

Dear Dean ,

Thank for the opportunity to submit our concerns regarding MW's 2011/12 Price Review for the Patterson Lakes drainage area.

Firstly to let you know that I am the President of the Patterson Lakes Quiet Lakes Owners and Residents (PLQLOR) Association. The PLQLOR Association currently is made up of an owners and residents elected committee of 9 from a total membership of 153 individual members

Upon review of MW's 2011/12 price review submission for the Patterson Lakes area we request your consideration and clarification on the following concerns before completing your determination:

1. In my capacity as the residents elected President of PLQLOR I represent the common view of the 153 association members in this email and in my position held on MW's PLAC for which I was one NO vote representing 153 members opposing the 2011/12 precept increase.

-Can you please explain how the vote of four individuals representing no more than their own thoughts and interests with no mandate to speak on behalf of the residents outweighs the vote of one person elected by the residents with a mandate to represent the interest and views of 153 owners and residents?

2. Last years 2010/11 price review submission detailed an average annual precept charge of \$534, whilst this years 2011/12 submission details an average annual precept charge for same 2010/11 period as being \$333 (page 8). i.e. the 2010/11 accounting period in successive reports detailing two vastly different numbers. It is worth noting that my personal 2011/11 precept charge is \$601.44/ year, which I would assume as a single dwelling water front property is very similar to approximately 150 other single dwelling waterfront properties of the 357 total Quiet Lakes precept properties. In simple calculation that equates to approximately \$90,000 of the current \$120,000 collected leaving a petty \$30,000 collected from the other 200 properties.

-Can you please explain the change in average annual precept value for the same 2010/11 year from last years review to this years review.

-Also can you please explain why the precept expenditure is not shared more equally amongst the 353 Quiet Lakes precept paying households?

3. The \$SV or \$NAV Rate of 0.5410¢ (page 20) is vastly different from the rate detailed on my South East Water Bill with an \$NAV Rate of 0.001253¢.

Can you please explain the difference between the two figures?

4. The planned operating expenditure of \$129,560 for 'general maintenance' and 'contract management fees' appear excessive for the described list of menial tasks performed:

- Periodic de-silting (never performed in 36 years)
- Beach raking monthly
- Beach grooming from October to March
- Debris collection (leaves and litter) and removal monthly
- Beach weed spraying monthly
- Lighting maintenance
- Grass maintenance

Given that all of these menial tasks are out sourced, but not via a Quiet Lakes specific contract works agreement. Also taking into consideration that special drainage areas represent only 0.2% of Melbourne Waters customer base, which I would assume the Quiet Lakes represents less than 0.1%

-Can you please advise how MW actually determines a cost allocation from two broad categories for contract works performed specifically at the Quiet Lakes from a multimillion dollar outsourced works contract?

Note the other listed tasks have been separate out into more specific categories and associated costs i.e. removal of fish pests such as Carp; water quality testing weekly; operation of the bore pump that supplies water to the Quiet Lakes; Water quality management actions.

5. The Quiet Lakes were established with the dual purpose of drainage and recreation. The drainage function exists as a flood protection for the broad communities of Patterson Lakes and Carrum with the vast majority of properties that are protected are not associated with the private use of the Quiet Lakes or Tidal Waterways developments but are properties that do enjoy the flood protection provided by both developments. In MW's submission relating to the tidal waterways, MW makes specific mention of its financial concession on the precept with acknowledgment for "the broad community benefit provided in terms of flood protection". However in relation to the Quiet Lakes there is no such financial concession offered to the Quiet Lakes precept charge. In your consideration of this glaring omission it is worth noting that on 13 individual occasions, each reported to MW, during the past 18 months the Gladesville pump station has malfunctioned causing first flush nutrient rich storm water to enter the Quiet Lakes and as a result has provided flood protection to the broad community. Further it is worth noting that on each occasion nutrient rich first flush storm water, the food source of Blue Green Algae, has entered the Quiet Lakes as a direct result of the Gladesville pump station malfunction. Today, after 36 years of operation the lakes contain the accumulation of 300mm of nutrient rich sediment acting as the primary food source of Blue Green

Algae and further adding to the turbidity and undesirable odour of the lake, which MW water quality experts (including the current expert, Design Flow) have repeatedly advised of the necessity for the sediments removal.

-Can you please explain why MW makes no concession to the precept charged to residents as is mentioned with regard to the Tidal Waterways, whilst the water quality of the Quiet Lakes is adversely influenced by MW's mismanaged flood protection function to the broad community?

6. MW's has made mentioned of the need for additional precept money to be collected for the purpose of improving the water quality of the Quiet Lakes without any consideration for the contamination introduced to the Quiet Lakes from the repeated malfunction of MW's Gladesville pump station due to MW's inability to have the Gladesville pump station operate as designed, which is to only allow the introduction of second flush low nutrient storm water into the Quiet Lakes. In addition contamination of the storm water inflow has been accentuated by MW's inability to manage Kingston Council with respect to its obligation to ensure local streets are kept clean, all pits operate correctly and that pipelines are maintained up to their points of discharge at the boundaries of the Lake Reserves (Memorandum of Understanding 2008, page 17).

-Can you please explain why MW is not required to bear the cost of improving water quality as per its obligation to maintain, operate and control the Quiet Lakes for recreational activities such as swimming (refer attached PLAC Constitution 1983) given the contamination introduced by MW's neglect to maintain the Gladesville pump station as designed as a second flush system and MW's inability to adequately manage Kingston Council in its obligation?

For your improved understanding of MW's obligation to maintain the Quiet Lakes to the extent of providing recreational activities such as swimming, as envisaged by the 1973 Maintenance Agreement, please refer to the attached documents

-Developers opening newsletter Summer/ Autumn 1975 detailing the public address made by Premier Hamer at the official opening of the Quiet Lakes (1975)

-Developers opening newsletter Summer/Autumn 1975 detailing the design and establishment of the bore a the primary water renewal source (1975)

-PLAC minutes detailing the proposed amendment to the PLAC Constitution for the purpose of merging the Quiet Lakes and Tidal Waterways to be one group (1983)

-The amended PLAC constitution clearly confirming MW's obligation to manage the Quiet Lakes for the storage of flood waters and recreational activities such as swimming (1983)

-Dandenong Valley Authorities sign off of the amended PLAC constitution (1983)

-The PLAC constitution with the same continuing obligation to manage the Quiet Lakes for the storage of flood waters and recreation activities such as swimming (1986)

-Correspondence noting the Authorities ongoing mismanagement of the Quiet Lakes in its request to decrease the ground water entitlement from the developer established 730ML/year as the primary water renewal source of the recreational Quiet Lakes down to a negligent 20ML/year (1991)

We look forward to your acknowledgement, consideration and favourable reply.

For and on behalf of the PLQLOR Association,

Regards,

Anthony Moffatt

Dear Dean,

Recently you received the attached submission from Mr Anthony Moffatt - President of the Patterson Lakes Quiet Lakes Owners and Residents (PLQLOR) Association, regarding Melbourne Water's 2011/2012 Price Review for the Patterson Lakes drainage area.

As a resident and an elected committee member of PLQLOR I wish to confirm my personal support for the Submission from Mr Anthony Moffatt.

I look forward to hearing from you.

Kind Regards

Moira Cameron

Elected committee member of PLQLOR Association

Dear Dean,

With reference to yesterday's email sent to you by Anthony Moffatt, President of the Patterson Lakes Quiet Lakes Owners & Residents Association (PLQLOR) I wish to confirm that I personally and as a resident's elected committee member fully support Anthony's submission to the Essential Services Commission.

Sincerely  
Brigitte Daniel

Dear Dean,

This is to confirm that I fully support Anthony Moffatt's communication to you dated May 10.

Claude Lopez  
Committee Member

Dear Dean,

As a committee member of the Patterson Lakes, Quiet Lakes Owners and Residents association, I write in support of the submission by Anthony Moffatt, copied below.

He articulates the view of the committee very well, which in turn I believe captures the general view of the Quiet Lakes residents.

I commend his submission to you.

Regards,  
Martin

Dr Martin Cole, ME, PhD, FTSE, HonFIEAust  
Chartered Professional Engineer

Dear Dean

As a resident of Patterson Lakes living on the lakes and a member of PLQLOR I fully endorse Anthony Moffatt submission. His objections to MW submission for a Precept increase sets out the views of myself and other lake residents.

I strongly urge you NOT agree to the MW submission.

Regards

Graham Tonta

Dear Dean,

As a committee member of the 'Patterson Lakes Quiet Lakes Owners and Residents (PLQLOR) association', I write in full support of the submission made by our president Anthony Moffatt as copied below. You were copied into my approval of the submission on 10th May but for the purposes of clarity I send this again to you for your kind attention.

I fully endorse Anthony's view and believe that this is the common view shared by the overwhelming majority of residents on the Quiet Lakes.

Finally, I acknowledge that I am also happy to confirm acceptance of my details on your ESC website.

Kind Regards

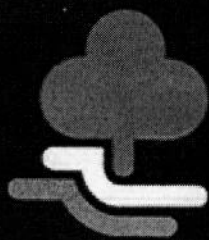
David Harvey  
PLQLOR Treasurer

Dear Dean,

I as an individual and as part of Patterson Lakes Quiet Lakes Owners Association, write in support of the submission by Anthony Moffatt, copied below.

Graeme Daw

# PATTERSON LAKES COMMUNITY NEWS



SUMMER/AUTUMN  
EDITION 1975

## PROJECT'S OPENING DAY

Nearly 200 people were present to see the Premier, The Hon. R. J. Hamer, E.D., M.P., perform the opening ceremony at Patterson Lakes on December 20th, 1974.

Heavy rain the day before had caused much apprehension as to the conditions for the garden party, but despite a cool breeze, the sun was shining and umbrellas were not needed.



In welcoming the official guests, one of the Gladesville Directors Mr. Barry Arnold, referred to the idealism and environmental planning which had been the motivation for the lakes concept. He paid tribute to the support of the Project Shareholders and of Australian Equity Corporation Ltd., whose financial backing and vision had made the project a reality.

In his address, Mr. Hamer said that his interest in Patterson Lakes went back to its beginning several years ago. He said that he had always admired the lakeside concept and the determination being shown to create agreeable surroundings for the people who would live there. At this point he referred to the "quiet member" of the Gladesville team, Mr. Donald Cameron, and complimented him on his concept of "lakeside environment for family life".

The Premier referred to the pleasures available to the couples who had already purchased lots on the estate. "They will be able to come here," said Mr. Hamer, "and under suitable conditions, swim, and the children will be able to take their boats and their kayaks and their sailing craft on to these lakes and altogether it is a most wonderful development".

Mr. Hamer also mentioned the high quality water which conformed to the A-grade standard of the Environment Protection Authority. "In other words", said the Premier, "for those who care, today or on some future occasion, to plunge in, you have every encouragement and the knowledge that it is beautiful swimming water."

Shortly afterwards, as the Premier and the Managing Director of the Gladesville Group of Companies, Mr. Donald Cameron, moved forward to cut the ceremonial ribbon attached to a catamaran, Meredith Arnold (in brief bikini) darted across the beach to be the first to swim in response to the Premier's invitation.

The Mayor of the City of Springvale, Cr. Bruce Ingram, also spoke in glowing terms of the Project and of his Council's support for Patterson Lakes.



A number of youngsters from the Carrum Canoe Club demonstrated their skill in kayaks, whilst the guests toasted the Project in champagne.

It was interesting to note that during the Premier's remarks, he commented on the conservation concern of the Gladesville Group. He referred to the gift of land to enlarge the Edithvale sanctuary and the offer to assist with a sanctuary near Chelsea Heights. Mr. Hamer said that the Company "have given solid evidence of their intentions to create pleasant surroundings/not just for human beings but for birds and animals too."

Among the guests present for the Opening were M.L.A.'s Bill Templeton and Alan Lind, the Mayor of Chelsea Cr. Les Payne, Councillors from both Springvale and Chelsea, the Director of Conservation, Dr. Downes, the Chairman of the Port Phillip Authority, Brigadier Molloy and officers of the D.V.A., the M.M.B.W. and other Government Departments. Families of the purchasers were also present to enjoy the formal opening of the first stage.





The photographs on this page show the attractive lake views to be enjoyed by future home owners. They are assured of something more! Excellent water for swimming and sailing; regular scientific checks on quality; a unique system with maintenance options; and a Government Authority owning and controlling the lake in the future!

## WATER QUALITY

By far the most impressive achievement of the Patterson Lakes Project has been the excellent water quality of the first lake. It is no accident that the lake contains A-grade swimming standard water. It is the result of extensive research and design by some of the world's leading engineers.

Years ago, when the Project was being planned, some were sceptical about the likely quality of the water. Their doubts have been completely answered by the evidence of the first lake. Many who doubted, have come to praise, having seen not only the clarity of the water but the unique systems available for maintaining its high quality.

These thoroughly designed engineering systems have been approved by the Dandenong Valley Authority. They ensure that a number of water renewal options are available, should they ever be required.

It may be of interest to set out some of the basic principles of water quality control.



### Source:

To provide flexibility and variation, the first lakes have two sources of supply. The first is from a deep bore on the property, supplying slightly brackish water from an underground stream or aquifer. The other is from a foreshore pumping station at Carrum which can supply sea-water at about 400 gallons per minute via a long pipeline to the Project. The sea-water supply may be needed on only very infrequent occasions, as the present lake, with only bore water is performing excellently.

### Circulation:

The ability to circulate water within a lake is a most desirable feature. Patterson Lakes will have this ability and in Stage One, for example, water could be circulated by renewing at one end and pumping out from the other. There is now some firm evidence that the shape of the first lake is producing more than adequate mixing and circulation due to currents induced by wind and wave action.

### Salinity:

Theoretically, there is more certainty of achieving top quality lake water if a high salinity (e.g. sea water) is maintained. However, there are many benefits to property owners, and also environmentally, if near-fresh water can be satisfactorily used. The lake is therefore being studied carefully under low salinity conditions with good results so far.

### Maintenance:

A Government Authority will ensure the ongoing maintenance of the lakes. Under an agreement between the Developer, the Council and the Dandenong Valley Authority, the D.V.A. has accepted responsibility subject to a number of conditions.

The Developer is responsible for the first 18 months and has lodged a bank guarantee to ensure performance. The D.V.A. will recover the cost of any future maintenance from the Council, who will have the choice of meeting it from General Rate revenue, or by a Separate Rate on those properties abutting the lakes.

### Regular Testing:

For the technically minded, regular tests are carried out on the first lake by an Industrial Chemist. George Jennings carries out this work under the guidance of one of the leading Consulting Companies in Environmental Science, Caldwell Connell Engineers.

George tests from a special laboratory on site, and can often be seen rowing out to various spots on the lake to take samples.

He checks for:—

- (a) faecal coliform (e-coli);
- (b) turbidity (clarity);
- (c) colour;
- (d) temperature;
- (e) salinity (dissolved solids);
- (f) pH (acidity, etc.)
- (g) dissolved oxygen level;
- (h) nutrients (nitrogen and phosphorus);

The most important facts so far established are:—

- (i) The faecal coliform level is so low as to easily qualify for the Clean Water standard of the Environment Protection Authority; in other words — excellent swimming water!
- (ii) the dissolved oxygen level has maintained a very good average; 105%.
- (iii) Algae levels have been minimal, and a natural and pleasing ecology is becoming established.



DANDENONG VALLEY AUTHORITY

MINUTES OF MEETING HELD WITH TOWN CENTRE MARINA AND TIDAL WATERWAY LOT OWNERS FROM PATTERSON LAKES ON WEDNESDAY 31ST AUGUST, 1983 AT THE KEYSBOROUGH HALL, CHELTENHAM ROAD, SPRINGVALE, COMMENCING AT 8.10 P.M

PRESENT:

31 Lot Owners from:-  
6 - Swallow Court  
4 - Curlew Point Drive  
5 - Gladesville Boulevard  
4 - Snapper Point Drive  
1 - Brigantine Court  
2 - Mariners Island  
4 - Grevillea Court  
1 - Salmon Bay  
4 - Other - outside area.

LISTED AS FOLLOWS:

E.M. ROBERTSON, C.A. & M.J. POWRIE, K. KOMPE, B. REDDICK, W.A. & C.B.S. LEES, H. & M. HIEBER, T. KORN, (Permewan Wright Consolidated P/L), F.T. & M.M. ROJO, MR. & MRS. D. GUTHRIE, J.W. SHEEHY, B.E. WARD, L.P. ANDREWS, R.T. BROWNLEE, J. & L. DAVIES, O. HECHENBERGER, N. SMITH, H.C. PRICE, P. J. OAKES, F. GUZZO, R. & C. AXISA, R.A. WATT, M.S. MICHAELIDES, G.J. APAP, P. STOTT, W.T. GRIGG.

7 AUTHORITY REPRESENTATIVES -

K.G. ABBERTON, M.L. PORTINGALE, D.G. THOMPSON, M.ROBINSON, R.ARCHIBALD, K. CONNOR, A. JONES.  
and

MR. HOWARD MITCHELL FROM PATTERSON LAKES PARTNERSHIP

APOLOGIES:

W.A. SHIRLEY, MRS. S. KURDZINSKI.

CHAIRMAN:

CR. M.L. PORTINGALE, WHO WELCOMED LOT OWNERS TO THE MEETING.

OUTLINE OF  
D.V.A. ROLE:

OUTLINE OF DANDENONG VALLEY AUTHORITY ROLE

Mr. D.G. Thompson outlined the role that the Dandenong Valley Authority has played in the Patterson Lakes development, and its future involvement with the maintenance of the waterway areas as from 1st October, 1983. As a result of questions from the floor, Mr. Thompson answered a number of matters concerning pollution of waterways, Sewerage Authority treated effluent discharge, swimming in waterways and future policing of speed limits and other irresponsible actions by others.

THE PATTERSON  
LAKES DEVELOPMENT:

THE PATTERSON LAKES DEVELOPMENT

Mr. H. Mitchell, General Manager of the Patterson Lakes Partnership, briefly described the developer's involvement with the project from its start up to the present. Mr. Mitchell also answered questions raised by a number of lot owners, including the Company's willingness to continue old landscaping commitments and any further help they can provide to lot owners.

PATTERSON LAKES  
ADVISORY COMMITTEE

PATTERSON LAKES ADVISORY COMMITTEE

Mr. K.G. Abberton outlined composition and operations of the above Committee including its yearly involvement in preparation of recommendation of special precept amount for acceptance by the Dandenong Valley Authority. The amount included in the Authority's estimates for year ending 30/9/84 for the special precept for the waterway developments is \$60,000 with the estimated component costs being:

Labour and overheads	\$18,000
Plant Hire	9,000
Materials	2,500
Water Quality Testing	3,000
Dredging at mouth	20,000
Sundry items	7,500
	<hr/>
	\$60,000

(including maintenance of flood gates, gatekeepers house, insurance, provisions for depreciation and future dredging of internal waterways).

As a guide the meeting was informed that the average precept would be \$230 per block (i.e. 262 blocks at \$230 approximated \$60,000.)

The cost of last year's dredging program at the mouth of Patterson River (\$140,000) was explained to meeting, together with value of contributions from commercial interests and Ports & Harbors (\$151,000). It was also stressed that the commercial interests and Ports & Harbors are still to be involved with continued dredging contributions at the mouth and that the developers responsibility will gradually lessen and disappear when all the blocks are sold. A number of questions related to method of charging out special precept by Councils and the procedure was discussed.

PROPOSED AMENDMENT  
OF ADVISORY COMMITTEE  
CONSTITUTION:

PROPOSED AMENDMENT OF ADVISORY COMMITTEE CONSTITUTION

Mr. M. Robinson explained to the meeting that the present Advisory Committee for the quiet lakes operates under a Constitution that can only be changed by the Dandenong Valley Authority. Mr. Robinson recommended that the meeting consider becoming part of the present Advisory Committee which would involve an agreed modification of the Constitution covering requirements of both the quiet lakes and waterway developments. Mr. Robinson also suggested that if the meeting were to approve of the proposal to join with the present Advisory Committee to draft an amended Constitution which would then be circulated to land owners within the quiet lakes system and the waterway development area for their approval prior to forwarding to the Dandenong Valley Authority seeking official change.

PROPOSED AMENDMENT  
OF ADVISORY COMMITTEE  
CONSTITUTION;  
(CONTINUED)

PROPOSED AMENDMENT OF ADVISORY COMMITTEE CONSTITUTION  
(CONTINUED)

RESOLVED - On the motion of Mr. Michaelides  
seconded by Mr. Apap

"That the lot owners in attendance at this meeting agree that the role of the existing Patterson Lakes Advisory Committee should be extended to include the Town Centre Marina and the Tidal Waterways south of McLeod Road."

FURTHER RESOLVED - On the motion of Mr. Michaelides  
seconded by Mr. Brownlee

"That the election of four representatives to meet with the Patterson Lakes Advisory Committee to prepare a suitably amended constitution for presentation to all interested land owners and final approval by the Dandenong Valley Authority be now carried out."

The following land owners present were nominated -

1. Mr. R. T. Brownlee
2. Mr. M.S. Michaelides
3. Mr. J.W. Sheehy
4. Mr. P. Stott

and there being no further nominations, the Chairman declared the above four gentlemen elected to carry out the requirements of the previous resolution, the meeting to be held on Wednesday 14th September, 1983 at 3.00 p.m. at the Dandenong Valley Authority Offices, 208 Princes Highway, Dandenong.

CLOSURE OF MEETING

CLOSURE OF MEETING

The Chairman thanked the land owners, officers of the Authority and Mr. Mitchell from Patterson Lakes Partnership for their attendance at the meeting which had been most successful.

Meeting closed at 10.15 p.m.



**PATTERSON LAKES ADVISORY COMMITTEE**  
**PROPOSED AMENDED CONSTITUTION**

# PATTERSON LAKES ADVISORY COMMITTEE

## PROPOSED AMENDED CONSTITUTION

### 1. INTRODUCTION

It has been agreed between the Dandenong Valley Authority (the Authority), the City of Chelsea (Chelsea), the City of Springvale (Springvale), and the Patterson Lakes Partnership (the Developer) that following satisfactory completion of the required works the Authority will maintain operate and control the waterways within the Patterson Lakes Development on behalf of the benefitting residents and that the cost of this service will be met from a Special Precept made on the municipalities involved pursuant to Section 33A of the Dandenong Valley Authority Act.

The Patterson Lake Development includes:

Quiet Lakes -- Legana, Ilwong and Carramar which have been designed for the storage of floodwaters & recreational activities such as non power boating, sailing in small craft and swimming.

Tidal Waterways -- South of McLeod Road and in the Town Centre Marina which have access to Port Phillip Bay via Patterson River and have been designed for the storage of floodwaters and the private mooring of boats.

The Authority has resolved to take into account the advice of a representative advisory committee when determining the amount of the Special Precepts for the Quiet Lakes and Tidal Waterways and other matters relating to the management of the area.

To facilitate its proper functioning the Advisory Committee shall operate under this constitution.

### 2. NAME

The Committee shall be known as the Patterson Lakes Advisory Committee.

### 3. COMPOSITION

The Committee shall comprise:

- 1 Member appointed by Chelsea.
- 1 Member appointed by Springvale.
- 3 Members elected by lot owners in the Quiet Lakes Special Precept Area.
- 3 Members elected by lot owners in the Tidal Waterways Special Precept Area.
- 1 Member appointed by a Patterson Lakes Residents Association.
- 1 Member appointed by the Developer.
- 2 Members appointed by the Authority.

### 4. TERMS OF APPOINTMENT & ELECTION

The terms for appointed members shall not be more than 3 years. The term for elected members shall be 3 years.

### 5. ELECTION OF MEMBERS

Election of members representing the Quiet Lakes and the Tidal Waterways shall be determined by a postal vote of benefitting lot owners in the respective special precept areas. One vote shall be allocated in respect of each subdivided lot or residential unit but not in respect of vacant properties owned by companies associated with Patterson Lakes Partnership.

### 6. ROLLS OF ELECTORS

Rolls of persons entitled to vote in elections for representatives of the Quiet Lakes and Tidal Waterways shall be prepared prior to an election and shall be closed one month prior to the date set for receipt of nominations.

### 7. METHOD OF ELECTION

The method of election shall be by the placement on a printed voting paper, suitable for the purpose, of a mark or marks against the name or names of persons preferred by the elector provided the number of marks so placed does not exceed the number of member vacancies to be filled by the election.

According to the number of members to be elected the person or persons receiving the greater number of marks shall be declared to be elected.

### 8. NOMINATION FOR ELECTIONS

The Committee shall at least six weeks prior to cessation of the term of any elected member publish in a paper generally circulated in the appropriate Special Precept Area by such other means of notification as it deems fit, a notice of a proposed election, the number of vacancies to be filled, and the closing date for receipt of nominations for election at the Offices of the Dandenong Valley Authority, 208 Princes Highway, Dandenong.

Persons seeking election shall lodge a written notification to the Secretary by 12 Noon on the abovementioned date. Such notification shall clearly state the names and addresses of the person seeking election, and of two other persons who are entitled to vote at that election. This nomination paper shall be signed by the three persons whose names are delineated thereon.

If the number of nominations received exceeds the number of vacancies, an election shall be held under the jurisdiction of the Returning Officer appointed by the Dandenong Valley Authority for this purpose.

At least two weeks prior to the cessation of the term of any elected member or at such other time approved by the Dandenong Valley Authority, a voting paper initialled by the Returning Officer shall be posted to each person on the roll of persons entitled to vote.

The voting paper shall show in alphabetical order the names of the persons seeking election, the number of vacancies to be filled and the closing date for the return of votes. Only those voting papers received by lodgement into a box set aside for the purpose at the Offices of the Dandenong Valley Authority or posted and received at those Offices by 12 Noon on the closing date shall be included into the counting of votes by the Returning Officer.

Following the receipt of voting papers the Returning Officer shall declare the names and addresses of the persons elected and a copy of such declaration shall be published by the Dandenong Valley Authority in a newspaper generally circulating in the Special Precept Area at a convenient time thereafter.

#### 9. MEMBER APPOINTED BY DEVELOPER

At least one month prior to the cessation of the time of appointment of the member representing the Developer, the Authority shall request notification of the Developer's representative for the ensuing 3-year period. Should no written reply be received within two months thereafter, a second request shall be sent. If no written notification of their appointee is received within a period of two months of the second request, the Authority may determine that there is no longer a need for representation from the Developer.

Should the Developer desire to change their representation to another Company which is or becomes primarily responsible for the estate development of the Patterson Lakes Project, then it may seek the approval of the Authority to change such representation and the Authority will not unreasonably withhold such approval provided the right to appoint a representative exists at the time of making such a request.

At the request of the Committee the Authority shall review the need for the Developer to be represented on the Committee and may determine that the Developer no longer appoint a member to the Committee.

#### 10. MEMBER APPOINTED BY PATTERSON LAKES RESIDENTS ASSOCIATION

The Patterson Lakes Residents Association shall be entitled to appoint a member who may hold office on the Committee until 31st August 86. From 1st September 86 the number of members who may be elected by lot owners in both the Quiet Lakes and Tidal Waterways specified in Section 3 shall each be increased from 3 to 4.

#### 11. VACATING OFFICE

If any member resigns his office as member of the Committee then the Authority may, if an appointed member resigns, request the appointment of a substitute member by the organisation making the initial appointment for the balance of term of the resigning member, or if an elected member resigns, may at the request of the Committee hold a special election for a member to hold office for the balance of term of the resigning member.

#### 12. COMMITTEE MEETINGS

The Committee shall meet at least 4 times per year at such times and places as determined by the Committee. Furthermore on receipt of a written request for a meeting, signed by any three Committeemen, the Chairman, or in his absence, the Secretary, shall call a meeting within 3 weeks of receipt of this request.

#### 13. CHAIRMAN

The Committee shall at the first meeting following an election of any members as hereinbefore determined shall appoint one of its members to be Chairman who shall hold office for a period of 12 months from his election. Should the Chairman resign as a member then the Committee shall appoint another member as Chairman for the balance of term of the resigning Chairman. In the absence of the Chairman at a meeting the Committee shall appoint one of its members to act in his place for that meeting.

#### 14. SECRETARY

The Committee shall appoint one of the Authority representatives to act as Secretary who shall keep Minutes as a record of the meetings, give notice to members of the time and place of meetings and undertake other secretarial duties necessary.

#### 15. QUORUM

A quorum of the Committee shall consist of an integral number of members not less than half the number of members for the time being in office. During any vacancy on the Committee and subject to there being a quorum the continuing members may act as if no vacancy existed.

#### 16. VOTING

All members of the Committee shall be entitled to vote on any matter apart from recommendations made regarding the Special Precepts made by the Authority on Chelsea & Springvale.

The following members shall be entitled to vote on matters relating to the Special Precepts:

- a) Quiet Lakes Area  
The members appointed by the Authority and those elected from the Quiet Lakes Special Precept Area.
- b) Tidal Waterways  
The members appointed by the Authority and those elected from the Tidal Waterways Special Precept Area.

Voting on all matters shall be by show of hands of those eligible to vote and the Chairman shall in the event of an equality of votes have a second or casting vote.

#### 17. CONDUCT OF MEETINGS

The Committee may determine its formal meeting procedure but in the absence of such a determination normal accepted practice for the conduct of meetings shall apply.

#### 18. DUTIES OF THE COMMITTEE

The Committee shall:

- a) Advise the Authority on any matter referred to it by the Authority.
- b) Request the Authority to give consideration to any matter related to the operation, maintenance, management and control of the Quiet Lakes, Legana, Illawong and Carramar and the Tidal Waterways at Town Centre Marina and South of McLeod Road.
- c) At a meeting prior to the 30th June in any year submit for the Authority's consideration financial estimates upon which the Special Precepts for Quiet Lakes and Tidal Waterways for the ensuing year beginning on the 1st October may be based and make such recommendations as it determines.
- d) Undertake such enquiries and investigations as it determines necessary to carry out its duties.

#### 19. CESSATION OF THE COMMITTEE

Should at any time the functioning of the Committee become unworkable for any reason having regard to the benefits to be derived from its continuance or should a petition seeking dissolution of the Committee, signed by at least a majority of residents entitled to vote, be lodged with the Authority, then the Authority may resolve to dissolve the Committee and the Committee shall be dissolved upon passing of that resolution.

The Authority shall not act unreasonably in resolving to dissolve the Committee and shall thereupon take steps to re-establish a means whereby the aims and principles set out in this document may continue.

**20. AMENDMENT TO THIS CONSTITUTION**

This constitution may only be amended by resolution of the Authority, but it is intended that prior to such a resolution any proposed amendment shall be circulated to all voting residents and the Committee for comment. Any comments that are made in writing to the Authority prior to the making of such a resolution will be taken into account by the Authority.

**21. TERMS OF APPOINTMENT**

All positions on the Committee shall become vacant on 31st August 86.

All members appointed to the Committee on 1st September 83 may continue to hold office until 31st August 86.

A special election shall be held for members to represent Tidal Waterways lot owners until 31st August 86.





# Dandenong Valley Authority

208 PRINCES HIGHWAY  
DANDENONG 3175  
797 1556

All communications to  
P.O. BOX 550  
DANDENONG 3175

IN REPLY PLEASE QUOTE:

Reference No. A70 (KGA)

Your Reference

Enquiries to Mr. K. Abberton

20th December, 1983

To: Special Precept Ratepayer  
(As addressed)

Dear Sir/Madam,

I wish to advise that the Dandenong Valley Authority has this day approved of the amended Constitution for the operation of the Patterson Lakes Advisory Committee encompassing the tidal waterways with the quiet lakes areas.

As there were no changes made to the proposed amended Constitution which you have already perused, a copy of such document in your possession now becomes a copy of the official Constitution approved by the Authority.

The Authority takes this opportunity of thanking Messrs. Michael Michaelides, John Sheehy and Paul Stott, three of the representatives appointed by the tidal waterways special precept ratepayers to assist in the preparation of the amended Constitution. Each of these gentlemen made a significant contribution to the successful recommendation now approved by the Authority.

In terms of the amended Constitution I now give notice to tidal waterway lot owners only of a proposed election for three members to represent the lot owners in the tidal waterway special precept area. The closing date for receipt of nominations is Tuesday 31st January, 1984 and persons seeking election shall lodge a written notification to the Secretary of the Dandenong Valley Authority by 12 noon on the above mentioned date and addressed to the Authority Offices at 208 Princes Highway, Dandenong, 3175.

Such notification shall clearly state the names and addresses of the person seeking election, and of two other persons who are entitled to vote at that election. This nomination paper shall be signed by the three persons whose names are delineated thereon.

If the number of nominations received exceeds the number of vacancies, an election shall be held under the jurisdiction of the Returning Officer appointed by the Dandenong Valley Authority for this purpose.

Yours faithfully,

K. G. Abberton  
Deputy Manager-Secretary

# PATTERSON LAKES ADVISORY COMMITTEE

## CONSTITUTION

### 1. INTRODUCTION

It has been agreed between the Dandenong Valley Authority (the Authority), the City of Chelsea (Chelsea), the City of Springvale (Springvale), and the Patterson Lakes Partnership (the Developer) that following satisfactory completion of the required works the Authority will maintain operate and control the waterways within the Patterson Lakes Development on behalf of the benefiting residents and that the cost of this service will be met from a Special Precept made on the municipalities involved pursuant to Section 33A of the Dandenong Valley Authority Act.

The Patterson Lake Development includes:

**Quiet Lakes** — Legana, Illawong and Carramar which have been designed for the storage of floodwaters & recreational activities such as non power boating, sailing in small craft and swimming.

**Tidal Waterways** — South of McLeod Road and in the Town Centre Marina which have access to Port Phillip Bay via Patterson River and have been designed for the storage of floodwaters, powerboating, sailing and the private mooring of boats.

The Authority has resolved to take into account the advice of a representative advisory committee when determining the amount of the Special Precepts for the Quiet Lakes and Tidal Waterways and other matters relating to the management of the area.

To facilitate its proper functioning the Advisory Committee shall operate under this constitution.

### 2. NAME

The Committee shall be known as the Patterson Lakes Advisory Committee.

### 3. COMPOSITION

The Committee shall comprise:

- 1 Member appointed by Chelsea.
- 1 Member appointed by Springvale.
- 4 Members elected by lot owners in the Quiet Lakes Special Precept Area.
- 4 Members elected by lot owners in the Tidal Waterways Special Precept Area.
- 1 Member appointed by the Developer.
- 2 Members appointed by the Authority.

### 4. TERMS OF APPOINTMENT & ELECTION

The terms for appointed members shall not be more than 3 years. The term for elected members shall be 3 years.

### 5. ELECTION OF MEMBERS

Election of members representing the Quiet Lakes and the Tidal Waterways shall be determined by a postal vote of benefiting lot owners in the respective special precept areas. One vote shall be allocated in respect of each subdivided lot or residential unit but not in respect of vacant properties owned by companies associated with Patterson Lakes Partnership.

### 6. ROLLS OF ELECTORS

Rolls of persons entitled to vote in elections for representatives of the Quiet Lakes and Tidal Waterways shall be prepared prior to an election and shall be closed one month prior to the date set for receipt of nominations.

### 7. METHOD OF ELECTION

The method of election shall be by the placement on a printed voting paper, suitable for the purpose, of a mark or marks against the name or names of persons preferred by the elector provided the number of marks so placed does not exceed the number of member vacancies to be filled by the election.

According to the number of members to be elected the person or persons receiving the greater number of marks shall be declared to be elected.

### 8. NOMINATION FOR ELECTIONS

The Committee shall at least six weeks prior to cessation of the term of any elected member publish in a paper generally circulated in the appropriate Special Precept Area by such other means of notification as it deems fit, a notice of a proposed election, the number of vacancies to be filled, and the closing date for receipt of nominations for election at the Offices of the Dandenong Valley Authority, 208 Princes Highway, Dandenong.

At least two weeks prior to the cessation of the term of any elected member or at such other time approved by the Dandenong Valley Authority, a voting paper initialled by the Returning Officer shall be posted to each person on the roll of persons entitled to vote.

If the number of nominations received exceeds the number of vacancies, an election shall be held under the jurisdiction of the Returning Officer appointed by the Dandenong Valley Authority for this purpose.

At least two weeks prior to the cessation of the term of any elected member or at such other time approved by the Dandenong Valley Authority, a voting paper initialled by the Returning Officer shall be posted to each person on the roll of persons entitled to vote.

The voting paper shall show in alphabetical order the names of the persons seeking election, the number of vacancies to be filled and the closing date for the return of votes. Only those voting papers received by lodgement into a box set aside for the purpose at the Offices of the Dandenong Valley Authority or posted and received at those Offices by 12 Noon on the closing date shall be included into the counting of votes by the Returning Officer.

Following the receipt of voting papers the Returning Officer shall declare the names and addresses of the persons elected and a copy of such declaration shall be published by the Dandenong Valley Authority in a newspaper generally circulating in the Special Precept Area at a convenient time thereafter.

2-2

#### 9. MEMBER APPOINTED BY DEVELOPER

At least one month prior to the cessation of the time of appointment of the member representing the Developer, the Authority shall request notification of the Developer's representative for the ensuing 3-year period. Should no written reply be received within two months thereafter, a second request shall be sent. If no written notification of their appointee is received within a period of two months of the second request, the Authority may determine that there is no longer a need for representation from the Developer.

Should the Developer desire to change their representation to another Company which is or becomes primarily responsible for the estate development of the Patterson Lakes Project, then it may seek the approval of the Authority to change such representation and the Authority will not unreasonably withhold such approval provided the right to appoint a representative exists at the time of making such a request.

At the request of the Committee the Authority shall review the need for the Developer to be represented on the Committee and may determine that the Developer no longer appoint a member to the Committee.

#### 10. VACATING OFFICE

If any member resigns his office as member of the Committee then the Authority may, if an appointed member resigns, request the appointment of a substitute member by the organisation making the initial appointment for the balance of term of the resigning member, or if an elected member resigns, may at the request of the Committee hold a special election for a member to hold office for the balance of term of the resigning member.

#### 11. COMMITTEE MEETINGS

The Committee shall meet at least 4 times per year at such times and places as determined by the Committee. Furthermore on receipt of a written request for a meeting, signed by any three Committeemen, the Chairman, or in his absence, the Secretary, shall call a meeting within 3 weeks of receipt of his request.

#### 12. CHAIRMAN

The Committee shall at the first meeting following an election of any members as hereinbefore determined shall appoint one of its members to be Chairman who shall hold office for a period of 12 months from his election. Should the Chairman resign as a member then the Committee shall appoint another member as Chairman for the balance of term of the resigning Chairman. In the absence of the Chairman at a meeting the Committee shall appoint one of its members to act in his place for that meeting.

#### 13. SECRETARY

The Committee shall appoint one of the Authority representatives to act as Secretary who shall keep Minutes as a record of the meetings, give notice to members of the time and place of meetings and undertake other secretarial duties necessary.

#### 14. QUORUM

A quorum of the Committee shall consist of an integral number of members not less than half the number of members for the time being in office. During any vacancy on the Committee and subject to there being a quorum the continuing members may act as if no vacancy existed.

#### 15. VOTING

All members of the Committee shall be entitled to vote on any matter apart from recommendations made regarding the Special Precepts made by the Authority on Chelsea and Springvale.

The following members shall be entitled to vote on matters relating to the Special Precepts:

- a) Quiet Lakes Area  
The members appointed by the Authority and those elected from the Quiet Lakes Special Precept Area.
- b) Tidal Waterways  
The members appointed by the Authority and those elected from the Tidal Waterways Special Precept Area.

Voting on all matters shall be by show of hands of those eligible to vote and the Chairman shall in the event of an equality of votes have a second or casting vote.

#### 16. CONDUCT OF MEETINGS

The Committee may determine its formal meeting procedure but in the absence of such a determination normal accepted practice for the conduct of meetings shall apply.

#### 17. DUTIES OF THE COMMITTEE

The Committee shall:

- a) Advise the Authority on any matter referred to it by the Authority.
- b) Request the Authority to give consideration to any matter related to the operation, maintenance, management and control of the Quiet Lakes, Legana, Illawong and Carramar and the Tidal Waterways at Town Centre Marina and South of McLeod Road.
- c) At a meeting prior to the 30th June in any year submit for the Authority's consideration financial estimates upon which the Special Precepts for Quiet Lakes and Tidal Waterways for the ensuing year beginning on the 1st October may be based and make such recommendations as it determines.
- d) Undertake such enquiries and investigations as it determines necessary to carry out its duties.

#### 18. CESSATION OF THE COMMITTEE

Should at any time the functioning of the Committee become unworkable for any reason having regard to the benefits to be derived from its continuance or should a petition seeking dissolution of the Committee, signed by at least a majority of residents entitled to vote, be lodged with the Authority, then the Authority may resolve to dissolve the Committee and the Committee shall be dissolved upon passing of that resolution.

The Authority shall not act unreasonably in resolving to dissolve the Committee and shall thereupon take steps to re-establish a means whereby the aims and principles set out in this document may continue.

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This constitution may only be amended by resolution of the Authority, but it is intended that prior to such a resolution any proposed amendment shall be circulated to all voting residents and the Committee for comment. Any comments that are made in writing to the Authority prior to the making of such a resolution will be taken into account by the Authority.

#### 20. TERMS OF APPOINTMENT

All positions on the Committee shall become vacant on 31st August 89.

# GROUNDWATER ACT 1969

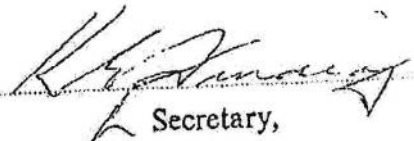
GROUNDWATER LICENCE No. 3704

State Rivers and Water Supply Commission (hereinafter called "the Commission") pursuant to the powers conferred by the *Groundwater Act 1969* hereby authorizes

of LOT 101 (hereinafter called "the licensee") subject to the conditions contained in the Second Schedule during Fifteen (15) years from the first day of September One thousand nine hundred and seventy-five to extract groundwater from the bore specified in the First Schedule.

Dated the Twenty-fourth day of February, One thousand nine hundred and seventy-six.

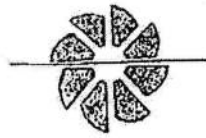
By direction of the Commission.

  
Secretary,  
State Rivers and Water Supply Commission.

**FOR ENDORSEMENT  
SEE BACK OF DOCUMENT**

## FIRST SCHEDULE

- Annual fee : 12.00
- Bore No. : 1015/66 located in the position marked "A" on the plan annexed hereto.
- Type of use : Recreational.
- Land on which water is to be used (hereinafter called "the said land")—Lot --- plan of subdivision No. 99475 part of allotment s 100 --- section --- town or township of --- parish of Sydneyhurst
- Quantities to be extracted :  
 Maximum rate of extraction : 2.0 megalitres/day --- gallons-per-hour  
 Maximum amount to be extracted per day 2.0 megalitres --- gallons  
 Maximum amount to be extracted per annum 730 megalitres --- acre-feet/gallons



Rural Water Commission of Victoria

MEMORANDUM

To: John Couche (R.M.S. Southern).

From: Frank Cramer.

Subject: Dandenong Valley Water Authority,  
Re-usage from bore 3025/10043.

Corr. No: GWL/7003704.

Date: 29-7-91

Office/Branch: Kos. Wee. Ref.

I have been advised by Mr Ken Connor  
Ex. Engineer of D.V.W.P.A, that bore 3025/10043  
is only used during the summer months to top  
up ornamental lake, due to evaporation  
and seepage loss that occur

Records kept, indicate that bore usage  
on average over past five years is that pump  
has been in operation for 350 hours per year  
with extraction rate of 409 litres per minute.  
Therefore 350 hours (15 days) x 409 litres (0.58 ML/d) =  
annual volume of 8.82 ML or 9 ML.

I questioned Mr Connor on why the  
Authority held annual licence authorising 730 ML, but  
usage only averaged about 9 ML. His response was  
that in his opinion the developer of the lake may  
initially applied for volume of 730 ML to fill lake;  
but once filled from bore its level is maintained  
by run off, and then only topped up during summer.  
I therefore recommend that consideration  
be given to reduce annual volume entitlement  
from 730 ML to say 10 to 20 ML.

Frank Cramer  
Division Inspector



# Rural Water Commission of Victoria

WATER ACT 1989

Sections 51 and 67

GROUNDWATER LICENCE No 7003704

(Licence to take and use groundwater from a bore and to operate works)

The Rural Water Commission of Victoria authorises:

MELBOURNE WATER CORPORATION  
208 PRINCES HIGHWAY  
DANDENONG 3177

To take and use groundwater from the bore or bores specified in the First Schedule and to operate works for that purpose and subject to the conditions in the Second Schedule

This licence is valid for a period of 15 years from 1 September 1990

*John H. W. Daniels*  
Authorising Officer  
Date 19/11/90

## FIRST SCHEDULE

1. Type of use MISCELLANEOUS
2. Total Annual Volume 20.0 megalitres
3. Area to be irrigated - hectares
4. Land on which the water is to be used as bordered red on the attached plan

Lot(s)	-	Plan of subdivision no.	99475
Allotment(s)	PT OF ALLOTS 100 AND 104	Section	-
Parish/Township	LYNDHURST		

5. Annual fee at date of issue \$ 35.00

Bore no	Type of use	Maximum rate of extraction megalitres/day	Maximum volume to be extracted per day megalitres	Maximum volume to be extracted per annum megalitres
3025/10043	MISCELLANEOUS	2.0	2.0	20.0

Southern Region, Rural Water Commission of Victoria  
590 Orrong Road Armadale 3143

All communications should be addressed to: