include anything that guides staff in the calibration of equipment, complying with obligations, or acting in relation to relevant matters. For example, training manuals and procedures for generating, entering and reporting information and source data used as an input for the creation of certificates;
- (d) interview responsible staff to assess whether they understand and comply with the requirements in the Act and the Regulations. If applicable, this may include the approved measurement and verification professional engaged to advise on the project-based activity;
- (e) analyse any quality controls to assess whether incorrect data and information defects have been systematically identified and corrected;
- (f) review and test the project-based activity. The auditor must establish the extent to which there has been actual compliance with the Act, Regulations and Guidelines and the extent to which relevant information is free of defect. It is not enough to ensure only that procedures are robust;
- (g) review and test compliance with the scoping report, project plan and project impact report;
- (h) if applicable, *analyse the verification report* submitted by the *approved measurement* and verification professional to:
 - (i) ensure the report complies with the *Act*, *PBA regulations*, Guidelines and explanatory notes:
 - (ii) is consistent with the measurement and verification plan submitted with the project plan approval;
 - (iii) is prepared in accordance with the matters specified in the **Secretary**'s specifications made under the **PBA regulations**; and
 - (iv) any other relevant matter.
- (i) If applicable, review the experience and professional competency requirements of the
 approved measurement and verification professional who submitted the verification
 report; and
- (j) take any other action as the **Commission** considers necessary to complete the audit.

15.3.3 Reliance and standards

The auditor will comply with the requirements of the Auditing and Assurance Standards Board (AUASB) and the relevant Australian Standards for Assurance Sampling, Compliance and Risk Management.

15.3.4 Audit report

An audit report should address all applicable matters and issues identified in clause 15.3.1 and 15.3.2 and contains where applicable:

- (a) an executive summary identifying key issues arising from the audit;
- (b) a description of the audit methodology used;
- (c) a traffic light assessment of the audit findings for each matter or issue identified as part of the audit;
- (d) a summary of findings for each matter, which includes a detailed description of each issue of non-compliance;
- (e) the response from the *accredited person* to each of the recommendations as to how they will implement each of the recommendations relating to the project-based activity and reduce the risk of improper *VEEC* creation;

- (f) a date within which the *accredited person* is required to provide the *Commission* with evidence of implementation of each audit recommendation; and
- (g) the response to any relevant recommendations from the *approved measurement* and verification professional who submitted the basic or detailed verification report relating to the project-based activity.

Reporting

A traffic light system is used to represent the level of risk associated with the provision of information and records as part of an audit report. It is used to indicate the overall integrity of the data.







15.3.5 Signed statement

Where an external auditor has been engaged by the *Commission*, the auditor must include in their final audit report to the *Commission* a signed statement that:

- (a) the audit report findings accurately reflect the professional opinion of the auditor;
- (b) the auditor and team members have observed the requirements of this guideline and the relevant *audit deed* in conducting the audit, making audit findings and preparing the report; and
- (c) the audit report findings have not been unduly influenced by the *accredited person*.

15.3.6 Commission response to an audit

- (a) following the completion of an audit the *Commission* staff will assess the audit results to determine whether any further investigation is required;
- (b) **Commission** staff will provide a draft copy of the audit report to the **accredited person** for comment including how the **accredited person** intends to implement the audit report's recommendations;
- (c) upon receiving a satisfactory response to the draft audit report from the *accredited person*, the audit report is finalised and signed by relevant *Commission* staff;
- (d) upon completion of the audit report, the *Commission* will provide a copy of the audit report to the *accredited person*;
- (e) if applicable, the *Commission* may respond to any recommendations in relation to the *approved measurement and verification professional* who submitted the verification report;_
- (f) the *Commission* may report publicly and/or comment on the aggregated results for the audits undertaken under this clause. This may include, but is not limited to, reporting aggregated audit results as part of its annual reporting function under section 7(4) of the *Act*;
- (g) in assessing the consequence of non-compliance or of information being defective, unreliable, lacking in quality or not conforming with relevant specifications, the *Commission* will consider the following factors:
 - (i) the effect on the *Commission*'s ability to administer the scheme;

- (ii) the effect on the market for certificates; and
- (iii) the effect on the objectives of the *Act*.
- (h) the *Commission* may conduct further investigation into matters relating to the creation of certificates; and
- the *Commission* may also require further information from the *accredited person* under Part 8 of the *Act*.

15.4 Compliance investigation

The *Commission* may conduct investigations of specific issues when a general audit, a PBA audit or other information received by the *Commission* indicates possible breaches of the *Act*, the *Regulations* or the Guidelines. The findings of a compliance investigation may lead to enforcement actions against an *accredited person* as set out in Guidelines clause 16.3.

15.4.1 Matters to be investigated

The appointed *Commission* staff or qualified or experienced person may:

- (a) *investigate compliance* with each obligation or applicable matter of the *Act*, the *Regulations* or the Guidelines;
- (b) analyse relevant data in the accredited person's information systems and records kept under clause 13 of the Guidelines to:
 - (i) ensure that the data in those systems and records is consistent with the content of the registered certificates and data within the *VEET registry*;
 - (ii) ensure that the data in those systems and records is consistent with the content of the pending certificates and data within the *VEET registry*;
 - (iii) ensure that the prescribed activities have been undertaken in accordance with the requirements set out in the *Regulations*;
 - (iv) verify the correct application of formulae and the accuracy of arithmetical calculations; and
 - (v) identify any missing data or unusual figures or trends that might suggest incorrect data, errors in data entry or manipulation;
- (c) analyse any documented procedures to assess whether they are consistent with the matters that are the subject of the investigation. Documented procedures include anything that guides staff in complying with obligations or acting in relation to relevant matters, for example training manuals and procedures for generating, entering and reporting information and source data used as an input for the creation of certificates;
- (d) *interview responsible staff* to assess whether they understand and comply with the requirements in the *Act* and *Regulations*;
- (e) analyse any quality controls to assess whether misrepresented data is, and information defects are, systematically identified and corrected;
- (f) test a sample of cases. The compliance investigation must establish the extent to which there has been actual compliance or the extent to which relevant information is free of defect; it is not enough to ensure only that procedures are robust; and
- (g) take any other action as the **Commission** considers necessary to complete the compliance investigation.

16 COMPLIANCE AND ENFORCEMENT

Act reference: sections 14, 14A, 14B, 17 to 20, 27 to 29, 36, 37, 40 and 40A, Applies to: *accredited person*s, relevant entities.

This clause refers to the *Commission*'s *VEET* scheme compliance and enforcement policy document as it outlines in detail the *Commission*'s approach to promoting and enforcing compliance with the *Act* and *Regulations*.

This clause also sets out the nature of the *Commission's Policy* in relation to shortfall statements and certificate creation.

16.1 Compliance and enforcement policy

The *Commission* introduced a *VEET* scheme compliance and enforcement policy on 1 November 2017. The *Policy* outlines the *Commission*'s approach to promoting and enforcing compliance with the *Act* and *Regulations*, including the enforcement and compliance actions available to the *Commission* under the *Act*. The *Policy* can be found on the *VEET website*. Accredited persons and relevant entities should refer to the *Policy* to understand the *Commission*'s approach to compliance and enforcement.

16.2 Compliance and enforcement actions resulting from an audit of an energy acquisition statement

16.2.1 Audit of energy acquisition statements

Clause 14 of these Guidelines sets out the *Commission* requirements in regard to the auditing of an *energy acquisition statement* lodged by a *relevant entity*, with clause 14.9 of these Guidelines outlining how the *Commission* may respond to an audit.

16.2.2 Shortfall statement

Section 27 of the *Act* sets out that a *relevant entity* must not have an energy efficiency certificate shortfall for a year in which the *relevant entity* makes a scheme acquisition.

The energy efficiency certificate shortfall of a *relevant entity* for a year is calculated in accordance with section 29 of the *Act*. Should the audit of an *energy acquisition statement* find that a *relevant entity* has an energy certificate shortfall, the *Commission* may issue a *shortfall statement* in accordance with section 36 of the *Act*.

16.2.3 Payment of a shortfall penalty

A *relevant entity* which is found to have an energy efficiency shortfall for a year must pay the civil penalty to the Consolidated Fund as set out in section 28 of the *Act*.

If an energy efficiency shortfall penalty is not paid in accordance with requirements, the *Commission* may apply for a declaration and order for payment of this shortfall penalty as set out in section 37 of the *Act*.

16.3 Compliance and enforcement actions resulting from an audit of creation of certificates or compliance investigation

16.3.1 The creation of certificates

Section 7(2) of the *Act* sets out that the *Commission* is responsible for:

- the accreditation of persons who may create certificates;
- the monitoring and administration of the creation, registration, transfer and surrender of certificates;
- enforcing the imposition of energy efficiency shortfall penalties;
- the undertaking of audits of the creation of certificates by *accredited persons*; and
- the monitoring of compliance with the *Act*.

Clause 4 of these Guidelines sets out the *Commission* requirements in regard to the accreditation of persons as provided by section 9 of the *Act*, while clause 8 of these Guidelines sets out the *Commission* requirements in regard to the assignment of rights to create certificates as provided by section 16 of the *Act*. Section 17 of the *Act* sets out when a certificate can be created, while section 18 of the *Act* sets out how many certificates may be created in respect of a prescribed activity.

Each of these sections of the *Act* and Guidelines clauses may be applicable should the *Commission* elect to audit the creation of certificates by an *accredited person* or instigate a compliance investigation of an *accredited person*.

16.3.2 Audit of creation of certificates

Clauses 15.2 (general audit) and 15.3 (project-based audit) of these Guidelines set out the *Commission*'s requirements in regard to the auditing of the creation of certificates by an *accredited person*. Clauses 15.2.6 (general audit) and 15.3.6 (project-based audit) of these Guidelines outline how the *Commission* may respond to an audit. Any response may include enforcement action.

16.3.3 Compliance investigations

Clause 15.4 of these Guidelines sets out the *Commission*'s requirements in regard to the conducting of a compliance investigation of an accredited person.

16.3.4 Compliance and enforcement actions

Compliance and enforcement actions relating to an audit of the creation of certificates or a compliance investigation will be carried out as outlined in the *Policy*.

17 AUDIT PROCESS TIMELINES

Figure 1: Process of undertaking audits for energy acquisition statements (clause 14.3)

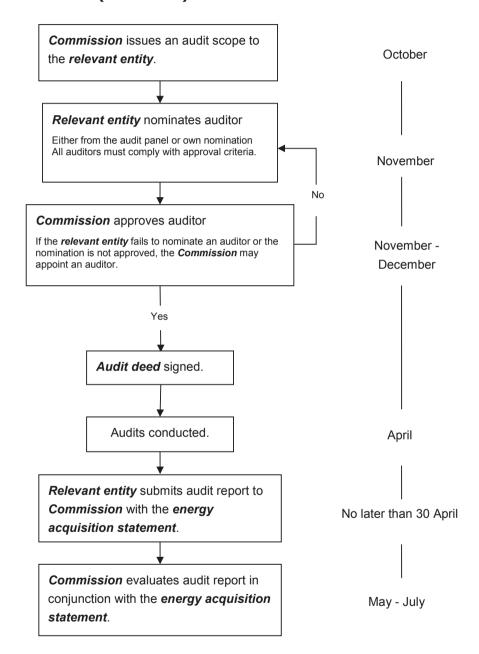


Figure 2: Process of undertaking a general audit of an accredited person (clause 15.2)

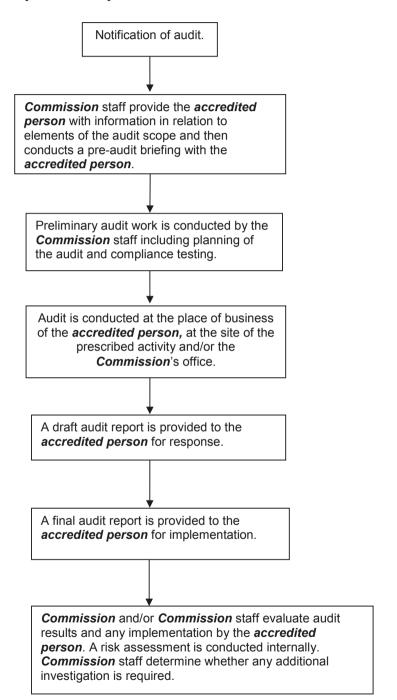
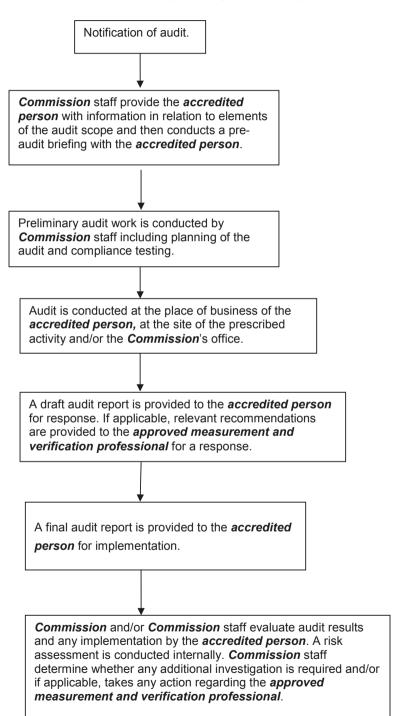


Figure 3: Process of undertaking a project-based activity audit of an accredited person (clause 15.3)



ALPINE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C54

The Minister for Planning has approved Amendment C54 to the Alpine Planning Scheme.

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

The Amendment alters the planning scheme maps and the Schedule to the Heritage Overlay so that the Alpine Planning Scheme is consistent with the Victorian Heritage Register.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours at the Alpine Shire Council, Great Alpine Road, Bright.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

BOROONDARA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C267

The Minister for Planning has approved Amendment C267 to the Boroondara Planning Scheme. The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment corrects a number of errors and anomalies in the Boroondara Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Boroondara City Council, 8 Inglesby Road, Camberwell.

STUART MENZIES

Director

State Planning Services

Department of Environment, Land, Water and Planning

EAST GIPPSLAND PLANNING SCHEME

Notice of Approval of Amendment Amendment C144

The Minister for Planning has approved Amendment C144 to the East Gippsland Planning Scheme.

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

The Amendment corrects zone and overlay mapping anomalies and corrects the Colquhoun Development Policy map in Clause 22.01.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the East Gippsland Shire Council, 24 Service Street, Bairnsdale 3875.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

BENALLA, SOUTH GIPPSLAND, SOUTHERN GRAMPIANS AND WODONGA PLANNING SCHEMES

Notice of Approval of Amendment Amendment GC66

The Minister for Planning has approved Amendment GC66 to the Benalla, South Gippsland, Southern Grampians and Wodonga Planning Schemes.

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

The Amendment changes the planning provisions for four parcels of land identified as surplus to Victorian Government requirements. Specifically, the Amendment:

- Rezones 21 Trewin Road, Goorambat, from Public Use Zone Education (PUZ2) to Low Density Residential Zone.
- Rezones 87 Victoria Valley Road, Dunkeld, from PUZ2 to Township Zone and applies the Design and Development Overlay Schedule 5 to the land.
- Rezones 26 Berrys Creek Road, Berrys Creek, from PUZ2 and Public Use Zone 3 Health and Community to Farming Zone.
- Rezones 249 McKoy Street, West Wodonga, from Public Use Zone Other Public Use to Mixed Use Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Benalla Rural City Council, 1 Bridge Street, Benalla; Southern Grampians Shire Council, 1 Market Place, Hamilton; South Gippsland Shire Council, 9 Smith Street, Leongatha; and Wodonga City Council, 104 Hovell Street, Wodonga.

HOBSONS BAY PLANNING SCHEME

Notice of Approval of Amendment Amendment C107

The Minister for Planning has approved Amendment C107 to the Hobsons Bay Planning Scheme.

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

The Amendment deletes the Heritage Overlay (HO202) in part and makes associated changes to the Schedule to the Heritage Overlay and updates references to the amended 'Hobsons Bay Heritage Study Amended 2017' in various local policies and deletes reference to Clause 62.01 within Schedule 2 to the Special Use Zone.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Hobsons Bay City Council, Civic Centre, 115 Civic Parade, Altona, Victoria.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Approval of Amendment

Amendment C149

The Minister for Planning has approved Amendment C149 to the Knox Planning Scheme.

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

The Amendment implements the 'Knox Central Structure Plan, October 2017' in the Knox Planning Scheme by amending the Local Planning Policy Framework, rezoning land within the Knox Central activity centre from the Priority Development Zone to the Mixed Use Zone, applying the Environmental Audit Overlay to former industrial land, applying a new Schedule 13 to the Design and Development Overlay to guide the built form of development within the activity centre, amending Schedule 2 to the Development Plan Overlay, and making consequential changes to planning scheme maps and the Schedules to Clauses 61.03 and 81.01.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Knox City Council, 511 Burwood Highway, Wantirna South.

LATROBE PLANNING SCHEME Notice of Approval of Amendment Amendment C106 (Part 1)

The Minister for Planning has approved Amendment C106 (Part 1) to the Latrobe Planning Scheme.

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

The Amendment rezones land at 112 McNairn Road, Traralgon East (L1, PS401791), from the Public Park and Recreation Zone to the General Residential Zone Schedule 1.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Latrobe City Council, 141 Commercial Road, Morwell.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

MANSFIELD PLANNING SCHEME

Notice of Approval of Amendment Amendment C36

The Minister for Planning has approved Amendment C36 to the Mansfield Planning Scheme.

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

The Amendment implements the planning actions of the Mansfield Shire Domestic Wastewater Management Plan 2014 through its use as a reference document to a local policy, revised Environmental Significance Overlays and risk based mapping that manage water quantity and quality in special water supply catchments. The referral of permit applications to the water and catchment authorities has also been revised.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Mansfield Shire Council, 33 Highett Street, Mansfield, Victoria 3722.

MELBOURNE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C324

The Minister for Planning has approved Amendment C324 to the Melbourne Planning Scheme.

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

The Amendment deletes heritage controls applied in error to 35 Eastwood Street, Kensington, via Amendment C215.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Melbourne City Council, Level 3, 240 Little Collins Street, Melbourne.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

MONASH PLANNING SCHEME Notice of Approval of Amendment Amendment C137

The Minister for Planning has approved Amendment C137 to the Monash Planning Scheme.

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

The Amendment deletes the Parking Overlay (Clause 45.09) including Schedules 1 and 2 from the Monash Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Monash City Council, 293 Springvale Road, Glen Waverley.

MORNINGTON PENINSULA PLANNING SCHEME

Notice of Approval of Amendment Amendment C200

The Minister for Planning has approved Amendment C200 to the Mornington Peninsula Planning Scheme.

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

The Amendment amends the Local Planning Policy Framework to insert a new local policy for gaming premises and gaming machines and amends the Schedule to Clause 52.28 to update the list of shopping complexes within which the installation or use of a gaming machine is prohibited.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Mornington Peninsula Shire Council, at 90 Besgrove Street, Rosebud; 2 Queen Street, Mornington; and 21 Marine Parade, Hastings.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

MORNINGTON PENINSULA PLANNING SCHEME

Notice of Approval of Amendment Amendment C209

The Minister for Planning has approved Amendment C209 to the Mornington Peninsula Planning Scheme.

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

The Amendment facilitates the redevelopment of the Sorrento Ferry Terminal by amending the Schedule to Clause 52.03 and Clause 81.01 to include Incorporated Document 'Searoad Ferries – Sorrento Terminal Building and Associated Uses and Works, Incorporated Document, October 2017'.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Mornington Peninsula Shire Council, 2 Queen Street, Mornington.

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment

Amendment C143

The Minister for Planning has approved Amendment C143 to the Port Phillip Planning Scheme. The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment introduces the Heritage Overlay (HO472) to 19 Salmon Street, Port Melbourne, on a permanent basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Port Phillip City Council, 99a Carlisle Street, St Kilda.

STUART MENZIES
Director
State Planning Services
Department of Environment, Land, Water and Planning

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C197

The Minister for Planning has approved Amendment C197 to the Whitehorse Planning Scheme. The Amendment comes into operation on the date this notice is published in the Victoria Government Gazette.

The Amendment rezones 1000 Whitehorse Road, Box Hill, from Public Use Zone 2 (Education) to Commercial 1 Zone and rezones 16–18 Spring Street, Box Hill, from Public Use Zone 2 (Education) and Residential Growth Zone – Schedule 3 to Mixed Use Zone and applies Development Plan Overlay – Schedule 8.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of Whitehorse City Council, 379–397 Whitehorse Road, Nunawading.

WHITTLESEA PLANNING SCHEME

Notice of Approval of Amendment Amendment C218

The Minister for Planning has approved Amendment C218 to the Whittlesea Planning Scheme.

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

The Amendment rezones one parcel of land from the Farming Zone (FZ) to the General Residential Zone Schedule 1 (GRZ1) and amends Clause 22.03 Bushfire Management Policy.

A copy of the Amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection and free of charge, during office hours, at the offices of the Whittlesea City Council, 25 Ferres Boulevard, South Morang.

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SUBORDINATE LEGISLATION ACT 1994 NOTICE THAT STATUTORY RULES ARE OBTAINABLE

Notice is hereby given under section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from SAI Global Bookshop, 85 Buckhurst Street, South Melbourne, on the date specified:

52. Statutory Rule: Bail Amendment

Regulations 2018

Authorising Act: Bail Act 1977

Date first obtainable: 23 May 2018

Code B

53. Statutory Rule: Children, Youth

and Families Amendment (Bail) Regulations 2018

Authorising Act: Children, Youth

and Families Act 2005

Date first obtainable: 23 May 2018

Code A

54. *Statutory Rule*: Heritage

Amendment Regulations 2018

Authorising Act: Heritage Act 2017

Date first obtainable: 23 May 2018

Code A

55. Statutory Rule: Transport

(Compliance and Miscellaneous) (Ticketing) Further Amendment Regulations 2018

Authorising Act: Transport

(Compliance and Miscellaneous) Act 1983

Act 1983

Date first obtainable: 23 May 2018

Code A

56. *Statutory Rule*: Supreme Court

(Chapter V Insolvency and Further Powers of Judicial Registrars Amendment) Rules 2018

Authorising Act: Supreme Court

Act 1986 Corporations (Ancillary Provisions) Act 2001

Date first obtainable: 23 May 2018

Code C

57. Statutory Rule: Supreme Court

(Miscellaneous Civil Proceedings) Rules 2018

Authorising Act: Supreme Court

Act 1986

Date first obtainable: 23 May 2018

Code G

58. *Statutory Rule*: Supreme Court

(E-Filing and Other Amendments) Rules 2018

Authorising Act: Supreme Court

Act 1986

Date first obtainable: 23 May 2018

Code B

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