



# Victoria Government Gazette

By Authority of Victorian Government Printer

**No. G 52 Thursday 23 December 2004**

[www.gazette.vic.gov.au](http://www.gazette.vic.gov.au)

---

**GENERAL**

---

---

**TABLE OF PROVISIONS**

Private Advertisements		Pearce Webster Dugdales	3474
Trucast	3470	Roberts Beckwith Partners	3474
Returned & Services League of Australia	3470	Russell Kennedy	3474
Dissolution of Partnerships		Ryan, Mackey & McClelland	3474
Berwood Engineering	3470	Septimus Jones & Lee	3474
Clark Rushford &		Stidston & Williams Weblaw	3475
First Choice Conveyancing Services &		Tolhurst Druce & Emmerson	3475
Makin Kavanagh Trust	3470	Verna A. Cook	3475
Horne Street Dental Group	3470	Wright Smiths	3475
Melton Dental Group &		Proclamations	3476
Sydenham Dental Group	3470	Government and Outer Budget Sector	
Ray Threadwell & Dandale Group	3470	Agencies Notices	3477
Wandin Valley Farms	3471	Orders in Council	3525
Estates of Deceased Persons		Acts:	
Aitken Walker & Strachan	3471	Corrections;	
Beckwith Cleverdon Rees	3471	County Court;	
Borchard & Moore	3471	Electricity Industry;	
Bruce M. Cook & Associates	3472	Electricity Safety;	
C. Bishop and N. Woollard	3472	Project Development and	
Dwyer Mahon & Robertson	3472	Construction Management;	
Harris & Chambers	3472	Public Records;	
Holding Redlich	3472	Terrorism (Community	
Ingpen & Bent	3472	Protection)	
Kelly & Chapman	3473		
Lyttletons	3473		
McCarthy Partners Pty	3473		

---

**Advertisers Please Note**

As from 23 December 2004

The last Special Gazette was No. 278 dated 22 December 2004.

The last Periodical Gazette was No. 2 dated 23 September 2004.

---



---

**How To Submit Copy**

- See our webpage [www.craftpress.com.au](http://www.craftpress.com.au)
  - or contact our office on 9926 1233  
between 8.30 am and 5.30 pm Monday to Friday
- 

---

**Copies of recent Special Gazettes can now be viewed at the following display cabinets:**

- 1 Treasury Place, Melbourne (behind the Old Treasury Building), and
  - Craftsman Press Pty Ltd, 125 Highbury Road, Burwood 3125  
(front of building).
-

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)  
WEEK ENDING Friday 31 December 2004**

**Please Note:**

NO Government Gazette (General) will be published in the week ending Friday 31 December 2004.

However, Government and Outer Budget Sector Agencies may request a Special Gazette to be published. If this is required, please contact the Government Gazette Officer on 9926 1233 (B.H.) or 0419 327 321 (A.H.) as early as possible.

JENNY NOAKES  
Government Gazette Officer

---

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)  
NEW YEAR WEEK (Thursday 6 January 2005)**

**Please Note:**

The Victoria Government Gazette for New Year week (G1/05) will be published on **Thursday 6 January 2005**.

**Copy deadlines:**

Private Advertisements **9.30 am on Friday 31 December 2004.**

Government and Outer  
Budget Sector Agencies Notices **9.30 am on Tuesday 4 January 2005.**

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

JENNY NOAKES  
Government Gazette Officer

---

## PRIVATE ADVERTISEMENTS

### TRUCAST

Trucast Holding Pty Ltd is the owner of 293 Wickham Road, Moorabbin formerly occupied by its tenant Trucast Pty Ltd now in liquidation. Trucast Pty Ltd vacated the factory premises leaving casting moulds which Trucast Holdings Pty Ltd believes may be the property of third parties. Notice is hereby given that if you claim ownership of any casting moulds which may be at the property, you must provide details of your claim to Trucast Holdings Pty Ltd C/- O'Shaughnessy & Associates at PO Box 209, Balwyn 3103, by 1 February 2005, after which date any unclaimed moulds will be disposed of without further notice or recourse.

WILLIAM MURRAY, solicitors,  
411 Collins Street, Melbourne, 3000.

### Land Act 1958

Notice is hereby given that Returned & Services League of Australia (Victorian Branch) Inc. has applied for a lease pursuant to section 134 of the **Land Act 1958** for a term of 21 years in respect of Allotment 47, No section, Township of Oakleigh, Parish of Mulgrave for the purpose of "Amusement and Recreation and Social Activities connected therewith".

### DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously subsisting between O'Toole Pty Ltd, ACN 102 573 482, and P. A. & S. L. Berry Nominees Pty Ltd, ACN 101 483 292, under the name of Berwood Engineering has been dissolved as from 28 October 2004. P. A. & S. L. Nominees Pty Ltd continues to trade as Berwood Engineering in its own name. O'Toole Pty Ltd is no longer responsible for any debts or liabilities of the partnership as and from 28 October 2004.

FRANK DENNIS & ASSOCIATES, solicitors,  
90 William Street, Melbourne 3000.

### NOTICE OF DISSOLUTION

Notice is hereby given that the partnership heretofore subsisting between Michael Kavanagh of PO Box 126 at 103 Beach Street, Port Melbourne 3207 and Ronald Makin of Level

1/317 Montague Street, Albert Park 3206, carrying on business as Clark Rushford Solicitors and First Choice Conveyancing and First Choice Conveyancing Services Pty Ltd (ACN 110 081 411) and the Makin Kavanagh Trust has been dissolved from 15 December 2004.

Dated 14 December 2004.

MICHAEL KAVANAGH  
RONALD MAKIN

### NOTICE PURSUANT TO SECTION 41 OF THE **Partnership Act 1958**

Take notice that the partnership previously conducted by Shayne Andrew Hateley, Nabil Ishak, Gabriel Csillag and Nischal Singh known as the Horne Street Dental Group operating out of 34 Horne Street, Sunbury has been dissolved as and from 3 December 2004.

CINQUE MORROW, solicitors,  
Boswell House,  
17 Dawson Street South, Ballarat.

### NOTICE PURSUANT TO SECTION 41 OF THE **Partnership Act 1958**

Take notice that the partnership previously conducted by Shayne Andrew Hateley, Nabil Ishak and Nischal Singh known as the Melton Dental Group and Sydenham Dental Group operating out of 447 High Street, Melton and 534 Keilor-Melton Road, Sydenham has been dissolved as and from 3 December 2004.

CINQUE MORROW, solicitors,  
Boswell House,  
17 Dawson Street South, Ballarat.

### NOTICE OF DISSOLUTION

Notice is hereby given that the building partnership heretofore subsisting between Ray Threadwell of 46 Mercer Street, Queenscliff, Victoria 3225 and Dandale Pty Ltd trading as Howard Hughes of 37 Sinclair Street, Ocean Grove, Victoria 3226 has been dissolved as from 11 November 2004.

RAY THREADWELL

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership of C. L. Burgi & L. M. Burgi & P. J. Burgi & T. A. Burgi & Chapman Bros. Pty Ltd & B. S. Gaudion & E. J. Gaudion & G. J. Gaudion & J. S. Gaudion & K. R. Gaudion & Gruyere Estates Pty Ltd & G. C. Sebire & E. W. Sebire & Manthy Pty Ltd trading under the business name of Wandin Valley Farms was dissolved as from 30 September 2004. The dissolution was a result of the retirement of B. S. Gaudion, G. J. Gaudion, K. R. Gaudion, E. J. Gaudion and J. S. Gaudion from the partnership.

J. P. SESTO & CO., lawyers,  
Level 10, 416 Collins Street, Melbourne 3000.

Re: LAURA GREGORY, late of 21 Albany Road, Toorak, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 March 2004, are required by the trustees, Harold David Paroissien of 14 Wakefield Street, Hawthorn, Victoria, accountant and Peter Arnold Shattock of 114 William Street, Melbourne, Victoria, solicitor, to send particulars to the trustees by 24 February 2005 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

AITKEN WALKER & STRACHAN, solicitors,  
2nd Floor, 114 William Street, Melbourne 3000.

Re: REGINALD EDWARD GREGORY, late of 21 Albany Road, Toorak, Victoria, business consultant, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 May 2004, are required by the trustees, Harold David Paroissien of 14 Wakefield Street, Hawthorn, Victoria, accountant and Peter Arnold Shattock of 114 William Street, Melbourne, Victoria, solicitor, to send particulars to the trustees by 24 February 2005 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

AITKEN WALKER & STRACHAN, solicitors,  
2nd Floor, 114 William Street, Melbourne 3000.

CHARLES GILBERT PEARCE, late of 436 Warrigal Road, Ashburton, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 5 December 2004, are required to send particulars thereof to the executor care of the undermentioned solicitors on or before 25 February 2005 after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

BECKWITH CLEVERDON REES, solicitors,  
294 Collins Street, Melbourne.

MARGARET JEAN STOREY-SADLER, late of 13 Liverpool Road, Kilsyth in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 11 October 2004, are required to send particulars thereof to the executor care of the undermentioned solicitors on or before 25 February 2005 after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

BECKWITH CLEVERDON REES, solicitors,  
294 Collins Street, Melbourne.

Re: AUSTIN LYALL HAMMILL, late of 46 Baldwin Avenue, Noble Park, Victoria, retired labourer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 October 2004, are required by the trustee, Charles Robert Hammill of 2 Victoria Park Road, Kelvin Grove, Queensland, manager, to send particulars to the trustee by 9 March 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

BORCHARD & MOORE, solicitors,  
44 Douglas Street, Noble Park 3174.

Re: LORNA JEAN JENNINGS, late of 9 Myrtle Street, Noble Park, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 September 2004, are required by the trustee, Frederick Albert Vlaeminck of Unit 2, 26 Mulgrave Street, Glen Waverley, Victoria, pensioner, to send particulars to the trustee by 14 March 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.  
BORCHARD & MOORE, solicitors,  
44 Douglas Street, Noble Park 3174.

Re: Estate of ALBERT ARTHUR BATCHELOR, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ALBERT ARTHUR BATCHELOR of 11 Flynn Crescent, Coolaroo in the State of Victoria, pensioner, who died on 16 July 2004, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 24 February 2005 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: JOHN BROWN.

Creditors, next-of-kin and others having claims in respect of the estate of JOHN BROWN, late of 13 Lakes Drive, Sunbury 3429, Victoria, who died on 28 September 2003, are required by the executors and trustees, C. Bishop and N. Woollard, 31 Grant Avenue, Gisborne 3437, to send particulars to them by 21 February 2005 after which date they may convey or distribute the assets having regard only to the claims of which they had notice.

C. BISHOP and N. WOOLLARD,  
31 Grant Avenue, Gisborne, Vic. 3437.

Re: Estate of SYLVIA MAY GUTHRIE, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of Sylvia May Guthrie, formerly of 1 St Arnaud Road, Wedderburn but late

of Inglewood Hostel, Inglewood in the State of Victoria, retired, deceased, who died on 3 November 2004, are to send particulars of their claim to the executrix care of the undermentioned legal practitioners by 11 March 2005 after which the executrix will distribute the assets having regard only to the claims of which she then has notice.

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

LESLEY IDA MOOR, late of 3/105 Dublin Road, East Ringwood, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 November 2004, are required by the trustee, care of Harris & Chambers, lawyers of 338 Charman Road, Cheltenham 3192, to send particulars to them by 24 February 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

HARRIS & CHAMBERS, lawyers,  
338 Charman Road, Cheltenham 3192.

Creditors, next-of-kin and others having claims in respect of the estate of MERVYN WILLIAM LUKE SYKES, deceased, who died on 15 January 2004, are required by the trustee, Irene Sykes, to send particulars to the trustee care of the undermentioned solicitors by 23 February 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which they then have notice.

HOLDING REDLICH, solicitors,  
350 William Street, Melbourne.

JOHN LEONARD PINKERTON, late of 92 Marshalltown Road, Marshall, retiree, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 29 November 2003, are required by the administrator, Leonie Cheryl Ridout of 29 Ainslie Avenue, Grovedale to send particulars of their claims to the administrator care of the undermentioned legal practitioners by 31 March 2005 after which date the

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

INGPEN & BENT,  
legal practitioners for the administrator,  
95 Yarra Street, Geelong 3220.

---

Creditors, next-of-kin and others having claims in respect of the estate of JOSE ISMAEL CASTIELLO, late of 26 Gilbert Grove, Bentleigh, Victoria, waiter, deceased, who died on 1 November 2004, are required by the executor nominated in the deceased's last Will and Testament dated 6 May 2002, Carol Margaret Castiello of 26 Gilbert Grove, Bentleigh, personal carer, 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, 300 Centre Road, Bentleigh by 3 March 2005 after which date the said executor may convey or distribute the assets of the deceased, having regard only to claims of which she or her solicitors then have notice.

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

---

Creditors, next-of-kin and others having claims in respect of the estate of WILLIAM ALEXANDER MINNS, late of 50 Sixth Avenue, Rosebud, Victoria, retired farmer, deceased, who died on 18 November 2004, are required by Glenda Marilyn Matthews of 45B Fitzwilliam Street, Kew, Victoria, married woman and Shirley Denice Collier of 16 Ironwood Street, Creastmead, Queensland, married woman, the daughters of the said deceased who are applying to the Supreme Court for a grant of administration of the estate of the deceased with the deceased's Will dated 13 November 2004 annexed, to send particulars of such claims to the solicitors acting for the said administrators, namely Kelly & Chapman of 300 Centre Road, Bentleigh, by 28 February 2005 after which date the said administrators may convey or distribute the assets of the deceased, having regard only to the claims of which they or their solicitors then have notice.

KELLY & CHAPMAN, solicitors,  
300 Centre Road, Bentleigh.

---

Creditors, next-of-kin and others having claims in respect of the estate of JOHN LINDSAY WARREN, late of Merridong Nursing Home, Bendigo, Victoria, retired, deceased, who died on 6 October 2004, are required by one of the executors nominated in the deceased's last Will and testament dated 24 June 1994 and the first and only codicil thereto dated 27 September 1994, Marie Jane Harrington of 13 Aileen Avenue, Caulfield South, mothercraft nurse, who is applying to the Supreme Court for a grant of probate of the said last Will and Testament (with leave reserved to Russell Boyd Warren of 6 Durham Place, Melton, Victoria, Janice Lee Stern of 150 Stock Road, Lockwood South, Victoria and Christine Anne Warren of Unit 1, No 10 Anketell Street, Coburg, Victoria, the other executors named in the said first codicil to come in and prove the same at any time) to send particulars of such claims to the solicitors acting for the said executor namely Kelly & Chapman, 300 Centre Road, Bentleigh by 3 March 2005 after which date the said executor may convey or distribute the assets of the deceased, having regard only to claims of which she or her solicitors then have notice.

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

---

JACK JESSOP, late of Rosewood Downs Special Accommodation, 24 Railway Parade, Dandenong, Victoria, retired driver, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 August 2004, are required by the executor, Suzanne Mary Lyttleton, to send particulars to her care of the undermentioned solicitors by a date not later than two months from the date of publication hereof after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,  
53 Marcus Road, Dingley.

---

NYREE HOLLINS WHEELWRIGHT, late of 38 Pearse Road, Blairgowrie, Victoria, widow, deceased.



Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 July 2004, are required to send particulars of their claims to the trustee, Shane Christopher McCarthy, care of the undermentioned solicitors by 2 March 2005 after which date the trustee will distribute the assets of the estate having regard only to the claims of which he then has notice.

MCCARTHY PARTNERS PTY, solicitors,  
2247 Point Nepean Road, Rye 3941.

---

Re: MERLE THERESE MARY NOWLAND, late of Unit 2, 36 Prince Street, Essendon North, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 August 2004, are required by the trustees, Ashley James Nowland of Unit 1, 428 Buckley Street, Essendon, Victoria, senior operator, Todd Anthony Nowland of Unit 2, 36 Prince Street, Essendon North, Victoria, storeman and Barbara Joyce O'Sullivan of 1 Senior Court, Watsonia, Victoria, home duties, to send particulars to the trustees by 21 February 2005 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

---

Re: RAYMOND WILLIAM WINTER, late of The Andrew Kerr Frail & Aged Care Complex, Tanti Avenue, Mornington, Victoria, gentleman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 October 2004, are required by the trustees, Victoria Gail Robbins in the Will called Victoria Robbins of 206 Main Creek Road, Main Ridge, Victoria, administrator and Nicholas John Roberts of 26 Bay Road, Mount Martha, Victoria, mediator, to send particulars to the trustees by 23 February 2005 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

ROBERTS BECKWITH PARTNERS, solicitors,  
216 Main Street, Mornington 3931.

---

JOAN ELIZABETH WETTENHALL, late of 21 Albert Street, Point Lonsdale, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 18 October 2004, are required by Tower Trust Limited, ABN 84 007 869 794, the executor of the Will of the deceased, to send particulars of their claims to the executors care of their solicitors, Russell Kennedy at Level 11, 469 La Trobe Street, Melbourne, Victoria, by 23 February 2005 after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

RUSSELL KENNEDY, solicitors,  
Level 11, 469 La Trobe Street, Melbourne 3000.

---

Re: EILEEN FRANCES MAY, late of 128 Nell Street, Greensborough, Victoria, home duties, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased are required by Francis Godfrey James May and Patricia Eileen Spencer, the executors of the estate of the said deceased, to send particulars of such claims to them care of the undermentioned solicitors by the date being two calendar months from the date of this advertisement after which date they will distribute the estate having regard only to the claims of which they then have notice.

RYAN, MACKAY & MCLELLAND, solicitors,  
65 Main Street, Greensborough.

---

Re: CARLISLE ELVIN HOLMYARD, late of Vermont Private Nursing Home, 770 Canterbury Road, Vermont, in Victoria, retired agricultural officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 July 2004, are required by the trustee, Equity Trustees Limited of Level 2, 575 Bourke Street, Melbourne, Victoria, trustee company, to send particulars to the trustee within 70 days from the publication hereof after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SEPTIMUS JONES & LEE, solicitors,  
Level 5/99 William Street, Melbourne 3000.

---



ESTHER BAGSHAW, late of 1 Brighton Street, Mount Eliza, Victoria, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of the deceased, who died on 15 September 2004, are required by the executor Keith Raymond Bagshaw of 1-3 Brighton Crescent, Mount Eliza, Victoria to send particulars to him by 5 March 2005 after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON & WILLIAMS WEBLAW,  
solicitors,  
Suite 1, 10 Blamey Place, Mornington.

---

Re: RITA MABEL VINCENT, late of Ronnoco Private Nursing Home, 355-357 Wilsons Road, Whittington, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 October 2004, are required by the trustee, Joan Aileen Quinlan care of the undermentioned solicitors to send particulars to the trustee by 28 February 2005 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

WRIGHT SMITHS, solicitors,  
2 Seventh Avenue, Rosebud 3939.

---

Re: ADRIAN JOHN BALL, deceased.

Creditors, next-of-kin and others having claims against the estate of ADRIAN JOHN BALL, late of 19 Lentara Crescent, Werribee, Victoria, refrigeration mechanic, deceased, who died on 6 September 2004, are required to send particulars of their claims to John Patrick Toohey and John Frederick Henry, both of 520 Bourke Street, Melbourne, Victoria, legal practitioners, the duly constituted attorneys for Allan Robert Neate, the executor of the said deceased, on or before 25 February 2005 after which date they will distribute the assets having regard only to the claims of which they then have notice.

TOLHURST DRUCE & EMMERSON, lawyers,  
520 Bourke Street, Melbourne.

---

ELIZABETH FANNY GRACE, deceased.

Creditors, next-of-kin and others having claims against the estate of ELIZABETH FANNY GRACE, late of Central Park Nursing Home, 101 Punt Road, Windsor, Victoria, retired, deceased, who died on 23 October 2004, are required to send particulars of their claims to the executor care of the undermentioned solicitor by 3 March 2005 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.

---

**PROCLAMATIONS**

**Royal Agricultural Showgrounds Act 2003**

**PROCLAMATION OF COMMENCEMENT**

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 2(1) of the **Royal Agricultural Showgrounds Act 2003** fix 30 December 2004 as the day on which that Act, other than Part 6 of that Act, comes into operation.

Given under my hand and the seal of  
Victoria on 21st December 2004.

(L.S.) JOHN LANDY  
Governor  
By His Excellency's Command

MARY DELAHUNTY  
Minister for Planning

---

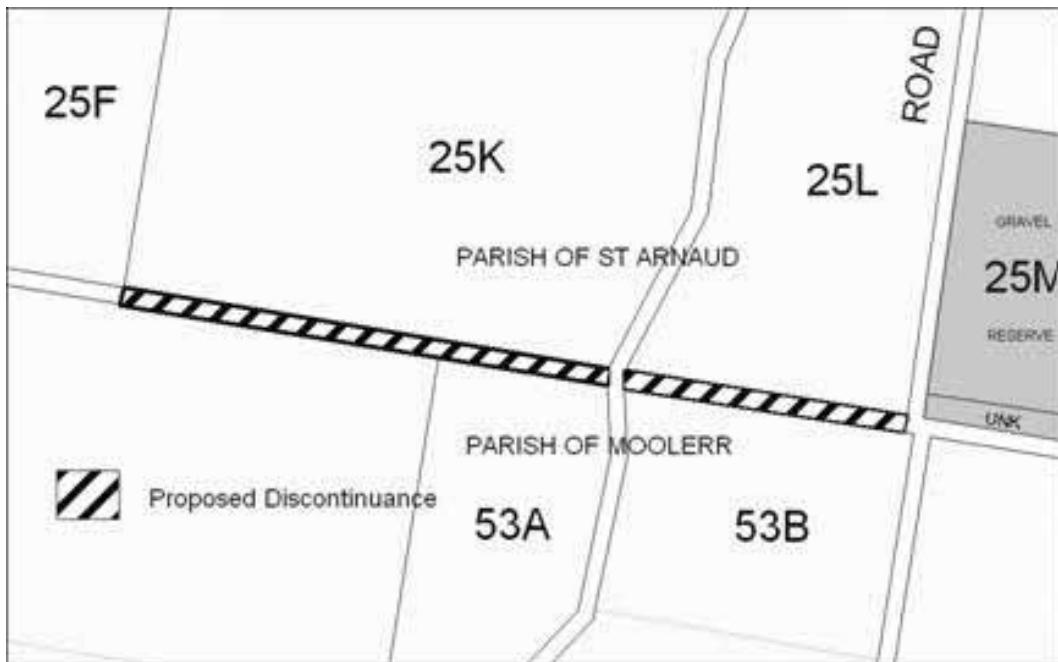
**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**



**Northern Grampians  
Shire Council**

Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Northern Grampians Shire Council at its ordinary meeting held on 1 July 2004 formed the opinion that the unnamed road in Section 2, Parish of Moolerr, shown hatched on the plan below, is not reasonably required as a road for public use and has resolved to discontinue the road.



GINA LYONS  
Chief Executive Officer

BAYSIDE CITY COUNCIL

Adoption of a Road Management Plan

Pursuant to section 55 of the **Road Management Act 2004**, notice is hereby given that on 13 December 2004, Bayside City Council adopted a Road Management Plan.

A copy of the Road Management Plan may be inspected or obtained at Council's Corporate Centre, 76 Royal Avenue, Sandringham, during normal office hours.

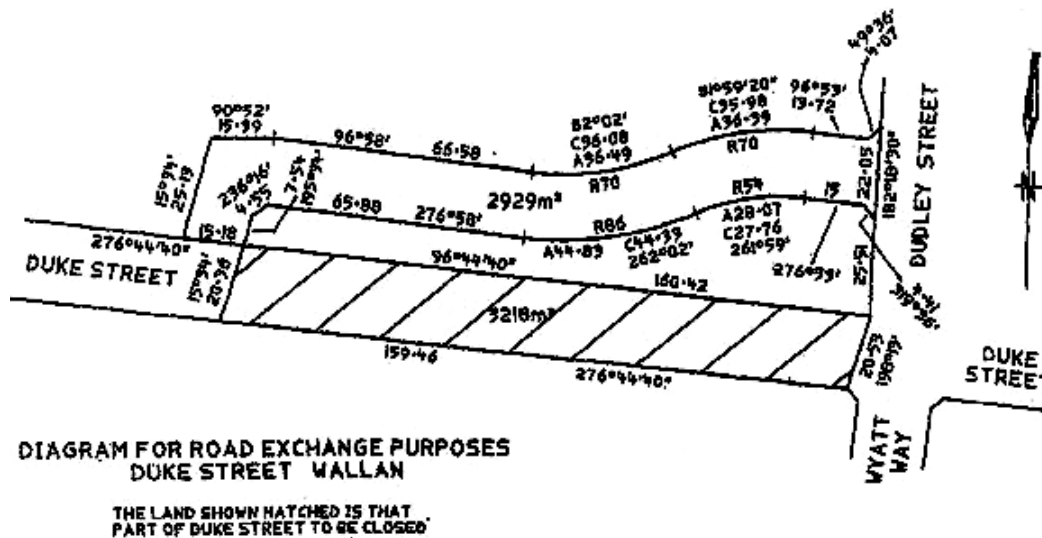
A copy of the Code of Practice, any incorporated document or any amendment to an incorporated document, as the case may be, may be inspected or obtained at Council's Corporate Centre, 76 Royal Avenue, Sandringham, during normal office hours.

CATHERINE DALE  
Chief Executive Officer



Road Closure  
Duke Street, Wallan

The Council, at its meeting on 13 December 2004, resolved pursuant to the provisions of Section 206 and Clause 3, Schedule 10 of the **Local Government Act 1989** to close Duke Street, Wallan in the manner shown hatched on the plan below.



HUME CITY COUNCIL

Amendments to  
Code of Conduct for Councillors

Hume City Council at its meeting of 13 December 2004 resolved to amend its Code of Conduct for Councillors. The Code of Conduct for Councillors is incorporated in the Council's Governance Local Law No. 2. The amendments to the Code of Conduct have been made to ensure Council complies with the new requirements of Section 76C of the **Local Government Act 1989**.

The nature of the amendments to the Code of Conduct for Councillors includes the following provisions:

- a dispute resolution procedure for internal disputes between Councillors;
- a procedure for disclosure of interests and conflicts of interests;
- a statement of caretaker procedures for the election period which is consistent with S93A and S55D of the **Local Government Act 1989** and ensures that resources are not inappropriately used during an election period;
- the provisions of S76B of the **Local Government Act 1989** – Rules of Conduct; and
- a statement relating to the enforcement of the Code of Conduct for Councillors.

Copies of the amended Code of Conduct for Councillors are available from the Broadmeadows, Sunbury and Craigieburn Customer Service Centres, or can be downloaded from Council's Internet site, [www.hume.vic.gov.au](http://www.hume.vic.gov.au).

Any enquiries relating to the above should be directed to Gavan O'Keefe on 9205 2240.

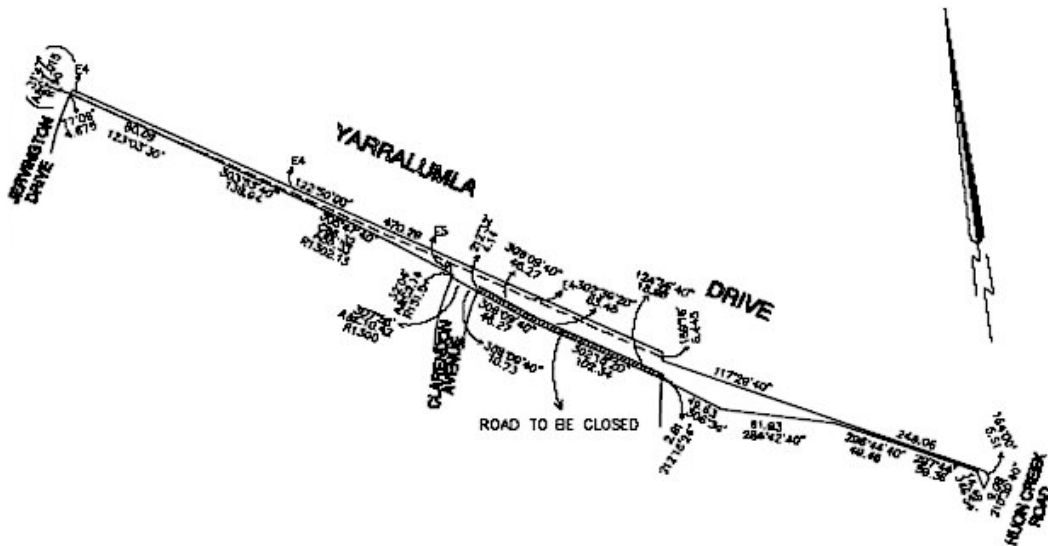
DARRELL TRELOOR  
Chief Executive Officer



CITY OF  
**WODONGA**

Road Discontinuance

Council at its meeting of 20 December 2004 resolved pursuant to the provisions of Section 206 and Clause 3 of Schedule 10 of the **Local Government Act 1989** to discontinue the section of Yarralumla Drive, Wodonga, shown hatched on the attached plan and to consolidate the section of road so closed with the abutting land.



PETER MARSHALL  
Chief Executive Officer

SHIRE OF CAMPASPE

Adoption of Road Management Plan

Notice is hereby given that a road management plan "Road Management Plan – Version 01" drafted in accordance with the requirements of Division 5 of the **Road Management Act 2004** has been made by Campaspe Shire.

As required by Section 55 of the **Road Management Act 2004** the "Road Management Plan – Version 01":

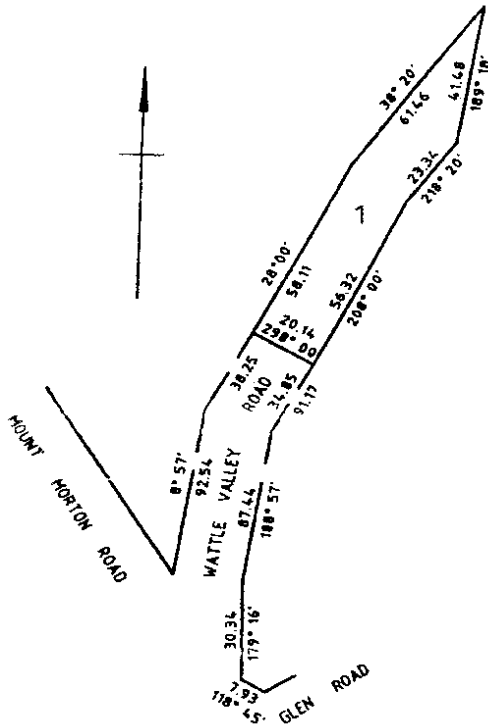
- has been adopted by Council on 14 December 2004; and
- may be inspected or obtained at the Council Civic Centre, Heygarth Street, Echuca or at any of the Service Centres at Kyabram, Rochester, Tongala or Rushworth.

The Code of Practice, any incorporated document or any amendments to an incorporated document, as the case may be, may be inspected at the Council Civic Centre, Heygarth Street, Echuca or at any of the Service Centres at Kyabram, Rochester, Tongala or Rushworth.

## YARRA RANGES SHIRE COUNCIL

## Road Discontinuance

Under Section 206 and Schedule 10 Clause 3 of the **Local Government Act 1989** (Act) the Yarra Ranges Shire Council (Council) at its meeting held on 14 December 2004 formed the opinion that the section of Wattle Valley Road, Belgrave Heights shown outlined in heavy lines on the plan below is not reasonably required as a road for public use and resolved to discontinue the road, subject to retention or any right, power or interest held by the Council or a public authority pursuant to Section 207C of the Act, and that the land from the road be sold by private treaty to the abutting owner.



ROBERT HAUSER  
Chief Executive Officer

## BANYULE CITY COUNCIL

## Proposal to Make New Local Laws

Notice is hereby given that Council intends to make two new Local Laws pursuant to Part 5 and Schedule 1 of the **Local Government Act 1989**. Details of these Local Laws are as follows:

## GENERAL LOCAL LAW NO. 1 OF 2005

The purpose and the general purport of this Local Law is to:

- provide for the peace, order and good government of the municipal district;
- prohibit, regulate and otherwise control activities, events, practices and behaviour in places so that no detriment is caused to the amenity of the neighbourhood, nor nuisance to a person, nor detrimental effect to a person's property;
- prohibit, regulate and otherwise control obstructions to, behaviour on and activities on roads;
- protect Council's assets and land and to regulate their use; and
- revoke Principal General Local Law No. 1 made in 1995 and its subsequent amending Local Laws.

## CONDUCT OF LOCAL LAW NO. 2 OF 2005

The purpose and general purport of this Local Law is to:

- regulate proceedings for the election of the Mayor;
- regulate proceedings of all Ordinary and Special Meetings of Council and meetings of Special Committees;
- regulate the use of the Common Seal and prohibit its unauthorized use;
- revoke Principal Local Law No. 3 of 1997 "Meeting and Common Seal Local Law" and its subsequent amending Local Laws.

A copy of the draft Local Laws can be inspected at Council Service Centres, 275 Upper Heidelberg Road, Ivanhoe; 44 Turnham Avenue, Rosanna; 9 Flintoff Street, Greensborough, during office hours or by viewing the Local Laws on Council's website at [www.banyule.vic.gov.au](http://www.banyule.vic.gov.au).

Any person affected by these Local Laws may, by 18 February 2005, make a written submission which will be considered in accordance with section 223 of the **Local Government Act 1989**. Persons who make submissions are entitled to be heard by Council at its meeting on Monday 7 March 2005 at 7.30 pm at Council Chambers, 275 Upper Heidelberg Road, Ivanhoe. Submissions in writing may be lodged at any Council Service Centre or posted to PO Box 51, Ivanhoe 3079.

DOUG OWENS  
Chief Executive Officer





#### Adoption of Road Management Plan

In accordance with the provisions of the **Road Management Act 2004**, the Ballarat City Council adopted the draft City of Ballarat Road Management Plan at its Council Meeting on 15 December 2004, and gives notice that:

- a City of Ballarat Road Management Plan has been prepared. The Road Management Plan documents Council's responsibility in the maintenance and repair of the infrastructure assets within the road reserve, including road pavements and seals, kerb and channel, footpaths, crossings, street trees etc.;
- a copy of the proposed Road Management Plan may be inspected or obtained from Customer Service, The Phoenix, 25 Armstrong Street South, Ballarat and on Council's website [www.ballarat.vic.gov.au](http://www.ballarat.vic.gov.au);
- any person who is aggrieved by the proposed Road Management Plan may make a submission on the proposed Road Management Plan to the Ballarat City Council within a period of 28 days.

RICHARD HANCOCK  
Chief Executive Officer



#### Notice of Adoption of a Road and Pathway Asset Management Plan

The Bass Coast Shire Council has adopted a Road Management Plan, detailed within the Roads Asset Management Plan and Pathways Asset Management Plan, in accordance with Division 5 and Schedule 1 of the **Road Management Act 2004** at its meeting of 15 December 2004.

The plan, the Codes of Practice, any incorporated document or any amendment to an incorporated document can be viewed during

office hours at the Bass Coast Shire Customer Service Centres at Wonthaggi, Cowes, Inverloch or Grantville. The plan can also be viewed on the Bass Coast Shire Council's website at [www.basscoast.vic.gov.au](http://www.basscoast.vic.gov.au).



#### Road Management Plan

In accordance with the requirements of the **Road Management Act 2004** Council has prepared a Road Management Plan which was adopted by Council on 8 December 2004. The Road Management Plan can be inspected at the Council Offices, Civic Centre, Fawckner Drive, Benalla during office hours along with the Code of Practice and associated documents.

TONY McILROY  
Chief Executive Officer



#### Notice of Adoption of General Local Law 2004

Following a review of its General Local Law 2002, Brimbank City Council at its meeting on 14 December 2004 resolved to adopt the following amendments as purported as General Local Law 2004.

The purpose of the General Local Law 2004 is to provide for the:

- administration of Council powers and functions;
- protection, safe, fair use and enjoyment of Council property;
- safe and fair use of streets, roads and footpaths;
- protection, maintenance and enhancement of the amenity of the municipality to a standard that meets the general expectations of the community;

- keeping and control of animals, on land and on Council property; and
- uniform and fair administration and enforcement of this Local Law.

The general purport of General Local Law 2004 is to:

- allow trading on footpaths during special occasions and displaying signs on Council property subject to certain conditions, fees and permits;
- make it an offence for vehicles to deposit mud on roads;
- require an occupier of land to ensure fencing is adequate to prevent animals from escaping the land;
- clarify that the consumption of alcohol is only permitted between sunrise and sunset or specified hours in areas signposted by Council;
- include noise emitted from private property that may adversely affect others;
- make it an offence for anyone authorising, promoting or managing a business to affix documents to Council property;
- enable Council to require a land owner to alter a vehicle crossing where the entry and exit provisions of the property have been changed;
- incorporate the new Three Bin Collection System;
- require a person who provides shopping trolleys for customer use in a public place to have and comply with a self-managed strategy for the responsible retrieval of shopping trolleys discarded by customers;
- allow Council to waive, grant, refuse a permit and exempt any person or class of persons from the permit requirements;
- increase the amount to be paid under Infringement Notice for building and construction works from \$500 to \$1,000;
- allow Council to seek compensation for any works necessitated by a defendant's actions or inactions under this Local Law;
- take into consideration minor administrative and operational issues with the existing Local Law.

The General Local Law 2004 be adopted and implemented on 14 December 2004 and a program informing the community of the new provisions be commenced.

The General Local Law 2004 can be viewed on Council's website or copies can be obtained during business hours from: Sunshine Customer Service Centre, 301 Hampshire Road, Sunshine. Phone: 9249 4000; Keilor Municipal Offices, Old Calder Highway, Keilor. Phone: 9249 4000; Deer Park Library, corner of Neale & Station Roads, Deer Park. Phone: 9360 4499; Keilor Village Library, Kennedy Street, Keilor. Phone: 9336 4191; and St Albans Library, 71A Alfrida Street, St Albans. Phone: 9366 4653.

MARILYN DUNCAN  
Chief Executive Officer

#### HEPBURN SHIRE COUNCIL

##### Notice of Intention to Make a Road Management Plan

Notice is hereby given that pursuant to Section 54 of the **Road Management Act 2004**, Hepburn Shire Council intends to make a Road Management Plan and invites submissions from any person wishing to comment on the proposed plan.

The purpose and general purport of the proposed plan is to establish a management system for Council's road infrastructure. In particular, the plan sets out inspection, maintenance and indicative construction standards for the various road classifications under its management throughout the municipality.

A copy of the proposed Hepburn Shire Council Road Management Plan may be viewed at the Duke Street Offices, corner of Duke and Albert Streets, Daylesford; Town Hall, Vincent Street, Daylesford; and Creswick Offices, Albert Street, Creswick.

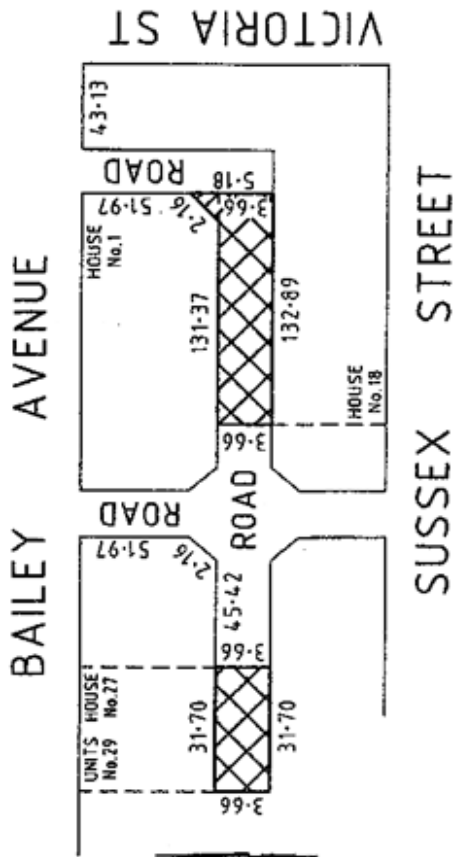
Submissions to the proposed Road Management Plan may be addressed to the Chief Executive Officer, PO Box 21, Daylesford, Vic. 3460 by 31 January 2005, or emailed to [shire@hepburn.vic.gov.au](mailto:shire@hepburn.vic.gov.au).

VICTOR SZWED  
Chief Executive Officer

DAREBIN CITY COUNCIL  
ERRATUM

Road Discontinuance – Darebin City Council  
Victoria Government Gazette G 41  
11 October 2001 – Page 2580

Notice is hereby given that the plan published on page 2580 of the Victoria Government Gazette G 41 dated 11 October 2001 was incorrect. The plan shown below replaces that previously published.



PHILIP SHANAHAN  
Chief Executive Officer

MELTON SHIRE COUNCIL

Notice of Adoption of Road Management Plan

In accordance with the requirements of the **Road Management Act 2004**, Council has prepared a Road Management Plan and advises:—

1. that the Road Management Plan was adopted on 22 November 2004;
2. that the Road Management Plan can be inspected at Council's Melton Office, 232 High Street, Melton;
3. that the Code of Practice and any incorporated document or any amendment to an incorporated document as the case may be can be inspected at Council's Melton Office.

NEVILLE SMITH  
Chief Executive Officer



Notice of Making Local Law No. 2  
(Irresponsible Driving) Local Law

Hobsons Bay City Council, at its meeting on 14 December 2004, made Local Law No. 2 (Irresponsible Driving) Local Law.

Purpose of the Local Law

The purposes of this Local Law are to:

- provide for the peace, good order and government of the municipal district;
- better provide for the safety of road users within the municipal district;
- provide an environment in which residents of and visitors to the municipal district may go about their business without intimidation and in an environment free of air and noise pollution;
- better protect the assets of the municipality from damage caused by the irresponsible operation of vehicles.

General Purport of the Local Law

The Local Law will make it an offence to drive a vehicle so as to deliberately cause or attempt to cause a skid or other similar mark on a road or in a public place or to drive or permit to be driven a motor vehicle in such a manner that it creates indentations on the surface of a road or public place.

A copy of the Local Law may be inspected at or obtained from the Council office at 115 Civic Parade, Altona. Office hours are 8.00 am to 5.00 pm Monday to Friday.

Enquiries should be directed to the Engineering Services Department on 9932 1145.

BILL JABOOR  
Chief Executive Officer

## MELBOURNE CITY COUNCIL

Notice of Making of a  
Road Management Plan

Notice is given pursuant to section 55 of the **Road Management Act 2004** that on 26 August 2004 the Melbourne City Council (the "Council") made a Road Management Plan (the "RMP").

Copies of the RMP can be obtained from or inspected at the Council, (Engineering Services, 4th Floor, 200 Little Collins Street, Melbourne), or from Council's website at [www.melbourne.vic.gov.au](http://www.melbourne.vic.gov.au).

Further, notice is given that the Code of Practice and incorporated documents may be inspected at the Council.

Dated 23 December 2004

DAVID PITCHFORD  
Chief Executive

## MONASH CITY COUNCIL

Notice of Making of a  
Road Management Plan

Notice is hereby given that pursuant to Section 55 of the **Road Management Act 2004** ("Act") that Monash City Council has made a Road Management Plan ("RMP").

The Monash City Council Road Management Plan was approved on 14 December 2004. In relation to section 55, that the code of practice, or any incorporated document, or any amendment to an incorporated document, as the case may be, may be inspected at the Civic Centre, Glen Waverley. (There are no incorporated documents in the Monash City Council Road Management Plan).

The RMP can be inspected or a copy obtained at the following locations: Monash Civic Centre, 293 Springvale Road, Glen Waverley; and Oakleigh Service Centre, 3 Atherton Road, Oakleigh.

DAVID CONRAN  
Chief Executive

## PORT PHILLIP CITY COUNCIL

Community Amenity Local Law No. 3 –  
Change to Procedures and Protocols Manual

Pursuant to section 112(2) of the **Local Government Act 1989**, notice is hereby given that on 22 November 2004 the Port Phillip City

Council amended the Procedures and Protocols Manual in relation to the South Melbourne Market in order to:

- set standard opening hours for the Market (excluding public holidays) as Wednesdays, Saturdays and Sundays 8.00 am – 4.00 pm; Fridays 8.00 am – 6.00 pm; and any other days or times that the Council or the South Melbourne Market Management Committee may fix by resolution, including days or times for particular groups of stalls;
- require that where the Market public opening hours are varied as above, public notice must be given.

The Procedures and Protocols Manual as amended from time to time forms part of Community Amenity Local Law No. 3. A copy of the amended Procedures and Protocols Manual may be viewed on the Council's website at [www.portphillip.vic.gov.au](http://www.portphillip.vic.gov.au), or inspected or obtained during office hours from Council offices (St Kilda Town Hall, corner of Carlisle Street and Brighton Road, St Kilda; or South Melbourne Town Hall, 208–220 Bank Street, South Melbourne).

DAVID SPOKES  
Chief Executive Officer

## SURF COAST SHIRE COUNCIL

## Road Management Plan

Notice is hereby given that in accordance with the requirements of Division 5 of the **Road Management Act 2004**, the Surf Coast Shire Council adopted a Road Management Plan at its ordinary meeting on 21 December 2004.

The Road Management Plan may be inspected at the Shire Office at Grossmans Road, Torquay; the Lorne Visitor Information Centre, Mountjoy Parade, Lorne; or obtained from the Council website on [www.surfcoast.vic.gov.au](http://www.surfcoast.vic.gov.au).

The Code of Practice, any incorporated document, or any amendment to an incorporated document may be inspected at the Shire Office, Grossmans Road, Torquay.

PETER BOLLEN  
Chief Executive Officer



Notice of Adoption of  
Replacement Local Laws

The Wellington Shire Council, at its meeting of Tuesday 21 December 2004, resolved to revoke the following Local Laws numbered 1 – 1999, 2 – 1999, 3 – 1999, 4 – 1999, 5 – 1999 & 6 – 1999, and to adopt replacement Local Laws numbered; 1 – 2005, 2 – 2005, 3 – 2005, 4 – 2005, 5 – 2005 and 6 – 2005.

The general purport of each of the Local Laws is described below:

LOCAL LAW NO. 1 – 2005

Process of Municipal Government  
(Meeting and Common Seal)

The purpose of this Local Law is to provide a mechanism to facilitate the good governance of the Wellington Shire.

LOCAL LAW NO. 2 – 2005

Streets and Roads

The purpose of Local Law No. 2 – 2005 is to provide for the control and management of traffic, use of roads by persons, vehicles and animals, and to regulate the parking of vehicles for the safety and fair use by people in the municipal district.

LOCAL LAW NO. 3 – 2005

Municipal Places

The purpose of Local Law No 3 – 2005 is to allow for and protect the quiet enjoyment by people of municipal places within the municipal district.

LOCAL LAW NO. 4 – 2005

Environment

The purpose of Local Law No 4 – 2005 is to provide for a safe and healthy environment in which the residents of the municipal district enjoy a quality of life that meets the general expectations of the community.

LOCAL LAW NO. 5 – 2005

Livestock

The purpose and general purport of the Local Law No 5 – 2005 is:

- (a) to regulate the movement and droving of livestock through and within the municipal district and the grazing of livestock within the municipal district;
- (b) to minimise any damage to road pavements, formations, drainage, vegetation and surrounding areas arising from livestock;
- (c) to minimise the spread of livestock disease and noxious weeds in the municipal district;
- (d) to provide for the welfare of livestock when being driven, grazed or moved;
- (e) to alert other road users to the presence on roads of livestock in the municipal district in the interests of safe use of roads;
- (f) to regulate the adequacy of fencing of livestock;
- (g) to put in place mechanisms for rectifying inadequate fencing;
- (h) to fix fees or charges relating to the impounding of livestock and all other costs incidental thereto and for road use by livestock within the municipal district;
- (i) to enter agreements with neighbouring councils relating to impounding, collecting trespassing livestock, housing and releasing those livestock;
- (j) to prescribe penalties for contravention of any provisions of this Local Law;
- (k) to provide generally for the peace, order and good government of the municipal district including in particular the administration of council's powers and functions.

LOCAL LAW NO. 6 – 2005

Port of Sale

The purpose of Local Law No. 6 – 2005 is to:

- (a) provide for proper management and control of activities within the precincts of the Port of Sale;
- (b) regulate the use of the slipway;
- (c) administer the issue of permits for the mooring/berthing of vessels at the Port of Sale;
- (d) provide for the imposition and recovery of mooring/berthing fees and other charges applicable to use of the Port of Sale and its facilities;
- (e) provide for the peace, order and good government of the municipal district and more particularly the Port of Sale.



Copies of the Local Laws can be obtained from the Shire Service Centre, 70 Foster Street, Sale during office hours 8.30 am to 5.30 pm, Monday to Friday.

---

WEST WIMMERA SHIRE COUNCIL

Notice of Adoption of a  
Road Management Plan

In accordance with Section 55 of the **Road Management Act 2004**, the West Wimmera Shire Council, at its meeting on 2 December 2004, adopted a Road Management Plan.

A copy of the plan may be inspected at the Municipal offices at 25 Baker Street, Kaniva and 49 Elizabeth Street, Edenhope.

JAMES McKAY  
Chief Executive Officer

---

CITY OF WHITTLESEA

Notice of Adoption of a  
Road Management Plan

The City of Whittlesea resolved on 14 December 2004 to adopt a Road Management Plan in accordance with Section 55 of the **Road Management Act 2004**.

Copies of the Road Management Plan, together with any Code of Practice and any incorporated document, may be obtained from Council's website ([www.whittlesea.vic.gov.au](http://www.whittlesea.vic.gov.au)), or from the Civic Centre in Ferres Boulevard, South Morang during office hours.

A copy of the associated City of Whittlesea Register of Public Roads may also be inspected at the Civic Centre.

GRAEME BRENNAN  
Chief Executive Officer

---

BOROUGH OF QUEENSCLIFFE

Adoption of Road Management Plan

Notice is hereby given that a Road Management Plan, drafted in accordance with the requirements of Division 5 of the **Road Management Act 2004**, was adopted by Council at its Ordinary Council Meeting on 14 December 2004.

A copy of the Road Management Plan may be inspected at the Council Offices, Learmonth Street, Queenscliff during normal office hours and on Council's website [www.queenscliffe.vic.gov.au](http://www.queenscliffe.vic.gov.au).

The Code of Practice, any incorporated document or any amendment to an incorporated document, as the case may be, may be inspected at the Council Offices, Learmonth Street, Queenscliff.

GARY PRICE  
Chief Executive Officer

---

YARRA CITY COUNCIL

Roads and Council Land  
(Miscellaneous Parking and  
Traffic Matters) Local Law

Local Law No. 1 of 2004

Notice is given that the Yarra City Council, at its meeting of 12 October 2004, made the Roads and Council Land (Miscellaneous Parking and Traffic Matters) Local Law, No. 1 of 2004 pursuant to the **Local Government Act 1989**.

This Local Law was made for the purpose of amending the Roads and Council Land Local Law, No. 2 of 2002 and for:

- providing for the peace, order and good government of the Council;
- promoting a physical and social environment free from hazards to health, in which the residents of the Municipal District can enjoy a quality of life that meets the general expectations of the community;
- preventing and suppressing nuisances which adversely affect the use and enjoyment of recreational reserves;
- minimising and preventing damage to public assets caused by driving and parking vehicles in or on recreational reserves; and
- prohibiting, regulating and controlling the parking and driving of vehicles in and on recreational reserves.

The general purport of the new Local Law is to clarify permitted activities on roads and Council land so as to enhance community amenity and safety.

A copy of the Roads and Council Land Local Law, No. 2 of 2002, incorporating the amendments made by the Roads and Council Land (Miscellaneous Parking and Traffic Matters) Local Law, Local Law No. 1 of 2004, is available from: the Richmond Town Hall (333 Bridge Road, Richmond), or the



Collingwood Town Hall, (140 Hoddle Street, Abbotsford), during normal office hours; Council's web site: [www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au).

For further information, contact Chris Reside on 9205 5137 or email [residec@yarracity.vic.gov.au](mailto:residec@yarracity.vic.gov.au).

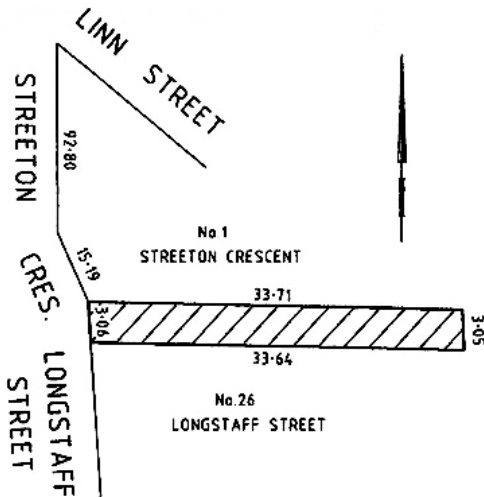
LYDIA WILSON  
Chief Executive Officer

## BANYULE CITY COUNCIL

### Erratum

#### Road Discontinuance

Notice is hereby given that the plan published in Victoria Government Gazette G34 dated 19 August 2004 page 2262 was incorrect. The plan below replaces that previously published.



DOUG OWENS  
Chief Executive Officer



#### Adoption of Road Management Plan

Notice is hereby given that the Yarriambiack Shire Council has adopted a Road Management Plan, and as required by section 55 of the **Road Management Act 2004**:

- (i) that the Road Management Plan has been adopted on 14 December 2004;

- (ii) that the Road Management Plan may be inspected or obtained at the Yarriambiack Shire Office, Warracknabeal or service centres at Hopetoun and Rupanyup; and
- (iii) that the Code of Practice, any incorporated document or any amendment to an incorporated document, as the case may be, may be inspected at Yarriambiack Shire Office, Warracknabeal.

RAY CAMPLING  
Chief Executive Officer

### Planning and Environment Act 1987

#### ALPINE RESORTS PLANNING SCHEME

#### Notice of Amendment

#### Amendment C15

The Minister for Planning has prepared Amendment C15 to the Alpine Resorts Planning Scheme.

The Amendment revises the Local Planning Provisions that apply to Mt Buller Alpine Resort. It replaces the Mt Buller Strategic Statement, revises the Local Car Parking Policy and Design and Development Overlay Schedule 1. It introduces a Design and Development Overlay Schedule 3 – Ski Field, and proposes to make minor zone changes along the boundary of the Resort Village, from a Comprehensive Development Zone (CDZ) Schedule 2 to CDZ Schedule 1.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; the Mt Buller Mt Stirling Resort Management Board, Mt Buller Alpine Resort, Post Office, Mt Buller Road; Department of Sustainability and Environment North East Regional Office, 35 Sydney Road, Benalla; and Mansfield Shire Council, 33 Highett Road, Mansfield.

Submissions about the Amendment must be sent to: Minister for Planning, Attention: Adrian Williams, Planning Panels Victoria, Department of Sustainability and Environment, GPO Box 2797Y, Melbourne 3001 by 23 February 2005.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**GREATER BENDIGO  
PLANNING SCHEMENotice of Preparation of Amendment  
Amendment C66

The Greater Bendigo Council has prepared Amendment C66 to the Greater Bendigo Planning Scheme.

The land affected by the Amendment is:

- the Amendment applies to various land within the district of Mandurang.

The Amendment proposes to amend the schedule to Clause 35.03 (Rural Living Zone) to introduce minimum subdivision area of 2 and 4 hectares and minimum areas for which no permit is required to use land for a dwelling of 2 and 4 hectares respectively within the Mandurang Valley consistent with the provisions of the Mandurang Outline Development Plan 1993.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000; Department of Sustainability and Environment Regional Office, North West Regional Office, 1 Taylor Street, Epsom 3551; City of Greater Bendigo, Statutory Planning Unit, Hopetoun Mill, Hopetoun Street, Bendigo 3550; and City of Greater Bendigo website [www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au).

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

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

The closing date for submissions is the close of business 7 February 2005. A submission must be sent to David Krumins, Planning and Development Manager, City of Greater Bendigo, PO Box 733, Bendigo 3552.

JOHN McLEAN  
Chief Executive Officer

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal

representative, on or before 25 February 2005 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.

AUMONT, Muriel, late of Lonsdale House Private Nursing Home, 88 Cunningham Street, Northcote, retired, and who died on 20 November 2004.

CURTIS, Arthur Stanley, late of Strabane Gardens 1-3 Strabane Avenue, Box Hill North, pensioner, and who died on 26 July 2004.

FITZPATRICK, Lawrence Desmond, formerly of 31 Lorne Street, Fawkner, but late of 65 McClean Point Road, Sanctuary Point, NSW, retired and who died on 6 December 2004.

HALBHERR, Karl Anton, late of 1/59 Watsons Road, Glen Waverley, service manager, and who died on 6 September 2003.

HILLARY, Linda Ruth, late of 154 Griffith Street, Port Fairy, Victoria 3284, gentlewoman, and who died on 5 August 2004.

HUGHES, Marjorie Jean, late of Chelsea Park, 53-59 The Broadway, Chelsea, retired and who died on 7 November 2004.

HUGHES, Mavis, late of Flat 5, 10 McDonald Street, Mordialloc, pensioner, and who died on 20 October 2004.

IRWIN, Goffress Rendel, also known as Goffress Rendall Smith, late of 57 Albion Street, South Yarra, pensioner, and who died on 14 September 2004.

MALONE, John Francis, late of 23 Maggs Street, Doncaster East, Victoria 3109, retired farrier, and who died on 3 October 2004.

SHEEHAN, Joyce Evelyn Marie, late of 1283 Heatherton Road, Noble Park, Victoria 3174, retired, and who died on 26 October 2004.

TROMPETTER, Abraham, late of Flat 1, 709 Barkly Street, Footscray West, and who died on 28 August 2004.

WISE, Eileen Dorothy, late of Heatherleigh Nursing Home, 759 Burwood Road, Hawthorn East 3123, pensioner and who died on 28 October 2004.

Dated 17 December 2004

DAVID BAKER  
Manager  
Executor and Trustee Services

## EXEMPTION

Application No. A481/2004

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act), by the University of Melbourne (the applicant). The application for exemption is to enable the applicant to advertise for and employ a person of Indigenous Australian background to the position of Coordinator: Indigenous Employment and Career Development within the Division of Human Resources.

Upon reading the material submitted in support of the application, including the affidavit of Jacqueline Rosario, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a person of Indigenous Australian background to the position of Coordinator: Indigenous Employment and Career Development within the Division of Human Resources.

In granting this exemption the Tribunal noted that :

- the applicant has a clear commitment to affirmative action to increase the number of staff of Aboriginal and Torres Strait Islander descent and to increase the numbers of Indigenous students at the University;
- the applicant's Enterprise Bargaining Agreement 2003 contains a commitment to foster and grow its Indigenous Employment Strategy (IES). In turn, the IES aims to support goals contained in the applicant's strategic plan;
- the IES seeks to make the applicant an employer of choice for Indigenous Australians. It will do so by implementing an employment strategy that fosters the participation, support and career progression of Indigenous Australians in academic and general staff positions across the University of Melbourne;
- the IES builds on earlier Indigenous education and employment programs by identifying six specific objectives to further increase the number of Indigenous academic and general staff members within the University and to support their professional development and career progression. The objectives encompass significant change on a number of institutional levels: University culture and leadership, recruitment, work environment, professional development and the establishment of an Indigenous Working Party that will have a key role in the provision of advice and oversight in relation to the IES;
- the position of Coordinator: Indigenous Employment and Career Development (Coordinator) will play a key role in implementing and driving the University's IES. The incumbent will be required to provide expert advice on a range of matters relating to the recruitment, retention and career development of Indigenous staff in academic and general staff positions across the University. The role requires program planning and implementation and the ability to influence cultural change within the organisation. The Coordinator will foster participation in the IES by promoting the strategy at all levels of the organisation and by gaining and sustaining the support of key stakeholders and contacts;
- the Coordinator will work closely with Deans, Faculty General Managers and Senior Officers within the University to develop and build relationships and networks to foster the IES and support for it within the University community. In addition, the Coordinator must develop and build networks and liaison with local Indigenous communities to promote the University of Melbourne as their preferred destination for a range of employment options and opportunities. Given this complex and high-level interaction, it is essential for the position holder to have an in-depth experience and understanding of Indigenous communities and issues facing Indigenous people in employment. Equally, the person must be able to act with credibility and influence as an advocate on behalf of both the University and Indigenous Australian communities;
- the appointment of an Indigenous person to the position of Coordinator has the capacity to bring multiple benefits. It will ensure Indigenous staff and students have a role model in an influential position at the University, to inspire and advise them on

employment and career matters. In addition, the appointment of an Indigenous person to the position will demonstrate to *all* staff and students that key positions are attainable by Indigenous Australians, thereby breaking down barriers to participation and raising awareness of the contribution and profile of Indigenous people. For non-Indigenous staff and students, the appointment will provide the opportunity to receive and share information about the experience of Indigenous people. This has the potential for greater commitment to reconciliation within the white Australian community. The appointment of an Indigenous person to this position will also assist in addressing the disadvantage that Indigenous Australians face in employment by improving the employment experience, enhancing participation rates and facilitating the career development of Indigenous employees;

- in recent years, the number of Indigenous staff in the University has hovered around 25. These staff are mainly employed in academic positions relating to research and teaching involving Indigenous studies, or supporting Indigenous students. While the University has successfully obtained exemptions from EO legislation to employ Indigenous staff in specific areas, it has very few Indigenous staff working in areas not directly related to Indigenous education studies or the Indigenous community. A key role of the Coordinator is to increase opportunities for Indigenous people to be employed across the full spectrum of roles within the University. In seeking to overcome this under-representation and to break down barriers to broader participation in employment, it is vital that the Coordinator can communicate with potential and current Indigenous staff about their career and personal support needs in the context of their employment and their cultural experiences. This requires a deep understanding and experience of life as an Indigenous person in Australian society and the University environment.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a person of Indigenous

Australian background to the position of Coordinator: Indigenous Employment and Career Development within the Division of Human Resources.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 20 December 2007.

Dated 17 December 2004

Mrs A. COGHLAN  
Deputy President

#### EXEMPTION

Application No. A479/2004

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act), by the University of Melbourne (the applicant). The application for exemption is to enable the applicant to advertise for and employ a person of Indigenous Australian background to the position of Student Development Officer in the Centre for Indigenous Education (CIE).

Upon reading the material submitted in support of the application, including the affidavit of Katherine Carpenter, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a person of Indigenous Australian background to the position of Student Development Officer in the Centre for Indigenous Education (CIE).

In granting this exemption the Tribunal noted that:

- the applicant has a clear commitment to affirmative action to increase the number of staff of Aboriginal and Torres Strait Islander descent and to increase the numbers of Indigenous students at the University;
- the applicant's Enterprise Bargaining Agreement 2003 contains a commitment to foster and grow its Indigenous Employment Strategy (IES), which strategy aims to support goals contained in the applicant's strategic plan;
- the IES seeks to make the applicant an employer of choice for Indigenous Australians. It will do so by implementing an

employment strategy that fosters the participation, support and career progression of Indigenous Australians in academic and general staff positions across the University;

- the IES builds on earlier Indigenous education and employment programs by identifying six specific objectives to further increase the number of Indigenous academic and general staff members within the University and to support their professional development and career progression. The objectives encompass significant change on a number of institutional levels: University culture and leadership, recruitment, work environment, professional development and the establishment of an Indigenous Working Party that will have a key role in providing advice and overseeing the implementation of the IES;
- the success of the IES in meeting its objectives shall be measured through the achievement of the following:
  - recognition of the University as an employer of choice for Indigenous Australians;
  - an increase in the number and support for the development of academic and general Indigenous staff across all areas of the University;
  - a twofold increase in the number of Indigenous staff in the five year period 2004–2009.
- the recruitment of an Indigenous person to the role of Student Development Officer in the Centre for Indigenous Education will assist the University in achieving the objectives outlined in the IES. The appointment of an Indigenous person in this role will also make a major contribution to the University's IES and the recruitment and education of Indigenous students;
- the Student Development Officer is required to actively engage with and facilitate the development of individual Indigenous students and liaise with the local, rural and remote Indigenous Australian communities for recruitment/access purposes. The incumbent will assist with ascertaining the needs of Indigenous communities in their aspirations for their people studying at the University of Melbourne. The position

works within a small team to provide a holistic program of emotional, mental, social, cultural/spiritual and community support programs within a broader wellbeing program provided by the CIE;

- in their role, the Student Development Officer works with both faculty and administrative units of the University to increase University participation in the local and national Indigenous communities and the development of Koori related government and external partnerships. To facilitate this work, it is vital the incumbent has knowledge and experience of Aboriginal communities and cultural understanding of Indigenous practices. It is expected that this knowledge will also be utilised to develop strategies that will enable broader participation of Indigenous people in higher education. It is essential that the person filling the position has a high level of sensitivity and cultural understanding in order to identify and support the needs of Indigenous students who come to them for advice, advocacy and counselling;
- the position description for the position of Student Development Officer clearly identifies specific duties for which an Indigenous appointee would be essential;
- the recruitment and appointment of an Indigenous Australian to the position of Student Development Officer in the Centre for Indigenous Education will make a major contribution to increasing the participation of Indigenous people in higher education and supporting their educational development. In the interests of reconciliation and overcoming current and historical disadvantage of Indigenous Australian people, the role will play a part in furthering understanding and awareness among university staff and the wider Victorian community of the talents and support needs of Indigenous students and their communities.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a person of Indigenous Australian background to the position of Student Development Officer in the Centre for Indigenous Education (CIE).



This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 20 December 2007.

Dated 17 December 2004

Mrs A. COGHLAN  
Deputy President

#### **Catchment and Land Protection Act 1994**

The Port Phillip and Westernport Regional Catchment Strategy has been accredited by the Australian and Victorian Governments against the national criteria agreed by the Natural Resource Management Ministerial Council as of 8 December 2004, and signed by Ian Campbell, Minister for the Environment and Heritage; Warren Truss, Minister for Agriculture, Fisheries and Forestry; John Thwaites, Deputy Premier of Victoria and Victorian Minister for Environment, Water, and Victorian Communities; and Bob Cameron, Victorian Minister for Agriculture.

#### **Children's Services Act 1996**

##### NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Community Services hereby declares that the Haddon and District Community House, Licence number 10401 ("the service") is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that:

1. whenever children are being cared for or educated by the service, the number of staff members as set out in regulation 24 are caring for or educating the children;
2. no more than one nominated staff member is employed in place of qualified staff.

This exemption remains in force until 31 December 2004.

Dated 30 August 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services

#### **Children's Services Act 1996**

##### NOTICE OF EXEMPTION

Under Section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Community Services hereby declares that the Pennell Day Care Centre Licence Number 476 ("the service") is exempt from regulations 42(2) and 42(3) of the Children's Services Regulations 1998.

This exemption is granted subject to the condition that:

1. The licensee shall provide at that service a children's room with a floor area allowing the average space of 2.75 square metres for each child using that room.
2. The licensed capacity of the service is reduced prior to the expiry of this exemption notice.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 29 November 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services

#### **Children's Services Act 1996**

##### NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Community Services hereby declares that the Greenville Kindergarten Licence Number 3321 ("the licensee") is exempt from regulation 46 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. A staff member accompanies, supervises and assists children using toilets.
2. The licensee will ensure that children using junior toilets at the service can be observed by a staff member from the room or rooms which those toilets serve at the expiry of this notice.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 14 December 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services



**Children's Services Act 1996**

## NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Community Services hereby declares that Bannockburn Occasional Care Licence Number 156 ('the service') is exempt from regulation 42(2) and 42(3) of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The licensee shall provide at that service a children's room with a floor area allowing the average space of 3 square metres for each child using that room.
2. The licensee of the service will comply with regulation 42(2) and 42(3) at the expiry of this exemption period.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 14 December 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services

**Children's Services Act 1996**

## NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Community Services hereby declares that the Hawkesdale Kindergarten Licence Number 2440 ("the service") is exempt from regulation 42(4) and 46 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The sills of windows in the main lighting wall of any children's room shall be as low as possible and in no case more than 1 metre above the floor and the heads of all windows shall be as close as practicable to the ceiling.
2. A staff member accompanies, supervises and assists children using toilets.
3. The licensee will ensure that children using junior toilets at the service can be observed by a staff member from the room or rooms, which those toilets serve at the expiry of this notice.

4. The licensee of the service will comply with regulation 42(4) at the expiry of this notice.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 14 December 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services

**Children's Services Act 1996**

## NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Community Services hereby declares that the Belmont Community Kindergarten Licence Number 3309 ("the licensee") is exempt from regulation 46 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. A staff member accompanies, supervises and assists children using toilets.
2. The licensee will ensure that children using junior toilets at the service can be observed by a staff member from the room or rooms which those toilets serve at the expiry of this notice.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 14 December 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services

**Children's Services Act 1996**

## NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Community Services hereby declares that Bannockburn Kindergarten Licence Number 153 ('the service') is exempt from regulations 42(2), 42(3), 42(4)(a) and 46 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that:

1. The licensee shall provide at that service a children's room with a floor area allowing the average space of 2.75 square metres for each child using that room.

2. The sills of windows in the main lighting wall of any children's room shall be as low as possible and in no case more than 1 metre above the floor and the heads of all windows shall be as close as practicable to the ceiling.
3. A staff member accompanies, supervises and assists children using toilets.
4. The licensee will ensure that children using junior toilets at the service can be observed by a staff member from the room or rooms, which those toilets serve at the expiry of this notice.
5. The licensee of the service will comply with regulation 42(2), 42(3), 42(4)(a) at the expiry of this exemption period.

This exemption remains in force until 1 June 2006 unless revoked earlier.

Dated 14 December 2004

HON SHERRYL GARBUTT MP  
Minister for Community Services

### Children's Services Act 1996

#### NOTICE OF EXEMPTION

##### Erratum

The Notice of Exemption made under Section 6 of the **Children's Services Act 1996** on 19 October 2004 and published in Government Gazette G49 on 2 December 2004 (page 3240) in relation to Benalla Kids Cottage is amended by changing the date it was signed by Minister Garbutt from 19 October 2005 to 19 October 2004.

### County Court Act 1958

#### COUNTY COURT SITTINGS 2005

Notice is given of the sitting of the County Court of Victoria to be held at each of the undermentioned places to commence on 1 January 2005:

Bairnsdale, Ballarat, Bendigo, Geelong, Hamilton, Horsham, Melbourne, Mildura, Morwell, Sale, Shepparton, Wangaratta, Warrnambool, Wodonga.

MICHAEL ROZENES  
Chief Judge of the  
County Court of Victoria

### Dental Practice Act 1999

On 11 November 2004, following a formal hearing, the Dental Practice Board of Victoria found Dr Omaima Mostafa guilty of unprofessional conduct of a serious nature. She was fined a total of \$10,500.00 and had conditions imposed on her registration.



**Heritage**  
VICTORIA

### Heritage Act 1995

#### NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended in that the Heritage Register Number 1507 in the category described as a Heritage place is now described as:

William Angliss College, 537-557 La Trobe Street, Melbourne, Melbourne City Council.

#### EXTENT:

1. All the building known as William Angliss Institute of TAFE marked B1 on Diagram Number 1507 held by the Executive Director.
2. All the land marked L1 on Diagram Number 1507 held by the Executive Director, being part of the land described as Reserve 2519 (reserved for educational purposes and gazetted on 26 July 1922).

Dated 23 December 2004

RAY TONKIN  
Executive Director



**Heritage**  
VICTORIA

### Heritage Act 1995

#### NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2072 in the category described as a Heritage place:

Railway Goods Shed, Railway Reserve between Regent Street and Bank Street, Port Fairy, Moyne Shire Council.

## EXTENT

All the goods shed marked B1 on plan H2072 held by the Executive Director, and all the land marked L1 on plan H2072 held by the Executive Director.

Dated 23 December 2004

RAY TONKIN  
Executive Director

**Medical Practice Act 1994**  
MEDICAL PRACTITIONERS  
BOARD OF VICTORIA

## Notice

Re: Dr Tong Eng Gan

A Panel of the Medical Practitioners Board of Victoria on 1 December 2004 concluded a Formal Hearing into the professional conduct of Dr Tong Eng Gan, a registered medical practitioner.

The Panel determined pursuant to section 45A(1)(a) of the **Medical Practice Act 1994** ("the Act") that Dr Gan had engaged in unprofessional conduct of a serious nature.

The Panel further determined:

- pursuant to section 45A(2)(e) of the Act, the following conditions are imposed:
  - i. Dr Gan is to undergo clinical mentoring of his practice by a senior female specialist at the Monash Medical Centre to be approved by the Board, for not less than 12 hours over a period of 18 months. Six monthly reports are to be provided to the Board; and
  - ii. Dr Gan is not to perform vaginal examinations on his patients.

Dated 16 December 2004

JOHN H. SMITH  
Deputy CEO

**Port Services Act 1995**  
IMPLEMENTATION OF  
PRICE MONITORING  
AT VICTORIAN PORTS

On 30 June 2004, the Commission released its inquiry report "Regulation of the Victorian Ports" recommending that a price monitoring framework apply to the commercial trading ports of Melbourne, Geelong, Hastings and Portland.

Following the Government's announcement of its support for the Commission's recommended approach in its policy paper, Victorian Ports Strategic Framework, the Commission is now preparing to implement the price monitoring framework.

The Commission intends to implement the price monitoring framework through its determination-making powers under Part 3 of the **Essential Services Commission Act 2001**, and has developed a Draft Price Monitoring Determination for this purpose.

Interested parties are invited to submit written comments to the Commission in relation to the matters contained in the Draft Price Monitoring Determination.

A copy of the Draft Price Monitoring Determination, together with explanatory materials, the Commission's proposed process and timetable for implementation of the price monitoring framework and information on how to make a submission are available on the Commission's website at [www.esc.vic.gov.au](http://www.esc.vic.gov.au).

Dated 14 December 2004

JOHN C. TAMBLYN  
Chairperson

INTERIM CREDITING RATE  
FOR STATE SUPERANNUATION FUND  
FROM 2 DECEMBER 2004

For the purposes of the sub-sections 46(1) and 58(1) of the **State Superannuation Act 1988**, sub-section 35(1) of the **Transport Superannuation Act 1988** and sub-section 37(1) of the **State Employees Retirement Benefits Act 1979**, the Government Superannuation Office has determined an annual rate of 8.7% to be applied as an interim crediting rate on exits on or after 21 December 2004.

PETER J. WYATT  
Chief Financial Officer

**Transport Act 1983**  
TOW TRUCK DIRECTORATE  
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 26 January 2005.

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 20 January 2005.

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

Terasof Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW468, TOW071 and TOW069, TOW827, TOW070, TOW067 and TOW467 which authorise the licensed vehicles to be managed, controlled and operated from a depot situated at 11 Greaves Street, Dandenong to change the depot address to 63 Bennet Street, Dandenong.

Dated 23 December 2004

STEVE STANKO  
Director

**Victorian Managed Insurance  
Authority Act 1996**

INSURANCE FOR HERITAGE AND  
TOURIST RAIL OPERATORS

Pursuant to section 25A of the **Victorian Managed Insurance Authority Act 1996**, I direct the VMIA to provide \$10 million public liability insurance to those heritage and tourist rail operators currently accessing the existing scheme. This direction is effective from 1 January 2005 to 31 March 2005.

The VMIA should determine the premium payable by each of the heritage and tourist rail operators. The policy should continue all other existing terms and conditions.

I also direct the VMIA, pursuant to section 25A of the **Victorian Managed Insurance Authority Act 1996**, to provide access to the Government's Rail Insurance program for \$250 million catastrophe public and product liability cover to all heritage and tourist rail operators accredited by the Department of Infrastructure in accordance with Division 3, Part 6 of the **Transport Act 1983**. This direction is effective to 30 June 2005.

The VMIA should determine the premium payable by each of the heritage and tourist rail operators for this catastrophe cover, as well as any other policy terms as it sees fit.

JOHN LENDERS MP  
Minister for Finance

**Water Act 1989**

GIPPSLAND AND SOUTHERN RURAL  
WATER AUTHORITY  
(SOUTHERN RURAL WATER)

By-Law No. 6 –

Shandy Water Taking and Use,  
Werribee Irrigation District

Southern Rural Water gives notice pursuant to the **Water Act 1989** that it has made By-Law No. 6 – Shandy Water Taking and Use, Werribee Irrigation District.

The purpose of the by-law is to provide for the management and use of Southern Rural Water's pipelines, channels, outlets and other infrastructure and to give Southern Rural Water's consent under section 289 of the **Water Act 1989** to the taking and use of shandied water.

The contents of the by-law include:

1. nomination of shandy and non-shandy periods;
2. system management and use – ordering of water;
3. consent to taking and use of shandied water;
4. penalties for non-compliance.

Copies of this by-law are available for inspection at Southern Rural Water's offices at 1 Tower Road, Werribee and 88 Johnson Street, Maffra between the hours of 8.30 am and 4.30 pm on business days.

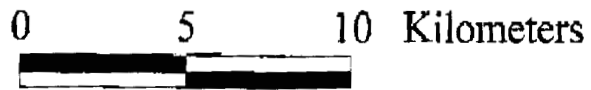
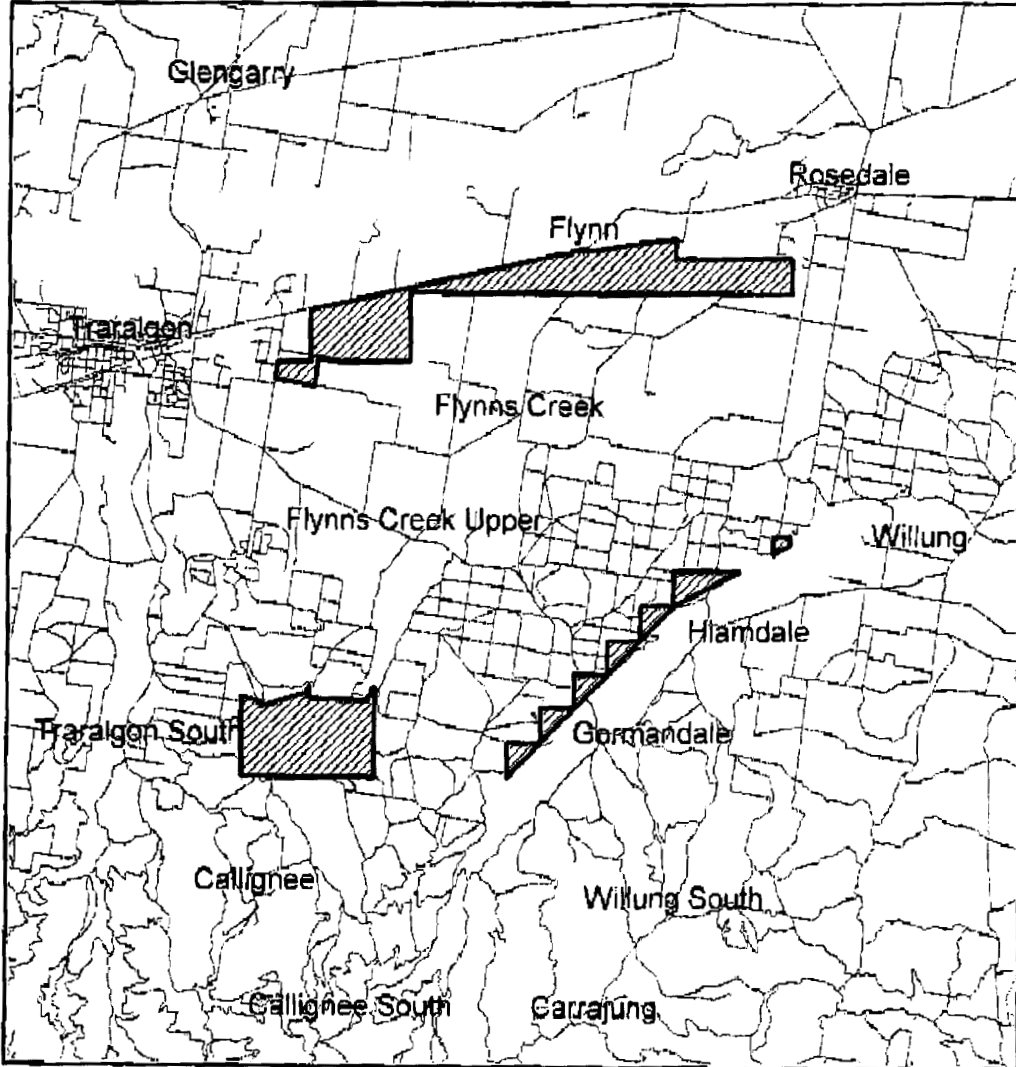
**Mineral Resources Development Act 1990**

DEPARTMENT OF PRIMARY INDUSTRIES

Exemption from Exploration Licence or  
Mining Licence

I, Richard Aldous, Executive Director Minerals and Petroleum, pursuant to Section 7 of the **Mineral Resources Development Act 1990** and under delegation by the Minister for Resources – hereby exempt all land situated within the boundaries of the attached map (Schedule A) from being subject to an exploration licence or mining licence.

SCHEDULE A



Dated 15 December 2004

RICHARD ALDOUS  
Executive Director  
Minerals and Petroleum

**Mineral Resources Development Act 1990**

## DEPARTMENT OF PRIMARY INDUSTRIES

## Exemption from Exploration Licence or Mining Licence

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

1. hereby exempt all that Crown land situated within the boundaries of exploration licence application 4852 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 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 16 December 2004

RICHARD ALDOUS  
Executive Director  
Minerals and Petroleum

**Geographic Place Names Act 1998**

## NOTICE OF REGISTRATION OF GEOGRAPHIC NAMES

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

File No.	Place Name	Proposer & Location
LA/12/0079	Tarra Valley	Wellington Shire Council. As on version 4.5 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.
LA/12/0080	Mitre	West Wimmera Shire Council. As on version 4.4 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.

Office of the Registrar of Geographic Names  
c/- **LAND VICTORIA**  
15th Floor  
570 Bourke Street  
Melbourne 3000

JOHN E. TULLOCH  
Registrar of Geographic Names



**Geographic Place Names Act 1998**

## REGISTRATION OF AMENDMENT OF GEOGRAPHIC NAMES

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

<b>File No.</b>	<b>Place Name</b>	<b>Proposer &amp; Location</b>
LA/12/0079	Devon North, Macks Creek	Wellington Shire Council. As on version 4.5 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.
LA/12/0080	Apsley, Bringalbert, Dergholm, Edenhope, Gymbowen, Kaniva, Langkoop, Lawloit, Minimay, Ozenkadnook, Patyah, Peronne, Poolaijelo, Ullswater	West Wimmera Shire Council. As on version 4.4 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.
GPN 625	Lilydale Heights College	Department of Education and Training. Formerly known as Lilydale Heights Secondary College; located in Nelson Road, Lilydale.

Office of the Registrar of Geographic Names  
c/- **LAND VICTORIA**  
15th Floor  
570 Bourke Street  
Melbourne 3000

JOHN E. TULLOCH  
Registrar of Geographic Names

**Conservation, Forests and Lands Act 1987**

NOTICE OF MAKING OF AN AGREEMENT  
TO TERMINATE A FARM FORESTRY INCENTIVE SCHEME  
LAND OWNER AGREEMENT

Notice is given under section 80 of the **Conservation, Forests and Lands Act 1987** that the Secretary to the Department of Sustainability and Environment and Barrie Elworthy Chappell have entered into an agreement to terminate a Farm Forestry Incentive Scheme Land Owner Agreement in respect of the land set out in the Schedule.

Copies of the agreement are available for public inspection between the hours of 9.00 a.m. and 4.00 p.m. at the offices of Legislation Services Branch, Department of Sustainability and Environment, Level 16, 8 Nicholson Street, East Melbourne 3002 and at Benalla Office, Department of Sustainability and Environment, 35 Sydney Road, Benalla 3672.

PROF. LYNDSAY NEILSON  
Secretary to the  
Department of Sustainability and Environment



## SCHEDULE

Site Location	Title Details Volume/Folio	Dealing No. of Agreement Terminated
Part Crown Allotment 258 and being Lots 3, 4, 5, 6 and 7 on Plan of Subdivision Number PS 320156H, Parish of Yea	10755/612, 613, 614, 615 and 616 respectively	W160032A

**Interpretation of Legislation Act 1984**

## NOTICE OF INCORPORATION OF DOCUMENTS

## Petroleum (Submerged Lands) Regulations 2004

Notice is given under section 32(3) of the of the **Interpretation of Legislation Act 1984** that the following documents contain matter incorporated by the Petroleum (Submerged Lands) Regulations 2004:

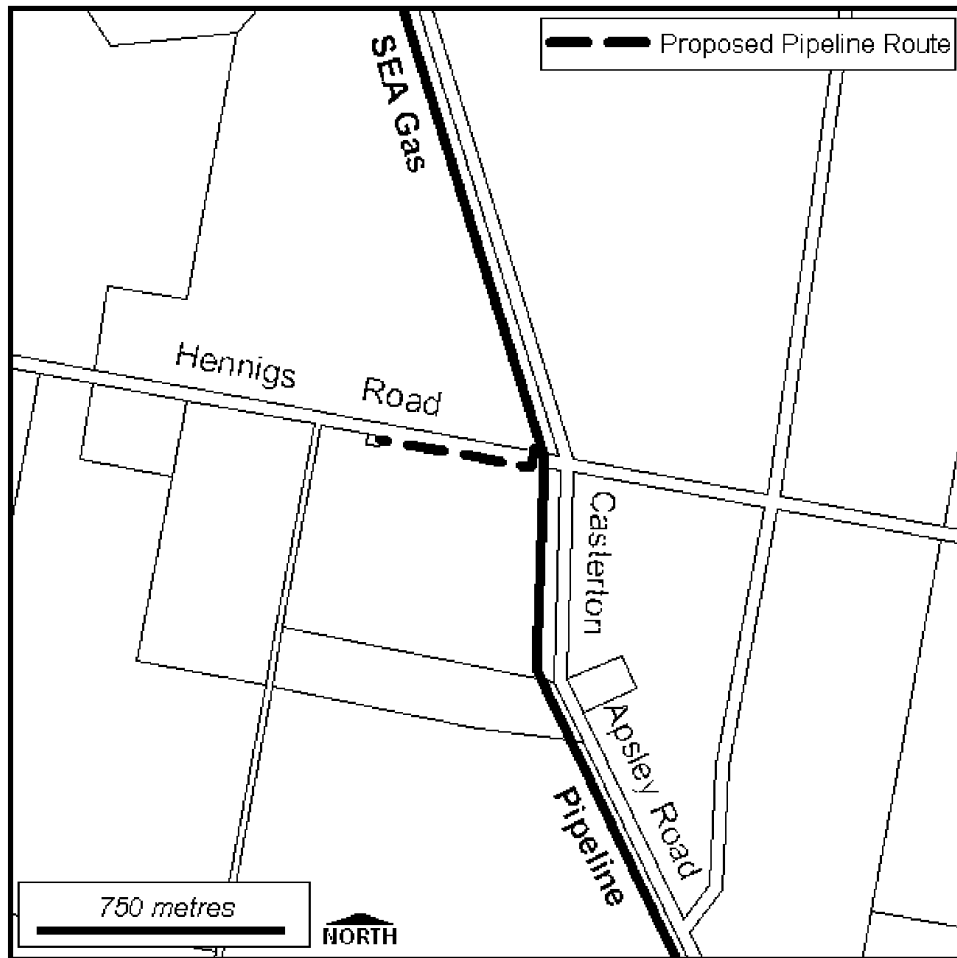
Reg. No.	Title of document	Matter incorporated
Regulation 608(4)	Adopted National Exposure Standards for Atmospheric Contaminants in the Occupational Environment [NOHSC: 1003(1995)] published by the National Occupational Health and Safety Commission.	The whole
Regulation 609(5)	National Standards for Occupational Noise [NOHSC: 1007 (2000)] published by the National Occupational Health and Safety Commission.	The noise exposure standard
Regulation 906(1)	Guidelines for complying with the Petroleum (Submerged Lands) (Diving Safety) Regulations 2002 of the Commonwealth published by the National Offshore Petroleum Safety Authority.	The whole

Copies of the documents incorporated by the Petroleum (Submerged Lands) Regulations 2004 were lodged with the Clerk of the Legislative Assembly and the Clerk of the Legislative Council on 17 December 2004.

THEO THEOPHANOUS  
Minister for Resources

**Pipelines Act 1967 (Vic.)**NOTICE UNDER SECTION 11 OF THE **PIPELINES ACT 1967 (VIC)**Application for a Permit to Own  
and Use Pipeline 254

1. In accordance with the provisions of Section 11 of the **Pipelines Act 1967 (Vic)**, notice is given that an application has been received from Origin Energy Retail Ltd (the applicant) for a Permit to Own and Use a Pipeline for the purpose of conveying natural gas from the SEA Gas pipeline (PL239) to a new meter station near Poolaijelo.
2. The proposed route of the pipeline is described and shown on the map below.



This permit relates to a steel pipeline with a nominal bore of 200mm, approximately 600 metres in length commencing at a buried valved offtake on the SEA Gas pipeline (PL239) and terminating at new meter station near Poolaijelo, Victoria.

3. The above plan is indicative only. Detailed plans of the proposed route of the pipeline and the Environment Report describing the proposal may be inspected between the hours of 9.00 am and 4.00 pm, Mondays to Fridays (excluding public holidays) by contacting Clare Delaney, Department of Primary Industries, 16th Floor, 1 Spring Street, Melbourne, Vic. 3000, phone (03) 9658 4438; and at other locations as listed below: West Wimmera Shire office, 49 Elizabeth Street, Edenhope.

Additional copies of the Environment Report and plans can be obtained from Origin Energy Retail Ltd – telephone (08) 8217 5376.

Submissions regarding the proposed route can be lodged by the close of business on 24 January 2005 by sending submissions to the Director, Minerals and Petroleum Regulation, Department of Primary Industries, GPO Box 4440, Melbourne, Vic. 3001.

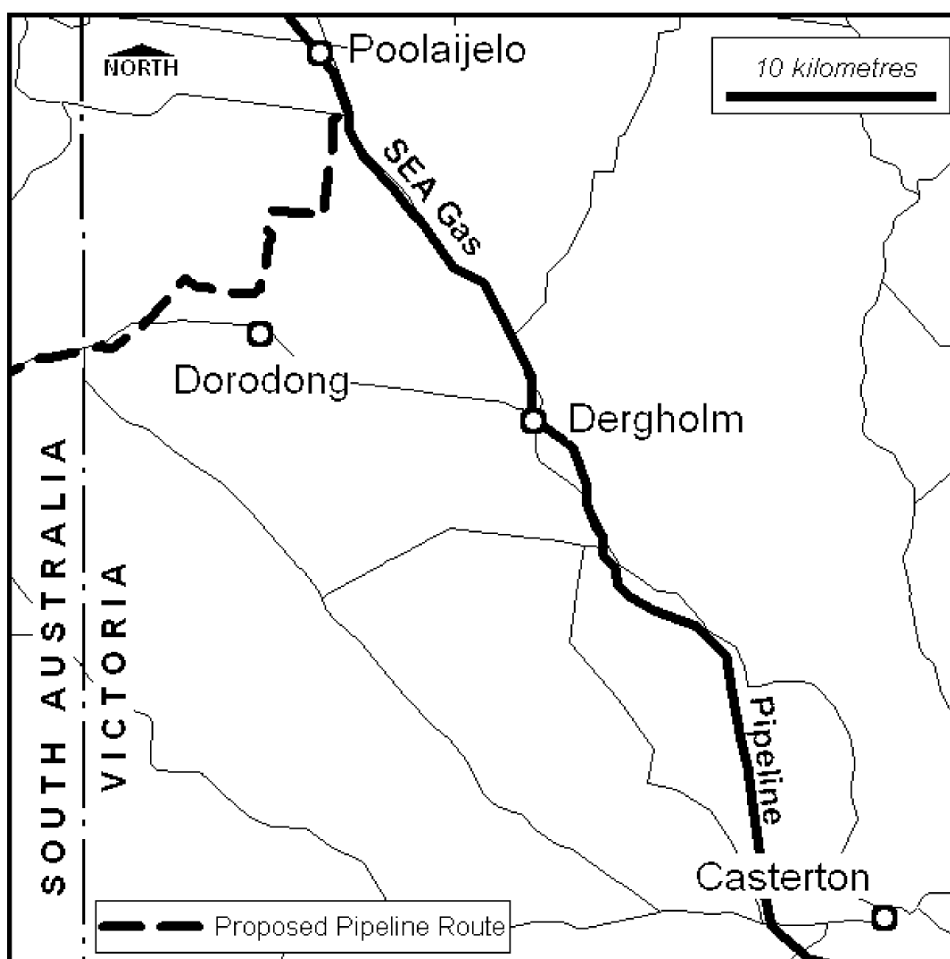
Dated 22 December 2004

THEO THEOPHANOUS  
Minister for Resources

**Pipelines Act 1967 (VIC)****NOTICE UNDER SECTION 11 OF THE PIPELINES ACT 1967 (VIC)****Application for a Permit To Own  
and Use Pipeline 255**

1. In accordance with the provisions of Section 11 of the **Pipelines Act 1967** (Vic), notice is given that an application has been received from Origin Energy Retail Ltd (the applicant) for a Permit to Own and Use a Pipeline for the purpose of conveying natural gas from a new metering station near Poolaijelo to the Victorian/South Australian border near Dorodong.
2. The proposed route of the pipeline is described and shown on the map below.

This permit relates to a steel pipeline with a nominal bore of 200mm, approximately 22km in length. The pipeline commences at a new meter station located near Poolaijelo in western Victoria and continues to the Victorian/South Australian border near Dorodong.



3. The above plan is indicative only. Detailed plans of the proposed route of the pipeline and the Environment Report describing the proposal may be inspected between the hours of 9.00 am and 4.00 pm Mondays to Fridays (excluding public holidays) by contacting Clare Delaney, Department of Primary Industries, 16th Floor, 1 Spring Street, Melbourne, Vic. 3000, phone (03) 9658 4438; and at other locations as listed below: West Wimmera Shire office, 49 Elizabeth Street, Edenhope.

Additional copies of the Environment Report and plans can be obtained from Origin Energy Retail Ltd – phone (08) 8217 5376.

Submissions regarding the proposed route must be lodged by the close of business on 24 January 2005 by sending submissions to the Director, Minerals and Petroleum Regulation, Department of Primary Industries, GPO Box 4440, Melbourne, Vic. 3001.

Dated 22 December 2004

THEO THEOPHANOUS  
Minister for Resources

### **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**

#### NOTICE OF FIXING FEES

I, Bob Cameron, Minister for Agriculture, under section 75 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** (the Act), fix the fees set out in the Table below. The fee for the combined licences at item 1 of the Table is fixed in relation to a specified class of case and the fees for the licences and permits at items 8 and 9 of the Table are fixed subject to specified exceptions.

The notices under section 75 of the Act published at pages 2086–2087 of Government Gazette issue G 31 on 8 August 1996 and at page 3139 of Government Gazette issue G48 on 5 December 1996, respectively, are revoked.

**TABLE**

<b>Item</b>	<b>Licence or Permit</b>	<b>*Application Fee</b>
1	Agricultural Aircraft Operator Licence and Pilot (Chemical Ratings) Licence	64.0 fee units
2	Agricultural Aircraft Operator Licence	56.0 fee units
3	Commercial Ground Operator Licence	38 fee units
4	Pilot (Chemical Ratings) Licence	22.5 fee units
5	Permit under section 6(1) of the Act	140 fee units
6	Permit under section 18(2) of the Act	125 fee units
7	Permit under section 19(1) or 19(3) or 19(4) of the Act	148 fee units
8	Permit under section 25(2)(b) or 25A(2)(b)	164 fee units
9	Permit under section 39(3) of the Act	116 fee units
10	Agricultural Chemical User's Permit	3.8 fee units

#### **Specified Class of Case to which Fee at Item 1 Applies**

The fee for the licence at item 1 only applies to an applicant who satisfies all the criteria for both an Agricultural Aircraft Operator Licence and a Pilot (Chemical Rating) Licence and who operates an agricultural spraying business in which the person is the agricultural aircraft operator and a pilot.

#### **Specified Exceptions to Payment of Fees at Items 8 and 9**

The fee for the permit at item 8 does not apply to a person who applies for a permit to use a chemical product:–

- (a) to control a pest or disease that is exotic to the State of Victoria, as declared under the **Livestock Disease Control Act 1994** or the **Plant Health and Plant Products Act 1995**; and the pest or disease that can only be controlled by using that chemical product in a manner requiring a permit; or
- (b) to control a pest or disease that can only be controlled by using that chemical product in a manner requiring a permit; and the person is operating on a not for profit basis; or
- (c) for the purposes of a scientific experiment conducted for the collection of information and where the produce treated is not sold or used for human or animal consumption.

The fee for a permit at item 9 does not apply to a person who applies for a permit to use a chemical product in a situation where aerial application is the only safe method of applying the chemical product.

**Note:** The amount of a fee fixed under this notice is calculated by multiplying the number of fee units by the value of a fee unit fixed from time to time under section 5 of the **Monetary Units Act 2004** and, if the calculated amount is not a multiple of 5 cents, by rounding the amount down to the nearest multiple of 5 cents.

Dated 15 December 2004

BOB CAMERON MP  
Minister for Agriculture



### Marine Act 1988

#### SECTION 15 NOTICE

I, the Director of Marine Safety, on the recommendation of the Shire of Strathbogie, waterway manager for the waters of the Goulburn River from Hughes Creek to Goulburn Weir including Lake Nagambie hereby

- 1) revoke Notice 157–2004 as published in Government Gazette G51 on 16 December 2004;
- 2) give notice under subsection 15(1) of the **Marine Act 1988** that for the periods listed in Table A (below) the operation of vessels is prohibited on the waters of Lake Nagambie south-east of an imaginary line between the waters edge at the western prolongation of Racecourse Road and the northern point of Vickers Island (Chinaman's Bridge Caravan Park) for the times listed in Table A (below), excluding:
  - a) vessels involved with the events listed in the notice and vessels operated by the Shire of Strathbogie;
  - b) vessels launching and returning to the Chinaman's Bridge Caravan Park boat ramp providing that they travel at a speed no greater than 5 knots and transit between the Caravan Park and the western side of Dellah Island.

At the completion of events on any of the days detailed in Table A (below) and as determined and announced by the Shire's Manager of Compliance, authorised by the Strathbogie Shire Council, the waters will revert to the provisions of Schedule 91 contained in Notice No. 1 made under subsection 15(2) of the **Marine Act 1988**.

**Table A – Closure Schedule**

<b>Dates</b>	<b>Event or Organisation</b>	<b>Closure period</b>
29 January 2005	Ballarat Regatta	6 a.m. to 6 p.m.
6 February 2005	Victorian Canoe Association	8 a.m. to 11 a.m.
12 February 2005	Wendouree – Ballarat Regatta	6 a.m. to 6 p.m.
19 February 2005 to 20 February 2005	MUBC Universities	12 p.m., 18 February 2005 to 6 p.m., 20 February 2005
25 February 2005	Ballarat Head of the Lake	8 a.m., 25 February 2005 to 4 p.m., 25 February 2005
26 February 2005 to 27 February 2005	Victorian State Canoeing Championships	8 a.m. to 3 p.m. each day
5 March 2005	Scotch Mercantile Regatta	6 a.m. to 6 p.m.
18 March 2005 to 20 March 2005	Head of the Lake – Lake Nagambie Rowing Victoria State Championships	6 a.m., 18 March 2005 to 6 p.m., 20 March 2005
2 April 2005	Head of the River	12 p.m., 1 April 2005 to 6 p.m., 2 April 2005

Reference No. 158/2004

Dated 21 December 2004

MARK HUGHES  
Director of Marine Safety

**Victorian Qualifications Authority Act 2000**

(as amended November 2003)

## VICTORIAN QUALIFICATIONS AUTHORITY

In accordance with the **Victorian Qualifications Authority Act 2000**, as amended November 2003, fees for the following categories have been fixed by the Minister, commencing 1 January 2005:

- (1) Investigation of a qualification, course or part of a course to determine whether it should be registered as accredited.
- (2) Registration of an education and training organisation to:
  - i. provide accredited qualifications and courses;
  - ii. issue vocational education and training (VET) qualifications.
- (3) Registration of an education and training organisation to:
  - i. provide additional accredited qualifications and courses;
  - ii. issue additional VET qualifications.
- (4) Approval of an education and training organisation to provide specified courses that are suitable for delivery to overseas students.
- (5) Delegation to a Registered Training Organisation (RTO) of the power to:
  - i. accredit courses which the RTO provides or intends to provide;
  - ii. extend its scope of registration to provide accredited VET courses and/or issue VET qualifications.

The fees set out in the following tables are fixed for a period of twelve months.



<b>Victorian Qualifications Authority Fee Structure 2005 Course Accreditation and Organisation Registration</b>		
<b>Category</b>	<b>Assessment costs 2005</b>	<b>Annual VQA fees 2005</b>
Accreditation	VQA management of course assessment panel \$1044	NA
Registration to: <ul style="list-style-type: none"> <li>● deliver accredited courses</li> </ul> and/or <ul style="list-style-type: none"> <li>● issue recognised qualifications</li> </ul>	Negotiated directly with the TRC or for applications lodged directly with VQA the fee is \$87 per hour to maximum fee of \$1566	Schools – \$522 per year Community based organisations – \$522 per year Other providers – \$1044 per year (Payable on registration and due every year on that date)
Extension to scope of registration	Negotiated directly with the TRC or for applications lodged directly with VQA <ul style="list-style-type: none"> <li>● for the first additional course the fee is \$87 per hour to a maximum fee of \$418</li> </ul> and <ul style="list-style-type: none"> <li>● for each additional course applied for at the same time as the first, the fee is \$87 per hour up to a maximum of \$313</li> </ul>	NA
Approval to provide courses to overseas students: a) in the case of a course the curriculum for which relates only to the learning of the English language and which requires at least 25 hours face to face teacher contact each week for the duration of the course, b) in the case of any other course (or any other course plus courses in category a)	a) National ELT Accreditation Scheme (NEAS) approval or VQA accreditation b) Negotiated directly with the TRC or for applications lodged directly with VQA, the fee is \$87 per hour (to a maximum of \$1566)	\$522 per year \$1044 per year

<b>Victorian Qualifications Authority Fee Structure 2005 Registered Training Organisation (RTO) Delegations</b>		
<b>Category</b>	<b>Assessment costs 2005</b>	<b>Annual VQA fees 2005</b>
Delegation to self-accredit courses which the RTO provides or intends to provide.	\$459	\$459
Delegation to self-approve extensions to RTO's own scope of registration to deliver an accredited course and/or to issue a recognised qualification.	\$459	\$459
Where the application is for both the delegation to self-accredit courses which RTO provides or intends to provide, and the delegation to self-approve extensions to RTO's own scope of registration to deliver an accredited course and/or issue a recognised qualification.	\$562	\$562

**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ("the Act"), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road) hereby fixes tolls which are payable in respect of the use of vehicles (as set out herein) on toll zones on the Link road.

For the purposes of this Notice, the following definitions apply:

**Boulton Parade** includes the off-ramp connecting the rest of the Link road to Boulton Parade;

**Burnley Tunnel** means the eastbound tunnel between Sturt Street and Burnley Street;

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

**Domain Tunnel** means the westbound tunnel between Punt Road and Sturt Street;

**Full Link road** is the road included within both the Link road and the Extension road;

**Full Link Taxi Trip** is a Trip by a Taxi on:

- (a) one or more of the toll zones described in this Notice as toll zones 1, 2 and 3; and
- (b) one or more of the toll zones described in this Notice as toll zones 4, 5, 6, 7, 8, 9, 10 and 11;

**Half Link Taxi Trip** is a Trip by a Taxi on:

- (a) one or more of the toll zones described in this Notice as toll zones 1, 2 and 3; or
- (b) one or more of the toll zones described in this Notice as toll zones 4, 5, 6, 7, 8, 9, 10 and 11, and no other toll zone;

**Heavy Commercial Vehicle** or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Swan Street Intersection** means the intersection between Swan Street and Batman Avenue;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

**the Agreement** has the same meaning as in the Act;

**the Integration and Facilitation Agreement** has the same meaning as in the Act;

**Trip** is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, the interruption consists only of travel directly between:
  - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
  - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

**vehicle** has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on toll zones on the Link road, where those vehicles are a Car, a LCV or a HCV:

<b>Table One</b>			
<b>Toll Zone</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
1. That part of the Link road between Moreland Road and Brunswick Road.	\$1.39	\$2.22	\$2.64
2. That part of the Link road between Racecourse Road and Dynon Road.	\$1.39	\$2.22	\$2.64
3. That part of the Link road between Footscray Road and the West Gate Freeway.	\$1.73	\$2.77	\$3.29
4. That part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road, other than that part of the Link road – (a) being the eastbound carriageways of the Link road; (b) between Punt Road and the exit to Boulton Parade; and (c) comprising Boulton Parade.	\$1.73	\$2.77	\$3.29
5. That part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	\$3.12	\$4.99	\$5.93
6. That part of the Link road being the eastbound carriageways between Punt Road and Burnley Street other than that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.	\$1.39	\$2.22	\$2.64

<p>7. That part of the Link road between Burnley Street and Punt Road and including that part of the Link road –</p> <p>(a) between Punt Road and the exit to Boulton Parade, other than the eastbound carriageways; and</p> <p>(b) comprising Boulton Parade, other than:</p> <p>(i) the eastbound carriageways between Burnley Street and Punt Road; and</p> <p>(ii) that part of the Link road being the Burnley Tunnel and that part of the Link road leading out of that Tunnel between the eastern portal of that Tunnel and Burnley Street.</p>	\$1.39	\$2.22	\$2.64
<p>8. That part of the Link road being the eastbound carriageways between Burnley Street and Glenferrie Road.</p>	\$1.39	\$2.22	\$2.64
<p>9. That part of the Link road between Glenferrie Road and Burnley Street, other than the eastbound carriageways.</p>	\$1.39	\$2.22	\$2.64
<p>10. That part of the Link road being the eastbound carriageways between Swan Street Intersection and Punt Road, other than –</p> <p>(a) that part of the Link road being the Burnley Tunnel; and</p> <p>(b) that part of the Link road comprising Boulton Parade.</p>	\$0.87	\$1.39	\$1.65
<p>11. That part of the Link road between Punt Road and Swan Street Intersection, other than –</p> <p>(a) the eastbound carriageways;</p> <p>(b) that part of the Link road being the Burnley Tunnel;</p> <p>(c) that part of the Link road:</p> <p>(1) between Punt Road and the exit to Boulton Parade; and</p> <p>(2) comprising Boulton Parade; and</p> <p>(d) that part of the Link road being the Domain Tunnel and that part of the Link road leading into that Tunnel between the eastern portal of that Tunnel and Punt Road.</p>	\$0.87	\$1.39	\$1.65

For the avoidance of doubt, a reference in this Notice to the specification of a toll zone by reference to Burnley Street refers to that point on the Link road where Burnley Street would cross the Link road if Burnley Street continued in a straight southerly direction from its southernmost extremity. For the avoidance of doubt, a reference in this Notice to "eastbound" means in a general easterly direction from the eastern end of the West Gate Freeway towards Glenferrie Road.

Notwithstanding anything to the contrary in Table One, under section 71(1) (b) of the Act and in accordance with the Agreement, the maximum tolls payable in respect of the use of a vehicle on a toll zone on the Link road where that vehicle is a Car, a LCV or a HCV for a Trip are as listed in Table Two:

<b>Trip Cap</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
1. Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 6 am and 8 pm on the same day.	\$5.20	\$6.94	\$6.94
2. Where the passage of the vehicle on the last toll zone comprising the Trip before exiting the Full Link road occurs between 8 pm on the one day and 6 am on the next.	\$5.20	\$5.20	\$5.20

Under Section 71(1)(b) of the Act, and in accordance with the Agreement, the tolls listed in Table Three are payable in respect of the use of vehicles on toll zones on the Link road where those vehicles are Taxis:

<b>Taxis</b>	<b>Toll</b>
Each Half Link Taxi Trip	\$2.20
Each Full Link Taxi Trip	\$3.85

For the avoidance of doubt, this Notice does not set Charge Tolls, Maximum Charge Tolls or Taxi Tolls for the purposes of Schedule 3 (the Toll Calculation Schedule) of the Agreement, or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 17 September 2004 and published in the Victoria Government Gazette No. G 39 (pages 2638 to 2643), dated 23 September 2004 ("the Last Notice").

This notice takes effect on 1 January 2005 and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;



- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 15 December 2004

The common seal of  
CITYLINK MELBOURNE LIMITED  
is fixed to this document by:

P. G. B. O'SHEA  
Company Secretary  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

G. R. PHILLIPS  
Director  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ("the Act"), City Link Extension Pty Limited ABN 40 082 058 615 (the relevant corporation in relation to the Extension road) hereby fixes tolls which are payable in respect of the use of vehicles (as set out herein) on the toll zone on the Extension road.

For the purposes of this Notice, the following definitions apply:

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than:

- (a) a Motor Cycle;
- (b) a Light Commercial Vehicle;
- (c) a Heavy Commercial Vehicle; or
- (d) a Taxi;

even if such a Motor Vehicle is towing a trailer or caravan;

**Heavy Commercial Vehicle** or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

**the Extension Agreement** has the same meaning as in the Act;

**the Integration and Facilitation Agreement** has the same meaning as in the Act;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes; and

**vehicle** has the same meaning as in the Act.

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on the toll zone on the Extension road, where those vehicles are a Car, a LCV or a HCV:

<b>Table One</b>			
<b>Toll Zone</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
12. The Extension road	\$0.87	\$1.39	\$1.65

For the avoidance of doubt, this Notice does not set Charge Tolls for the purposes of Schedule 1 (the Toll Calculation Schedule) of the Extension Agreement, or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 17 September 2004 and published in the Victoria Government Gazette No. G 39 (pages 2644 to 2645), dated 23 September 2004 (“the Last Notice”).

This Notice takes effect on 1 January 2005, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 15 December 2004

The common seal of  
CITY LINK EXTENSION PTY LIMITED  
is fixed to this document by:

P G B O'SHEA  
Company Secretary  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

G. R. PHILLIPS  
Director  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ("the Act"), CityLink Melbourne Limited ABN 65 070 810 678 (the relevant corporation in relation to the Link road) ("CityLink Melbourne") hereby fixes tolls which are payable in respect of the use of vehicles on toll zones on the Link road where those vehicles are the subject of a CityLink Pass for that use.

For the purposes of this Notice, the following definitions apply:

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than a Motor Cycle, a Light Commercial Vehicle, a Heavy Commercial Vehicle or a Taxi even if such a Motor Vehicle is towing a trailer or caravan;

**CityLink Pass** is a 24 Hour Pass, a Tulla Pass or a Weekend Pass;

**Full Link road** is the road included within both the Link road and the Extension road;

**Heavy Commercial Vehicle** or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the Transport Act 1983) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the Transport Act 1983);

**the Agreement** has the same meaning as in the Act;

**the Integration and Facilitation Agreement** has the same meaning as in the Act;

**Trip** is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, consists only of travel directly between:
  - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
  - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes;

**Tulla Pass** is an agreement with CityLink Melbourne for CityLink Melbourne to register a Car or Light Commercial Vehicle under Part 4 of the Act for use only on that part of the Link road being the Tullamarine Freeway Upgrade, between Bulla Road and Flemington Road including the toll zone between Moreland Road and Brunswick Road, for a fixed 24 hour period commencing at the time of the first Tulla Trip by that Car or Light Commercial Vehicle on a specified day;

**Tulla Trip** is the passage of a Car or Light Commercial Vehicle on that part of the Link road being the toll zone between Moreland Road and Brunswick Road;

**24 Hour Pass** is an agreement with CityLink Melbourne to register a vehicle (other than a Taxi) under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed 24 hour period commencing at the time of the first Trip by the vehicle on a specified day;

**vehicle** has the same meaning as in the Act; and

**Weekend Pass** is an agreement with CityLink Melbourne to register a Car or Light Commercial Vehicle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period commencing at 12.00pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink Melbourne also registers a Car or Light Commercial Vehicle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on toll zones on the Link road where the vehicle is the subject of a 24 Hour Pass for that use.

<b>Table One</b>			
<b>24 Hour Pass</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
	\$9.95	\$15.95	\$18.95

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table Two are payable in respect of the use of vehicles on toll zones on the Link road where the vehicle is the subject of a Weekend Pass for that use.

<b>Table Two</b>		
<b>Weekend Pass</b>	<b>Toll</b>	
	<b>Car</b>	<b>LCV</b>
	\$9.95	\$15.95

Under section 71(1)(b) of the Act and in accordance with the Agreement, the tolls listed in Table Three are payable in respect of the use of Cars or Light Commercial Vehicles on the toll zone, consisting of that part of the Link road between Moreland Road and Brunswick Road, where the Car or Light Commercial Vehicle is the subject of a Tulla Pass for that use.

<b>Table Three</b>		
<b>Tulla Pass</b>	<b>Toll</b>	
	<b>Car</b>	<b>LCV</b>
	\$3.55	\$5.70

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of Schedule 3 (the Toll Calculation Schedule) of the Agreement or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative

(ii) amends –

the NOTICE UNDER SECTION 71(1) dated 17 September 2004 and published in the Victoria Government Gazette No. G 39 (pages 2646 to 2648), dated 23 September 2004 (“the Last Notice”).

This Notice takes effect on 1 January 2005, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 15 December 2004

The common seal of  
CITYLINK MELBOURNE LIMITED  
is fixed to this document by:

P. G. B. O’SHEA  
Company Secretary  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

G. R. PHILLIPS  
Director  
CityLink Melbourne Limited  
(ABN 65 070 810 678)

---



**Melbourne City Link Act 1995**

## NOTICE UNDER SECTION 71(1)

Under section 71(1)(b) of the **Melbourne City Link Act 1995** ("the Act"), City Link Extension Pty Limited ABN 40 082 058 615 (the relevant corporation in relation to the Extension road) hereby fixes tolls which are payable in respect of the use of vehicles on the toll zone on the Extension road where those vehicles are the subject of a CityLink Pass for that use.

For the purposes of this Notice, the following definitions apply:

**Bus** is a Motor Vehicle having more than 12 seating positions (including that of the driver);

**Car** is a Motor Vehicle, other than a Motor Cycle, a Light Commercial Vehicle, a Heavy Commercial Vehicle or a Taxi even if such a Motor Vehicle is towing a trailer or caravan;

**CityLink** is CityLink Melbourne Limited ABN 65 070 810 678, the relevant corporation for the purposes of section 73C of the Act;

**CityLink Pass** is a 24 Hour Pass or a Weekend Pass;

**Full Link road** is the road included within both the Link road and the Extension road;

**Heavy Commercial Vehicle** or **HCV** is a Motor Vehicle, other than a Taxi, which is:

- (a) a rigid Truck with three or more axles;
- (b) an articulated Truck;
- (c) a Bus; or
- (d) a two axle rigid Truck having a gross vehicle mass which exceeds 4.5 tonnes;

**Light Commercial Vehicle** or **LCV** is a Motor Vehicle, other than a Taxi, which is a two axle rigid Truck having a gross vehicle mass which exceeds 1.5 tonnes, but does not exceed 4.5 tonnes;

**Motor Cycle** is a two wheeled Motor Vehicle (and includes such a Motor Vehicle even if it has a trailer, fore car or side car attached) other than a Taxi;

**Motor Vehicle** is a vehicle which is used or intended to be used on a highway or in a public place and which has its own motive power (other than human or animal power) but does not include:

- (a) a vehicle intended to be used on a railway or tramway; or
- (b) a motorised wheel chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person;

**Taxi** is, at any particular time, a Motor Vehicle in relation to which a commercial passenger vehicle licence (issued under the **Transport Act 1983**) then subsists, being a licence allowing for the operation of the Motor Vehicle as a Taxi-Cab (within the meaning of the **Transport Act 1983**);

**the Extension Agreement** has the same meaning as in the Act;

**the Integration and Facilitation Agreement** has the same meaning as in the Act;

**Trip** is the passage of a vehicle on one or more toll zones:

- (a) uninterrupted by exit and subsequent re-entry; or
- (b) if so interrupted, consists only of travel directly between:
  - (i) that part of the Link road between Bulla Road and the West Gate Freeway; and
  - (ii) that part of the Link road between Sturt Street and Glenferrie Road;

**Truck** is a Motor Vehicle other than a Bus which has a cab-chassis construction and a gross vehicle mass which exceeds 1.5 tonnes;

**24 Hour Pass** is an agreement with CityLink to register a vehicle (other than a Taxi) under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed 24 hour period commencing at the time of the first Trip by the vehicle on a specified day;

**vehicle** has the same meaning as in the Act; and

**Weekend Pass** is an agreement with CityLink to register a Car or Light Commercial Vehicle under Part 4 of the Act for use of any or all toll zones comprising the Full Link road for a fixed period

commencing at 12.00pm on the Friday immediately before a specified Saturday and ending at midnight on the Sunday immediately following that specified Saturday. The fact that CityLink also registers that Car or Light Commercial Vehicle for an additional period at no extra charge does not prevent the agreement from being a Weekend Pass.

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table One are payable in respect of the use of vehicles on the toll zone on the Extension road where the vehicle is the subject of a 24 Hour Pass for that use.

<b>Table One</b>			
<b>24 Hour Pass</b>	<b>Toll</b>		
	<b>Car</b>	<b>LCV</b>	<b>HCV</b>
	\$9.95	\$15.95	\$18.95

Under section 71(1)(b) of the Act and in accordance with the Extension Agreement, the tolls listed in Table Two are payable in respect of the use of vehicles on the toll zone on the Extension road where the vehicle is the subject of a Weekend Pass for that use.

<b>Table Two</b>		
<b>Weekend Pass</b>	<b>Toll</b>	
	<b>Car</b>	<b>LCV</b>
	\$9.95	\$ 15.95

For the avoidance of doubt, this Notice does not set Charge Tolls or Day Tolls for the purpose of Schedule 1 (the Toll Calculation Schedule) of the Extension Agreement or Schedule 4 (the Toll Calculation Schedule) of the Integration and Facilitation Agreement.

For the avoidance of doubt, this Notice also:

- (i) revokes or repeals; or, in the alternative
- (ii) amends –

the NOTICE UNDER SECTION 71(1) dated 17 September 2004 and published in the Victoria Government Gazette No. G 39 (pages 2649 to 2651), dated 23 September 2004 ("the Last Notice").

This Notice takes effect on 1 January 2005, and for the avoidance of doubt, the Last Notice ceases to have effect when this Notice takes effect, and the revocation, repeal, amendment or ceasing to have effect of the Last Notice shall not:

- (a) revive anything not in force or existing at the time at which the revocation, repeal, amendment or ceasing to have effect becomes operative;
- (b) affect the previous operation of the Last Notice or anything duly done or suffered under the Last Notice;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the Last Notice;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed relating (directly or indirectly) to or in respect of the Last Notice; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as is mentioned in paragraphs (c) and (d) –

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Last Notice had not been revoked or repealed or amended or had not expired, lapsed or otherwise ceased to have effect.

For the avoidance of doubt, the revocation, repeal, amendment or ceasing to have effect of the Last Notice does not in any way affect the direct amendments made in or by the Last Notice to, or the operation or effect of those amendments to, any NOTICE UNDER SECTION 71(1) published in the Victoria Government Gazette prior to the publication of the Last Notice.

Dated 15 December 2004

The common seal of  
CITY LINK EXTENSION PTY LIMITED  
is fixed to this document by:

P. G. B. O'SHEA  
Company Secretary  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

G. R. PHILLIPS  
Director  
City Link Extension Pty Limited  
(ABN 40 082 058 615)

---

**Planning and Environment Act 1987**  
**VICTORIA PLANNING PROVISIONS**  
 Notice of Approval of Amendment  
 Amendment VC32

The Minister for Planning has approved Amendment VC32 to the Victoria Planning Provisions and all planning schemes in Victoria except the Port of Melbourne Planning Scheme.

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

The Amendment amends the Victoria Planning Provisions (VPP) and planning schemes by changing Clause 15.08 of the State Planning Policy Framework (SPPF) to refer to the land use and development policies expressed in the Great Ocean Road Region – A Land Use and Transport Strategy.

A copy of the Amendment can be inspected, free of charge, during office hours, at all municipal council offices in Victoria and at: Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000; Department of Sustainability and Environment, Port Phillip Region, 30 Prospect Street, Box Hill 3128; Department of Sustainability and Environment, North East Region, 35 Sydney Road, Benalla 3672; Department of Sustainability and Environment, Gippsland Region, 71 Hotham Street, Traralgon 3844; Department of Sustainability and Environment, North West Region, 1 Taylor Street, Epsom 3551; Department of Sustainability and Environment, South West Region – Geelong, 4th Floor, State Government Offices, corner of Fenwick and Little Malop Streets, Geelong 3220; and Department of Sustainability and Environment, South West Region – Ballarat, 88 Learmonth Road, Wendouree 3355.

KEVIN LOVE  
 Acting Deputy Secretary  
 Built Environment  
 Department of Sustainability  
 and Environment

**Planning and Environment Act 1987**  
**BAYSIDE PLANNING SCHEME**  
 Notice of Approval of Amendment  
 Amendment C40

The Minister for Planning has approved Amendment C40 to the Bayside Planning Scheme.

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

The Amendment corrects minor administrative errors.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; and at the offices of the Bayside City Council, Corporate Centre, 76 Royal Avenue, Sandringham.

KEVIN LOVE  
 Acting Deputy Secretary  
 Built Environment  
 Department of Sustainability  
 and Environment

**Planning and Environment Act 1987**  
**BOROONDARA PLANNING SCHEME**  
 Notice of Approval of Amendment  
 Amendment C45

The Minister for Planning has approved Amendment C45 to the Boroondara Planning Scheme.

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

The Amendment rezones land at 41 Culliton Road, Camberwell, from a Public Park and Recreation Zone to a Residential 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; and at the offices of the Boroondara City Council, Planning Counter, 1st Floor, 8 Inglesby Road, Camberwell.

KEVIN LOVE  
 Acting Deputy Secretary  
 Built Environment  
 Department of Sustainability  
 and Environment

**Planning and Environment Act 1987**GREATER SHEPPARTON  
PLANNING SCHEMENotice of Approval of Amendment  
Amendment C49

The Minister for Planning has approved Amendment C49 to the Greater Shepparton Planning Scheme.

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

## The Amendment

- amends the existing Heritage Overlay maps and introducing new Heritage Overlay Maps to include the 136 new heritage places (including 2 new precincts), nominated in the “City of Greater Shepparton Heritage Study Stage Two”, in a Heritage Overlay, to provide protection of these places from demolition and/or inappropriate development;
- amends the existing Heritage Overlay maps to change the HO designation number of existing heritage properties to a more logical numbering sequence;
- amends Clause 21.05 to make reference to the “City of Greater Shepparton Heritage Study Stage Two” and to introduce a new objective for implementation of the study;
- amends clause 21.07 to include the “City of Greater Shepparton Heritage Study Stage Two” as a reference document;
- includes a Heritage Policy in the Greater Shepparton Planning Scheme (Clause 22.09);
- amends the Schedule to the Heritage Overlay to re-number the 12 existing heritage properties and to include the heritage places and precincts, nominated in the “City of Greater Shepparton Heritage Study Stage Two”, in the Schedule.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Greater Shepparton City Council, 90 Welsford Street, Shepparton.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## KINGSTON PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C10

The Minister for Planning has approved Amendment C10 to the Kingston Planning Scheme.

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

The Amendment makes changes to the Local Planning Policy Framework by introducing a new local planning policy to provide clear direction for development within the Clayton South Framework area in accordance with strategic investigations, introduces the Clayton South Medium Density Housing Development Guidelines, May 2003 as an incorporated document in the Planning Scheme and makes minor changes arising from the introduction of Amendment C8.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Kingston City Council, Brindisi Street, Mentone.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## MORELAND PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C28

The Minister for Planning has approved Amendment C28 to the Moreland Planning Scheme.

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

The Amendment rezones land at 225 Barkly Street, Brunswick (more particularly described in Certificate of Titles Volume 8358, Folio 872 and Volume 9022, Folio 880) from a Business 3

Zone to a Mixed Use Zone and includes it within an Environment Audit Overlay. It rezones also the northern portion of land at 227 Barkly Street, Brunswick from an Industrial 3 Zone to a Mixed Use Zone and includes it within an Environment Audit Overlay.

The Minister has granted the following permit under Division 5 Part 4 of the Act:

Permit No.: MPS 2002/0754.

Description of land: 225 Barkly Street, Brunswick (more particularly described in Certificate of Titles Volume 8358, Folio 872 and Volume 9022, Folio 880).

A copy of the Amendment and permit can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne and at the offices of the Moreland City Council, Municipal Offices, 90 Bell Street, Coburg.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

---

**Planning and Environment Act 1987**

**MORELAND PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C52

The Minister for Planning has approved Amendment C52 to the Moreland Planning Scheme.

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

The Amendment:

- applies a Public Acquisition Overlay (PAO3) to land in the south-western corner of 319 Victoria Street, Brunswick; and
- amends the schedule to the PAO.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza,

Nauru House, 80 Collins Street, Melbourne; and at the offices of the Moreland City Council, 90 Bell Street, Coburg.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

---

**Planning and Environment Act 1987**

**WANGARATTA PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C25

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

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

The Amendment introduces a new schedule to the Heritage Overlay.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, the Department of Sustainability and Environment North Eastern regional office, 35 Sydney Road, Benalla; and at the offices of the Rural City of Wangaratta, Ovens Street, Wangaratta.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

---

**Planning and Environment Act 1987**

**WHITEHORSE PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C52 Part 1

The Minister for Planning has approved Amendment C52 Part 1 to the Whitehorse Planning Scheme.

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

The Amendment inserts the Thomas Street Precinct in Mitcham, the Mount View Court Precinct in Burwood and an extension to the existing precinct at the corner of Whitehorse Road and High Street in Mont Albert into the Schedule to the Heritage Overlay, removes 12 Beatty Street, Mont Albert from the Schedule to the Heritage Overlay, includes and deletes the precincts on the Planning Scheme maps and makes consequential changes to the Municipal Strategic Statement and the heritage local policy.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne; and at the offices of the Whitehorse City Council, 379–397 Whitehorse Road, Nunawading.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

---

**Planning and Environment Act 1987**

GLENELG PLANNING SCHEME

Notice of Lapsing of Amendment  
Amendment C4

Pursuant to Section 30(1)(a) of the **Planning and Environment Act 1987**, Amendment C4 to the Glenelg Planning Scheme has lapsed.

The Amendment proposed to replace the existing Municipal Strategic Statement contained at Clause 21 of the Glenelg Planning Scheme with a new Municipal Strategic Statement.

The Amendment lapsed on 17 October 2004.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

---

**Planning and Environment Act 1987**

GLEN EIRA PLANNING SCHEME

Notice of Lapsing of Amendment  
Amendment C21

Pursuant to Section 30 (1) (a) of the **Planning and Environment Act 1987**, Amendment C21 to the Glen Eira Planning Scheme has lapsed.

The Amendment proposed to rezone land at 242 Glenhuntly Road, Elsternwick from a Public Use Zone 4 (PUZ4) to partly Mixed Use and partly Residential 1.

The Amendment lapsed on 21 September 2003.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

---

**Planning and Environment Act 1987**

MELBOURNE PLANNING SCHEME

Notice of Lapsing of Amendment  
Amendment C97

The Minister for Planning has resolved to abandon Amendment C97 to the Melbourne Planning Scheme.

The Amendment proposed to change the Schedule to Clause 36.01 (Public Use Zone) of the Melbourne Planning Scheme to specify that the eastern elevation of the Dudley Street rail bridge, West Melbourne, predominantly over the inbound lane is in Category 2 for the purposes of advertising signage (Clause 52.05). The amendment also included an application for a planning permit for one internally illuminated major promotion sign in this location.

The Minister has refused to grant the permit under Division 5 Part 4 of the Act.

The Amendment lapsed on 8 December 2004.

KEVIN LOVE  
Acting Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment



## ORDERS IN COUNCIL

### **Corrections Act 1986** REVOCATION OF APPOINTMENT OF PRISON

#### Order in Council

The Governor in Council, under section 10(3A) of the **Corrections Act 1986**, revokes the appointment of the prison named Her Majesty's Prison, Beechworth, which was proclaimed under section 114 of the **Community Welfare Services Act 1970** (repealed) and published in the Government Gazette on 22 July 1981 and subsequently deemed by section 10(6) of the **Corrections Act 1986** to have been made under section 10 of that Act.

This Order is to commence operation on 31 January 2005.

Dated 21 December 2004

Responsible Minister:  
ANDRÉ HAERMEYER  
Minister for Corrections

DIANE CASEY  
Clerk of the Executive Council

---

### **Corrections Act 1986** APPOINTMENT OF PRISON

#### Order in Council

The Governor in Council, under section 10(1) of the **Corrections Act 1986**, appoints the premises at 494 Flat Rock Road, Beechworth, Victoria, as a prison named Beechworth Correctional Centre.

This Order is to commence operation on 31 December 2004.

Dated 21 December 2004

Responsible Minister:  
ANDRÉ HAERMEYER  
Minister for Corrections

DIANE CASEY  
Clerk of the Executive Council

---

### **County Court Act 1958** DETERMINATION OF THE RIGHT OF A JUDGE TO A PENSION

#### Order in Council

Under section 14(3A) of the **County Court Act 1958**, the Governor in Council determines that the right of David Anthony Talbot Jones to

a pension under section 14(2)(ii) of the Act shall not be suspended whilst he is a member of the Adult Parole Board.

This Order will be effective from the date that it is made.

Dated 21 December 2004

Responsible Minister:  
ROB HULLS MP  
Attorney-General

DIANE CASEY  
Clerk of the Executive Council

---

### **Public Records Act 1973** SUSPENSION OF PROVISIONS OF SECTIONS 9, 10 AND 11

#### Order in Council

The Governor in Council, under section 2(3) of the **Public Records Act 1973** (the Act), declares that sections 9, 10 and 11 shall not apply in relation to public records held at Pickfords Records and Information Managers, 28/9 Ashley Street, West Footscray.

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

Dated 21 December 2004

Responsible Minister:  
JOHN THWAITES MP  
Minister for Victorian Communities

DIANE CASEY  
Clerk of the Executive Council

---

### **Terrorism (Community Protection) Act 2003** DECLARATION OF ESSENTIAL SERVICES

#### Order in Council

The Governor in Council, under section 28 of the **Terrorism (Community Protection) Act 2003** ("the Act"), hereby declares that Part 6 of the Act is to apply to the essential service of transport and specifies that, for the purposes of Part 6, each of the following persons is an operator thereof:

Connex Melbourne Pty Ltd (ABN 96 087 516 210); MetroLink Victoria P/L (ABN 47 085 719 053); V/Line Passenger Pty Ltd (ABN 29 087 425 269); Great Southern Railway Ltd (ABN 59 079 476 949); Country Link

Enterprises Pty Ltd (ABN 90 104 191 620); Peninsula SeaRoad Transport P/L (ABN 95 064 897 025); Freight Victoria Limited (ABN 58 075 295 644); Pacific National Pty Ltd (ABN 39 098 060 550); S.C.T. Pty Ltd (ABN 98 004 182 192); Australian Rail Track Corporation Ltd (ABN 75 081 455 754); and CityLink Melbourne Limited (ABN 65 070 810 678).

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

Dated 21 December 2004

Responsible Minister:  
HON STEVE BRACKS, MP  
Premier of Victoria

DIANE CASEY  
Clerk of the Executive Council

**Terrorism (Community Protection) Act 2003**  
DECLARATION OF ESSENTIAL SERVICE  
Order in Council

The Governor in Council, under section 28 of the **Terrorism (Community Protection) Act 2003** ("the Act"), hereby:

1. declares that Part 6 of the Act is to apply to the part of the essential services of light and power which is the generation of electricity and specifies that, for the purposes of Part 6, each of the following persons is an operator thereof:

Loy Yang Power Management Pty Limited (ACN 077 985 758) in respect of the brown coal power station and mine in the Latrobe Valley in Victoria;

Edison Mission Energy Australia P/L (ACN 055 563 785) in respect of the brown coal power station in the Latrobe Valley in Victoria;

International Power (Australia) Pty Ltd (ACN 092 560 793) in respect of the brown coal power station and mine in the Latrobe Valley in Victoria;

Yallourn Energy Pty Ltd (ACN 065 325 224) in respect of the brown coal power station and mine in the Latrobe Valley in Victoria;

2. declares that Part 6 of the Act is to apply to the part of the essential services of light and power which is the transmission of electricity and specifies that, for the purposes of Part 6, SPI Powernet Pty Ltd (ACN 079 798 173) is an operator thereof;

3. declares that Part 6 of the Act is to apply to the part of the essential service of fuel which is the production of gas and specifies that, for the purposes of Part 6, Esso Australia Pty Ltd (ACN 000 018 566) is an operator thereof in respect of its premises at Longford in Victoria; and

4. declares that Part 6 of the Act is to apply to the part of the essential service of fuel which is the transmission of gas and specifies that, for the purposes of Part 6, Gasnet Australia (Operations) Pty Ltd (ACN 083 009 278) is an operator thereof.

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

Dated 21 December 2004

Responsible Minister:  
HON STEVE BRACKS  
Premier of Victoria

DIANE CASEY  
Clerk of the Executive Council

**Project Development and  
Construction Management Act 1994**  
NOMINATION ORDER

Order in Council

The Governor in Council under section 6 of the **Project Development and Construction Management Act 1994** ("the Act"), and on the recommendation of the Premier, declares the following development to be a project to which the Act applies:

- the Melbourne Convention Centre Development Project

AND in accordance with section 7 of the Act, specifies that:

- (a) the Minister for Major Projects is to be responsible for the nominated project; and
- (b) the Secretary to the Department of Infrastructure, being a body corporate established under section 35 of the Act, is to be the facilitating agency for the nominated project.

This order is effective from the date it is published in the Government Gazette.

Dated 21 December 2004

STEVE BRACKS  
Premier

DIANE CASEY  
Clerk of the Executive Council

**Project Development and Construction Management Act 1994**

## APPLICATION ORDER

## Order in Council

The Governor in Council under section 8 of the **Project Development and Construction Management Act 1994** ("the Act"), and on the recommendation of the Premier, declares in respect of the Melbourne Convention Centre Development Project ("the Project"), a nominated project under section 6 of the Act, that:

- a) The following provisions of Part 3 of the Act apply in relation to the Melbourne Convention Centre Development Project; sections 14, 15, 16, 17, 18, 18A, 19, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 21, 22, 23, 24, 25 and 28.
- b) The following provisions of Part 3 of the Act apply to the Secretary to the Department of Infrastructure which is the facilitating agency for the Melbourne Convention Centre Development Project; sections 14, 15, 16, 17, 18, 18A, 19, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 21, 22, 23, 24, 25 and 28.
- c) The following provisions of Part 3 of the Act apply to the responsible Minister; sections 19, 22, 23 and 24.
- d) Pursuant to section 28 of the Act, the facilitating agency for the Project, the Secretary to the Department of Infrastructure is deemed to be an authority for the purposes of the **Borrowing and Investment Powers Act 1987** to which each of the sections listed in section 28(b) applies (sections 5, 8, 10, 11, 11AA, 11AB, 12, 14, 14A, 15, 20A & 21).

This order is effective from the date it is published in the Government Gazette.

Dated 21 December 2004

STEVE BRACKS  
Premier

DIANE CASEY  
Clerk of the Executive Council

**Electricity Industry Act 2000**

## ORDER UNDER SECTION 13

## Order in Council

The Governor in Council, under section 13 of the **Electricity Industry Act 2000** ("the Act"), makes the following Order:

1. **Objective**  
The objective of this Order is to regulate the tariffs that SPI may charge prescribed customers.
2. **Term**  
This Order commences on 1 January 2005 and ceases to have effect on 24 January 2005.
3. **Definitions**  
In this Order:  
"domestic or small business customer" means a person described in clause 4(a) of this Order;  
"distribution company" means, in relation to a supply of electricity from a supply point, the distribution company that is licensed to distribute and supply electricity to and is responsible for the supply point in relation to that supply of electricity;  
"former franchise customer" means a person described in clause 4(b) of this Order;  
"licensee" means a person to whom a licence has been issued under Part 2 of the Act;  
"relevant customer" means a person described in clause 4(c) of this Order;  
"supply point" means, in relation to supply of electricity to a person, the point at which that supply of electricity last leaves a supply facility owned or operated by a distribution

company before being supplied to the person, whether or not the electricity passes through facilities owned or operated by any other person after leaving that point before being so supplied;

“**SPI**” means each of SPI Electricity Pty Ltd (ABN 91 064 651 118) (formerly known as TXU Electricity Pty Ltd and TXU Electricity Limited) and SPI Retail Pty Ltd (ABN 99 086 014 968) (formerly known as TXU Pty Ltd).

#### 4. **Prescribed Customers**

A person is a prescribed customer for the purpose of the regulation of tariffs under this Order pursuant to section 13 of the Act, if the person is a prescribed customer in accordance with any of the following conditions:

- (a) a person is a prescribed customer in respect of a supply point if:
  - (i) the person is a domestic or small business customer in relation to SPI and the supply of electricity from the supply point under the Order made under section 35 of the Act and published in the Government Gazette on 11 January 2002 (as amended on 8 August 2002); and
  - (ii) the distribution company in respect of the supply point is also SPI Electricity Pty Ltd;
- (b) a person is a prescribed customer if the person was a franchise customer of SPI within the meaning of the **Electricity Industry Act 1993** immediately before 1 January 2001 and has not entered into a new contract with a licensee which takes effect on or after that date; and
- (c) a person is a prescribed customer in respect of particular premises if in respect of that premises there is a deemed contract between SPI and the person (a relevant customer) under section 39(1) or (2) of the Act.

#### 5. **Tariffs**

The residential tariffs, storage water heating tariffs and storage space heating tariffs determined by SPI and published by SPI in the Government Gazette S242 on 24 November 2004, being those expressed as applying under the Act:

- (a) are fixed by this Order as:
  - (i) the maximum tariffs at which SPI may offer to supply and sell electricity to domestic or small business customers within a relevant tariff category for the purposes of section 35 of the Act;
  - (ii) the maximum tariffs at which SPI may supply and sell electricity to former franchise customers within a relevant tariff category pursuant to deemed contracts between SPI and such customers under section 37 of the Act; and
  - (iii) the maximum tariffs at which SPI may supply and sell electricity to relevant customers within a relevant tariff category pursuant to deemed contracts between SPI and such customers under section 39 of the Act; and
- (b) apply with effect from and including 1 January 2005 for the purposes of sections 35, 37 and 39 of the Act in place of the corresponding residential tariffs, storage water heating tariffs and storage space heating tariffs that were published by SPI in the Government Gazette S221 on 29 October 2004.

Dated 21 December 2004

Responsible Minister:  
THEO THEOPHANOUS  
Minister for Energy Industries

DIANE CASEY  
Clerk of the Executive Council

**Electricity Safety Act 1998**  
PROCLAMATION OF CERTAIN CLASSES, DESCRIPTIONS OR  
TYPES OF ELECTRICAL EQUIPMENT

Order in Council

The Governor in Council under section 67 of the **Electricity Safety Act 1998** declares the following classes, descriptions or types of electrical equipment to be proclaimed electrical equipment as from the day on which Part 2 of the Electricity Safety (Equipment Efficiency) (Further Amendment) Regulations 2004 commences operation:

**“Distribution transformer”** – an electrical device which is used for stepping down electricity supply from high voltage to low voltage and which –

- (a) is of the dry type or oil-immersed type;
- (b) operates on three-phase or single-phase;
- (c) has a power rating from 10 kVA to 2500 kVA;
- (d) has a system highest voltage up to 24 kV; and
- (e) is on 11kV or 22 kV networks.

**“Linear fluorescent lamp”** – an electrical device which –

- (a) is for general illumination;
- (b) is of the double-capped (FD or FDH) tubular type;
- (c) is of a nominal length of 550mm to 1500mm;
- (d) has a nominal lamp wattage of 16 watts or more; and
- (e) is for use –
  - (i) in a luminaire; and
  - (ii) with a lamp ballast that is connected to a 230V 50Hz single phase or similar mains supply; and
  - (iii) with a lamp ballast of the high frequency electronic type.

**“Refrigerated display cabinet”** – an electrical device which –

- (a) is a cabinet cooled by a refrigerating system;
- (b) is used for the display or sale of foodstuffs;
- (c) enables chilled and frozen foodstuffs placed in the cabinet to be kept within certain temperature limits; and
- (d) is of the remote or self-contained type.

Dated 21 December 2004

Responsible Minister:  
THEO THEOPHANOUS  
Minister for Energy Industries

DIANE CASEY  
Clerk of the Executive Council

This page left blank intentionally

**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:

180. *Statutory Rule:* County Court (Chapter I Amendment No.14) Rules 2004  
*Authorising Act:* County Court Act 1958  
*Date of making:* 9 December 2004
181. *Statutory Rule:* County Court (Chapter I Amendment No.15) Rules 2004  
*Authorising Act:* County Court Act 1958  
*Date of making:* 9 December 2004
182. *Statutory Rule:* Electricity Safety (Electric Line Clearance) (Interim) Regulations 2004  
*Authorising Act:* Electricity Safety Act 1998  
*Date of making:* 21 December 2004
183. *Statutory Rule:* Electricity Safety (Equipment Efficiency) (Further Amendment) Regulations 2004  
*Authorising Act:* Electricity Safety Act 1998  
*Date of making:* 21 December 2004
184. *Statutory Rule:* Road Safety (Vehicles) (Concession Fees No. 2) Regulations 2004  
*Authorising Act:* Road Safety Act 1986  
*Date of making:* 21 December 2004

**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:

162. *Statutory Rule:* Domestic (Feral and Nuisance) Animals (Amendment) Regulations 2004  
*Authorising Act:* Domestic (Feral and Nuisance) Animals Act 1994  
*Date first obtainable:* 23 December 2004  
*Code A*
163. *Statutory Rule:* Magistrates' Court (Arbitration) (Professional Costs) Regulations 2004  
*Authorising Act:* Magistrates' Court Act 1989  
*Date first obtainable:* 23 December 2004  
*Code A*
164. *Statutory Rule:* Confiscation (Further Amendment) Regulations 2004  
*Authorising Act:* Confiscation Act 1997  
*Date first obtainable:* 23 December 2004  
*Code A*
165. *Statutory Rule:* Credit Regulations 2004  
*Authorising Act:* Credit Act 1984  
*Date first obtainable:* 23 December 2004  
*Code B*
166. *Statutory Rule:* Travel Agents (Amendment) Regulations 2004  
*Authorising Act:* Travel Agents Act 1986  
*Date first obtainable:* 23 December 2004  
*Code A*



- |                               |                                                                                                    |                               |                                                                                              |
|-------------------------------|----------------------------------------------------------------------------------------------------|-------------------------------|----------------------------------------------------------------------------------------------|
| 167. <i>Statutory Rule:</i>   | Credit<br>(Administration)<br>Regulations 2004                                                     | <i>Authorising Act:</i>       | Conservation,<br>Forests and Lands<br>Act 1987                                               |
| <i>Authorising Act:</i>       | Credit<br>(Administration)<br>Act 1984                                                             | <i>Date first obtainable:</i> | 23 December 2004                                                                             |
| <i>Date first obtainable:</i> | 23 December 2004                                                                                   | <i>Code B</i>                 |                                                                                              |
| <i>Code A</i>                 |                                                                                                    | 173. <i>Statutory Rule:</i>   | Health Services<br>(Supported<br>Residential<br>Services)<br>(Amendment)<br>Regulations 2004 |
| 168. <i>Statutory Rule:</i>   | Fair Trading<br>(Forms)<br>Regulations 2004                                                        | <i>Authorising Act:</i>       | Health Services<br>Act 1988                                                                  |
| <i>Authorising Act:</i>       | Fair Trading Act<br>1999                                                                           | <i>Date first obtainable:</i> | 23 December 2004                                                                             |
| <i>Date first obtainable:</i> | 23 December 2004                                                                                   | <i>Code A</i>                 |                                                                                              |
| <i>Code A</i>                 |                                                                                                    | 174. <i>Statutory Rule:</i>   | Plumbing (Fees<br>Amendment)<br>Regulations 2004                                             |
| 169. <i>Statutory Rule:</i>   | Motor Car Traders<br>(Forms)<br>Regulations 2004                                                   | <i>Authorising Act:</i>       | Building Act 1993                                                                            |
| <i>Authorising Act:</i>       | Motor Car Traders<br>Act 1986                                                                      | <i>Date first obtainable:</i> | 23 December 2004                                                                             |
| <i>Date first obtainable:</i> | 23 December 2004                                                                                   | <i>Code A</i>                 |                                                                                              |
| <i>Code A</i>                 |                                                                                                    | 175. <i>Statutory Rule:</i>   | Petroleum<br>(Submerged Lands)<br>Regulations 2004                                           |
| 170. <i>Statutory Rule:</i>   | Second-Hand<br>Dealers and<br>Pawnbrokers<br>(Forms)<br>Regulations 2004                           | <i>Authorising Act:</i>       | Petroleum<br>(Submerged Lands)<br>Act 1982                                                   |
| <i>Authorising Act:</i>       | Second-Hand<br>Dealers and<br>Pawnbrokers Act<br>1989                                              | <i>Date first obtainable:</i> | 23 December 2004                                                                             |
| <i>Date first obtainable:</i> | 23 December 2004                                                                                   | <i>Code H</i>                 |                                                                                              |
| <i>Code A</i>                 |                                                                                                    | 176. <i>Statutory Rule:</i>   | Road Management<br>(Works and<br>Infrastructure)<br>(Interim)<br>Regulations 2004            |
| 171. <i>Statutory Rule:</i>   | Travel Agents<br>(Forms)<br>Regulations 2004                                                       | <i>Authorising Act:</i>       | Road Management<br>Act 2004                                                                  |
| <i>Authorising Act:</i>       | Travel Agents Act<br>1986                                                                          | <i>Date first obtainable:</i> | 23 December 2004                                                                             |
| <i>Date first obtainable:</i> | 23 December 2004                                                                                   | <i>Code B</i>                 |                                                                                              |
| <i>Code A</i>                 |                                                                                                    | 177. <i>Statutory Rule:</i>   | Road Management<br>(General) (Interim)<br>Regulations 2004                                   |
| 172. <i>Statutory Rule:</i>   | Conservation,<br>Forests and Lands<br>(Infringements<br>Notice)<br>(Amendment)<br>Regulations 2004 | <i>Authorising Act:</i>       | Road Management<br>Act 2004                                                                  |
|                               |                                                                                                    | <i>Date first obtainable:</i> | 23 December 2004                                                                             |
|                               |                                                                                                    | <i>Code C</i>                 |                                                                                              |

178. *Statutory Rule:* Road Safety (Road Rules) (Scooters) Regulations 2004  
*Authorising Act:* Road Safety Act 1986  
*Date first obtainable:* 23 December 2004  
*Code A*

179. *Statutory Rule:* Births, Deaths and Marriages Registration (Fees) Regulations 2004  
*Authorising Act:* Births, Deaths and Marriages Registration Act 1996  
*Date first obtainable:* 23 December 2004  
*Code A*

**PRICING FOR SPECIAL GAZETTE,  
 PERIODICAL GAZETTE AND  
 VICTORIAN LEGISLATION**

Retail price varies according to the number of pages in each Victoria Government Special Gazette, Victoria Government Periodical Gazette and Victorian legislation. The table below sets out the prices that apply.

<i>Price Code</i>	<i>No. of Pages (Including cover and blank pages)</i>	<i>Price*</i>
A	1–16	\$3.70
B	17–32	\$5.50
C	33–48	\$7.55
D	49–96	\$11.75
E	97–144	\$15.20
F	145–192	\$17.95
G	193–240	\$20.70
H	241–288	\$22.05
I	289–352	\$24.80
J	353–416	\$29.00
K	417–480	\$33.10
L	481–544	\$38.60
M	545–608	\$44.10
N	609–672	\$49.65
O	673–736	\$55.10
P	737–800	\$60.65

*\*All Prices Include GST*

**craftsmanpress**

The *Victoria Government Gazette* is published by The Craftsman Press Pty Ltd with the authority of the Government Printer for the State of Victoria

© State of Victoria 2004

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria  
Level 2 1 Macarthur Street  
Melbourne 3002  
Victoria Australia

**How To Order**

**Mail Order**      **Craftsman Press Pty Ltd**  
125 Highbury Road  
Burwood 3125  
DX – 32510 Burwood



**Telephone**      (03) 9926 1233



**Fax**      (03) 9926 1292

**email**      [gazette@craftpress.com.au](mailto:gazette@craftpress.com.au)



**Retail & Mail Sales**      **Information Victoria**  
356 Collins Street  
Melbourne 3000



**Telephone**      1300 366 356



**Fax**      (03) 9603 9920



**Retail Sales**      **City Graphics**  
Level 1 520 Bourke Street  
Melbourne 3000



**Telephone**      (03) 9600 0977



**Fax**      (03) 9600 0989

**Recommended Retail Price \$1.95 (includes GST)**

ISSN 0819-5471



9 770819 550591