



Victoria Government Gazette

No. G 45 Thursday 7 November 2002

GENERAL

GENERAL AND PERIODICAL GAZETTE

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The Craftsman Press Pty. Ltd.
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- Accounts over 90 days will be issued with a letter of demand.
- Government and Outer Budget Sector Agencies please note: *See style requirements on back page.*

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PRIVATE ADVERTISEMENTS

Land Act 1958

Notice is hereby given that Vodafone Network Pty Ltd, ACN 081 918 461 has applied for a lease pursuant to Section 134 of the **Land Act 1958** for a term of 21 years in respect of part of Crown Allotment 15, Parish of Maramingo (P341096) containing 100 square metres as a site for a telecommunication base station.

Dated 31 October 2002

GADENS, lawyers,
Level 4, 121 William Street, Melbourne 3000

DISSOLUTION OF PARTNERSHIP

The partnership between Kevin James Toland and Carol Anne Toland trading as "Kevin Toland United Electrical Services" was dissolved on 1 October 2002. Kevin James Toland will continue to operate the business as a sole trader.

WRIGHT SMITHS, lawyers,
2 Seventh Avenue, Rosebud.

Re: MAGGIE LAND, late of "Kinnoul", Cudgewa, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 April 2002, are required by the executors, Bruce Land of Hereford Hill, Cudgewa, Iris May Piper of 18 Conmurra Way, Lavington and Barbara Joy Webster of 6 Alice Street, Bundaberg, to send particulars to them care of the undermentioned solicitors within two (2) months from the date of publication of this notice, after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

ADAMS LEYLAND, solicitors,
PO Box 878, Albury, NSW 2640.

Re: Estate of EDITH MEYER, late of 629 Riversdale Road, Camberwell, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 January 2002, are required by the trustee, Dorianne Graier of 616 Glenferrie Road, Hawthorn, Victoria, to send particulars of their claims to her care of the below mentioned lawyers by 30 January 2003

after which date the trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

ALAN WAINWRIGHT J. OKNO & CO,
lawyers,
3/170 Queen Street, Melbourne 3000.

SUSAN MERLE McKELLAR COBDEN, late of 288 Pakington Street, Newtown, Victoria, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 11 June 2002, are required by the trustees, Andrew Roland Hill and Lorraine Rose Secen, to send particulars of their claims to the trustee in the care of the undermentioned legal practitioners by 16 January 2003, after which date the trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

BIRDSEY, DEDMAN & BARTLETT,
solicitors,
166A Ryrie Street, Geelong.

Re: Estate MABEL MILDRED TILLING, deceased. Creditors, next-of-kin or others having claims in respect of the estate of MABEL MILDRED TILLING, of Mayflower Retirement Community, 7 Centre Road, Brighton East, in the State of Victoria, widow, who died on 10 August 2002, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 8 January 2003 after which date the personal representative/s will distribute the assets having regard only to the claims of which they then had notice.

BRUCE M. COOK & ASSOCIATES,
barristers & solicitors,
Level 19, AMP Tower,
535 Bourke Street, Melbourne, Vic. 3000.

Re: IAN PATRICK ROE.

Creditors, next-of-kin and others having claims against the estate of IAN PATRICK ROE, late of Unit 5, 32 Marne Street, South Yarra, Victoria, estate agent, deceased, who died on 10 April 2002, are requested to send particulars of their claims to the executor care of

the undermentioned solicitors by 15 January 2003 after which date he will distribute the assets having regard only to the claims at which date he then had notice.

CHESSELL WILLIAMS, solicitors,
379 Collins Street, Melbourne 3000.

Re: Estate of WILLIAM JAMES BLANDTHORN. Creditors, next-of-kin or others having claims in respect of the estate of WILLIAM JAMES BLANDTHORN, late of Alcheringa Hostel, 44 Rutherford Street, Swan Hill, in the State of Victoria, but formerly of 13 Gray Street, Nyah West in the State of Victoria, retired, deceased, who died on 25 August 2002, are to send particulars of their claim to the executors care of the undermentioned solicitors by 29 January 2003 after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome,
194-208 Beveridge Street, Swan Hill.

LILY STEWART, late of Betheden Nursing Home, 1 Wahgoo Street, Murrumbeena, clerk. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 October 2002, are required by the trustee, care of G.W.H. Chambers, solicitor of 338 Charman Road, Cheltenham, to send particulars to him by 7 January 2003 after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

G. W. H. CHAMBERS, solicitor,
338 Charman Road, Cheltenham 3192.

Creditors, next-of-kin and other persons having claims against the estate of ELSIE MARY SMITH, late of Golf Links Road, Lorne, Victoria, home duties, who died on 3 July 2002, are required by the executor, Paul Dixon of 89 Pine Road, Mooroolbark, Victoria, retired school principal, to send particulars of their claims to him care of the undermentioned solicitors by 6 January 2003 after which date he may convey or distribute the estate having regard only to the claims of which he then has notice.

JOHN C. DE KEVER & ASSOCIATES,
solicitors,
173 Boronia Road, Boronia 3155.

Creditors, next-of-kin and others having claims in respect of the estate of KENNETH STEWART GODDARD, late of 1 Fordyce Street, Cheltenham, in the State of Victoria, retired, deceased, who died on 31 August 2002, are required by the executor nominated in the deceased's Will and Testament dated 18 January 1995 namely Robert Clarence Thomas of 34 Lyon Street, Rye, in the said State, retired, who is applying to the Supreme Court for a Grant of Probate of the said last Will and Testament, to send particulars of such claims to the solicitors acting for the said executor, namely Kelly & Chapman, 437 Centre Road, Bentleigh, by 15 January 2003 after which date the said executor may convey or distribute the assets of the deceased, having regard only to the claims of which he or his solicitors then have notice.

KELLY & CHAPMAN, lawyers,
437 Centre Road, Bentleigh.

Creditors, next-of-kin and others having claims in respect of the estate of GEORGE HANS REINISCH, late of Flat 7, No. 652 Inkerman Road, Caulfield, in the State of Victoria, geologist, deceased, who died on 9 September 2002, are required by the executors nominated in the deceased's last Will and Testament dated 27 August 1997 namely Neville Denis Kelly and David Ivo Chapman, both of 437 Centre Road, Bentleigh, in the said State, legal practitioners, who is applying to the Supreme Court for a Grant of Probate of the said last Will and Testament, to send particulars of such claims to the solicitors acting for the said executors, namely Kelly & Chapman, 437 Centre Road, Bentleigh, by 15 January 2003 after which date the said executors may convey or distribute the assets of the deceased, having regard only to the claims of which he or his solicitors then have notice.

KELLY & CHAPMAN, lawyers,
437 Centre Road, Bentleigh.

In the Will of ELIZABETH JEAN HUNT, late of Glengollan Village, 1 Lording Street, Ferntree Gully, Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, (who died on 30 August 2002), are required by the executor, David Lucas of

26 Station Street, Ferntree Gully, Victoria, solicitor, to send particulars of their claims to him care of the undermentioned solicitors, Lucas Neale by 7 January 2003 after which date he will then distribute the assets having regard only to the claims of which he then has notice.

LUCAS NEALE, solicitors,
26 Station Street, Ferntree Gully 3156.

JULIE ISABEL EDMUNDS (also known as Julie Isabel Eileen Edmunds) late of 4/15 Potts Road, Langwarrin, Victoria. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 June 2002, are required by the trustees, Roydo Alan Edmunds of 9 Arduina Court, Langwarrin, Victoria and Kentha Alan Edmunds of 12 Bennett Parade, East Kew, Victoria, to send particulars to the trustees by 7 January 2003 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MASON SIER TURNBULL, solicitors,
5 Hamilton Place, Mount Waverley.

Estate of NORMAN JOHN GIBBS. Creditors, next-of-kin and others having claims in respect of the estate of NORMAN JOHN GIBBS, deceased, late of Unit 215, Peppertree Hill Retirement Village, 15 Fulham Road, Rowville, Victoria, but formerly of 21 Golf Course Road, Barooga, New South Wales, retired, are required by the executor, ANZ Executors & Trustee Company Limited, (ABN 33 006 132 332) of 530 Collins Street, Melbourne, Victoria, to send particulars to it by 7 January 2003 after which date it may convey or distribute the assets having regard only to the claims of which it then has notice.

MILLS OAKLEY, lawyers,
131 Queen Street, Melbourne.

RONALD KEITH YOUNG, late of 1 Naughton Grove, Blackburn, Victoria, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 July 2002, are required by Perpetual Trustees Victoria Limited, ACN 004 027 258 of 360 Collins Street, Melbourne, Victoria and Kathleen Joan Young of 1 Naughton Grove, Blackburn,

Victoria, to send particulars of their claims to the said Company by 7 January 2003 after which date it will convey or distribute the assets having regard only to the claims of which the Company then has notice.

Creditors, next-of-kin or others having claims in respect of the estate of JOSEPH WILFRED MORRIS, late of Box Hill Hospital, Nelson Road, Box Hill, Victoria, retired furrier, deceased, who died on 17 June 2002, are to send particulars of their claim to the executor care of the undermentioned solicitors by 6 January 2003 after which date the executor will distribute the assets having regard only to the claims of which he then has notice.

TAYLOR SPLATT & PARTNERS, solicitors,
454 Nepean Highway, Frankston.

OWEN ANDREW LECKEY, late of Graceview Lodge, Mena Street, Moe, in the State of Victoria, retired linesman, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 June 2001, are required by the personal representative, Brian Lawrence Leckey of RMB 2719, Kennedy Lane, Benalla, Victoria, medical imaging technologist, nephew, to send particulars to him care of the undermentioned solicitors by 15 January 2003 after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

VERHOEVEN & CURTAIN, solicitors,
136 Commercial Road, Morwell,
Suite 4, 46 Haigh Street, Moe.

JOHN FREEBURY NICOL, deceased. Creditors, next-of-kin and others having claims against the estate of JOHN FREEBURY NICOL, late of 4 Green Parade, Sandringham, Victoria, architect, deceased, who died on 24 August 2002, are required to send particulars of their claims to the executors care of the undermentioned solicitor by 7 January 2003 after which date the executor will proceed to distribute the assets having regard only to the claims of which she shall then have had notice.

VERNA A. COOK, solicitor,
5/8 St. Andrews Street, Brighton 3186.

In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Friday 13 December 2002 at 11.00 a.m. at the Sheriff's Office, 107 Baxter Street, Bendigo. (Unless process be stayed or satisfied).

All the estate and interest (if any) of Apineru Tuagalu of Lot 51 Meadows Lane, Heathcote, as proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10095, Folio 745, upon which is erected a house known as Lot 51 Meadows Lane, Heathcote.

Registered Mortgage No. U749395W and Caveat No. U847923F affect the said estate and interest. Terms – Cash only.

SW-02-005155-0

Dated 7 November 2002

V. PARKIN
Sheriff's Office

In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Friday 13 December 2002 at 11.00 a.m. at the Sheriff's Office, corner Fenwick & Malop Streets, Geelong. (Unless process be stayed or satisfied).

All the estate and interest (if any) of Raymond Leslie White of 48 Fenton Street, Hamilton, joint proprietor with Cherie Ann White of an estate in fee simple in the land described on Certificate of Title Volume 8295, Folio 391, which is vacant land known as 18 Charles Street, Hamilton.

Terms – Cash only.

SW-01-011819-4

Dated 7 November 2002

V. PARKIN
Sheriff's Office

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total</i>		<i>Date</i>
	<i>Amount</i>	<i>Description</i>	<i>when</i>
	<i>Due to</i>	<i>Of Unclaimed</i>	<i>first</i>
	<i>Owner</i>	<i>Money</i>	<i>became</i>
			<i>Payable</i>
BJT LEGAL			
	\$		
Barry Suckling, 1 Pilmer Street, Bacchus Marsh	214.19	Cheque	17/09/01
Risteveski Horan, 1 High Street, Drysdale 02271	164.20	"	20/09/01
CONTACT: JENNY CREBBIN, PHONE: (03) 5333 8888.			

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
MAURICE BLACKBURN CASHMAN LAWYERS			
	\$		
Harriet Grant 02269 CONTACT: LISA CATTERALL, PHONE: (03) 9605 2749.	5,000.00	Cheque	01/10/01

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
OPIE & CO.			
	\$		
Keith Leon O'Malley, 51 Fairbairn Drive, Corio 02273 CONTACT: LORRAINE MCGREGOR, PHONE: (03) 9419 8933.	450.00	Cheque	20/02/01

Unclaimed Moneys Act 1962

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
PAJE ESTATE AGENTS			
	\$		
Ms. Isabella Su Fong Yek, 63 Longvalley Way, Doncaster East 02274 CONTACT: JOHN DADIRAS, PHONE: (03) 9489 3640.	200.00	Cheque	18/10/01

**GOVERNMENT AND OUTER BUDGET SECTOR AGENCIES
NOTICES**

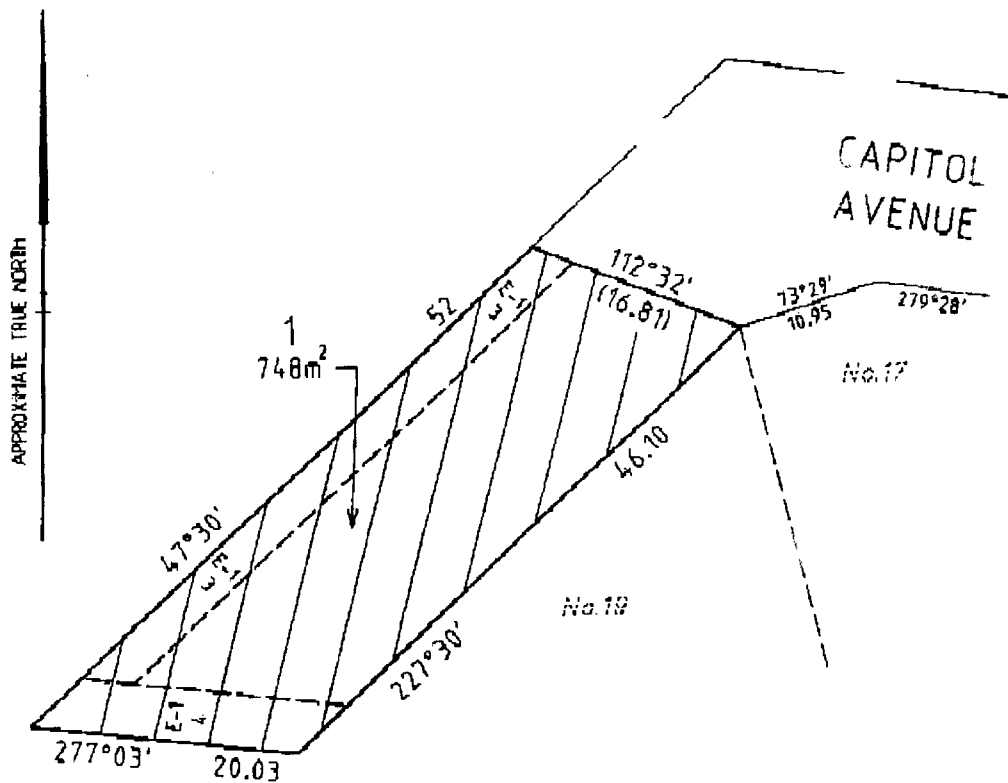


**MORNINGTON
PENINSULA**
Shire Council

**DISCONTINUANCE OF ROAD –
PART OF CAPITOL AVENUE, BALNARRING**

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council has formed the opinion that part of Capitol Avenue, Balnarring, adjacent to 19 Capitol Avenue, as shown hatched on the plan below, is not reasonably required as a road for public use. Council has resolved to discontinue this portion of road and to sell the land by private treaty to the adjoining owner.

The section of road shown as E1 is subject to any right, power or interest held by Mornington Peninsula Shire and South East Water Limited in connection with any drains, sewers, pipes, wires or cables under the control of these authorities in or near the road.



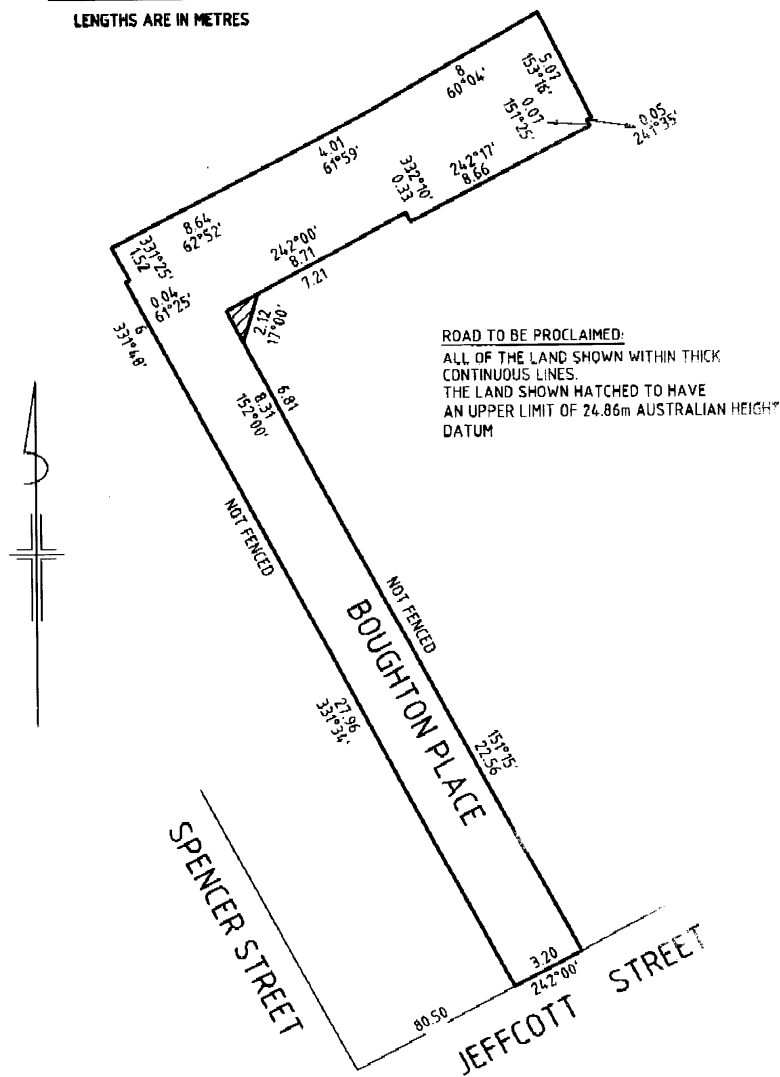
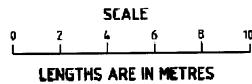
MICHAEL KENNEDY
Chief Executive Officer

MELBOURNE CITY COUNCIL
Public Highway Declaration

Under Section 204(1) of the **Local Government Act 1989** ("the Act"), Melbourne City Council, on 11 July 2002 resolved to declare Boughton Place, West Melbourne as a Public Highway for the purposes of the Act as shown on the plan hereunder.

PLAN FOR ROAD GAZETAL PURPOSES

PARISH OF MELBOURNE NORTH
CITY OF MELBOURNE
PART CROWN ALLOTMENT 4, SECTION 36



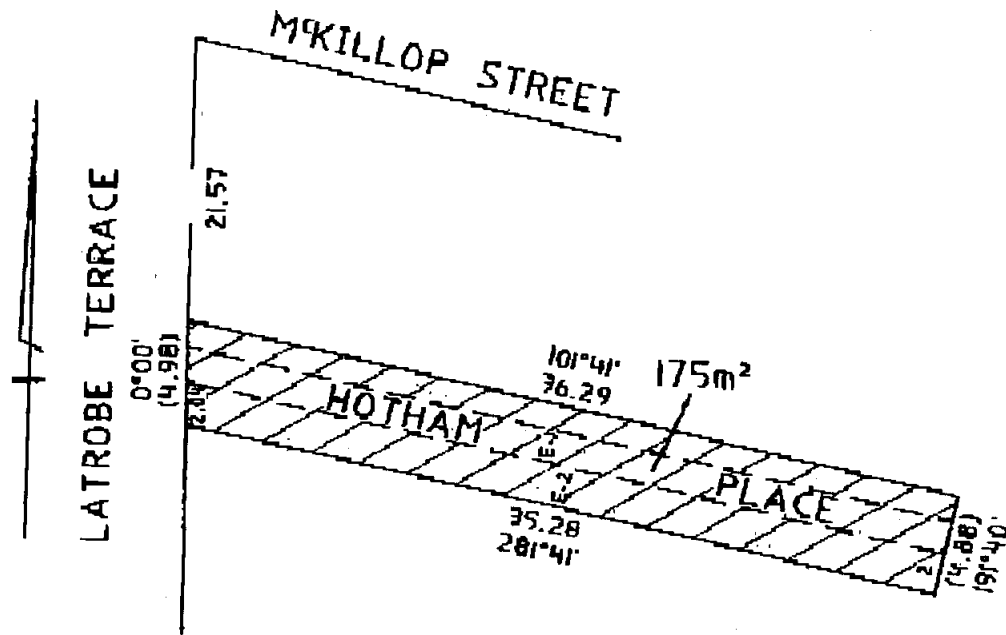
Dated 7 November 2002

MICHAEL MALOUF
Chief Executive Officer

GREATER GEELONG CITY COUNCIL
Road Discontinuance

On 4 October 2002 and acting under clause 3 of schedule 10 to the **Local Government Act 1989** Greater Geelong City Council resolved to discontinue the road shown outlined on the plan below.

The road is to be sold subject to any right, power or interest held by Greater Geelong City Council and Barwon Region Water Authority as to the land marked "E-1" & "E-2", in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



MITCHELL



SHIRE COUNCIL
CONTROL OF DOGS –
SEYMOUR WALKING TRACK

The Council at its meeting on 14 October 2002, made an Order pursuant to the provisions of Section 26(2)(b)(i) of the **Domestic (Feral and Nuisance) Animals Act 1994** declaring that the area known as the Seymour Walking Track from the Whiteheads Creek end to the Seymour/Tooborac Road end, be a "leashed dog area".

While in this area all dogs must be restrained by a leash all the time.

The fines for the contravention of this Order are two penalty units (\$200) for a first offence and four penalty units (\$400) for a second or subsequent offence.

Any enquiries should be directed to the Local Laws Co-ordinator, Mr. David Huxtable on 5734 6200.

GARRY CECIL
Chief Executive Officer

GREATER GEELONG CITY COUNCIL
Public Holidays Act 1993

Notice is hereby given that the Greater Geelong City Council appoints Wednesday 22 October 2003 as a public holiday throughout the City, to observe the holding of the Geelong Cup conducted by the Geelong Racing Club.

PETER GOULD
 Acting Chief Executive

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Amendment

Amendment C58

The City of Ballarat has prepared Amendment No. C58 to the Ballarat Planning Scheme.

The Amendment proposes to:

1. Modify the Schedule to the Heritage Overlay (Clause 43.01) and Heritage Overlay Map Nos. HO1, HO3, HO14, HO15, HO16, HO21, HO22, HO23, HO24, HO27, HO28, HO29 and HO42 to introduce nineteen new heritage precincts within the overlay and to remove the current heritage precincts duplicated by the proposed new heritage precincts.
2. Insert a new Map '25HO', into the Ballarat Planning Scheme.
3. Include a Local Planning Policy (Clause 22.15) being a general Heritage Policy that applies to all places within a heritage precinct in the Ballarat Planning Scheme.
4. Introduce Nineteen Local Planning Policies (Clause 22.16 to Clause 22.34) for each proposed heritage precinct.
5. Substitute the Interim Heritage Controls 2001 – Incorporated plan with the 'Heritage Control 2002 – Incorporated Plan', that exempts all the proposed precincts with the exception of the Waller Estate precinct being subject to requiring a planning permit for the construction of fences under 1.2 metres in height.
6. Makes minor corrections and changes to anomalies to the Schedule to the Heritage Overlay.
7. Include a revised Table of Contents within the Ballarat Planning Scheme.

8. Include a revised General Provisions (Clause 61.01–61.04) in the Ballarat Planning Scheme.

9. Include a revised Incorporated Documents – Clause 81 in the Ballarat Planning Scheme.

The Amendment can be inspected at any of the following locations:– City of Ballarat, Watershed Office, Grenville Street South, Ballarat; Department of Infrastructure, Western Region, 88 Learmonth Road, Wendouree and Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne.

Submissions about the Amendment must be sent to the Chief Executive Officer, City of Ballarat, PO Box 655, Ballarat, Vic. 3353, and will be accepted no later than 5.00 p.m. Monday 9 December 2002. All submissions should clearly state all of the grounds on which you support or oppose the Amendment and indicate whether you wish to be heard in respect of the submission at any subsequent panel hearing.

HEATH MARTIN
 Senior Strategic Planner

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

Notice of Amendment

Amendment C39

The City of Darebin has prepared Amendment C39 to the Darebin Planning Scheme.

The Amendment affects 119–125 Mahoneys Road, Reservoir ("the site") and includes:

- No. 119 – Lot 3 LP 94036, Volume 8934, Folio 254;
- No. 121 – Lot 2 LP 94036, Volume 8934, Folio 253;
- No. 123 – Lot 1 LP 94036, Volume 8934, Folio 252; and
- No. 125 – Lot 1900 LP of Subdivision 8482, Volume 5134, Folio 1020724.

The site is approximately 3231.75m² and is occupied by twelve residential units. The site is bound by Mahoneys Road to the north and Bedwell Street to the east.

The Amendment seeks to vary the restrictive covenants affecting the site by changing the Schedule to Clause 52.02 of the Darebin

Planning Scheme. This will remove the single dwelling restrictions to confirm its current use for residential units.

The Amendment is available for public inspection, free of charge, during office hours at the following places: Darebin City Council, Strategic Planning Counter, Level 1, 274 Gower Street, Preston, Vic. 3072 and Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000.

The Amendment is also available on Council's website www.darebin.vic.gov.au (go to Council Services and Projects, Planning, Amendments Currently on Exhibition).

Anyone who may be affected by the Amendment can make a submission to the City of Darebin. Submissions must be sent to City of Darebin, PO Box 91, Preston, Vic. 3072 and received by the close of business on Monday 9 December 2002.

Please contact Anita Doilibi on 9230 4419 or at adoilibi@darebin.vic.gov.au with any questions.

SANDRA WADE
Coordinator Strategic Planning

Planning and Environment Act 1987
MAROONDAH PLANNING SCHEME
Notice of Preparation of an Amendment
Amendment C31

Maroondah City Council has prepared Amendment C31 to the Maroondah Planning Scheme.

Land affected by the Amendment.

The Amendment affects land at 56 Vinter Avenue, (Council owned vacant land), and land at 58 and 60 Vinter Avenue, Croydon.

What the Amendment does.

The Amendment proposes to rezone land at 56 Vinter Avenue, from Public Park and Recreation Reserve and land at 58 and 60 Vinter Avenue, Croydon from Industrial 1 to Residential 1. The Amendment also proposes to include land at 58 and 60 Vinter Avenue in the Environmental Audit Overlay to ensure that any potential contamination issues are addressed prior to development of the land.

Where you may inspect this Amendment.

The Amendment is available for public inspection, free of charge, during office hours at the following places: Maroondah City Council, Ringwood Civic Centre, Braeside Avenue, Ringwood; Maroondah City Council, Ringwood Plaza Customer Service Centre, Civic Mall, Ringwood; Maroondah City Council, Croydon Customer Service Centre, Main Street, Croydon; Department of Infrastructure, Regional Office, 12 Lakeside Drive, Burwood and Department of Infrastructure, Upper Plaza, Nauru House 80 Collins Street, Melbourne.

Any submissions about the Amendment must be made in writing, giving the submitters name and address and daytime phone number; set out the views on the Amendment that the submitter wishes to be put before Council and set out what changes (if any) the submitter wishes made to the Amendment.

Submissions must be sent to Mr Michael Marasco, Chief Executive Officer, Maroondah City Council, PO Box 156, Ringwood 3134 by Monday 9 December, 2002.

PHILLIP TURNER
Manager Integrated Planning

Planning and Environment Act 1987
MOIRA PLANNING SCHEME
Notice of Preparation of an Amendment
Amendment C12

At the request of VicRoads, Moira Shire Council has prepared Amendment C12 to the Moira Planning Scheme. The Amendment affects land to the south of the existing road reserve between the eastern end of Daintons Bridge, Cobram and the Murray River. The land affected consists of approximately 2637m².

The Amendment proposes to:

- rezone the subject land from Public Conservation and Resource Zone to Road Zone Category 1;
- amend the Schedule to Clause 44.03 (Floodway Overlay) so that no permit is required for works and roadworks in the Road Zone Category 1;
- amend the Schedule to Clause 52.17 (Native Vegetation) so that no permit is required to remove, destroy or lop native vegetation in the Road Zone Category 1.

The Amendment, explanatory report and accompanying documentation can be inspected free of charge, during office hours at: Moira Shire Council, 44 Station Street, Cobram; Department of Infrastructure, North East Region, 50–52 Clark Street, Benalla; Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

Any submission about the Amendment must be in writing and sent to: Chief Executive Officer, Moira Shire Council, PO Box 578, Cobram, Vic. 3644.

The closing date for submissions is 9 December 2002.

Planning and Environment Act 1987
MORELAND PLANNING SCHEME
 Notice of Preparation of an Amendment
 Amendment C25

Moreland City Council has prepared Amendment C25 to the Moreland Planning Scheme.

The Amendment affects the land at 13–17 Duggan Street, West Brunswick. The subject site is bounded to the east by Duggan Street, to the north by Albion Street, to the west by City Link (Tullamarine Freeway) and to the south by Egginton Street and Shiels Reserve. The site is currently occupied by a number of industrial warehouse and office buildings.

The Amendment proposes to:

- rezone the site from the Industrial 3 Zone to the Mixed Use Zone;
- amend the schedule to the Mixed Use Zone;
- apply the Environmental Audit Overlay (EAO) to the site;
- apply the Incorporated Plan Overlay to the site and adopt an Incorporated Plan, prepared in accordance with the requirements of the Incorporated Plan Overlay.

The purpose of the Amendment is to: facilitate redevelopment of the site for a mixed use development, including office, serviced apartments, shop, residential and home/office uses.

The Amendment and associated documentation will be available for public

inspection from 7 November – 13 December 2002, during office hours at the following locations: Moreland City Council, Coburg Town Hall, 90 Bell Street, Coburg and Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne 3000.

Any person or agency who may be affected by the Amendment can make a submission to Moreland City Council. Submissions must be in writing and addressed as follows: Submission to Amendment C25, Strategic Planning Unit, Moreland City Council, Locked Bag 10, Moreland 3058.

Submissions must be received by Friday 13 December 2002.

Please contact the Strategic Planning Unit on 9240 1299 or 9240 1188, with any queries regarding the Amendment.

ADRIAN ROBB
 Director City Strategy

Planning and Environment Act 1987
MORELAND PLANNING SCHEME
 Notice of Preparation of an Amendment
 Amendment C28

Planning Permit Application MPS 2002/0754

Moreland City Council has prepared Amendment C28 to the Moreland Planning Scheme at the request of Contour Consultants Australia Pty Ltd.

The Amendment and combined planning permit application affects the land at 225 Barkly Street, Brunswick. The land is located on the north side of Barkly Street between Ewing Street to the east and Sydney Road to the west. The land is currently occupied by an industrial building.

The Amendment proposes to rezone the land from Business 3 Zone (B3Z) to Business 2 Zone (B2Z) and apply an Environmental Audit Overlay (EAO) to the site.

The Planning Permit Application MPS 2002/0754 proposes the development of a five storey building over basement car parking (103 spaces), for a mixed use development comprising office and residential uses (72 dwellings) together with a partial waiver of standard car parking requirement.

The Amendment and planning permit documentation including a draft planning permit, is available for public inspection, free of charge, during office hours from the 7 November – 13 December 2002 at the following locations: Moreland City Council, Customer Service Counter, 90 Bell Street, Coburg 3058 and Customer Service Centre, Nauru House, 80 Collins Street, Melbourne 3000.

Any person or agency who may be affected by the Amendment or planning permit can make a submission to Moreland City Council. Submissions must be made in writing and be addressed as follows: Submission to Amendment C28, Strategic Planning Unit, Moreland City Council, Locked Bag 10, Moreland 3058.

Submissions must be received by Friday 13 December 2002.

Please contact Kate Moyes Strategic Planner, on 9240 1299, with any queries regarding the amendment.

ADRIAN ROBB
Director City Strategy

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Preparation of an Amendment
Amendment C33

Permit Application MPS 2002/0753

Moreland City Council has prepared Amendment C33 to the Moreland Planning Scheme at the request of SJB Planning.

The Amendment and combined planning permit application affects the land at 1 and 3 Brunswick Road and 2 Barkly Street, Brunswick East. The land is bounded by Barkly Street to the north and Brunswick Road to the south and a right of way to the east. The subject site is currently occupied by an industrial building and a single storey dwelling.

The Amendment proposes to rezone the land from Industrial 3 Zone (IN3Z) to Business 2 Zone (B2Z) and apply an Environmental Audit Overlay (EAO) to the site.

The Planning Permit Application MPS 2002/0753 proposes the development of a six storey building over basement car parking (48 spaces) for a mixed use development

including retail, industry, warehouse, office and residential uses (41 dwellings), including a partial waiver of the standard car parking requirements and illuminated signage.

The Amendment and planning permit documentation including a draft planning permit, is available for public inspection, free of charge, during office hours from the 7 November – 13 December 2002 at the following locations: Moreland City Council, Customer Service Counter, 90 Bell Street, Coburg 3058 and Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne 3000.

Any person or agency who may be affected by the Amendment or planning permit can make a submission to Moreland City Council. Submissions must be made in writing and be addressed as follows: Submission to Amendment C33, Strategic Planning Unit, Moreland City Council, Locked Bag 10, Moreland 3058.

Submissions must be received by Friday 13 December 2002.

Please contact Kate Moyes Strategic Planner, on 9240 1299, with any queries regarding the amendment.

ADRIAN ROBB
Director City Strategy

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Preparation of an Amendment
Amendment C35

Moreland City Council has prepared Amendment C35 to the Moreland Planning Scheme at the request of Fulcrum Town Planners.

The Amendment affects the site at 92–96 Albert Street, Brunswick East. It is more particularly described in Volume 9302, Folio 257, Volume 9302, Folio 258 and Volume 6125, Folio 885 and comprises an area of approximately 3900 square metres. The site is located on the south side of Albert Street between Lygon Street and French Avenue. The site has road frontages to both Albert Street and French Avenue and is currently being used for the printing and manufacturing of cardboard products.

The Amendment proposes to rezone the land from Business 3 Zone (B3Z) to Business 2 Zone (B2Z) and applies an Environmental Audit Overlay (EAO) to the site.

The Amendment is available for public inspection, free of charge, during office hours at the following locations: Moreland City Council, Customer Service Counter, 90 Bell Street, Coburg 3058 and Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne 3000.

Any person or agency who may be affected by the Amendment can make a submission to Moreland City Council. Submissions on the Amendment should be made in writing and received by Council on or before 13 December 2002. Submissions should be addressed as follows: Submission to Amendment C35, Strategic Planning Unit, Moreland City Council, Locked Bag 10, Moreland 3058.

Please contact Kate Moyes Strategic Planner, on 9240 1299, with any queries regarding the Amendment.

ADRIAN ROBB
Director City Strategy

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Preparation of an Amendment Amendment C36

Moreland City Council has prepared Amendment C36 to the Moreland Planning Scheme.

The Amendment affects the land at 21–35 Hope Street, Brunswick. The subject site is bounded to the east by the Upfield Railway Line, to the north by Hope Street, to the west by Percy Street and to the south by a large single storey warehouse building. The site is currently occupied by a number of industrial warehouse and office buildings that previously formed part of the larger Chef manufacturing site.

The Amendment proposes to:

- rezone the site from the Industrial 1 Zone to part Business 2 Zone and part Mixed Use Zone;
- apply the Environmental Audit Overlay (EAO) to the site;
- amend the Heritage Overlay as it affects the site;

- apply the Incorporated Plan Overlay to the site and adopt an Incorporated Plan, prepared in accordance with the requirements of the Incorporated Plan Overlay.

The purpose of the Amendment is to: facilitate redevelopment of the site for a mixed use development, including showroom/office and café use along the Hope Street frontage and residential and home/office uses on the remainder of the site.

The Amendment and associated documentation will be available for public inspection from 7 November – 13 December 2002, during office hours at the following locations: Moreland City Council, Coburg Town Hall, 90 Bell Street, Coburg; Brunswick Town Hall, 233 Sydney Road, Brunswick and Department of Infrastructure, Customer Service Centre, Nauru House, 80 Collins Street, Melbourne 3000.

Any person or agency who may be affected by the amendment can make a submission to Moreland City Council. Submissions must be in writing and addressed as follows: Submission to Amendment C36, Strategic Planning Unit, Moreland City Council, Locked Bag 10, Moreland 3058.

Submissions must be received by Friday 13 December 2002.

Please contact the Strategic Planning Unit on 9240 1299 or 9240 1188, with any queries regarding the Amendment.

ADRIAN ROBB
Director City Strategy

Planning and Environment Act 1987

MORNINGTON PENINSULA PLANNING SCHEME

Notice of Preparation of an Amendment Amendment C46

Notice of an Application for Planning Permit Application CP 02/004

The land affected by the Amendment is 20 Leyden Avenue, Portsea, Certificate of Title Volume 8583, Folio 689.

The land affected by the application is 20 Leyden Avenue, Portsea, Certificate of Title Volume 8583, Folio 689.

The Amendment proposes to amend the Schedule to Clause 52.02 to facilitate the

variation of covenants affecting the land to facilitate the development that is proposed in the permit application CP 02/004.

The application is for a permit to develop four single storey dwellings, tennis court, swimming pool and outbuildings.

The person who requested the Amendment and the applicant for the permit is SJB Planning Pty Ltd.

You may inspect the Amendment and the application, and any documents that support the Amendment and application, and the explanatory report about the Amendment and application, at the office of the planning authority, the Mornington Peninsula Shire Council, Mornington Office – Queen Street, Mornington; Hastings Office – Marine Parade, Hastings; Rosebud Office – Besgrove Street, Rosebud and at the Department of Infrastructure, Customer Service Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

This can be done during office hours and is free of charge.

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority.

The closing date for submission is 9 December 2002. A submission must be sent to: The Manager – Strategic Planning, Mornington Peninsula Shire Council, Private Bag 1000, Rosebud 3939.

LYNTON SHEDDEN
Manager – Strategic Planning
Mornington Peninsula Shire Council

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 9 January 2003 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.

HIGGINS, John Joseph, late of Unit 4, Cumberland View Retirement Village, Windmill Court, Wheelers Hill, Victoria, retired, who died 24 August 2002.

SILADJI, Boriska, late of Chelsea Private Nursing Home, 256 Station Street, Edithvale, Victoria, retired, who died 27 August 2002.

MURRAY, Lila Pearl, late of Judge Book Retirement Village, Unit 7, 43 Diamond Street, Eltham, Victoria, retired, who died 24 August 2002.

BARNABY, Elizabeth Anne, 6/3 Little Place, Gunn, Northern Territory, Science teacher, who died 30 November 2001.

HEDGE, Joyce Helen, formerly of 20 Esther Street, Essendon, late of Hilltop Private Nursing Home, 10 Hotham Street, Preston, pensioner, who died 7 October 2002.

DENHAM, Stuart William, late of Helen Schutt Nursing Home, Stawell Regional Health Campus, Sloane Street, Stawell, Victoria, pensioner, who died 13 August 2002.

FLYNN, Edward Michael, late of 6 Holehouse Street, Sunshine North, Victoria, retired, who died 31 August 2002.

LANE, Harry Leonard Ralph, late of Unit 3, 61 Monash Road, Newborough, Victoria, pensioner, who died 26 August 2002.

OLSON, Leslie William, late of 7 Foden Street, Brunswick West, Victoria, retired, who died 14 September 2002.

SZCZERBA, Anna, late of 66 Corrigan Street, Brooklyn, Victoria, pensioner, who died 26 July 2002.

TAYFUR, Ahmet, late of Vermont Private Nursing Home, 770 Canterbury Road, Vermont, who died 3 July 2002.

Dated at Melbourne, 29 October 2002

LAURIE TAYLOR
Manager, Estate Management
State Trustees Limited

STATE TRUSTEES LIMITED

ACN 064 593 148

Section 79

Notice is hereby given that State Trustees Limited, ACN 064 593 148, intends administering the estates of:—

CATHERINE SWANN, also known as Catherine Craig Swann, late of Glenville Lodge, 36 Lytton Street, Glenroy, Victoria, deceased intestate, who died 22 August 2002.

MIRIAM KATHLEEN UNWIN, late of Little Sisters of the Poor, 112B Georges Road, Northcote, Victoria, pensioner, who died 10 September 2002, leaving a Will dated 13 August 1986.

RAYMOND FREDERICK PEARCE, late of 31 Godfrey Street, Bentleigh, Victoria, retired truck driver, deceased intestate, who died 30 August 2002.

LAWRENCE THOMAS BUTLER, late of 4 Windsor Road, Pascoe Vale, Victoria, pensioner, who died 17 September 2002, leaving a Will dated 23 February 1978.

GORDON CHANDLER, late of Kingston Centre, Warrigal Road, Cheltenham, Victoria, pensioner, who died 23 June 2002, leaving a will dated 30 November 1999.

Creditors, next-of-kin and others having claims against the abovementioned estates are required pursuant to Section 33 of the **Trustee Act 1958** to send particulars of their claims against the abovementioned estates to State Trustees Limited, 168 Exhibition Street, Melbourne, Victoria, on or before 8 January 2003 after which date State Trustees Limited, ACN 064 593 148, may convey or distribute the assets of the abovementioned estates having regard only to the claims of which it then has notice.

STATE TRUSTEES LIMITED
ACN 064 593 148

Section 79

Notice is hereby given that State Trustees Limited, ACN 064 593 148, intends administering the estates of:-

LEONARD HORACE WILLIAM BOXER, late of Unit 29, 287 Bayview Road, Rosebud, Victoria, pensioner, who died 27 September 2002, leaving a Will dated 24 April 2001.

MAURICE DAVID CROWTHER, late of 97 Rowan Street, Bendigo, pensioner, deceased intestate, who died 5 October 2002.

EDNA MAY SEDDON, late of Berwick Private Nursing Home, 21-25 Parkhill Drive, Berwick, Victoria, home duties, who died 20 September 2002, leaving a Will dated 21 May 1991.

Creditors, next-of-kin and others having claims against the abovementioned estates are

required pursuant to Section 33 of the **Trustee Act 1958** to send particulars of their claims against the abovementioned estates to State Trustees Limited, 168 Exhibition Street, Melbourne, Victoria, on or before 8 January 2003 after which date State Trustees Limited, ACN 064 593 148, may convey or distribute the assets of the abovementioned estates having regard only to the claims of which it then has notice.

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ACN 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 13 January 2002 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.

CULLEN, Jennifer Mary, late of 3 Leopold Street, Caulfield South, Victoria, teacher, who died 9 September 2002.

CHOW, Marian Yubechu, and in the Will called Marian Chow, late of 52 Shepparson Avenue, Carnegie, retired, who died 1 September 2002.

DREW, Albert Ronald Vincent, late of Roxburgh Nursing Centre, 90 Lightwood Crescent, Meadow Heights, Victoria, pensioner, who died 23 September 2002.

ELFORD, Clyde David, late of Room 44, Broadmead Hostel, 27 Wattle Road, Hawthorn, Victoria, retired, who died 10 August 2002.

WEBSTER, John, late of Merv Irvine Nursing Home, 1231 Plenty Road, Bundoora, pensioner, who died 18 August 2002.

GENTILE, Sebastiano, late of 78 Illawarra Road, Flemington, Victoria, retired hairdresser, who died 24 August 2002.

McBRIDE, Edith Caroline, formerly of Flat 4, 156 Barrow Street, Coburg, late of Belfast Nursing Home, Regent Street, Port Fairy, Victoria, retired, who died 10 July 2002.

ARTER, Eva May, formerly of Pineview Lodge, 90 Bradshaw Street, Essendon, but late of Roxburgh Nursing Centre, 90 Lightwood Crescent, Meadow Heights, who died 9 October 2002.

CADEE, Sylvia, formerly of 43 Rosebud Crescent, Broadmeadows, but late of Edenvale Nursing Home, 188A Sterling Drive, Keilor East, pensioner, who died 3 April 2002.

Dated at Melbourne, 1 November 2002

LAURIE TAYLOR
Manager, Estate Management
State Trustees Limited

Department of Treasury and Finance

SALE OF CROWN LAND
BY PUBLIC AUCTION

Date of Auction: 29 November 2002 at 12.30 p.m.
on site.

Reference: 99/00084.

Address of Property: Corner Glenelg Highway
and Flagstaff Road, Linton.

Crown Description: Crown Allotment 2002,
Parish of Argyle.

Terms of Sale: Deposit 10%, Balance 60 days.

Area: 46.45 ha.

Officer Co-ordinating Sale: Garry McKenzie.
Garry McKenzie & Associates Pty Ltd,
1st Floor, City Centre Arcade, 315 Sturt
Street, Ballarat, Vic. 3350.

Selling Agent: Ballarat Real Estate, 402 Sturt
Street, Ballarat, Vic. 3350.

JOHN LENDERS MP
Minister for Finance

Dental Practice Act 1999

On 24 October 2002, following a formal hearing, the Dental Practice Board of Victoria found Dr Urmias Aavelaid had engaged in unprofessional conduct of a serious nature. He was fined \$28,000 and his registration was suspended until 31 December 2009.

PETER GARDNER
Chief Executive Officer

Financial Management Act 1994

VICTORIAN GOVERNMENT
PURCHASING BOARD

Supply Policies

In accordance with Section 54L (3) of the **Financial Management Act 1994**, notice is given of the following list of new and revised supply policies made by the Victorian

Government Purchasing Board (VGPB) which come into effect on and from 6 December 2002.

FRAMEWORK POLICIES

Application of VGPB Policy; Accreditation of Departments by VGPB; Australia and New Zealand Procurement Agreement (ANZGPA); Annual Supply Report from Departments; Protocol for Reporting Non-Compliance with VGPB Policies.

PROCUREMENT PLANNING POLICIES

Strategic Procurement Planning; Open Standing Offer Agreements; Whole of Government Contracts; Probity; Procurement and Victorian Industry Participation; Regional Sourcing; Environmental Purchasing; Planning for Contract Transition; Managements of Consultants; Consideration of an Innovative Proposal; Risk Management.

PREPARATION OF TENDER DOCUMENTS POLICIES

Terms and Conditions of Contract; Tender Processes and Tender Documents; Ethical Employment and Sub-contracting; Procurement Action in Cases of Dumping; Tender Complaint Procedures.

QUOTATIONS AND PUBLIC TENDER POLICIES

Obtaining Quotes for Purchases <\$100,000; Exemptions from obtaining Multiple Quotes for Purchases <\$100,000; Public Tender for Purchases >\$100,000; Exemption from Public Tender of Purchases >\$100,000; Receiving and Recording Public Tenders.

EVALUATION AND SELECTION POLICIES

Evaluation of Purchases >\$100,000; Post Tender Negotiations for Purchases >\$100,000.

APPROVAL AND NOTIFICATION POLICIES

Approval of Process for Goods and Services >\$100,000; Disclosure of Contracts >\$100,000; Variations to Process Approval.

CONTRACT MANAGEMENT POLICIES

Contract Management; Disposal of Assets.

POLICY EXPLANATORY NOTES

Accreditation and Devolution.

The above policies may be viewed on the Victorian Government Purchasing Board website www.vgpb.vic.gov.au.

ROBIN JERVIS-READ
Chairperson

Forests Act 1958, No. 6254

**DECLARATION OF THE
PROHIBITED PERIOD**

In pursuance of the powers conferred by section 3 sub-section (2) of the **Forests Act 1958**, I, Gary Morgan, delegated officer for the Minister for Environment and Conservation in the State of Victoria, hereby declare the Prohibited Period for all land within the Fire Protected Area (other than State forest, National Park and protected public land) within the municipalities nominated for the period specified in the schedule below:

SCHEDULE 1

The Prohibited Period shall commence at 01.00 hours on Monday 11 November 2002 and end at 01.00 on Thursday 1 May 2003 (unless varied) in the following municipalities: Alpine Shire Council, Benalla Rural City, Wodonga Rural City, West Wimmera Shire, Wangaratta Rural City, Shire of Towong, Shire of Wellington, Shire of Mansfield, Shire of Indigo and Shire of East Gippsland.

GARY MORGAN
Chief Fire Officer
Department of Natural Resources
and Environment
Delegated Officer,
pursuant to section 11,

Conservation Forests and Land Act 1987

Gas Industry Act 2001

**NOTIFICATION OF REVOCATION OF
LICENCE**

The gas retail licence issued to Ergon Energy Gas Pty Ltd (ACN 084 441 047) by the Office of the Regulator General on 5 January 2000, has been revoked by agreement between the Essential Services Commission, and Ergon Energy Gas Pty Ltd in accordance with clause 3 of that licence and section 38 of the **Gas Industry Act 2001**. The licence revocation is effective on and from 1 November 2002.

Dated 1 November 2002

JOHN TAMBLYN
Chairperson

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Goulburn Valley Region Water Authority declares that by this notice it acquires the following interest in the land contained in Certificate of Title Volume 3468, Folio 414: Freehold interest in the whole of the land.

Published with the authority of the Goulburn Valley Region Water Authority.

Dated 7 November 2002

For and on behalf of the
Goulburn Valley Region Water Authority.

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Goulburn Valley Region Water Authority declares that by this notice it acquires the following interest in the land contained in Certificates of Title Volume 9888, Folios 712, 713 and 714; Volume 9888, Folio 772; Volume 9964, Folio 122 and Volume 4933, Folio 591: Freehold interest in all of the lands.

Published with the authority of the Goulburn Valley Region Water Authority.

Dated 7 November 2002

For and on behalf of the
Goulburn Valley Region Water Authority.

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Goulburn Valley Region Water Authority declares that by this notice it acquires the following interest in the land described as Crown Portion 3, Parish of Moranding contained in Certificate of Title Volume 7007, Folio 385: Freehold interest in the whole of the land.

Published with the authority of the Goulburn Valley Region Water Authority.

Dated 7 November 2002

For and on behalf of the
Goulburn Valley Region Water Authority.

Land Acquisition and Compensation Act 1986

FORM 7

S.21

Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Minister for Environment and Conservation declares that by this notice she acquires the following interest in the land described as part of Lot 1 on Plan of Subdivision 333738L, Parish of Angahook, comprising approximately 48.28 hectares and being part of the land described in Certificate of Title Volume 10277, Folio 082, known as 885 Great Ocean Road, Anglesea, shown by hatching on Plan No. A/3.10.02.

Interest acquired: The freehold estate of Edward Michael Schutz and Susan Elizabeth Schutz and all other interests.

The plan referred to in this notice may be viewed without charge at the office of the Department of Natural Resources and Environment, 30 Prospect Street, Box Hill during the hours 9.00 am to 4.00 pm.

Responses should be sent to the Property Manager Land Acquisitions, Department of Natural Resources & Environment, Locked Bag 3000, Box Hill 3128.

Dated 7 November 2002

Published with the authority of the
HON SHERRYL GARBUTT MP,
Minister for Environment
and Conservation.

**Land Acquisition and Compensation Act 1986
Water Act 1989**

NOTICE OF ACQUISITION

Compulsory Acquisition of Interest in Land

The Goulburn–Murray Rural Water Authority declares that by this notice it acquires the following interest in the land described hereunder.

Owners Names: Salvatore Concetto Lolicato and Bronwen Margaret Lolicato.

Interest Acquired: Easement.

Land in which Interest Subsists: Part Crown Allotment 104A, Parish of Toolamba.

Area of Interest: 0.6698 hectares.

Title Details: Certificate of Title Volume 9758, Folio 082, Plan No. 173 detailing the location of the land being acquired is available for perusal at the Central Office of the Goulburn–Murray Rural Water Authority, 40 Casey Street, Tatura 3616.

Published with the authority of the Goulburn–Murray Rural Water Authority.

Dated 4 November 2002.

ANTHONY NATALIZIO
Manager Property and Legal
For and on behalf of
Goulburn–Murray Rural Water Authority

Transport Act 1983

VICTORIAN TAXI DIRECTORATE

Department of Infrastructure

Commercial Passenger Vehicle Applications

Notice is hereby given that the following applications will be considered by the Victorian Taxi Directorate, a division of the Department of Infrastructure after 11 December 2002.

Notice of any objection to the granting of an application should be forwarded to reach the Manager, Licensing & Certification, Victorian Taxi Directorate, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 5 December 2002.

Copies of objections are forwarded to the applicants.

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

P. Paisley, Seaford. Application for variation of conditions of licence SV1896 which authorises the licensed vehicle to operate in respect of a 1978 Rolls Royce Silver Wraith II with seating capacity for 4 passengers which operates only for the carriage of passengers for wedding parties to include the ability to operate for the

carriage of passengers for Debutante Balls, Funerals, Restaurant trips and the Spring Racing Carnival.

Dated 31 October 2002

ROBERT STONEHAM
Manager – Operations
Victorian Taxi Directorate

Transport Act 1983

TOW TRUCK DIRECTORATE OF VICTORIA

Tow Truck Application

Notice is hereby given that the following applications will be considered by the Licensing Authority after 11 December 2002.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Tow Truck Directorate of Victoria, Level 6, 14–20 Blackwood Street, North Melbourne (PO Box 666, North Melbourne 3051) not later than 5 December 2002.

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

H. Priest. Application for variation of conditions of tow truck licence numbers TOW149 and TOW150 which authorises the licensed vehicles to be managed, controlled and operated from a depot situated at Dunbar Road, Traralgon to change the depot address to 280 Princes Highway, Traralgon.

Note: This licence is under consideration for transfer to Albroy's Car Centre Pty Ltd.

Astondale Pty Ltd. Application for variation of conditions of tow truck licence number 022-HTT which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at 15 Burke Street, Warragul to change the depot address to 405 Princes Highway, Officer.

Dated 7 November 2002

STEVE STANKO
Director

Mineral Resources Development Act 1990

EXEMPTION FROM EXPLORATION LICENCE OR MINING LICENCE

I, Richard Aldous, Executive Director Energy and Minerals, pursuant to section 7 of the **Mineral Resources Development Act 1990** and under delegation by the Minister for Energy and Resources –

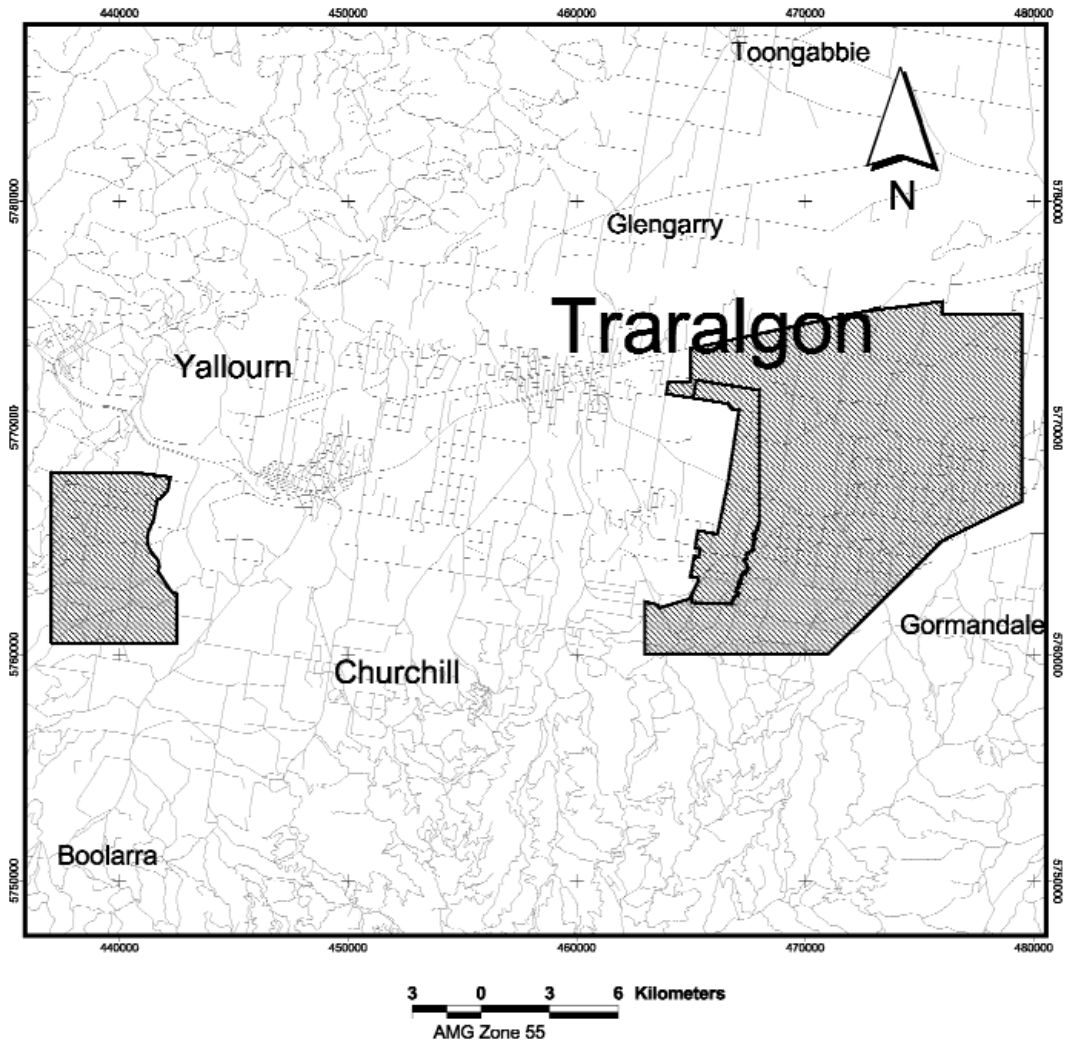
1. HEREBY EXEMPT all that Crown land situated within the boundaries of exploration licence application 4716 that have been excised from the application, from being subject to an exploration licence or mining licence.
2. Subject to paragraph 3, this exemption applies until the expiration of 2 years after the grant of the licence (if the licence is granted), or until the expiration of 28 days after the application lapses or is withdrawn or refused.
3. This exemption is REVOKED in respect of any land that ceases to lie within the boundaries of the application or licence, at the expiration of 28 days after the said land ceases to lie within the boundaries of the application or licence.

Dated 31 October 2002

RICHARD ALDOUS
Executive Director
Energy and Minerals

Mineral Resources Development Act 1990
EXEMPTION FROM MINING LICENCES
SECTION 7 – MINERAL RESOURCES DEVELOPMENT ACT 1990

I, as delegate of the Minister for Energy and Resources, pursuant to Section 7 of the **Mineral Resources Development Act 1990**, hereby give notice that the area of land covered by the Traralgon and Moe 1:100,000 mapsheets, as shown cross hatched on the accompanying map is exempt from being subject to a Mining Licence, unless this exemption is revoked.



Dated 29 October 2002

RICHARD ALDOUS
Executive Director,
Energy and Minerals
Delegate of the Minister

Transport Act 1983

ROAD DECLARATIONS AND DEDICATIONS

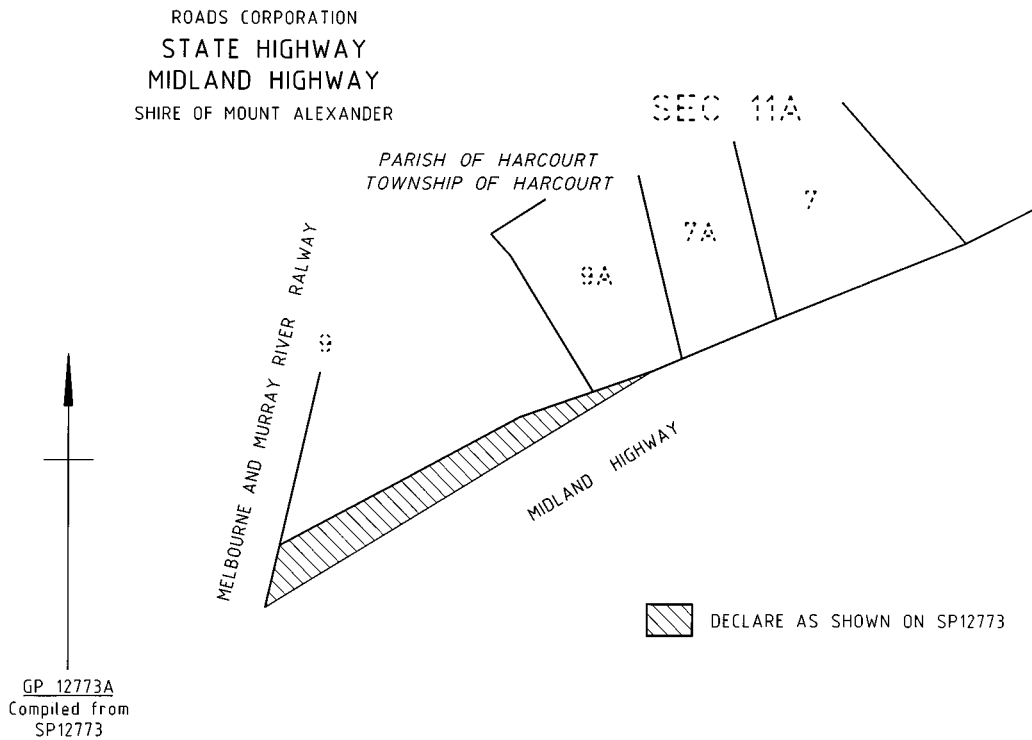
The Roads Corporation pursuant to the **Transport Act 1983**, upon publication of this notice declares or varies the declaration of the roads described below and shown hatched and cross-hatched on the plans attached, and further declares that the roads shown hatched are fit to be used as a public highway and are now absolutely dedicated to the public for use as a public highway within the meaning of any law now or hereafter in force.

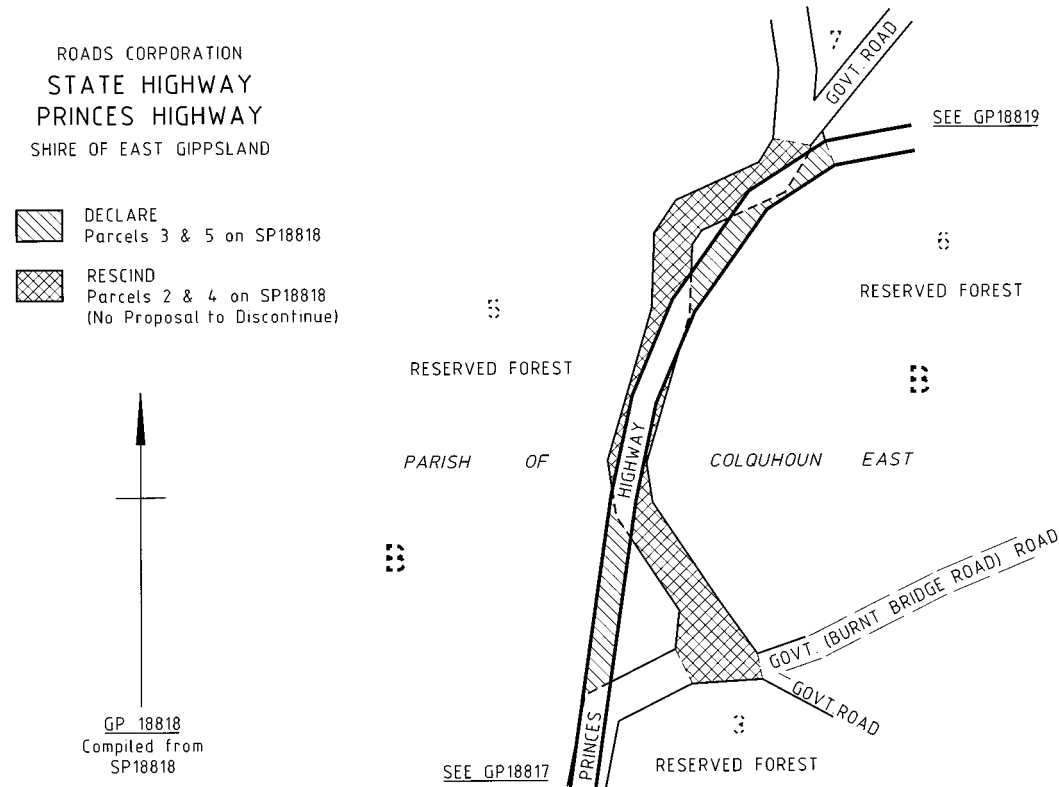
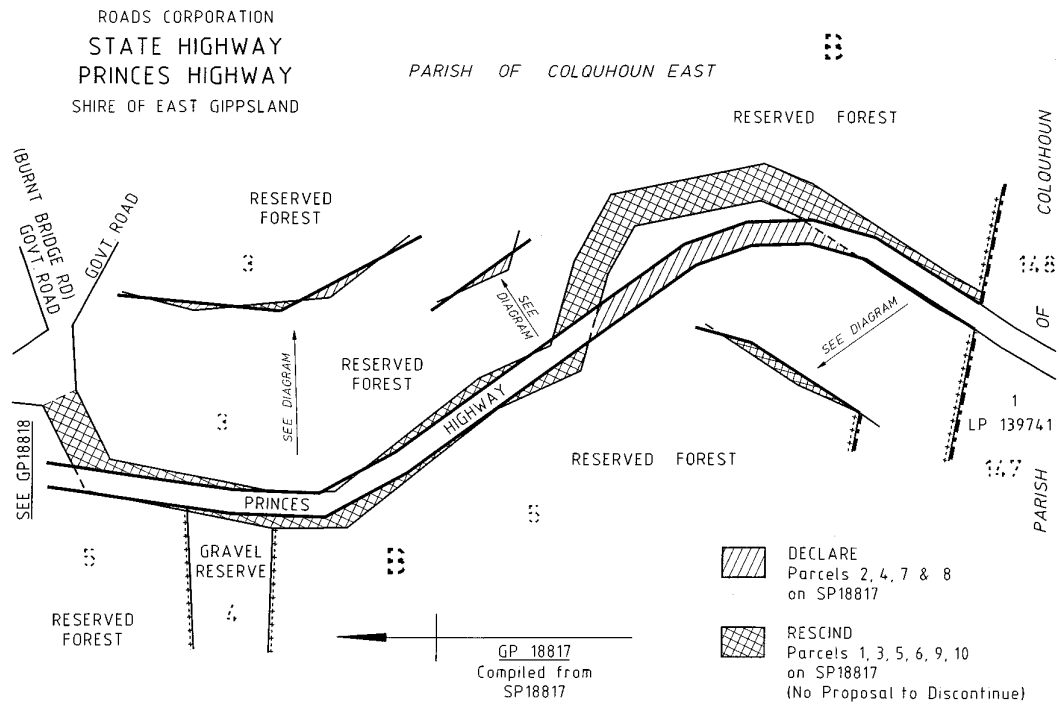
STATE HIGHWAY

- a) Midland Highway in the Shire of Mount Alexander shown hatched on the plan numbered GP 12773A.
- b) Princes Highway in the Shire of East Gippsland shown hatched and cross-hatched on the plans numbered GP 18817, GP 18818, GP 18819, GO 18820 & GP 19585.

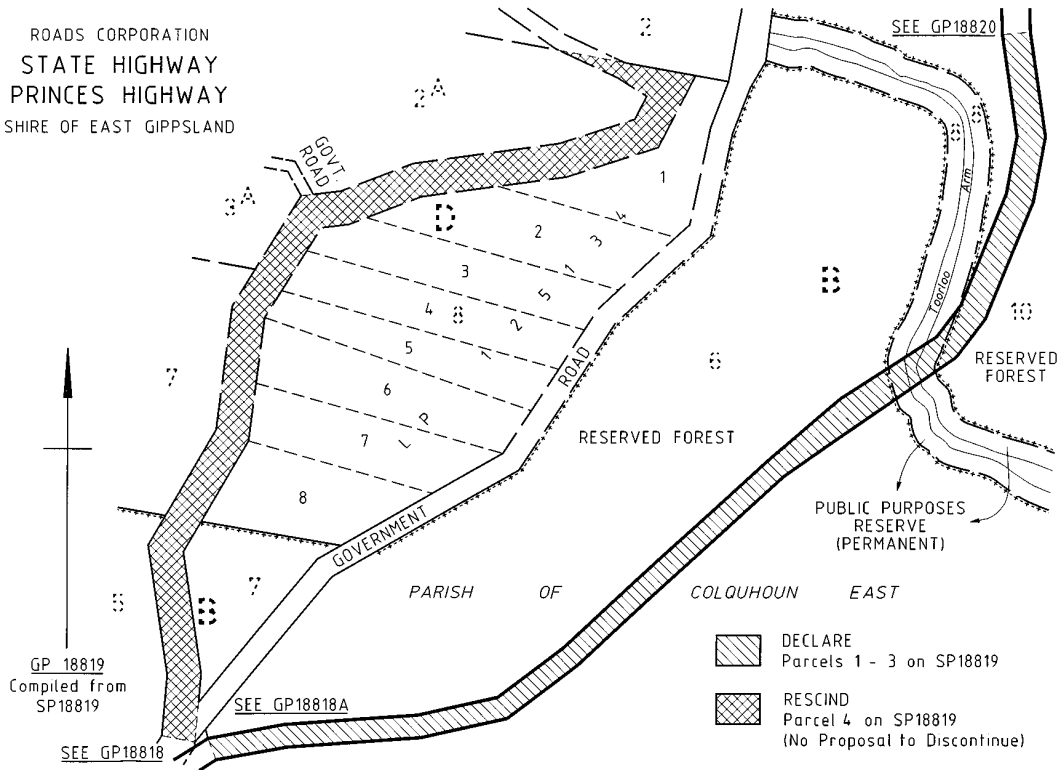
ROAD

- c) Road in the Shire of East Gippsland shown hatched on the plans numbered GP 18818A & GP 19585A.

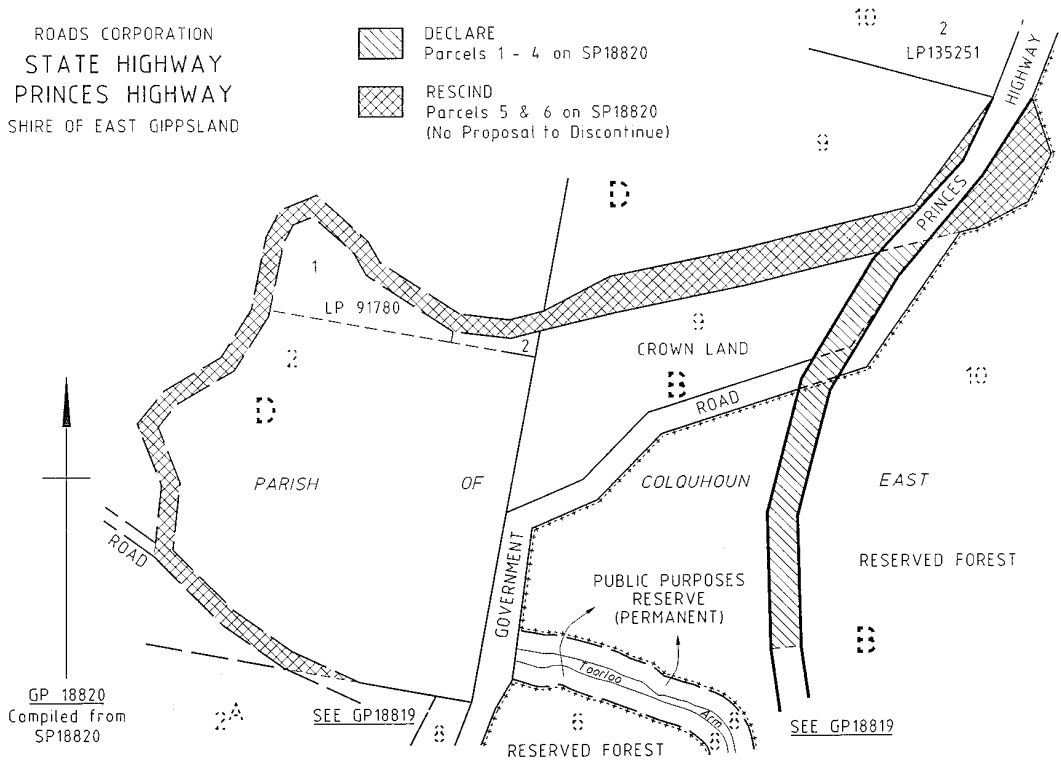


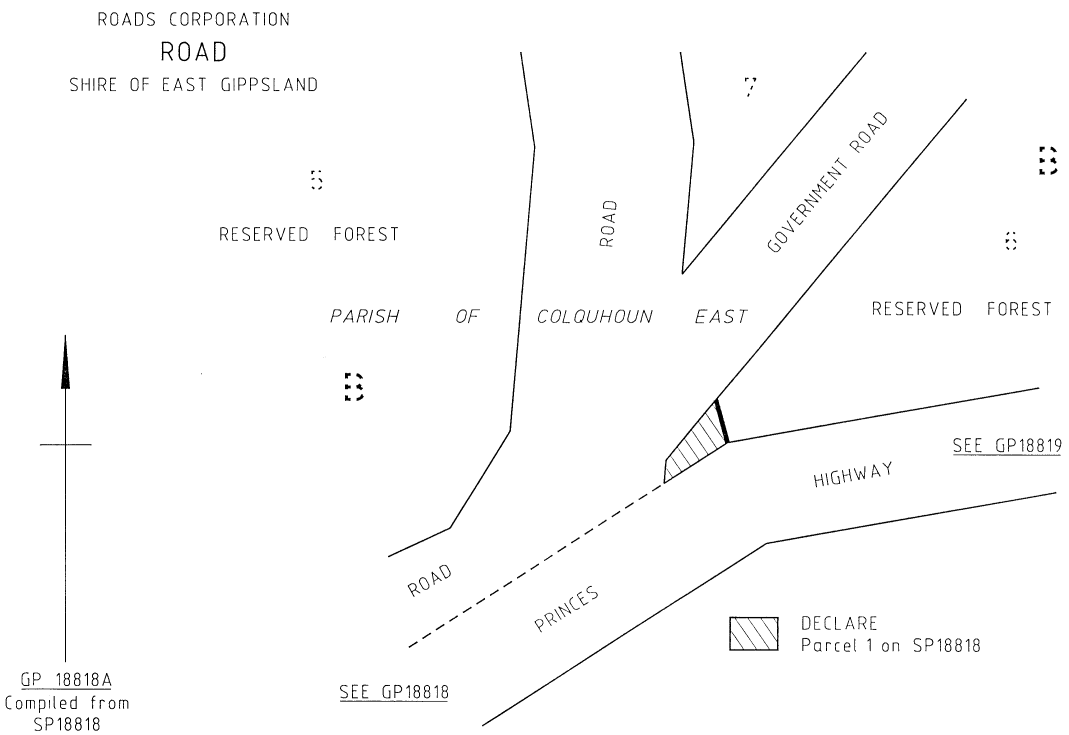
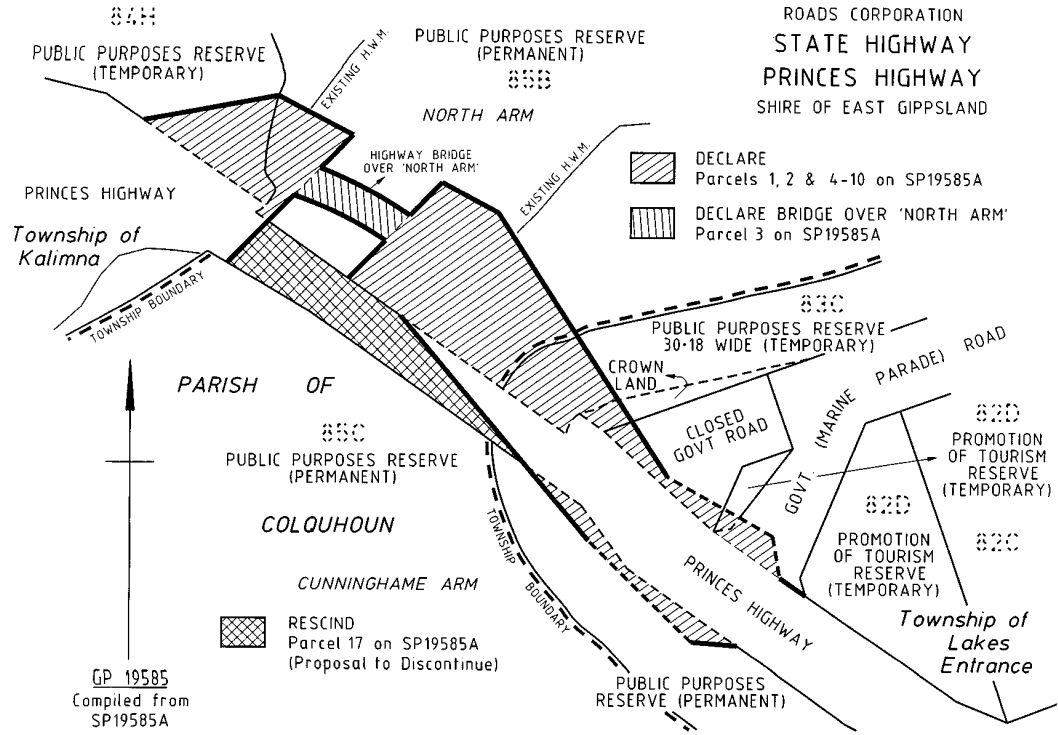


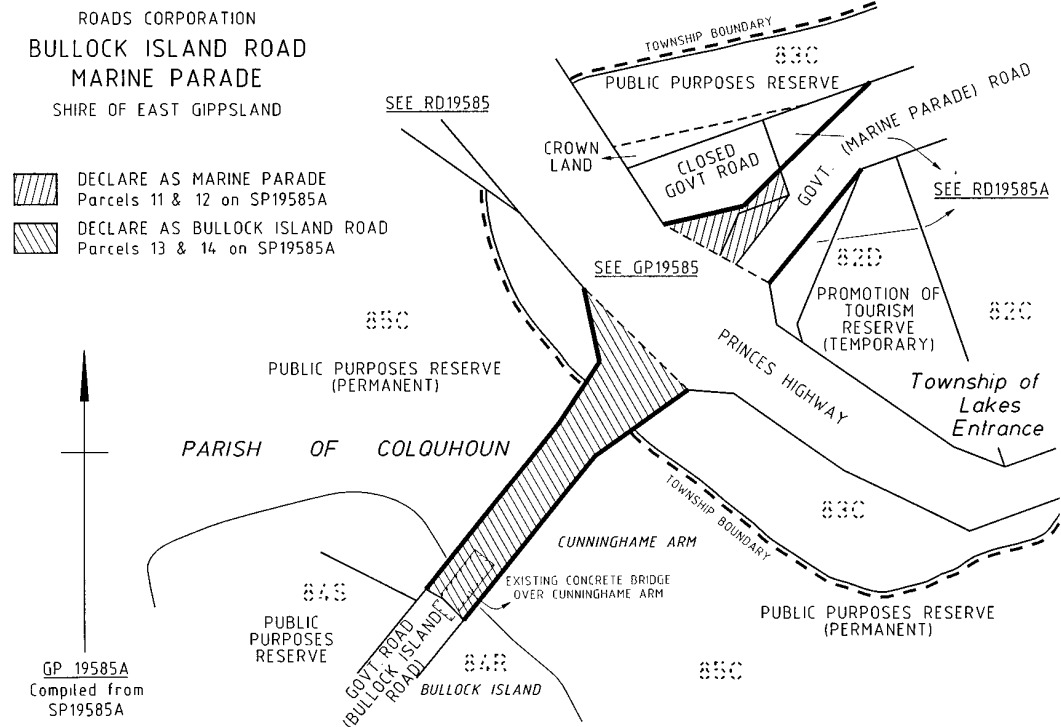
ROADS CORPORATION
STATE HIGHWAY
PRINCES HIGHWAY
SHIRE OF EAST GIPPSLAND



ROADS CORPORATION
STATE HIGHWAY
PRINCES HIGHWAY
SHIRE OF EAST GIPPSLAND







Dated 28 October 2002

DAVID ANDERSON
 Chief Executive
 Roads Corporation

Transport Act 1983

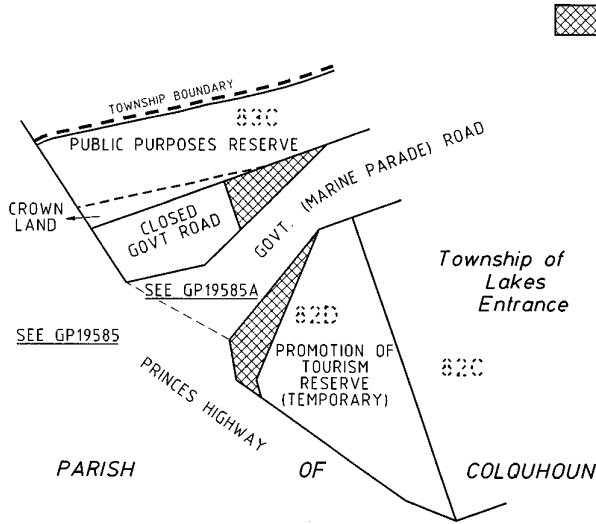
DISCONTINUANCE OF ROADS OR PARTS OF ROADS

The Roads Corporation, in pursuance of the powers conferred by Clause 2, Schedule 4 of the **Transport Act 1983**, hereby approves the discontinuance of the roads or parts of roads as described in the schedule and on the plan attached:

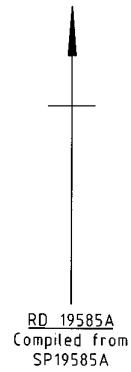
SCHEDULE

- a) The land in the Shire of East Gippsland formerly described as Princes Highway, Parish of Colquhoun, shown cross-hatched on plan numbered RD 19585.
- b) The land in the Shire of East Gippsland formerly described as Marine Parade, Parish of Colquhoun, shown cross-hatched on plan numbered RD 19585A.

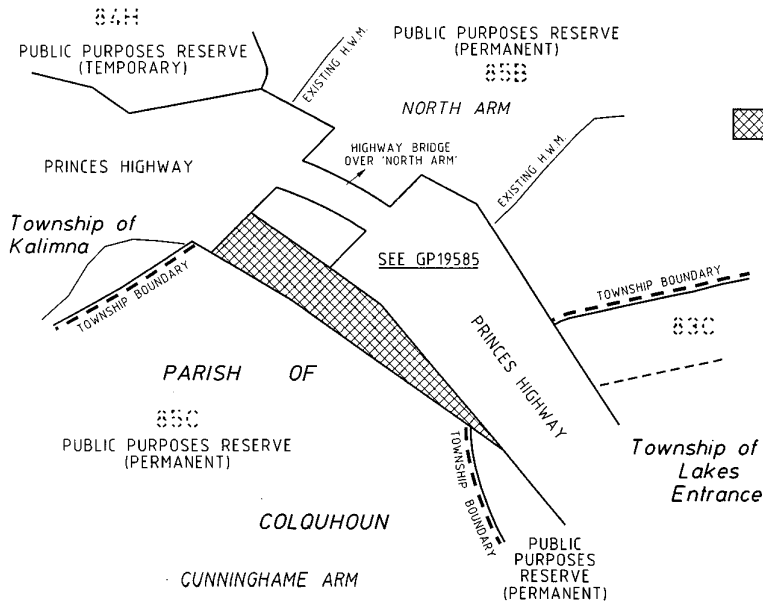
ROADS CORPORATION
 FORMERLY MARINE PARADE
 SHIRE OF EAST GIPPSLAND



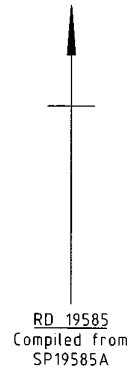
DISCONTINUE
 Parcels 15 & 16 on SP19585A



ROADS CORPORATION
 FORMERLY PRINCES HIGHWAY
 SHIRE OF EAST GIPPSLAND



DISCONTINUE
 Parcel 17 on SP19585A



Dated 28 October 2002

DAVID ANDERSON
 Chief Executive
 Roads Corporation

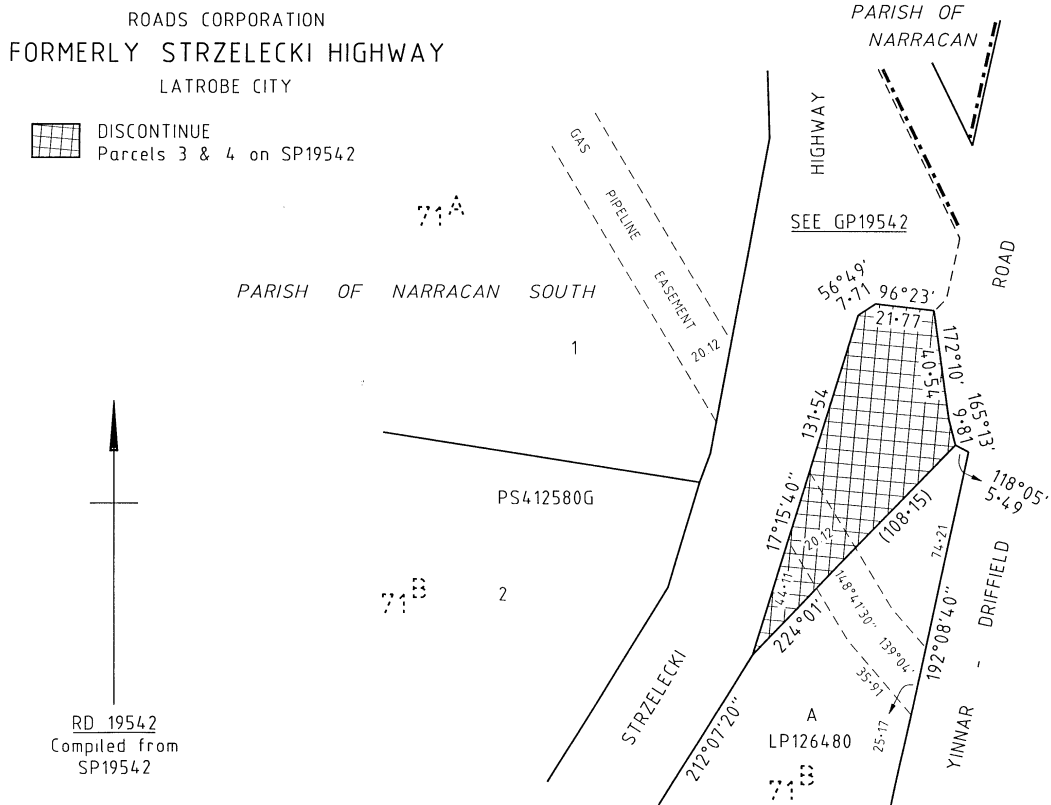
Transport Act 1983

DISCONTINUANCE OF ROADS OR PARTS OF ROADS

The Roads Corporation, in pursuance of the powers conferred by Clause 2, Schedule 4 of the **Transport Act 1983**, hereby approves the discontinuance of the road or part of the road as described in the schedule and on the plan attached, subject to the right power and interest held by Gas Transmission Corporation in that part of the land described as Gas Pipeline Easement (20.12 metres wide) as provided for in section 207C of the **Local Government Act 1989**, and approves the sale of the surplus land as provided in Section 47 of the **Transport Act 1983** and as delegated by the Minister for Transport under Section 32 of the said Act.

SCHEDULE

The land in the Latrobe City formerly described as Strzelecki Highway in the Parish of Narracan South and shown cross-hatched on plan numbered RD 19542.



Dated 28 October 2002

DAVID ANDERSON
Chief Executive
Roads Corporation

Water Act 1989
BULK ENTITLEMENT (YARROWEE – WHITE SWAN SYSTEM)
CONVERSION ORDER 2002*

I, Sherryl Garbutt, as Minister administering the **Water Act 1989**, make the following Order

1. CITATION

This Order may be cited as the Bulk Entitlement (Yarrowee – White Swan System) Conversion Order 2002.

2. EMPOWERING PROVISIONS

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

3. COMMENCEMENT

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

4. DEFINITIONS

In this Order –

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

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

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

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

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

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

“**Minister**” in relation to any provision, includes any person authorised by the Minister to act on the Minister’s behalf in relation to that provision, or to whom the Minister has delegated the relevant power, discretion, function, authority or duty under Section 306 of the Act;

“**passing flow**” means the flow in the waterway at the confluence of Fellmongers Creek and Giles Creek and the flow in Clarkes Creek below Clarkes Creek Weir;

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

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

“**specified point A**” means the point immediately below the confluence of Fellmongers Creek and Giles Creek;

“**system**” means the Yarrowee – White Swan Water Supply System comprising –

- (a) the system diversion points; and

(b) the system storages; and

(c) the system conduits;

“system conduits” means –

(a) the Beales – Pincotts channel in the Barwon Basin; and

(b) the Pincotts – White Swan aqueduct and pipeline; and

(c) the Kirks – Gong Gong aqueduct; and

(d) Leigh Creek from Pincotts Reservoir to the confluence with Giles Creek; and

(e) Giles Creek from the Giles Creek weir to Kirks weir; and

(f) Giles Creek from the Kirks weir to Kirks Reservoir; and

(g) from Kirks and Gong Gong Reservoirs via the Daylesford Road pumping station to Pincotts Reservoir

“system diversion points” means –

(a) the Giles Creek diversion point; and

(b) the Kirks Weir diversion point; and

(c) the Clarkes Creek diversion point; and

(d) the Clarkes Creek Tributary diversion point;

“system storages” means –

(a) Pincotts Reservoir on Leigh Creek; and

(b) Kirks Reservoir on Giles Creek; and

(c) Gong Gong Reservoir on Fellmongers Creek; and

(d) White Swan Reservoir;

“waterway” means the Yarrowee Creek;

“year” means the 12 months commencing 1 July.

5. **CONVERSION TO A BULK ENTITLEMENT**

All of the Authority’s entitlement to water from the Yarrowee – White Swan System is converted to a bulk entitlement on the conditions set out in this Order.

6. **BULK ENTITLEMENT**

6.1 The Authority may take from the system up to 36,800 ML in any successive three year period. This entitlement includes up to 10,500 ML/year from the Upper West Moorabool system as specified in the Bulk Entitlement (Upper West Moorabool) Conversion Order 1995.

6.2 The water taken from the system shall be the total flow measured at the outlets of White Swan, Pincotts, Kirks and Gong Gong reservoirs less any flow which is transferred within the system via the Daylesford Road pumping station which, combined, does not exceed 157 ML/d.

6.3 The entitlement includes supply of water to Lake Wendouree in accordance with a service agreement between the Authority and the City of Ballarat.

7. **SHARE OF CAPACITY**

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

Pincotts Reservoir, up to 218 ML at full supply level of 552.66 metres Australian Height Datum; and

(a) Kirks Reservoir, up to 400 ML at full supply level of 510.20 metres Australian Height Datum; and

(b) Gong Gong Reservoir, up to 1 902 ML at full supply level of 514.32 metres Australian Height Datum; and

(c) White Swan Reservoir, up to 14 107 ML at full supply level of 536.57 metres Australian Height Datum.

- 7.2 The Authority is entitled to:—
- (a) 100% of capacity of the system storages; and
 - (b) all water stored in the system storages –
- but may not use or transfer any more than its entitlement in any consecutive three-year period.

8. SHARE OF FLOW

- 8.1 In order to satisfy its annual entitlement, the Authority may take –
- (a) up to 100% of the flow in excess of any passing flow from all or any of:
 - (i) Giles Creek weir, at a constant rate not exceeding 30 ML/d; and
 - (ii) Kirks weir, at a constant rate not exceeding 240 ML/d; and
 - (iii) Clarkes Creek Tributary weir, at a constant rate not exceeding 45 ML/d; and
 - (iv) Clarkes Creek weir, at a constant rate not exceeding 60 ML/d less that amount of water being diverted at the Clarkes Creek Tributary weir; and
 - (v) Pincotts Reservoir at a constant rate not exceeding 150 ML/day;
 - (b) up to 100% of the flow into all or any of –
 - (i) Pincotts Reservoir when it is below full supply level; and
 - (ii) Kirks Reservoir when it is below full supply level; less the passing flow, and
 - (iii) Gong Gong Reservoir when it is below full supply level, less the passing flow, and
 - (iv) White Swan Reservoir when it is below full supply level.
- 8.2 The Authority must not take, as part of its bulk entitlement, any flow of water in the system which is being transferred by the holder of –
- (a) any other bulk entitlement or licence held by another person; or
 - (b) any licence –
- to a transferee pursuant to the Act.
- 8.3 The flow sharing arrangements set out in Clause 9 apply unless changes recommended as part of a stream flow management plan are accepted by the Authority and approved by the Minister. The Authority will participate in good faith in developing the stream flow management plan and negotiating any changes to flow sharing arrangements. Any change approved as part of this process would require amendment of Clause 9.

9. PASSING FLOW

- 9.1 The Authority must provide the following minimum flow at specified point A from either or both Kirks Reservoir and Gong Gong Reservoirs:
- when $F < 0.6$ ML/d, $P = F$; and
- when $F > 0.6$ ML/d, $P = 0.6$ ML/d;
- where
- F = the inflow to Gong Gong Reservoir; and
- P = the minimum passing flow.
- 9.2 The Authority must provide the following minimum passing flow at Clarkes Creek Weir:
- when $F < 1.25$ ML/d, $P = F$; and

when $F > 1.25 \text{ ML/d}$, $P = 1.25 \text{ ML/d}$;

where

F = the inflow to Clarkes Creek Weir; and

P = the minimum passing flow.

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

10. RELEASES

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

10.2 The Authority may take water from Kirks and Gong Gong Reservoirs via the Daylesford pumping station only during periods of declared restriction.

10.3 The Authority may take water at a constant rate not exceeding –

- (a) 12 ML/d from Pincotts Reservoir; and
- (b) 15 ML/d from Kirks Reservoir; and
- (c) 30 ML/d from Gong Gong Reservoir; and
- (d) 100 ML/d from White Swan Reservoir; and
- (e) 9.5 ML/d from Kirks and Gong Gong Reservoir via the Daylesford Road pumping station to Pincotts Reservoir.

11. MAKING ALLOWANCES

11.1 In calculating water available to the Authority under this bulk entitlement at any point other than a point on the system, allowance must be made for –

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

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

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

11.3 The Minister may –

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

11.4 The Authority must –

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

12. ENVIRONMENTAL OBLIGATIONS

- 12.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a program to manage the environmental effects of the Authority's works to take water under this bulk entitlement which includes –
- (a) impacts on the bed and banks of the waterway and its tributaries in the vicinity of the Authority's works; and
 - (b) operational practices to remove silt from works; and
 - (c) operational practices to manage the water quality in works on the waterway and its tributaries; and
 - (d) operational rules for controlled releases of water from the Authority's works to the waterway and its tributaries; and
 - (e) operational rules to manage flood flows through the system storages.
- 12.2 The Minister may –
- (a) approve the program proposed under sub-clause 12.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority –
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 12.3 The Authority must at its cost –
- (a) implement the approved program; and
 - (b) keep a record of all work undertaken under paragraph ((a)).

13. METERING PROGRAM

- 13.1 The Authority must propose to the Minister, within 12 months of the date of this Order, a metering program to determine –
- (a) the amount of water taken by the Authority under this bulk entitlement; and
 - (b) the flow into the system storages; and
 - (c) the amount of water in the system storages; and
 - (d) the passing flows –
- for the purpose of assessing whether or not the Authority complies with this bulk entitlement.
- 13.2 The metering program prepared under sub-clause 13.1 must include details of any agreement between the Authority and any other person for measuring and calculating of instream flows.
- 13.3 The Minister may –
- (a) approve the program proposed under sub-clause 13.1; or
 - (b) require the Authority to amend the proposed program; and
 - (c) require the Authority –
 - (i) to review the program approved by the Minister if, in the Minister's opinion, it is, at any time, no longer appropriate; and
 - (ii) to propose an amended program to the Minister.
- 13.4 The Authority must at its cost, and in accordance with any guidelines issued from time to time by the Minister –

- (a) implement and maintain the approved metering program; and
- (b) maintain metering equipment and associated measurement structures in good condition, ensure that metering equipment is periodically recalibrated and, where stage-discharge relationships are used to calculate flows, ensure that rating curves are regularly checked and updated; and
- (c) keep a record of all work undertaken under paragraph (b).

14. REPORTING REQUIREMENTS

- 14.1 The Authority may be required to report on all or any of the following matters, as provided in this clause:
- (a) the flow past the specified points;
 - (b) daily amount of water taken;
 - (c) the daily passing flow;
 - (d) the amount of water in each or any of the system storages;
 - (e) the annual amount of water taken under this entitlement;
 - (f) the approval, amendment and implementation of programs approved under sub-clauses 12.2 and 13.3;
 - (g) any temporary or permanent transfer of all or part of this bulk entitlement;
 - (h) any bulk entitlement or licence in respect of the waterway and its tributaries temporarily or permanently transferred to the Authority with respect to the Yarrowee – White Swan Water Supply System;
 - (i) any amendment to this bulk entitlement;
 - (j) any new bulk entitlement granted to the Authority with respect to the Yarrowee – White Swan Water Supply System;
 - (k) any failure by the Authority to comply with any provision of this bulk entitlement;
 - (l) any existing or anticipated difficulties experienced by the Authority in complying with this bulk entitlement and any remedial action taken or proposed by the Authority.
- 14.2 The Minister may require the Authority to report on all or any of the matters set out in sub-clause 14.1 –
- (a) in writing, or in such electronic form as may be agreed between the Authority and the Minister; and
 - (b) within 14 days of receiving the Minister’s written request.
- 14.3 The Authority must, for the period of the preceding year, report in its Annual Report on each of the matters set out in sub-clause 14.1, except –
- (a) paragraphs (a) to (c) of sub-clause 14.1; and
 - (b) with the approval of the Minister, any particular failure referred to in paragraph (k) of sub-clause 14.1.
- 14.4 The Resource Manager may require the Authority to report to it, from time to time, on all or any of the matters set out in sub-clause 14.1.
- 14.5 Any report under sub-clause 14.4 must be made –
- (a) in such form as may be agreed between the Authority and the Resource Manager; and
 - (b) unless the Authority and the Resource Manager agree otherwise –
 - (i) within 24 hours of the Authority receiving a request for a report on any matter set out in paragraph (a) to (d) of sub-clause 14.1; or
 - (ii) within 14 days of the Authority receiving a request for a report on any matter set out in paragraph (e) to (l) of sub-clause 14.1

15. WATER RESOURCE MANAGEMENT COSTS

- 15.1 Subject to sub-clause 16.1, the Authority must pay the Resource Manager a fair and reasonable proportion of the costs incurred by the Resource Manager to –
- (a) prepare the Barwon Basin Water Accounts; and
 - (b) monitor whether entitlement holders in the Barwon Basin comply with the conditions of their bulk entitlements; and
 - (c) direct the release of any water set aside for maintaining water quality in the Barwon Basin; and
 - (d) investigate and mediate disputes between entitlement holders in the Barwon Basin; and
 - (e) investigate and deal with significant unauthorised uses of water in the Barwon Basin; and
 - (f) supervise the qualification of any rights to water made by the Minister during periods of declared water shortage under section 13 of the Act;
- 15.2 The proportion of the costs referred to in sub-clause 15.1 is to be determined by the Resource Manager under paragraph 16.3.

16. DUTY TO KEEP ACCOUNTS AND FIX PROPORTIONS

- 16.1 The Authority is not obliged to make any payment to the Resource Manager, under clause 15 unless the Resource Manager chooses to comply with the provisions of this clause relevant to that payment.
- 16.2 Separate accounts of all costs and payments must be kept by the Resource Manager in respect to sub-clause 15.1.
- 16.3 The Resource Manager must, by 1 February in any year, determine for the Authority, in respect of the ensuing year, a fair and reasonable proportion of the costs referred to in sub-clause 15.1.
- 16.4 Accounts required to be kept under this clause must be made available for inspection by the Authority upon request.

17. DUTY TO MAKE PAYMENTS

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

18. DATA

- 18.1 Subject to clause 13, the Minister will use the Minister's best endeavours to ensure that all hydrological and other data required by the Authority to comply with this bulk entitlement are made available to the Authority.
- 18.2 The Authority must make available data collected for the purpose of the metering program and reporting under clauses 13 and 14 to any person, subject to the person paying any fair and reasonable access fee imposed by the Authority to cover the costs of making the data available.

19. DISPUTE RESOLUTION

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

- 19.2 The independent expert will be either –
- (a) a person agreed on by the parties to the difference or dispute; or
 - (b) if those parties cannot agree, a person nominated by the Minister.
- 19.3 The independent expert must reach a conclusion on the matter within 30 days of it being referred, but has power to extend the period for reaching a conclusion on the matter by a further 30 days.
- 19.4 The independent expert must send a copy of the conclusion and its supporting reasons to each party to the difference or dispute.
- 19.5 In any difference or dispute to which the Minister is a party:
- (a) the independent expert must express the conclusion as a recommendation.
 - (b) the Minister must consider any recommendation made under paragraph (a) before deciding to give a direction under section 307 or to take any other action under the Act in relation to the difference or dispute.
- 19.6 In any difference or dispute to which the Minister is not a party, any conclusion by an independent expert is final and binding on the parties.
- 19.7 The apportionment of the costs of and incidental to every reference, including the costs of the independent expert, shall be at the discretion of the independent expert.

Dated 25 October 2002

SHERRYL GARBUTT,
Minister administering the **Water Act 1989**

* Note: An explanatory note that accompanies this Order is available from the Department of Natural Resources and Environment.

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Approval of Amendment

Amendment C53 Part 1

The Minister for Planning has approved Amendment C53 Part 1 to the Ballarat Planning Scheme.

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

The Amendment rezones land on the South East corner of Birdwood and Kossuth Street, Sebastopol, being Part Crown Allotment 1, Section 25, Township of Sebastopol from Rural to Residential 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; the Department of Infrastructure, Western Region Office, 88 Learmonth Road, Wendouree, and at the offices of the Ballarat City Council, 'Watershed Offices', Grenville Street, Ballarat.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

BALLARAT PLANNING SCHEME

Notice of Approval of Amendment

Amendment C56

The Minister for Planning has approved Amendment C56 to the Ballarat Planning Scheme.

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

The Amendment includes land at Lot 2 Slatey Creek Road, Invermay in Map 1 to the Schedule to the Rural Living Zone which allows a minimum lot size of 2 hectares.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, the Department of Infrastructure, Western Region Office, 88 Learmonth Road, Wendouree, and at the offices of the Ballarat City Council, 'Watershed Offices', Grenville Street, Ballarat.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

BRIMBANK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C46

The Minister for Planning has approved Amendment C46 to the Brimbank Planning Scheme.

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

The Amendment applies a Heritage Overlay to 1 Corio Street, Sunshine.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices

of Brimbank City Council, Old Calder Highway, Keilor.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

KNOX PLANNING SCHEME

Notice of Approval of Amendment

Amendment C34

The Minister for Planning has approved Amendment C34 to the Knox Planning Scheme.

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

The Amendment rezones land at Lot 2, Fulham Road, Rowville from Public Use Zone 6 (Local Government) to Public Use Zone 7 (Other Public Use) and removes the site from the Stud Park Shopping Centre Development Plan Overlay (DPO1). The Amendment also rezones an area of the road reserve adjacent to the land to a Residential 1 Zone so as to be consistent with the adjoining zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Knox City Council, 511 Burwood Highway, Wantirna South.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

MELBOURNE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C25

The Minister for Planning has approved Amendment C25 to the Melbourne Planning Scheme.

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

The Amendment in Clause 43.02 inserts a new schedule to the Design and Development Overlay, 'Schedule 26 – North and West Melbourne Noise Attenuation Area', (DDO26), with accompanying new Planning Scheme Map 5DDOPT1. The Amendment also makes changes to the Municipal Strategic Statement 'City Plan', to identify the existing industrial activities and nature of land use in the overlay area and to provide a policy basis for the operation of the overlay controls.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, and at the offices of the Melbourne City Council, Development Planning Branch, Level 6, 200 Little Collins Street, Melbourne.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

MILDURA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C15

The Minister for Planning has approved Amendment C15 to the Mildura Planning Scheme.

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

The Amendment rezones 4 hectares of land to the north-west of the approach to the George Chaffey Bridge from an Urban Floodway Zone to a Public Park and Recreation Zone and includes the land in a Floodway Overlay.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, the Department of Infrastructure, Western Region Office,

88 Learmonth Road, Wendouree, and the offices of the Mildura Rural City Council, 108–116 Madden Avenue, Mildura.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

MITCHELL PLANNING SCHEME

Notice of Approval of Amendment

Amendment C25

The Minister for Planning has approved Amendment C25 to the Mitchell Planning Scheme.

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

The Amendment introduces an Incorporated Plan Overlay to the Seymour Abattoir, Old Hume Highway, Seymour, and includes the Seymour Abattoir Incorporated Plan as an incorporated document.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; the Department of Infrastructure, Northern Region, 57 Lansell Street, Bendigo and at the offices of the Mitchell Shire Council, 113 High Street, Broadford.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

MORNINGTON PENINSULA
PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C25

The Mornington Peninsula Shire Council has resolved to abandon Amendment C25 to the Mornington Peninsula Planning Scheme.

The Amendment proposed to:

- rezone surplus Roads Corporation (VicRoads) road reserve land from a Rural Zone to a

Business 1 Zone, situated on the north-east corner of Station Road and Point Leo Road, Red Hill South;

- include the land in a Development Plan Overlay (DPO10); and
- remove the Environmental Significance Overlay (ESO28) and the Significant Landscape Overlay (SLO4) from applying to the land.

The Amendment lapsed on 16 October 2002.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

WYNDHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C17

The Minister for Planning has approved Amendment C17 to the Nillumbik Planning Scheme.

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

The Amendment:—

- rezones land along Bullanoo Court, Greensborough (more particularly part of Certificate of Title Volume 8879, Folio 231 being part of Lot 1 TP 566884) from Public Use Zone – Schedule 6 to Residential 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Nillumbik Shire Council, Civic Drive, Greensborough.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

Planning and Environment Act 1987

WYNDHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C36

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

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

The Amendment:—

- rezones land on the southern side of the railway line in Cherry Street, Werribee from a Public Use Zone 4 – Transport to a Business 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Infrastructure, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Wyndham City Council, Werribee Office, 45 Princes Highway, Werribee 3030.

PAUL JEROME
Executive Director
Planning, Heritage and
Building Division
Department of Infrastructure

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**SUBORDINATE LEGISLATION ACT 1994
NOTICE OF MAKING OF STATUTORY
RULES**

Notice is hereby given under Section 17 (2) of the **Subordinate Legislation Act 1994** of the making of the following Statutory Rules:

118. *Statutory Rule:* Supreme Court Library Fund (Investment) Rules 2002
Authorising Act: Supreme Court Act 1986
Date of making: 1 November 2002

**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 Information Victoria, 356 Collins Street, Melbourne on the date specified:

105. *Statutory Rule:* Magistrates' Court General (Further Infringement) Regulations 2002
Authorising Act: Magistrates' Court Act 1989
Date first obtainable: 7 November 2002
Code A
106. *Statutory Rule:* Fundraising Appeals (Renewals) Regulations 2002
Authorising Act: Fundraising Appeals Act 1998
Date first obtainable: 7 November 2002
Code A
107. *Statutory Rule:* Wildlife (Whales) (Amendment) Regulations 2002
Authorising Act: Wildlife Act 1975
Date first obtainable: 7 November 2002
Code A
108. *Statutory Rule:* National Parks (Point Hicks Marine National Park) Regulations 2002
Authorising Act: National Parks Act 1975
Date first obtainable: 7 November 2002
Code A
109. *Statutory Rule:* Gaming Machine Control (Responsible Gambling Information) (Amendment) Regulations 2002
Authorising Act: Gaming Machine Control Act 1991
Date first obtainable: 7 November 2002
Code A

110. *Statutory Rule:* Subordinate Legislation (Country Fire Authority Regulations 1992 – Extension of Operation) Regulations 2002
Authorising Act: Subordinate Legislation Act 1994
Date first obtainable: 7 November 2002
Code A
111. *Statutory Rule:* Fire Services (Amendment) Regulations 2002
Authorising Act: Metropolitan Fire Brigades Act 1958
Country Fire Authority Act 1958
Date first obtainable: 7 November 2002
Code A
112. *Statutory Rule:* Trade Measurement (Fuel Measurement) Regulations 2002
Authorising Act: Trade Measurement Act 1995
Trade Measurement (Administration) Act 1995
Date first obtainable: 7 November 2002
Code A
113. *Statutory Rule:* Road Safety (Vehicles) (Amendment) Regulations 2002
Authorising Act: Road Safety Act 1986
Date first obtainable: 7 November 2002
Code A
114. *Statutory Rule:* Road Safety (General) (Responsible Driving) Regulations 2002
Authorising Act: Road Safety Act 1986
Date first obtainable: 7 November 2002
Code A
115. *Statutory Rule:* Road Safety (Drivers) (Demerit Points) Regulations 2002
Authorising Act: Road Safety Act 1986
Date first obtainable: 7 November 2002
Code A
116. *Statutory Rule:* Road Safety (Road Rules) (Speeding Offences) Regulations 2002
Authorising Act: Road Safety Act 1986
Date first obtainable: 7 November 2002
Code A
117. *Statutory Rule:* Pay-roll Tax (Prescribed Sporting Club) (Amendment) Regulations 2002
Authorising Act: Pay-roll Tax Act 1971
Date first obtainable: 7 November 2002
Code A

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As from 7 November 2002

The last Special Gazette was No. 210 dated 5 November 2002

The last Periodical Gazette was No. 1 dated 4 June 2002

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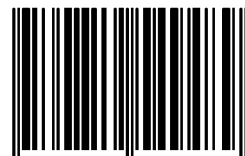
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