

# **Victoria Government Gazette**

By Authority of Victorian Government Printer

**No. G 33 Thursday 12 August 2004**

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**GENERAL**

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**Advertisers Please Note**

As from 12 August 2004

The last Special Gazette was No. 181 dated 11 August 2004.

The last Periodical Gazette was No. 1 dated 17 June 2004.

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

**DIOCESE OF WANGARATTA**

Diocesan Synod

Notice is hereby given that the Bishop of the Diocese of Wangaratta has convened the Diocesan Synod for Friday 17 September 2004 at 4.30pm at the Goulburn Ovens Institute of Technical and Further Education – Wangaratta Campus.

Dr J. W. PRYOR  
Registrar

**DISSOLUTION OF PARTNERSHIP**

Notice is hereby given that the partnership previously subsisting between Ross Lloyd and Mark Wingard, carrying on business as jewellers at Room 501, 5th Floor, 200 Collins Street, Melbourne 3000 under the style or firm of “Prestige Diamond Setters” has been dissolved as from 27 August 2004.

Dated 6 August 2004

MARK WINGARD

**Trusts Corporation Act 1884**

CONSENT

In the matter of an application under Sections 6, 7 & 8 of Act 797 in regard to all that piece of land being the whole of the land in Certificate of Title Volume 1892, Folio 224 registered in the names of Robert Sellar of Queen Street, Melbourne, William Woodmason of Malvern Road, Malvern, and Edward Sidney Edsall of High Street, Malvern (“the Trustees”).

I, Peter Robert Watson of Bishopscourt, Clarendon Street, East Melbourne, Victoria, Archbishop of the Anglican Diocese of Melbourne, consent on behalf of the trustees, they being deceased, to the registration of Melbourne Anglican Trust Corporation as proprietor of the land. If within one calendar month from publication of this advertisement no proceedings be taken by any of the persons in whose name the consent is given, such consent shall, upon the expiration of such one month, be as effective for the purposes of the Act as a consent given by the trustees themselves.

Dated 27 July 2004

Signed in Victoria by  
PETER ROBERT WATSON

signing his name  
+ PETER MELBOURNE

in the presence of:  
E. COLEMAN

EUNICE RAIE PATRICK, late of Broughton Lea Nursing Home, Broughton Road, Surrey Hills, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 March 2004, are required by Equity Trustees Limited, ACN 004 031 298, the proving executor of the Will of the deceased, to send particulars of their claims to the executor, in the care of the undermentioned solicitor, by 14 October 2004 after which date the executor may convey or distribute the assets having regard only to the claims of which it then has notice.

ANDREW G. J. ROWAN, solicitor,  
239 Church Street, Richmond 3121.

CHARLES BROOKING, late of 207 McGeorge Road, South Gisborne, Victoria, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 June 2004, are required by the trustee, Ian Geoffrey DeLacy of ‘Bellingari’, Redesdale Road, Kyneton, Victoria, legal practitioner, to send particulars to him by 13 October 2004, after which date the trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ARMSTRONG COLLINS & DELACY,  
legal practitioners for the said trustee,  
143C Mollison Street, Kyneton.

**DISSOLUTION OF PARTNERSHIP**

Notice is hereby given that the partnership between Adam Volpato and Edward Hill trading as Melton Music at 3/44 Smith Street, Melton, has been dissolved as from 30 June 2004.

Re: DOROTHY MARY MARTIN, late of Unit 2, 293 Canterbury Road, Heathmont, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 April 2004, are required by the trustee, Robert William Martin of 31 Elmbank Drive, Keysborough, Victoria, retired, to send particulars to the trustee by 22 October 2004 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.

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Re: Estate of GRAEME STUART FIDLER, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of GRAEME STUART FIDLER of 29 Larne Avenue, Donvale in the State of Victoria, company director, who died on 20 February 2003, are to send particulars of their claims to the personal representative/s care of the undermentioned solicitors by 21 October 2004 after which date the personal representative/s will distribute the assets having regard only to the claims of which they then have notice.

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

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Re: LORNA WINIFRED GROVER.

Creditors, next-of-kin and others having claims against the estate of LORNA WINIFRED GROVER, late of 33 Upper Heidelberg Road, Ivanhoe, Victoria, artist, deceased, who died on 1 September 2002, are requested to send particulars of their claims to the executor, Equity Trustees Ltd of Level 2, 575 Bourke Street, Melbourne by 25 October 2004, after which date it will distribute the assets having regard only to the claims on which date it then has notice.

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

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MAUREEN CIPRIANI, late of 65 Maple Crescent, Churchill.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 April 2002, are required by the trustee, Gabrielle Frances Michau, to send

particulars to her care of Dunn Strachan & Hardie, 3 Smith Street, Warragul 3820, by 21 October 2004 after which date the trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

DUNN STRACHAN & HARDIE, lawyers,  
3 Smith Street, Warragul.

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WILLIAM MORRIS NORMAN GRIFFITHS, late of Nariel, Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 March 2004, are required by the executor, Robert George Griffiths of 150 Hanson Street, Corryong, Victoria, to send particulars to him in the care of G. J. Long & Co., solicitors, PO Box 7, Corryong 3707 by 29 October 2004 after which date the executor may convey or distribute the assets having regard only to the claims of which he the. has notice.

Dated 5 August 2004

G. J. LONG & CO., solicitors,  
PO Box 7, Corryong 3707.

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FREDERICK WILLIAM PERKIN, late of 6 Goulburn Street, Cheltenham, steel labourer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 May 2004, are required by the trustees, care of Harris & Chambers, lawyers of 338 Charman Road, Cheltenham, Victoria to send particulars to them by 13 October 2004 after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

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

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Creditors, next-of-kin or others having claims in respect of the estate of HELENA NUZDA, late of 4 Bunalbo Avenue, South Yarra, Victoria, widow, deceased, who died on 11 February 2004, are to send particulars of their claims to the executors, care of the undermentioned solicitors by 14 October 2004 after which date the executors will distribute the assets having regard only to the claims of which the executors then have notice.

JOHN KEATING & ASSOCIATES, solicitors,  
191 Greville Street, Prahran 3181.

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Creditors, next-of-kin and others having claims in respect of the estate of GEOFFREY PATTERSON, late of 2/38 The Crest, Frankston South, gentleman, deceased, who died on 16 May 2004, are to send particulars of their claim to the executor of the estate, Colin Bruce Anthony Lobb, care of the undersigned by 12 October 2004 after which date he will distribute the assets of the estate having regard only to the claims of which he then has notice.

LOBB & KERR, solicitors,  
262 Stephenson's Road, Mount Waverley.

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Re: KNEALE RAYMOND HARRIS, late of 114 Brougham Street, Eltham 3095, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 24 April 2004, are required by the trustee, Christopher Kneale Harris of 29 Sheffield Street, Eltham, Victoria, network engineer, son, to send particulars to the trustee by 22 October 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

LORRAINE JONES & ASSOCIATES,  
solicitors,  
900 Main Road, Eltham 3095.

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ERNA LILLIAN SUTHERLAND, late of 359 New Street, Brighton, Victoria, receptionist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 May 2004, are required by the executrix, Carol Anne Dawes, 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 executrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,  
53 Marcus Road, Dingley.

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Re: NANCY NORRIS, late of Apartment 29, Oak Tree Lifestyle Serviced Apartments, 55 View Mount Road, Glen Waverley, Victoria, but formerly of 32/37 View Mount Road, Glen Waverley, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 June 2004, are required by the trustee, John Scott Turnbull of 315 Ferntree Gully Road, Mount Waverley, Victoria, legal practitioner, to send particulars to the trustee by 11 October 2004 care of the undermentioned solicitors after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MASON SIER TURNBULL, solicitors,  
315 Ferntree Gully Road, Mount Waverley 3149.

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Re: FRANK VALENTINCIC, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 January 2004, are required by the trustee, David Colin Mitchell, to send particulars to the trustee by 12 October 2004 after which date the trustee may convey or distribute the estate having regard only to the claims of which the trustee has notice. Such notice should be sent to the address noted below.

MITCHELL BURKE & CO., solicitors,  
111 Yarra Street, Geelong 3220.

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ROY GARDNER, late of 15 Paterson Street, Rosebud, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 April 2004, are required to send particulars of their claims to the trustee care of the undermentioned solicitors by 24 October 2004 after which date the trustee or personal representative or applicant for grant of administration may convey or distribute the assets, having regard only to the claims of which he then has notice.

PAUL McGUINNESS & ASSOC. PTY,  
solicitors,  
3 Eighth Avenue, Rosebud 3939.

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Re: DOROTHY VICTORIA BEARE, late of 81 Nimmo Street, Essendon, Victoria 3040, retired teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 March 2004, are required by the

trustee, Jane Hughes Haygarth (in the Will called Jane Hughes White) of 7 Belvedere, Kew, Victoria, solicitor, to send particulars to the trustee by 11 October 2004 after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Creditors, next-of-kin and others having claims in respect of the estate of JADWIGA KACZANOWSKA, late of Jedasa House Nursing Home, 218–224 Lower Plenty Road, Rosanna in the State of Victoria, pensioner, deceased, who died on 19 July 2004, are required to send particulars of such claims to the executor care of the undermentioned solicitors by 11 October 2004 after which date the executor will convey or distribute the assets having regard only to the claims of which the executor then has notice.

PIETRZAK, solicitors,  
222 Latrobe Street, Melbourne.

Creditors, next-of-kin and others having claims against the estate of EDWARD CHARLES O'BRIEN, late of 31 Cook Street, Newtown, Geelong, Victoria 3220, who died on 15 July 2004, are required to send particulars of their claims to the legal representatives of the deceased, Eveline Margaret Stirk, Rita Mary Madsen and Randall John Bell care of Randall Bell, lawyer, Level 4, 117 Myers Street, Geelong 3220, on or before 11 November 2004 after which date he may convey or distribute the assets having regard only to the claims of which he then has notice.

RANDALL BELL, lawyer,  
Level 4, 117 Myers Street, Geelong 3220.

Re: YVONNE MORRISON, deceased.

YVONNE MORRISON, late of Dingley Dell Road, Thorpdale, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 31 August 2003, are required by the administrators of her estate, Rochelle Morrison of 1 Woolcock Street, Watson,

Australian Capital Territory, and David John Morrison of Griffiths Road, Thorpdale, Victoria, to send particulars to them care of the undermentioned solicitors by 13 October 2004 after which date the administrators may convey or distribute the assets, having regard only to the claims of which they then have notice.

RIGBY COOKE, lawyers,  
469 La Trobe Street, Melbourne 3000.

Re: JANINE ALEXIS EMANUEL, late of 1 Ardene Court, Hawthorn, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 8 July 2003, are required by the trustee, Alan Rochman of 141 Chapel Street, St Kilda, Victoria, to send particulars to him to 141 Chapel Street, St Kilda, Victoria, by 15 October 2004 after which date the trustee may convey or distribute the assets having regard only to the claims of which the trustee has notice.

ROY JAFFIT, ROCHMAN & CO., solicitors,  
Suite 1, Level 1, 141 Chapel Street,  
St Kilda 3182.

Re: GEORGINA OLIVE PEARCE, late of Eventide Hostel, Church Street, Colac, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 June 2004, are required by the deceased's personal representatives, Walter Richard Penberthy, Arthur Walter Pearce and Marjorie Daphne Rohde, to send particulars to them care of the undermentioned solicitors by 15 October 2004 after which date they may convey or distribute the assets having regard only to the claims of which they then have notice.

SEWELLS LARKINS McCARTHY, lawyers,  
119 Murray Street, Colac.

JANET DOROTHY CHANDLER,  
deceased.

Creditors, next-of-kin and others having claims in respect of the estate of JANET DOROTHY CHANDLER, late of 97 Havlin

Street, Bendigo, Victoria, deceased, who died on 27 March 2004, are required by the executrix and trustee to send particulars to her care of the undermentioned solicitors by 15 October 2004, after which date the executrix and trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

STUART MORGAN & ASSOCIATES,  
solicitors,  
238 Glenferrie Road, Malvern 3144.

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GRAEME JAMES DUNN, late of 39 King Street, Ararat, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 January 2004, are required by the executors, David John Hosking and Glenn Lee Antonio of care of the undermentioned solicitors to send particulars to them by 12 October 2004 after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

TIVEY & HOLLAND, solicitors,  
97 Barkly Street, Ararat.

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**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
CLANCY & TRIADO			
	\$		
Mr Deiter Birlenbach, Waldbachstrasse 73A D-65347, Eltville am Rhein	17,194.20	Cheque	1994
04252 CONTACT: PAUL STAINDL, PHONE: (03) 9813 1111.			

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
HALL & WILCOX			
	\$		
Mr Rene Koning, 100 Sutherland Road, Armadale	25,127.14	Cheque	09/01/02
04256 CONTACT: EDNA BEASLEY, PHONE: (03) 9603 3595.			

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
KAIAS PHILLIPS ACCOUNTANTS			
	\$		
Specialised Concrete Cutting, 514 Heidelberg Road, Alphington	547.19	Cheque	01/01/99



Aristidis Hristakis, 6/55 Mitchell Street, Northcote	209.56	”	06/08/99
Ms Marcia Matulick, 34 Booth Street, West Preston	322.83	”	08/11/00

04251

CONTACT: HELENA KAIAS, PHONE: (03) 9489 5888.

**Unclaimed Moneys Act 1962**

Register of Unclaimed Moneys held by the —

<i>Name of Owner on Books and Last Known Address</i>	<i>Total Amount Due to Owner</i>	<i>Description Of Unclaimed Money</i>	<i>Date when Amount first became Payable</i>
STOCKDALE & LEGGO – BAYSWATER			
	\$		
A. Hamilton, 9A Michellan Court, Bayswater	247.00	Cheque	30/11/01

04250

CONTACT: ROS HANSEN, PHONE: (03) 9720 9711.

**PROCLAMATIONS**

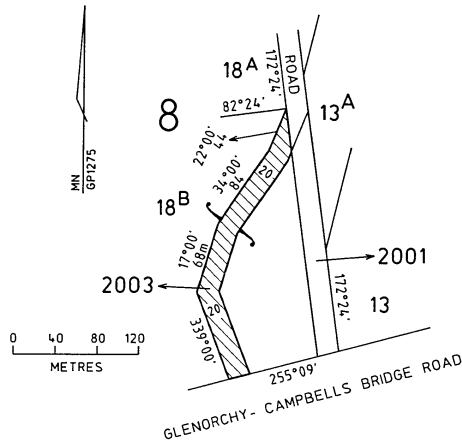
**Land Act 1958**

**PROCLAMATION OF ROADS**

I, John Landy, Governor of Victoria, with the advice of the Executive Council and under section 25(3)(c) of the **Land Act 1958** proclaim as roads the following Crown lands:

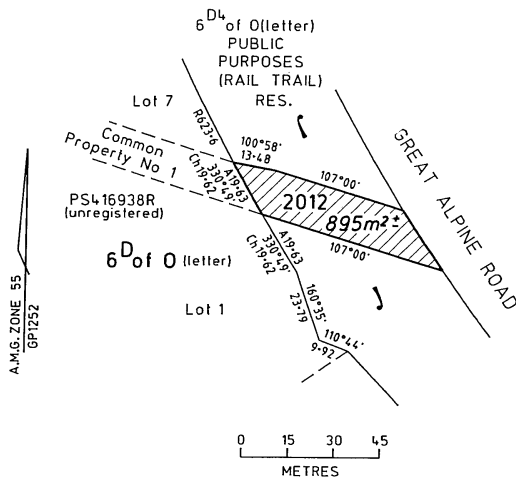
**MUNICIPAL DISTRICT OF THE NORTHERN GRAMPIANS SHIRE COUNCIL**

**GLENORCHY** – The land in the Parish of Glenorchy being Crown Allotment 2003 as shown by hatching on plan hereunder. – (GP1275) – (02P372135).



**MUNICIPAL DISTRICT OF THE ALPINE SHIRE COUNCIL**

**MYRTLEFORD** – The land in the Parish of Myrtleford being Crown Allotment 2012 shown by hatching on plan hereunder. – (GP1252) – (L8-6839).



This Proclamation is effective from the date on which it is published in the Government Gazette.

Given under my hand and the seal of Victoria on tenth August 2004.

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

**GAVIN JENNINGS, MP**  
Acting Minister for Planning

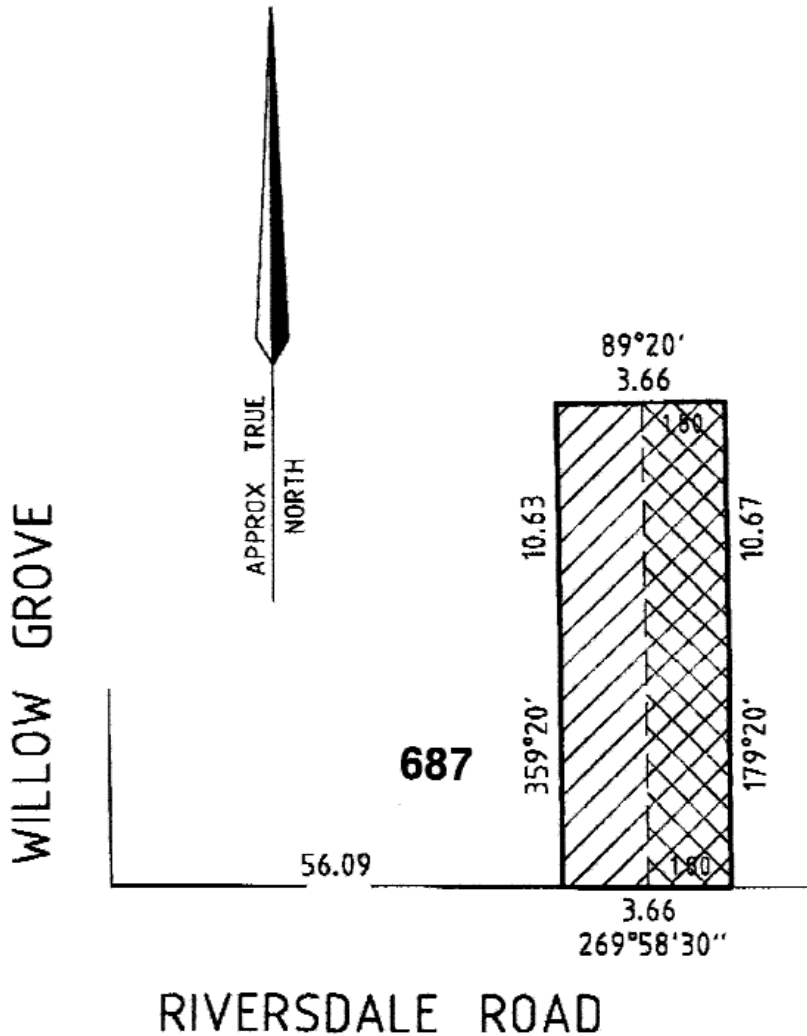
**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**

**BOROONDARA CITY COUNCIL**

Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Boroondara City Council has formed the opinion that the section of road adjacent 687 Riversdale Road, Camberwell as shown hatched and cross-hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The section of road shown cross-hatched is to be sold subject to the right, power or interest held by Boroondara City Council in the road in connection with any drains or pipes under the control of Council in or near the road.

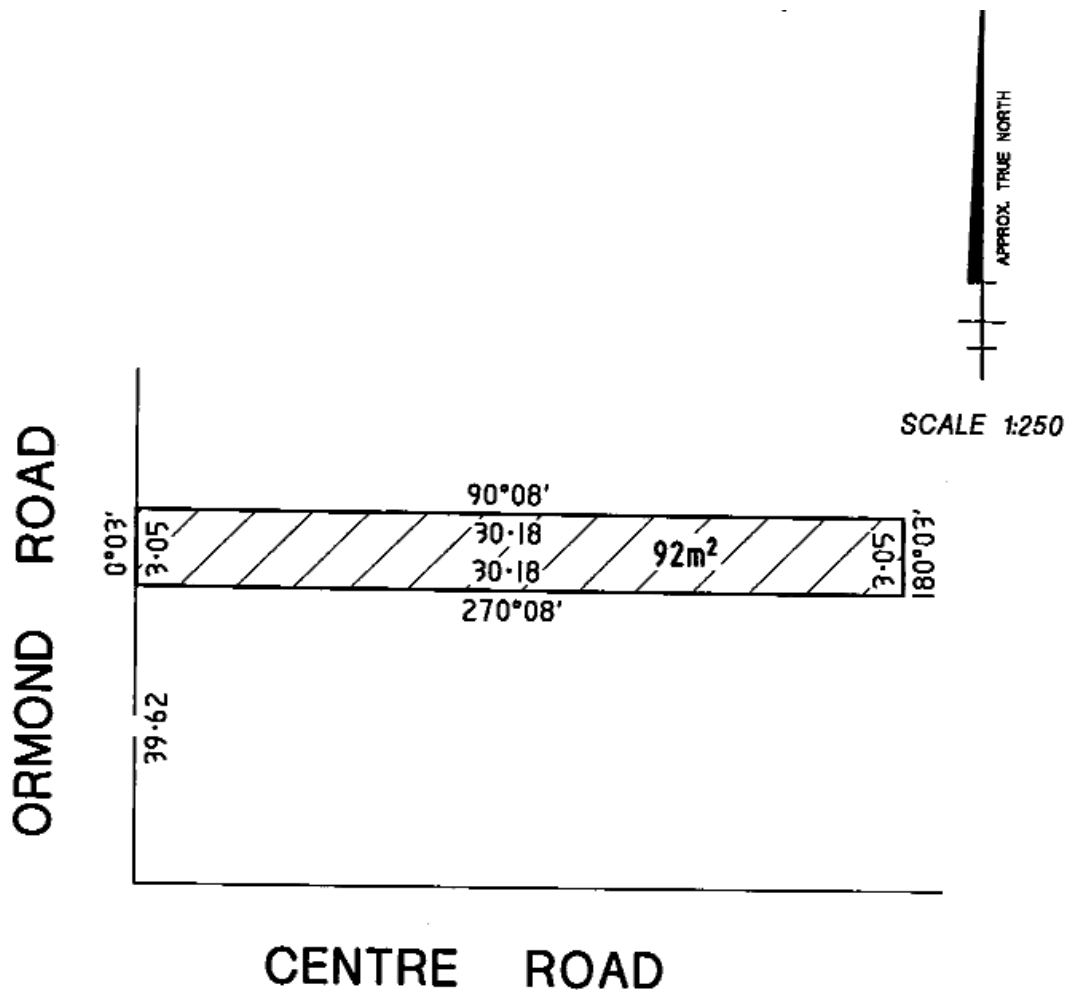


PETER JOHNSTONE  
Chief Executive Officer

MONASH CITY COUNCIL  
Road Discontinuance

At its meeting on 27 April 2004 and acting under Clause 3 of Schedule 10 to the **Local Government Act 1989**, Monash City Council ("Council"):

1. formed the opinion that the road abutting the rear of 1331–1335 Centre Road, Clayton and being the land shown hatched on the plan below ("the road"), is not reasonably required as a road for public use; and
2. resolved to discontinue the road and sell or retain the land from the road.



DAVID CONRAN  
Chief Executive Officer

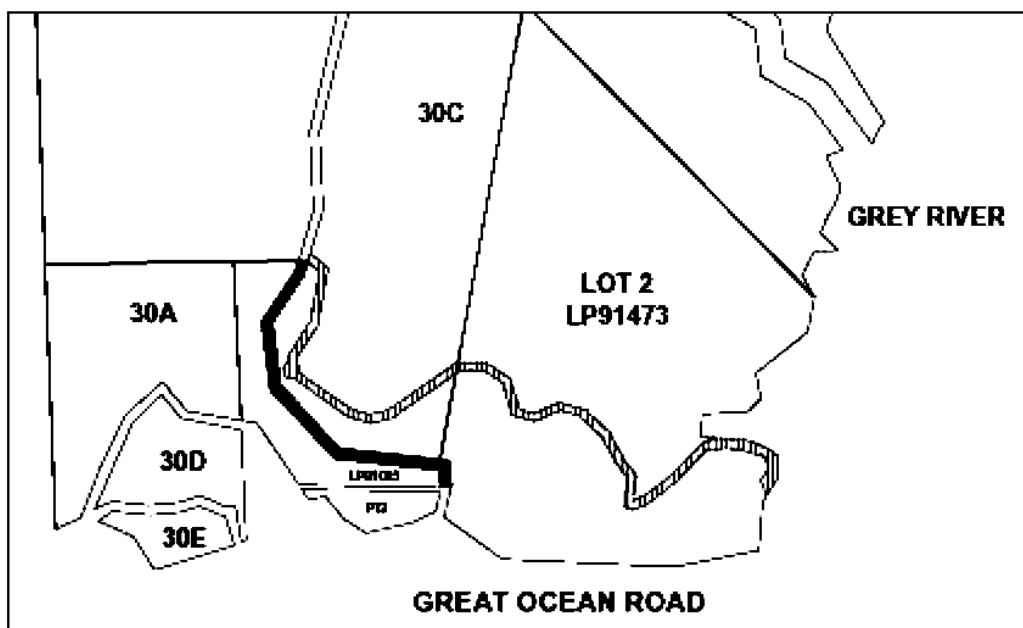
COLAC OTWAY SHIRE COUNCIL  
Erratum

In Government Gazette No. G19, 8 May 2003 on page 926, the Notice of Intention to Declare Road Closed, Grey River Area was printed in error and is accordingly revoked and replaced with the following notice –

## COLAC OTWAY SHIRE COUNCIL

Road Deviation and Exchange,  
Parish of Wongarra

Under Section 207E and Clause 2, Schedule 10 of the **Local Government Act 1989**, the Colac Otway Shire at its Ordinary Meeting held on 28 July 2004 resolved to discontinue the area of Government Road shown cross-hatched on the plan below and that the newly created subdivisional road shown hatched on the plan be opened as a road and exchanged with the land shown cross-hatched.

MERV HAIR  
Acting Chief Executive Officer

## COLAC OTWAY SHIRE

Renaming Tulloh St East, Elliminyt  
as "Beechy Court"

Notice is hereby given that the Colac Otway Shire on 28 July 2004 resolved (in part):—

That Council, having considered the submission received in relation to the proposed renaming of Tulloh Street East, Elliminyt, resolve that Tulloh Street East, Elliminyt be renamed "Beechy Court" in accordance with the provisions of Clause 5, Schedule 10 of the **Local Government Act 1989**.

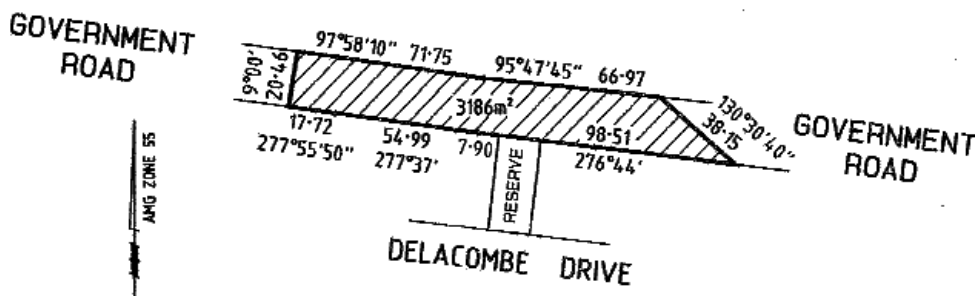
This name was approved after a process of public consultation in accordance with the provisions of the **Local Government Act 1989** and recognises the proximity of the former Beechy railway line that passed by the end of the road reserve.

The name shall take effect from the date of publication of this notice.

MERV HAIR  
Acting Chief Executive Officer

CITY OF WHITTLESEA  
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989** the City of Whittlesea at its Ordinary Meeting held on 20 April 2004 formed the opinion that the road as shown hatched and cross hatched on the plan set out below is not reasonably required as a road for public use and has resolved to discontinue the road to allow the land to be sold by the Department of Sustainability and Environment.



G. BRENNAN  
Chief Executive Officer



NOTICE OF INTENTION TO MAKE  
A ROAD MANAGEMENT PLAN

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

The purpose of the proposed Road Management Plan is to:-

- provide a safe and efficient road network for use by all members of the public;
- establish good road asset management practices focussed on delivering optimal outcomes having regard to affordability, available resources, and the policies, priorities and strategies of the Warrnambool City Council;
- set out the policies and procedures adopted by the Warrnambool City Council to achieve its road maintenance standards; and
- describe the inspection frequencies and condition standards adopted by Warrnambool City Council for various traffic conditions.

A copy of the proposed Warrnambool City Council Road Management Plan can be obtained from, or is available for inspection at the Warrnambool Civic Centre, 25 Liebig Street, Warrnambool.

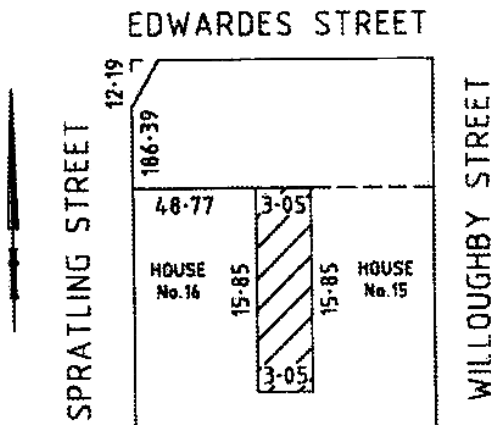
Any person who is aggrieved by the proposed Road Management Plan may make a submission to the Executive Manager – Infrastructure Services, Warrnambool City Council, PO Box 198, Warrnambool 3280 or by email to [probertson@warrnambool.vic.gov.au](mailto:probertson@warrnambool.vic.gov.au) by no later than 5.00 pm Monday 6 September 2004.

LINDSAY A. MERRITT  
Chief Executive

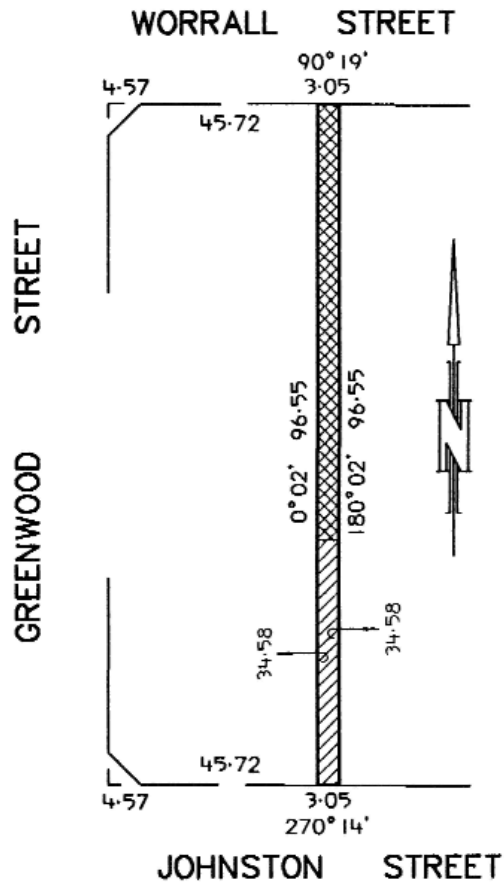
DAREBIN CITY COUNCIL  
Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Darebin City Council at its ordinary meeting held on 2 August 2004 formed the opinion that the road at the rear of 16 Spratling Street and 15 Willoughby Street, Reservoir, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owner at 16 Spratling Street, Reservoir.

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



PHILIP SHANAHAN  
Chief Executive Officer



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

NOELENE DUFF  
Chief Executive Officer

WHITEHORSE CITY COUNCIL  
Road Discontinuance

Pursuant to section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Whitehorse City Council has formed the opinion that the road adjacent 17 & 19 Worrall Street and 20 & 22 Johnston Street and rear of 22 Greenwood Street, Burwood, as shown hatched and cross-hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.



— City of —  
STONNINGTON

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 the City of Stonnington.



As required by section 55 of the **Road Management Act 2004**:-

- a) this "Road Management Plan – Version 01" has been adopted on 2 August 2004;
- b) this "Road Management Plan – Version 01" may be inspected or obtained at the Stonnington Council Service Centre Malvern located at the corner of Glenferrie Road and High Street, Malvern, between 9am and 5pm Monday to Friday; and
- c) the Code of Practice, any incorporated document or any amendment to an incorporated document, as the case may be, may be inspected at the Stonnington Council Service Centre Malvern located at the corner of Glenferrie Road and High Street, Malvern, between 9am and 5pm Monday to Friday.

#### SWAN HILL RURAL CITY COUNCIL

##### Road Management Plan

Swan Hill Rural City Council proposes to make a Road Management Plan in accordance with the **Road Management Act 2004**.

The purpose of the plan is to establish a management system to manage Council's road infrastructure. In particular the plan sets out inspection, maintenance and construction standards for the various classes of public roads throughout the municipality.

Copies of the proposed Road Management Plan may be obtained from the Swan Hill Rural City Council office at 45 Splatt Street, Swan Hill; the Development and Information Centre at 306 Campbell Street, Swan Hill; the Swan Hill Regional Library at 53 Campbell Street, Swan Hill; and the Robinvale Resource Centre at 68–72 Herbert Street, Robinvale.

In accordance with Section 54 of the Act, any person may make a submission on the proposed Road Management Plan to Council within 28 days of the date of this notice.

Submissions should be addressed to Roger Lambert, Swan Hill Rural City Council, PO Box 488, Swan Hill 3585, or email to [rlambert@swanhill.vic.gov.au](mailto:rlambert@swanhill.vic.gov.au).

ROGER LAMBERT  
Asset Engineer

#### Planning and Environment Act 1987

##### ALPINE PLANNING SCHEME

Notice of the Preparation  
of an Amendment to a Planning Scheme

##### Amendment C7

The Amendment affects those areas of the Shire which are delineated as either floodway or land subject to inundation in the former Department of Natural Resources and Environment's Flood Planning maps for the Alpine Shire (May 2000); the Myrtleford Floodplain Management Study, Sinclair Knight Merz, December 2000; the Harrietville Floodplain Management Plan, Geo Eng Australia Pty Ltd, 2001; and the Upper Ovens River Flood Study, Earth Tech, July 2004.

The Amendment proposes to:

- amend the Municipal Strategic Statement at Clause 21.03–4 and introduce a new Clause, 21.03–4–1 relating to floodplain and urban and rural drainage management;
- introduce the Floodway Overlay, the Land Subject to Inundation Overlay and the Special Building Overlay over those areas of the Shire delineated in the former Department of Natural Resources and Environment's Flood Planning maps for the Alpine Shire (May 2000); the Myrtleford Floodplain Management Study, Sinclair Knight Merz, December 2000; the Harrietville Floodplain Management Plan, Geo Eng Australia Pty Ltd, 2001; and the Upper Ovens River Flood Study, Earth Tech, July 2004, as floodway or land subject to inundation;
- introduce schedules to the Floodway Overlay, the Land Subject to Inundation Overlay and the Special Building Overlay.

You may inspect the Amendment, and any documents that support the Amendment, and the explanatory report about the Amendment during office hours free of charge at: Alpine Shire Council Offices, corner of Great Alpine Road and Churchill Avenue, Bright 3741; Alpine Shire Customer Service Office, O'Donnell Avenue, Myrtleford 3737; Alpine Shire Customer Service Office, Lakeside Avenue, Mt Beauty 3699; Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne 3000; and Department of

Sustainability and Environment, North East Region Office, 35 Sydney Road, Benalla 3672.

The Amendment can also be viewed via Council's website at [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au).

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

The closing date for submissions is 5pm on Friday 29 October 2004. A submission must be in writing and sent to the Alpine Shire, PO Box 139, Bright 3741.

DOUG SHARP  
Chief Executive Officer

### **Planning and Environment Act 1987**

#### **BAYSIDE PLANNING SCHEME**

##### **Notice of Amendment**

##### **Amendment C41**

The City of Bayside has prepared Amendment C41 to the Bayside Planning Scheme.

Land affected by the Amendment:

Nominated Council reserves in Attachment A to the Council policy Temporary Advertising Signs on Recreation Reserves, June 2004, as listed below:

##### **Public Park and Recreation Zone**

Balcombe Park Reserve, Banksia Reserve, Beaumaris Reserve, Boss James Reserve, Brighton Beach Oval, Brighton Golf Course, Castlefield Reserve, Cheltenham Golf Club, Cheltenham Park, Cheltenham Recreation Reserve, Dendy Park, Donald MacDonald Reserve, Elsternwick Park Main Oval (Glen Huntly Road, Brighton), Elsternwick Park (including Elsternwick Golf Course, excluding Main Oval), G. L. Basterfield Park (limited to tennis club), Hampton Bowling Club, Hurlingham Park, Lyle Anderson Reserve (limited to bowls club), Peterson Reserve, R. G. Chisholm Reserve, R. J. Sillitoe Reserve, Sandringham Croquet Club, Sandringham Family Leisure Centre, Sandringham Golf Course, Sandringham Golf Driving Range, Shipston Reserve, St Stephens Tennis Club, Thomas Street Reserve (north), Trevor Barker Beach Oval (Beach Road, Sandringham), Trey Bit Reserve, Tulip Street Reserve (including Spring Street Reserve and Destructor Reserve), Whyte Street Reserve, Widdop Crescent Reserve (including A. W. Oliver

Field), Wilson Recreation Reserve, William Street Reserve, W. L. Simpson Reserve, Yott Reserve (including Bodley Street Tennis Centre).

##### **Public Use Zone**

Royal Avenue Reserve, Royal Avenue, Sandringham.

The Amendment proposes to change the Bayside Planning Scheme by: amending the Schedule to Clause 52.03, Specific Sites and Exclusions and the Schedule to Clause 81, Incorporated Documents to incorporate the Council policy Temporary Advertising Signs on Recreation Reserves, June 2004, to regulate temporary advertising signs and local government signs located within nominated Council reserves.

A copy of the Amendment can be inspected, free of charge, during office hours, at: Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne, Vic. 3000; Department of Sustainability and Environment, South East Metropolitan Office, 12 Lakeside Drive, East Burwood, Vic. 3153; Bayside City Council, Corporate Centre, 76 Royal Avenue, Sandringham, Vic. 3191; Brighton Library, 14 Wilson Street, Brighton, Vic. 3186; Sandringham Library, 2-8 Waltham Street, Sandringham, Vic. 3191; Temporary Beaumaris Library, Scarfe Room, Uniting Church, corner of Gibbs Street & Dalgetty Road, Beaumaris, Vic. 3193; and Hampton Library, 1D Service Street, Hampton, Vic. 3188.

A full copy of the Amendment can be viewed on Council's website at [www.bayside.vic.gov.au/building\\_amendments.htm](http://www.bayside.vic.gov.au/building_amendments.htm).

Submissions about the Amendment must be in writing and be sent to: Chief Executive Officer, Bayside City Council, PO Box 27, Sandringham, Vic. 3191.

Submissions may support, oppose or make comment about any element of the proposed Amendment. Submissions should include your name and address.

Submissions to this Amendment should be received by Friday 17 September 2004.

IAN WILSON  
Chief Executive

**Planning and Environment Act 1987**

## CARDINIA PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C61

The Cardinia Shire Council has prepared Amendment C61 to the Cardinia Planning Scheme.

The land affected by the Amendment is Lots 26, 27, 28 and 29 Main Street, Bunyip.

The Amendment proposes to:

- rezone Lots 26, 27, 28 and 29 from a Public Use Zone 4 to a Business 1 Zone and realign the Business 1 Zone boundary towards the north of the subject lots in line with the property boundary;
- apply a Design and Development Overlay Schedule 3 over Lots 26, 27, 28 and 29 Main Street, Bunyip.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Cardinia Shire Council, Henty Way, Pakenham; and at the Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

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

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

The closing date for submissions is 13 September 2004. Submissions must be sent to: Urmi Buragohain, Strategic Planner, Cardinia Shire Council, PO Box 7, Pakenham 3810.

**Planning and Environment Act 1987**

## FRANKSTON PLANNING SCHEME

## Notice of Amendment

## Amendment C24

Frankston City Council has prepared Amendment C24 to the Frankston Planning Scheme.

This Amendment affects land throughout the municipality. The Amendment proposes to:

- rezone all land currently included in the Residential 2 Zone to the Residential 1 Zone;
- replace the Housing section of the Municipal Strategic Statement (MSS) with a new

section to provide an appropriate strategic basis for implementing recommendations of the recently completed Housing Strategy and Neighbourhood Character Study;

- introduce a Local Planning Policy on neighbourhood character that includes a preferred neighbourhood character statement, objectives and design response for each residential precinct in the municipality. The Policy also makes reference to a series of Neighbourhood Character Precinct Brochures containing detailed design guidelines;
- introduce a new Significant Landscape Overlay in Frankston South to control site coverage, front fences and substantial trees;
- modify Schedules 1–7 of the Design and Development Overlay to rationalise and simplify the expression of height controls;
- extend an existing Design and Development Overlay (DDO6) near Harcourt Avenue, Frankston South.

The Amendment can be inspected at: Frankston City Council, Town Planning Department, Civic Centre, corner of Davey Street and Young Street, Frankston; and Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

Submissions about the Amendment must be sent to: The Development Manager, Frankston City Council, PO Box 490, Frankston 3199, Attention: John Eichler, by 14 September 2004.

NICK CHARALAMBAKIS

Development Manager

**Planning and Environment Act 1987**

## WHITEHORSE PLANNING SCHEME

Notice of the Preparation of  
an Amendment to a Planning Scheme

## Amendment C50

The land affected by the Amendment is the whole of the City of Whitehorse.

The Amendment proposes to introduce a new Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF). It partly implements the 'Three Year Review' of the current Whitehorse MSS and LPPF, completed in 2002, as well as the City of Whitehorse Housing Study, February 2003 and the Whitehorse Neighbourhood Character Study 2002/2003 and Blackburn Lake Surrounds Study.

You may inspect the Amendment, and any documents that support the Amendment, and the explanatory report about the Amendment, at the office of the planning authority, Whitehorse City Council, and at the Department of Sustainability and Environment, at the following addresses: The City of Whitehorse Planning Office, Service Centre, 379 Whitehorse Road, Nunawading; Department of Sustainability and Environment, Planning Information Centre, Level 3 Plaza, Nauru House, 80 Collins Street, Melbourne; all libraries within the City of Whitehorse; the Whitehorse Service Centres at Box Hill and Forest Hill; and on the Internet at [www.whitehorse.vic.gov.au/what-docs.asp](http://www.whitehorse.vic.gov.au/what-docs.asp).

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.

Any submission about the Amendment must be made in writing, giving the submitter's name, address and, if practicable, a phone number for contact during office hours; set out the views on the Amendment that the submitter wishes to put before Council and indicate what changes (if any) the submitter wishes to be made to the Amendment; and state whether the person/s making the submission wishes to be heard in support of their submission.

The closing date for submission is 13 September 2004. A submission must be sent to: Mr Gerard Gilfedder, Acting Manager Planning Projects, City of Whitehorse, Locked Bag 2, Nunawading Delivery Centre, Vic. 3110.

#### **Privacy Statement**

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the **Planning and Environment Act 1987** (the Act). The public may view the submission whilst the Amendment is being considered. In accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6315.

Mr PAUL KEARSLEY  
General Manager, City Development

#### **Planning and Environment Act 1987**

##### **YARRA RANGES PLANNING SCHEME**

##### **Notice of the Preparation of an Amendment to a Planning Scheme and Notice of an Application for Planning Permit**

##### **Amendment C41**

##### **Application YR2004/25**

The land affected by the Amendment is 160–162 Victoria Road, Coldstream.

The land affected by the application is 160–162 Victoria Road, Coldstream.

The Amendment proposes to introduce a site specific provision into the Schedule to Clause 52.03 to provide discretion to permit the use and development of the land for an 18-hole golf course and associated clubhouse and maintenance facilities.

The application is for a permit to construct buildings and works and use the land for the proposed golf course.

The person who requested the Amendment and the applicant for the permit is Australian Agricultural & Property Management Ltd, c/- Ratio Consultants Pty Ltd.

You may inspect the Amendment and the application, and any documents that support the Amendment and application, and the explanatory report about the Amendment and application, at the following locations: Shire of Yarra Ranges Service Centres: Lilydale – Anderson Street, Lilydale; Monbulk – 94 Main Street, Monbulk; Healesville – 276 Maroondah Highway, Healesville; Upwey – 40 Main Street, Upwey; and Yarra Junction – Warburton Highway/Hoddle Street, Yarra Junction; Department of Sustainability and Environment, South East Metropolitan Office, 12 Lakeside Drive, East Burwood, and Department of Sustainability and Environment, Planning Information Centre, Upper Plaza, Nauru House, 80 Collins Street, Melbourne.

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

Any person who may be affected by the Amendment or by the granting of the permit may make a submission to the planning authority. Please be aware that copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process under the **Planning and Environment Act 1987**.

The closing date for submission is 13 September 2004. A submission must be sent to the Shire of Yarra Ranges, PO Box 105, Lilydale 3140.

GRAHAM WHITT  
Manager Planning Services

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 14 October 2004 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.

AUSTIN, William Raymond Buttle, formerly of 157 Male Street, Brighton North, Victoria 3186, but late of Sheridan Hall, 10 Marion Street, Brighton North, Victoria 3186, pensioner and who died on 22 July 2004.

CUMMINGS, John Herbert, late of 5 Sixth Avenue, Altona North, retired and who died on 14 March 2004.

DAY, William Angus, late of 77 Mount Dandenong Road, Ringwood, Victoria, retired and who died on 9 May 2004.

DE VISSCHER, Reita May, late of Rumbalara Lodge, 171 Church Street, Brighton, Victoria, pensioner and who died on 4 June 2004.

ENDICOTTE, Avis Evelyn, late of 53 Beard Street, Eltham, retired nurse, and who died on 4 May 2004.

FISHER, Ida Corona, late of Amity At Queenscliff, 20–26 Hesse Street, Queenscliff, Victoria 3225, and who died on 7 March 2004.

GARDNER, Lila, late of Benetas, 15 Waxman Parade, Brunswick West, and who died on 9 June 2004.

GARLAND, Norman Horace, late of 13 Catterick Street, Morwell, retired and who died on 24 April 2004.

GIELIS, Edmund, formerly of 229 Tooronga Road, Glen Iris, but late of Ripplebrook Nursing Home, 19 East, 21–25 Inverness Street, Clarinda, retired and who died on 20 July 2004.

KORWITZ, Ilse Martha, late of Unit 13, 24 Kingsley Street, Elwood 3184, pensioner and who died on 6 June 2004.

PAUL, Marcelene Nelia, late of 2 Pullyn Street, Clayton, Victoria 3168, pensioner and who died on 30 July 2004.

PRICE, Margaret Hannah, formerly of Caulfield Drive Place, Ground Floor – 34 Eastern Road, South Melbourne, Victoria 3205, but late of Dava Lodge Private Nursing Home, 185 Bentons Road, Morningson, Victoria 3931, pensioner, and who died on 28 July 2004.

Dated 5 August 2004

LAURIE TAYLOR  
Estate Manager  
State Trustees Limited

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 18 October 2004 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.

CALLCUT, Margaret Elsie, late of Unit 11/20 Walsh Street, South Yarra, retired, and who died on 21 July 2004.

CAMPBELL, Ian Roderick, late of Unit 3/5 Rose Court, Newcombe Vic. 3219, pensioner, and who died on 11 February 2004.

CREANEY, Theresa, late of Springvale Private Nursing Home, 340 Springvale Road, Springvale, Victoria, pensioner, and who died on 19 June 2004.

KANTORIS, Alexander, late of 2751 Ballan–Daylesford Road, Muskvale, retired, and who died on 26 May 2004.

MORRIS, Margaret Gweneth, late of Dromana Private Nursing Home, 6 Nepean Highway, Dromana, pensioner, and who died on 13 June 2004.

WALSH, Margaret, late of 36 Blair Street, Broadmeadows, home duties, and who died on 14 June 2004.

Dated 9 August 2004

LAURIE TAYLOR  
Estate Manager  
State Trustees Limited



## EXEMPTION

## Application No. A252/2004

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** by Lifestyle Communities Pty Ltd for exemption from Sections 42, 47, 49, 50, 100 and 195 of that Act. The application for exemption is to enable the applicant to engage in the specified conduct. In this Exemption "specified conduct" means the establishment and operation of residential communities for people over 55 years of age including, but not limited to, the sale of mobile homes, the provisions of residence sites, the provision of facilities and services to those communities and other related matters and advertising concerning those communities.

Upon reading the material submitted in support of the application and upon hearing submissions from Mr Craig Dowling, Counsel and for the Reasons for Decision given by the Tribunal on 3 August 2004, the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 42, 47, 49, 50, 100 and 195 of the Act to engage in the specified conduct.

The Tribunal hereby grants an exemption to the applicant from the operation of Sections 42, 47, 49, 50, 100 and 195 of the Equal Opportunity Act 1995 to enable the applicant to engage in the specified conduct. The exemption is subject to the conditions listed in the schedule.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 11 August 2007.

Dated 3 August 2004

C. McKENZIE  
Deputy President

## SCHEDULE

This schedule sets out minimum requirements to be contained in any agreement entered into between the applicant and the resident of a site in a community established by the Applicant. The terms of the agreement are not limited to the requirements set out in this schedule. The terms set out in any site agreement need not be in the exact form of the requirements in this schedule but must be to the same effect.

The minimum requirements are—

- a) The agreement must provide for the payment of the site fee by the resident to the applicant and must describe the purposes for which amounts received as site fees are to be used. If the site fee is to include an amount in respect of rates or taxes concerning the site, the amount included must comply with sections 162 and 163 of the **Residential Tenancies Act 1997** ("RTA").
- b) The agreement must state that it is an agreement for the purposes of section 144 of the RTA. The agreement must make it clear that the community to which it relates is a caravan park within the meaning of the RTA, and that the provisions of the RTA relating to caravan parks apply.
- c) The resident's residency right lasts for a term of 45 years from the date when the resident locates his or her mobile home on the site. The resident has one option of renewal for a further term of 45 years.
- d) If the resident sells or disposes of his or her mobile home, the applicant may refuse consent to the transfer of the residency right in the site if the transferee is not aged over 55. If the applicant consents to the transfer of a residency right in a site, the applicant will enter into a new site agreement with the transferee. For the purpose of paragraph C the term of the residency right begins on the date of the transfer.
- e) If a resident dies, the person to whom the resident's mobile home passes under the laws relating to estates is entitled to the transfer of the residency right in the site irrespective of that

- persons age. The applicant will enter into a new site agreement with that person. For the purposes of paragraph C, the residency right under the new agreement lasts for a term of not less than 20 years and specified in the agreement. The company will permit that person, if aged 55 or under, to nominate a person over 55 to occupy the site on terms and conditions agreed between the applicant and the nominator.
- f) The applicant will permit the transfer of a residency right in a site to a person who is not over the age of 55 in other exceptional circumstances.
  - g) The applicant will permit a person to occupy a site instead of the resident, on a short term or temporary basis. The circumstances in which this permission may be given include but are not limited to absences of the resident on extended holiday or because of ill health or in any other exceptional circumstances. The temporary or short term occupation will be for a term not exceeding 12 months, but the term may be renewed from time to time in the applicants discretion.
  - h) The applicant will not require from the resident more than 1 bond in respect of any one continuous period of occupation of a site.
  - i) The applicant will not make an additional charge for occupation of a site by any visitor of the resident unless the visitor remains there for more than 30 days.
  - j) The resident will use the site for his or her main or only place of residence.
  - k) Subject to payment of the site fees, the resident has the right to use the communal facilities and services in the community.
  - l) The applicant and the resident must obey any rules for the community made under section 185 of the RTA as amended and in force for the time being.
  - m) The resident will insure and keep insured the mobile home and its contents and take out and maintain public liability insurance over the site occupied by the resident.

#### EXEMPTION

##### Application No. A260 of 2004

The Victorian Civil and Administrative Tribunal has considered an application for exemption pursuant to Section 83 of the **Equal Opportunity Act 1995** (The Act) by Quantum Support Services Inc (the Applicant). The application for exemption is to enable the Applicant to advertise for and employ females only as counsellors for women and children who are experiencing or escaping domestic violence.

Upon reading the material filed in support of this application, 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 females only to counsel women and women with children who are experiencing or escaping from domestic violence.

In granting this exemption the Tribunal noted:

- The Applicant has merged with the Central Gippsland Accommodation & Support Services inc (“CGASS”), which has an extensive history in the provision of housing and support services in Central and West Gippsland, and which was selected by the Department of Human Services to deliver Family Violence Services in the Latrobe and Wellington Shires.
- The Tribunal previously granted an exemption to CGASS in 2001 to enable it to advertise for and employ females only to counsel women and women with children who are experiencing or escaping from domestic violence.
- Female only employees are desirable to make victims feel comfortable entering the service and establishing a rapport with workers who will support them in the long term.
- The circumstances giving rise to the grant of the exemption in 2001 are still relevant.



The Tribunal hereby grants an exemption from the operations of Section 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the Applicant to advertise for and employ females only to counsel women and women with children who are experiencing or escaping from domestic violence.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 12 August 2007.

Dated 3 August 2004

Mrs S. DAVIS  
Deputy President

#### **Adoption Act 1984**

Under the functions and powers assigned to me by the Secretary, Department of Human Services under Section 10(2) of the **Community Welfare Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**.

I, Valerie Callister, Regional Director Department of Human Services Gippsland, approve the following persons under Section 5(1) and Section 5(2)(b) of the **Adoption Act 1984** as approved counsellors for the purposes of Section 35 of the **Adoption Act 1984**.

Ms Leah Bell

Ms Ruth Campbell

Agency – Anglicare Gippsland, PO Box 959, Morwell 3840

VALERIE CALLISTER  
Regional Director  
Gippsland

#### **Building Act 1993**

##### NOTIFICATION OF A DESIGNATED INSURER

I Mary Delahunty, Minister for Planning, have consulted pursuant to section 137AA (8) of the **Building Act 1993** (Act) with the Minister for the time being administering the Victorian **Managed Insurance Authority Act 1996**. I am satisfied that Exporters Insurance Company Ltd meets at least one of the minimum ratings specified pursuant to section 137AA (6). I hereby specify, under section 137AA (3) of the Act, Exporters Insurance Company Ltd as an insurer for the purposes of section 137AA.

MARY DELAHUNTY  
Minister for Planning

#### **Commonwealth Games Arrangements Act 2001**

##### COMMONWEALTH GAMES VENUE ORDER

In accordance with section 14 of the **Commonwealth Games Arrangements Act 2001** ("the Act"), as the Minister administering the Act, I declare the whole of the land known as the Melbourne International Shooting Club, being all the land contained in Certificate of Title Volume 10043, Folio 886 known as Crown Allotment 10, Section 58, City of Port Melbourne, Parish of Melbourne South, to be a permanent Commonwealth Games venue to which the Act applies.

This Order shall take effect from the date of its publication in the Government Gazette.

Dated 26 July 2004

Responsible Minister  
JUSTIN MADDEN MLC  
Minister for Commonwealth Games

#### **Commonwealth Games Arrangements Act 2001**

##### COMMONWEALTH GAMES PROJECT ORDER

1. This declaration is made in accordance with section 15 of the **Commonwealth Games Arrangements Act 2001** ("the Act"), by me as the Minister administering the Act.
2. I declare the Melbourne International Shooting Club Refurbishment Project to be carried out at the Commonwealth Games venue known as the Melbourne International Shooting Club to be a Commonwealth Games project to which the Act applies.
3. I authorise the development of that project for the period commencing 30 August 2004 until 30 December 2005.
4. In accordance with section 17 of the Act I specify that the Secretary to the Department for Victorian Communities, being a body corporate constituted under section 25A of the Act, as the body responsible for managing or developing the Commonwealth Games project to which this order applies.

This Order shall take effect from the date of its publication in the Government Gazette.

Dated 26 July 2004

Responsible Minister  
JUSTIN MADDEN MLC  
Minister for Commonwealth Games

**Domestic (Feral and Nuisance)  
Animals Act 1994**

DRAFT CODE OF PRACTICE  
FOR OPERATION OF  
BOARDING ESTABLISHMENTS  
(REVISION NUMBER 1)

The Code of Practice for Operation of Boarding Establishments has been reviewed. This code is made under the **Domestic (Feral and Nuisance) Animals Act 1996** and must be complied with by all Domestic Animal Boarding Establishments. The primary objective of this review is to incorporate minimum standards for day boarding establishments for dogs.

Public comments and submissions are invited on the draft Code of Practice for the Operation of Boarding Establishments (Revision Number 1) to be made under Section 59 of the **Domestic (Feral and Nuisance) Animals Act 1994**.

A copy of the draft Code may be obtained from: the Customer Service Centre by phoning 136 186 (between 8am to 8pm); the DPI Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne 3002; or on the Internet at [www.dpi.vic.gov.au](http://www.dpi.vic.gov.au).

All submissions must be in writing and should be sent to: Ms Cathy Pawsey, Coordinator Policy and Legislation, Bureau of Animal Welfare, 475 Mickleham Rd, Attwood, Victoria 3049, or via email at [animal.welfare@dpi.vic.gov.au](mailto:animal.welfare@dpi.vic.gov.au).

Submissions are due by 5pm on Friday 3 September 2004.

**Education Act 1958**

NOTICE OF MAKING OF ORDERS UNDER  
SECTION 13 AND ADMINISTRATIVE  
ARRANGEMENTS ORDER (No. 180) 2002

Two Orders of the Acting Minister for Education Services were made on 29 July 2004 under sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 180) 2002 amending the constituting Orders of Nelson Park School Council and Newtown Primary School Council in respect of the memberships of the school councils.

LYNNE KOSKY  
Acting Minister for Education Services

**Education Act 1958**

NOTICE OF MAKING OF ORDERS UNDER  
SECTION 13 AND ADMINISTRATIVE  
ARRANGEMENTS ORDER (No. 180) 2002

Two Orders of the Acting Minister for Education Services were made on 28 July 2004 under sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 180) 2002 amending the constituting Orders of Currawa Primary School Council and St Albans Heights Primary School Council in respect of the memberships of the school councils.

LYNNE KOSKY  
Acting Minister for Education Services



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 1547 in the category described as a Heritage place is now described as:

Hume & Hovell Monument, Princes Highway, Lara, Greater Geelong City Council.

EXTENT:

All of the place known as the Hume and Hovell Monument, Princes Highway, Lara marked B1 on Diagram 1547, including a 5 metre by 5 metre square of land marked L1 on Diagram 1547 held by the Executive Director.

Dated 12 August 2004

RAY TONKIN  
Executive Director

**Land Acquisition and Compensation Act 1986**

FORM 7 S.21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Goulburn Valley Region Water Authority declares that by this notice it acquires the following interest of John James Mooney and all other interests in the whole of the land comprised in Certificate of Title Volume 8602, Folio 001, being Lot 8 on Plan of Subdivision 6746, Parish of Merriang:

**Interest Acquired:** Freehold interest

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

Dated 12 August 2004

For and on behalf of  
Goulburn Valley Region Water Authority

- (i) The waters within 100 metres of Point Henry pier, Corio Bay.”

Reference No. 284/001/2004

Dated 4 August 2004

TONY MIDDLETON  
Director of Marine Safety

STATE SUPERANNUATION  
REGULATIONS 1998 REGULATION 7(a)(ii)  
TRANSPORT SUPERANNUATION  
REGULATIONS 1998 REGULATION 5(2)(e)

Schedule of Shift Allowances –

- (1) Thiess Infraco (Bayside) Pty Ltd  
(2) Thiess Infraco (Swanston) Pty Ltd

The following shift allowances, as defined in the Thiess Infraco (Bayside) Certified Agreement 2003 and the Thiess Infraco (Swanston) Certified Agreement 2003 (collectively referred to as “the Thiess CA”), have been approved by the Government Superannuation Office in respect of Thiess Infraco (Bayside) Pty Ltd and Thiess Infraco (Swanston) Pty Ltd:

(i) Early Morning Shift	15%
(ii) Afternoon Shift	15%
(iii) Night Shift	25%
(iv) Permanent Night Shift	30%
(v) Saturday Work under cl.10.5 of the Thiess CA	50%
(vi) Sunday Work under cl.10.6 of the Thiess CA	100%

**Marine Act 1988**

## SECTION 15 NOTICE

I, the Director of Marine Safety, on the recommendation of The Regional Manager City and Bays, Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988**.

**Amendments to Schedule 1****Waters – The Designated Port of Port Phillip**

1. In Schedule 1, Item 5 insert –

- “(d) The following waters of this schedule are prohibited for the use of kite surfers and kite boards:

**Marine Act 1988**

## SECTION 15 NOTICE

I, the Director of Marine Safety, on the recommendation of Inspector Kenneth Ashworth a member of Victoria Police, hereby revoke Schedule 19 (Waters – The designated Port of Lorne) of Notice 1 made under Section 15(2) of the **Marine Act 1988**.

The previous speed restriction exemption (defined in schedule 19) will revert to a speed restriction of 5 knots within 200 metres of the shore.

Reference No. 283/001/2004

Dated 5 July 2004

MARK HUGHES  
Acting Director of Marine Safety

**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 15 September 2004.

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 9 September 2004.

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

Ultra Towing Service Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW022 and TOW025 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 58 Enterprise Avenue, Berwick.

Dated 10 August 2004

STEVE STANKO  
Director

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**Casino Control Act 1991—section 60(1)**  
**CASINO RULES NOTICE NO. 11 OF 2004**  
**Rules of the Game—Baccarat**

By this notice, the Victorian Commission for Gambling Regulation amends the Rules in respect of the game “Baccarat”<sup>1</sup> as set out in the Schedule.

This notice operates with effect from 4.00 am on Friday 13 August 2004.

Dated 6 August 2004

PETER COHEN  
Executive Commissioner  
Victorian Commission for Gambling Regulation

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Schedule

1. **Replace** rule 11.12 with—
  - 11.12 If at any stage during a coup, the correct order of the cards cannot be determined, that coup will be void.

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1 The game of Baccarat and its rules were approved in full by notice published in the Victoria Government Gazette on 24 April 1997 (S44). The rules have subsequently been amended by—

- Casino Rules Notice published on 9 October 1997 (G40);
  - Casino Rules Notice No. 12 of 1999 published on 4 August 1999 (S114);
  - Casino Rules Notice No. 26 of 1999 published on 4 November 1999 (S156);
  - Casino Rules Notice No. 30 of 1999 published on 16 December 1999 (S1831);
  - Casino Rules Notice No. 1 of 2000 published on 28 February 2000 (S23);
  - Casino Rules Notice No. 8 of 2000 published on 20 April 2000 (S51);
  - Casino Rules Notice No. 11 of 2000 published on 7 June 2000 (S80);
  - Casino Rules Notice No. 17 of 2000 published on 8 September 2000 (S126);
  - Casino Rules Notice No. 32 of 2000 published on 19 December 2000 (S193);
  - Casino Rules Notice No. 4 of 2001 published on 15 March 2001 (S25),
  - Casino Rules Notice No. 7 of 2001 published on 27 March 2001 (S41),
  - Casino Rules Notice No. 24 of 2001 published on 13 December 2001 (G50);
  - Casino Rules Notice No. 28 of 2002 published on 7 August 2002 (S137);
  - Casino Rules Notice No. 36 of 2002 published on 5 December 2002 (G49); and
  - Casino Rules Notice No. 7 of 2004 published on 18 March 2004 (G12).
-

**Water Industry Act 1994****PROPOSED PERMANENT WATER SAVING MEASURES**

The Victorian Government intends to introduce Permanent Water Saving Measures to help deliver long-term water savings in Melbourne, as recently announced in the Government's Our Water Our Future action plan to secure water for the next 50 years.

You are invited to submit your views on the proposed Permanent Water Saving Measures, outlined below and fully explained in the Permanent Water Saving Plan, to Melbourne's water retailers, City West Water, South East Water and Yarra Valley Water.

A copy of the Permanent Water Saving Plan and Feedback Form can be obtained from your water business' website or customer enquiry line.

Completed Feedback Forms should be lodged online or mailed to Permanent Measures, PO Box 60, Moorabbin Vic. 3189, by Wednesday 15 September 2004. This deadline has been extended to give as many people as possible the opportunity to have their say.

**Summary of Proposed Measures**

- All watering systems, including sprinklers, microspray and drip systems must not be used to water a garden or grassed area except between the hours of 8pm and 8am.
- A hand-held hose fitted with a trigger nozzle, a watering can or a bucket may be used at any time to water a garden or grassed area.
- All automatic water systems must be fitted with either a rain sensor or a soil moisture sensor.
- A hose used to clean a vehicle by hand must be fitted with a trigger nozzle.
- Paved areas are not allowed to be cleaned with water from a hose except under special circumstances.
- A Water Conservation Plan must be completed and approved before filling a pool or spa with a capacity of 2,000 litres or greater.
- A fountain which does not recycle water must not be used.
- Any hose used as part of construction activity must be fitted with a trigger nozzle.

\*Please note: no restrictions will apply in the case of accident, fire, hazard to health or environment

City West Water	131 691	<a href="http://www.citywestwater.com.au">www.citywestwater.com.au</a>
South East Water	131 867	<a href="http://www.southeastwater.com.au">www.southeastwater.com.au</a>
Yarra Valley Water	131 721	<a href="http://www.yvw.com.au">www.yvw.com.au</a>

**Planning and Environment Act 1987****CARDINIA PLANNING SCHEME****Notice of Approval of Amendment****Amendment C56**

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

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

The Amendment affects approximately 58.9ha of land bounded by Toomuc Valley Road, Syme Road, Pakenham Road and the electricity transmission line easement, Pakenham.

The Amendment:

- rezones the land from a Rural Zone to a Residential 1 Zone;
- deletes the Environmental Significance Overlay from applying over the land;
- includes the land in a Development Plan Overlay – Schedule 8.

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 Cardinia Shire Council, Henty Way, Pakenham.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**

DAREBIN PLANNING SCHEME

Notice of Approval of Amendment

Amendment C50

The Minister for Planning has approved Amendment C50 to the Darebin Planning Scheme.

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

The Amendment introduces a Development Contributions Plan Overlay and associated incorporated document into the Darebin Planning Scheme and applies it to the whole municipality. It also amends Clause 52.01 to specify the provisions for open space contribution at the time of subdivision.

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 Darebin City Council, Level 1, 274 Gower Street, Preston.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**

HUME PLANNING SCHEME

Notice of Approval of Amendment

Amendment C57

The Minister for Planning has approved Amendment C57 to the Hume Planning Scheme.

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

The Amendment: amends the table to the Schedule to Clause 52.03 "Specific Sites and Exclusions", and the table to the Schedule to Clause 81 "Documents Incorporated in this Scheme" to incorporate a document relating to the Craigieburn railway electrification known as "Craigieburn Rail Project Planning Controls (20 May 2004)" into the Hume Planning Scheme.

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 Hume City Council: Broadmeadows Office, 1079 Pascoe Vale Road, Broadmeadows 3047, and the Sunbury Office, 36 Macedon Street, Sunbury 3429.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**

MANNINGHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C44

The Minister for Planning has approved Amendment C44 to the Manningham Planning Scheme.

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

The Amendment alters the Schedules to Clauses 52.03 and 81 to allow the use and development of three temporary relocatable classrooms at the existing education centre known as Donvale Christian College on land comprising Lot 4 on Plan of Subdivision 504753P, at 155 Tindals Road, Donvale. The relocatable classrooms must be removed from the site no later than 31 December 2010.

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 Manningham City Council, Civic Centre, 699 Doncaster Road, Doncaster.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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

The Amendment deletes the Public Conservation and Resources Zones (PCRZ) from CA 40A Parish of Kinglake, 35 Pinch Gut Lane, Kinglake, and removes the land from the Nillumbuk Planning Scheme.

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 North East Regional Office, 35 Sydney Road, Benalla; and at the offices of the Murrindindi Shire Council, Perkins Street, Alexandra, and Nillumbik Shire Council, Civic Drive, Greensborough.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**  
MURRINDINDI PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C15

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

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

The Amendment rezones land at Crown Allotment 40A, Parish of Kinglake (35 Pinch Gut Lane, Kinglake) from Public Conservation and Resources Zone (PCRZ) to Rural Zone (RUZ) and inserts the land into the Murrindindi Planning Scheme.

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 North East Regional Office, 35 Sydney Road, Benalla; and at the offices of the Murrindindi Shire Council, Perkins Street, Alexandra, and Nillumbik Shire Council, Civic Drive, Greensborough.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**  
FRANKSTON PLANNING SCHEME

Notice of Lapsing of Amendment  
Amendment C1

The Minister for Planning has refused to approve Amendment C1 to the Frankston Planning Scheme.

The Amendment proposed to rezone approximately 42 hectares of land at Stotts Lane, Frankston from an Environmental Rural Zone to a Residential 1 Zone. It also proposed to apply a Development Plan Overlay to the land.

The Amendment lapsed on 28 July 2004.

PAUL JEROME  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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**Planning and Environment Act 1987**  
NILLUMBIK PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C32

The Minister for Planning has approved Amendment C32 to the Nillumbik Planning Scheme.



## ORDERS IN COUNCIL

### Crown Land (Reserves) Act 1978

#### NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATIONS

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservations:

**DOOKIE** – The temporary reservation by Order in Council of 29 September 1873 of an area of 52 hectares, more or less, of land in the Parish of Dookie (formerly portion of Crown Allotment 169) as a site for affording a supply of Wood and Limestone, revoked as to part by Order in Council of 20 December 1877, so far as the balance remaining containing 51.21 hectares, more or less. – (Rs 1638).

**GERANGAMETE** – The temporary reservation by Order in Council of 27 July 1942 of an area of 2.203 hectares of land in the Parish of Gerangamete as a site for a State School, revoked as to part by Order in Council of 1 June 1993, so far as the balance remaining containing 2.11 hectares, more or less. – (Rs 5301).

**MITCHELL** – The temporary reservation by Order in Council of 24 February 1891 of an area of 1354 square metres, more or less, of land in Section A, Parish of Mitchell (formerly being portion of Crown Allotment 16, Section A) as a site for Water Supply purposes. – (0610674).

**MITCHELL** – The temporary reservation by Order in Council of 6 June 1892 of an area of 9.54 hectares, more or less, of land in Section A, Parish of Mitchell (formerly being portion of Crown Allotment 16, Section A) as a site for Water Supply purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 24 February 1891. – (0610674).

**NAPOLEONS** – The temporary reservation by Order in Council of 27 June 1892 of an area of 6576 square metres of land in the Township of Napoleons, Parish of Yarrowee as a site for a State School, in addition to and adjoining the site permanently reserved therefor by Order in Council of 24 July 1973. – (Rs 13632).

**PINE LODGE** – The temporary reservation by Order in Council of 29 March 1887 of an area of 33.56 hectares of land, more or less, in the Parish of Pine Lodge (formerly being portion of Crown Allotment 41C) as a site for Water Supply purposes, revoked as to part by

Order in Council of 11 June 1903, so far as the balance remaining containing 12.14 hectares, more or less. – (Rs 04638).

**TAMLEUGH** – The temporary reservation by Order in Council of 13 December 1911 of an area of 16.63 hectares, more or less, of land in Section A, Parish of Tamleugh in two separate portions (formerly being Crown Allotments 35A and 4H, Section A) as a site for Supply of Gravel. – (Rs 12539).

**WALLALOO** – The temporary reservation by Order in Council of 1 December 1884 of an area of 12.55 hectares, more or less, of land in the Parish of Wallaloo (formerly being portion of original Allotment 88) as a site for Conservation of Water, revoked as to part by various Orders, so far as the balance remaining containing 8.9 hectares, more or less. – (Rs 350).

**WALLALOO** – The temporary reservation by Order in Council of 23 December 1915 of an area of 2.018 hectares of land in the Parish of Wallaloo as a site for Public Recreation. – (Rs 847).

**WALLALOO** – The temporary reservation by Order in Council of 16 July 1946 of an area of 4882 square metres of land in the Parish of Wallaloo as a site for Recreation Reserve purposes, in addition to and adjoining the site temporarily reserved for Public Recreation by Order in Council of 23 December 1915. – (Rs 847).

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

Dated 10 August 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

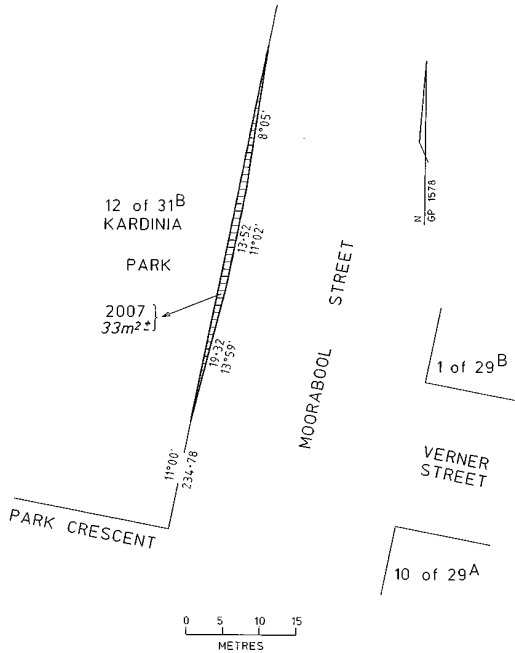
DIANE CASEY  
Clerk of the Executive Council

### Crown Land (Reserves) Act 1978 TEMPORARY RESERVATION OF CROWN LANDS

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which in his opinion are required for the purposes mentioned:–

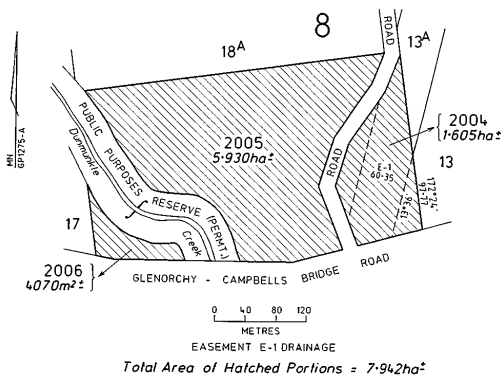
MUNICIPAL DISTRICT OF THE CITY OF GREATER GEELONG

GEELONG – Public recreation, 33 square metres, more or less, being Crown Allotment 2007, City of Geelong, Parish of Corio as indicated by hatching on plan hereunder. – (GP1578) – (Rs 511).



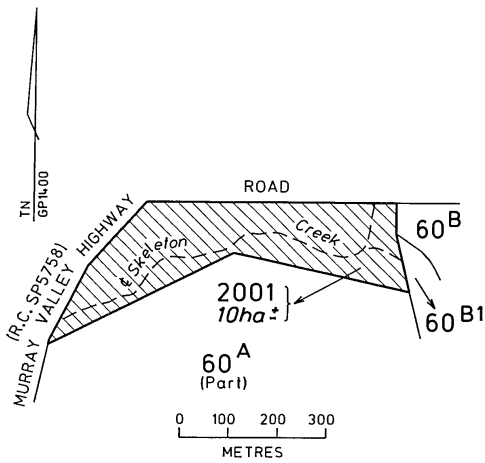
MUNICIPAL DISTRICT OF THE NORTHERN GRAMPIANS SHIRE COUNCIL

GLENORCHY – Conservation of an area of natural interest, combined area 7.942 hectares, more or less, being Crown Allotments 2004, 2005 and 2006, Parish of Glenorchy as indicated by hatching on plan hereunder. – (GP1275A) – (02P372135).



MUNICIPAL DISTRICT OF THE MOIRA SHIRE COUNCIL

KOTUPNA – Public purposes, combined area 28.014 hectares, more or less, being Crown Allotments 2004, 2005 and 2006, Parish of Kotupna as shown on Plan No. LEGL/.04-119 lodged in the Central Plan Office of the Department of Sustainability and Environment and Crown Allotment 2001, Parish of Kotupna as indicated by hatching on plan hereunder. – (GP1400) – (L7-5710).



MUNICIPAL DISTRICT OF THE MILDURA RURAL CITY COUNCIL

MERBEIN – Public purposes (Police purposes), 1214 square metres being Crown Allotment 8, Section 4, Township of Merbein, Parish of Merbein as shown on Certified Plan No. 110793 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (01/2013887).

MUNICIPAL DISTRICT OF THE LODDON SHIRE COUNCIL

TARNAGULLA – Public purposes (Police purposes), 2331 square metres being Crown Allotment 2003, Township of Tarnagulla, Parish of Tarnagulla as shown on Original Plan No. 122137 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (06/2013906).

MUNICIPAL DISTRICT OF THE CITY OF HOBSONS BAY

TRUGANINA – Conservation of an area of natural interest, 5.397 hectares being Crown Allotment 2012, Parish of Truganina shown as Lot 2 on Plan of Subdivision No. 511019E lodged in the Office of Titles [Land Registry]. – (Rs 12053).

MUNICIPAL DISTRICT OF THE  
BAW BAW SHIRE COUNCIL

WARRAGUL – Public purposes (Police purposes), 3133 square metres being Crown Allotment 2002, Township of Warragul, Parish of Drouin East as shown on Original Plan No. 122065 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 13845).

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

Dated 10 August 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**  
DISSOLUTION OF INCORPORATED  
COMMITTEE OF MANAGEMENT  
GOROKE

The Governor in Council under Section 14A(7) of the **Crown Land (Reserves) Act 1978** dissolves the “Goroke Kindergarten Reserve Incorporated” constituted by Order in Council of 19 June 2001 (vide Government Gazette of 21 June 2001 – page 1382). – (Rs 10341).

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

Dated 10 August 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

VICTORIA

**State Aid to Religion Abolition Act 1871**  
ACT NO. 391/1871 – SECOND SCHEDULE

A statement of trusts having been submitted by the head or authorised representative of the Uniting Church in Australia under the provisions of the “Act to provide for the

abolition of State Aid to Religion” for allowance by the Governor in Council, the same was allowed by him on the tenth day of August, 2004 and the following is the form in which such statement of trusts has been allowed.

STATEMENT OF TRUSTS

DESCRIPTION OF LAND –

Site for a Primitive Methodist Place of Public Worship temporarily reserved by Order in Council of 5 July 1869 being 4047 square metres, Township of Laanecoorie, Parish of Laanecoorie being Crown Allotment 6, Section 3.

Commencing at the south-eastern angle of allotment 5, section 3; bounded thence by allotment 5 bearing 0°00' 100.58 metres; thence by roads bearing 90°00' 40.23 metres, 180°00' 100.58 metres, and 270°00' 40.23 metres to the point of commencement.

NAME OF TRUSTEES

The Uniting Church in Australia Property Trust (Victoria).

POWERS OF DISPOSITION

Such powers of disposition including the powers of sale, lease or mortgage as are given to the Trustees by the **Uniting Church in Australia Act No. 9021 of 1977** as amended.

PURPOSES TOWARDS WHICH PROCEEDS OF DISPOSITION ARE TO BE APPLIED –

To such Uniting Church in Australia purposes as shall be approved by the Synod of Victoria of the Uniting Church in Australia.

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

Dated 10 August 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

VICTORIA

**State Aid to Religion Abolition Act 1871**  
ACT NO. 391/1871 – SECOND SCHEDULE

A statement of trusts having been submitted by the head or authorised representative of the

Uniting Church in Australia under the provisions of the "Act to provide for the abolition of State Aid to Religion" for allowance by the Governor in Council, the same was allowed by him on the tenth day of August, 2004 and the following is the form in which such statement of trusts has been allowed.

## STATEMENT OF TRUSTS

## DESCRIPTION OF LAND –

Site for Presbyterian Church permanently reserved by Order in Council of 29 December 1869 being 4047 square metres, Township of Eddington, Parish of Eddington, County of Talbot being Crown Allotment 1, Section 2.

Commencing at the south-eastern angle of allotment 2, section 2; bounded thence by McCoy Street bearing 191°34' 40.23 metres; thence by Playfair Street bearing 233°09' 44.76 metres and bearing 270°00' 30.17 metres; thence by allotments 31, section 2, and 27, section 2 bearing 0°00' 66.22 metres; thence by allotment 2, section 2, bearing 90°00' 74.03 metres to the point of commencement.

## NAME OF TRUSTEES

The Uniting Church in Australia Property Trust (Victoria).

## POWERS OF DISPOSITION

Such powers of disposition including the powers of sale, lease or mortgage as are given to the Trustees by the **Uniting Church in Australia Act No. 9021 of 1977** as amended.

## PURPOSES TOWARDS WHICH PROCEEDS OF DISPOSITION ARE TO BE APPLIED –

To such Uniting Church in Australia purposes as shall be approved by the Synod of Victoria of the Uniting Church in Australia.

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

Dated 10 August 2004

Responsible Minister  
MARY DELAHUNTY  
Minister for Planning

DIANE CASEY  
Clerk of the Executive Council

**Victorian Plantations Corporation Act 1993**VESTED LANDS TO REVERT  
TO THE CROWN

## Order in Council

The Governor in Council under section 17(2) of the **Victorian Plantations Corporation Act 1993** divests the lands described in the schedule hereunder and reverts the subject lands in the Crown:

## SCHEDULE

Crown Allotment 2001, Parish of Moorngag (4.65 ha) as shown on plan LEGL./03–020 lodged in the Central Plan Office.

Crown Allotment 7W, Section 1, Parish of Berrigama (16.02 ha) as shown on plan OP118046 lodged in the Central Plan Office.

Crown Allotment 2F, Section 1, Parish of Berrigama, (0.831 ha) as shown on plan OP118043 lodged in the Central Plan Office.

Crown Allotment 30C1, Parish of Koetong (1.733 ha) as shown on plan OP117951 lodged in the Central Plan Office.

Crown Allotment 20C1, Section 2, Parish of Jinjelic (1.532 ha) as shown on plan OP117980A lodged in the Central Plan Office.

Crown Allotment 2005, Parish of Toombullup (5.24 ha) as shown on plan LEGL./03–011 lodged in the Central Plan Office.

Crown Allotment 2002, Parish of Toombullup North (0.785 ha) as shown on plan LEGL./03–011 lodged in the Central Plan Office.

Crown Allotment 2002, Parish of Mudgegonga (1.73 ha) as shown on plan LEGL./03–031 lodged in the Central Plan Office.

Crown Allotment 2005, Parish of Myrtleford (0.432 ha) as shown on plan LEGL./03–033 lodged in the Central Plan Office.

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

Dated 10 August 2004

Responsible Minister  
JOHN THWAITES  
Minister for Environment

DIANE CASEY  
Clerk of the Executive Council

**Flora and Fauna Guarantee Act 1988**

FLORA AND FAUNA GUARANTEE (TAKING, TRADING IN AND  
KEEPING OF LISTED FISH) ORDER NO. 1/2004

The Governor in Council makes the following Order:

**1. Title**

This Order may be cited as the Flora and Fauna Guarantee (Taking, Trading in and Keeping of Listed Fish) Order No. 1/2004.

**2. Objective**

The objective of this Order is to authorise the taking, trading in and keeping of fish that have been listed as threatened or which are members of communities that have been listed as threatened under the **Flora and Fauna Guarantee Act 1988**, subject to certain terms and conditions.

**3. Authorising provision**

This Order is made under section 53(2) of the **Flora and Fauna Guarantee Act 1988**.

**4. Revocation**

(1) The “Flora and Fauna Guarantee (Taking, Trading in and Keeping of Listed Fish) Order No. 1/2001” made on 7 August 2001 and published in Government Gazette G 32 on 9 August 2001 (pages 1861 to 1865) is **revoked**.

(2) The “Flora and Fauna Guarantee (Taking or Keeping of Spiny Freshwater Crayfish) Order No. 1/2003” made on 8 July 2003 and published in Government Gazette G 28 on 10 July 2003 (pages 1763 to 1766) is **revoked**.

**5. Expiry of Order**

This Order expires on 1 May 2007.

**6. Definitions**

**In this Order—**

“Act” means the **Flora and Fauna Guarantee Act 1988**;

“bait trap” has the same meaning as in the Fisheries Regulations 1998;

“carapace length” is the measurement from the rear of the eye orbit depression to the nearest part of the posterior edge of the carapace;

“carcass” has the same meaning as in the Fisheries Regulations 1998;

“commercial aquarium” means an aquarium for which an aquaculture licence under section 43 of the **Fisheries Act 1995** is required;

“closed season” has the same meaning as in the **Fisheries Act 1995**;

“daily bag limit” has the same meaning as in the Fisheries Regulations 1998;

“Glenelg River system” means the Glenelg River, all of its tributary streams and any impoundment on the Glenelg River or its tributary streams;

“inland waters” has the same meaning as in the **Fisheries Act 1995**;

“listed fish” means a fish which is a member of a taxon or community of fauna that is listed as threatened under Section 10 of the Act;

“marine waters” has the same meaning as in the **Fisheries Act 1995**;

“private aquarium” means an aquarium for which an aquaculture licence under section 43 of the **Fisheries Act 1995** is not required;

“possession limit” has the same meaning as in the Fisheries Regulations 1998;

“recreational hoop net” has the same meaning as in the Fisheries Regulations 1998;

“spiny freshwater crayfish” means members of the taxa Murray Spiny Crayfish (*Euastacus armatus*) or Glenelg Spiny Crayfish (*Euastacus bispinosus*).

7. ***Authority to take listed fish from or keep listed fish at an aquaculture operation or commercial aquarium***

A person may take listed fish from an aquaculture operation or commercial aquarium or keep listed fish at an aquaculture operation or commercial aquarium subject to the following terms and conditions—

- (a) that she or he is—
  - (i) the holder of an aquaculture licence issued under section 43(2) of the **Fisheries Act 1995**; or
  - (ii) that she or he is acting on behalf of the holder of an aquaculture licence; and
- (b) that the taking or keeping of the listed fish is specified in the aquaculture licence.

8. ***Authority to keep listed fish in a private aquarium.***

A person may keep listed fish in a private aquarium provided that the listed fish were lawfully obtained.

9. ***Authority to take listed fish from or keep listed fish in a private dam or lake***

A person may take listed fish from or keep listed fish in a dam or lake on private land provided that—

- (a) the listed fish occur naturally in the dam or lake; or
- (b) the dam or lake was lawfully stocked.

10. ***Authority to trade in listed fish***

A person may trade in listed fish provided that—

- (a) the listed fish were raised in an aquaculture operation authorised under section 43(2) of the **Fisheries Act 1995**, or
- (b) the listed fish were lawfully obtained from outside Victoria; and
- (c) she or he can provide documentary evidence that the listed fish were lawfully obtained.

*[Note that, under the Fisheries Regulations 1998, holders of a Victorian Recreational Fishing Licence are not permitted to trade in fish taken under that licence.]*

11. ***Authority to take certain listed fish for the purpose of recreation***

A person who is—

- (a) the holder of a recreational fishery licence issued under section 45 of the **Fisheries Act 1995**; or
- (b) exempt under section 47 of the **Fisheries Act 1995** from the requirement to hold a recreational fishing licence—

may take the listed fish specified in Column 1 of the Schedule to this Order subject to the terms and conditions specified in Column 2 of the Schedule.

12. ***Authority to take or keep certain listed fish for the purpose of commercial bait collection***

A person who is the holder of an access licence issued under section 38 of the **Fisheries Act 1995** may take or keep listed fish as by-catch incidental to a commercial bait collection operation, subject to the terms and conditions of the access licence.



## SCHEDULE

Listed fish	Terms and conditions
Flat-headed Galaxias ( <i>Galaxias rostratus</i> )	no conditions
Flat-headed Gudgeon or Bull-headed Gudgeon ( <i>Philypnodon grandiceps</i> )	no conditions
Freshwater Catfish ( <i>Tandanus tandanus</i> )	<ol style="list-style-type: none"> <li>1. Freshwater Catfish may only be taken from or possessed in, on or next to inland waters within the Wimmera Basin.</li> <li>2. A daily bag limit of two Freshwater Catfish applies to all inland waters within the Wimmera Basin.</li> <li>3. A possession limit of two Freshwater Catfish applies in, on or next to all inland waters within the Wimmera Basin.</li> <li>4. A person must not, in, on or next to inland waters, possess any Freshwater Catfish in any form other than in the form of a carcass.</li> <li>5. A minimum size* limit of 30 centimetres for Freshwater Catfish applies to all inland waters within the Wimmera Basin.</li> </ol>
Golden Perch ( <i>Macquaria ambigua</i> )	<ol style="list-style-type: none"> <li>1. A daily bag limit of five Golden Perch applies to all rivers and streams.</li> <li>2. A possession limit of five Golden Perch applies in, on or next to all rivers and streams.</li> <li>3. A daily bag limit of ten Golden Perch applies to all lakes and impoundments of inland waters.</li> <li>4. A possession limit of ten Golden Perch applies in, on or next to all lakes and impoundments of inland waters.</li> <li>5. A person must not, in, on or next to inland waters, possess any Golden Perch in any form other than in the form of a carcass.</li> <li>6. A minimum size limit of 30 centimetres for Golden Perch applies to all inland waters.</li> </ol>
Macquarie Perch ( <i>Macquaria australasica</i> )	<ol style="list-style-type: none"> <li>1. Macquarie Perch may only be taken from or possessed in, on or next to the Yarra River and its tributaries, Lake Dartmouth and its tributaries and the Upper Coliban Reservoir and its tributaries.</li> <li>2. A closed season on the taking of Macquarie Perch from inland waters applies from 1 October to 31 December in each year.</li> <li>3. A person must not, in, on or next to inland waters, possess any Macquarie Perch in any form other than in the form of a carcass.</li> <li>4. A daily bag limit of two Macquarie Perch applies to the Yarra River and its tributaries and the Upper Coliban Reservoir and its tributaries.</li> </ol>

Listed fish	Terms and conditions
	<ol style="list-style-type: none"> <li>5. A possession limit of two Macquarie Perch applies in, on or next to the Yarra River and its tributaries and the Upper Coliban Reservoir and its tributaries.</li> <li>6. A minimum size* limit of 30 centimetres for Macquarie Perch applies to the Yarra River and its tributaries and the Upper Coliban Reservoir and its tributaries.</li> <li>7. A daily bag limit of one Macquarie Perch applies to Lake Dartmouth and its tributaries.</li> <li>8. A possession limit of one Macquarie Perch applies in, on or next to Lake Dartmouth and its tributaries.</li> <li>9. A minimum size* limit of 35 centimetres for Macquarie Perch applies to Lake Dartmouth and its tributaries.</li> </ol>
Murray Cod ( <i>Maccullochella peelii</i> )	<ol style="list-style-type: none"> <li>1. A daily bag limit of two Murray Cod applies to all inland waters. Only one of the two fish can be equal to or greater than 75 centimetres in length*.</li> <li>2. A possession limit of two Murray Cod applies in, on or next to all inland waters. Only one of the two fish can be equal to or greater than 75 centimetres in length*.</li> <li>3. A minimum size* limit of 50 centimetres for Murray Cod applies to all inland waters.</li> <li>4. A closed season on the taking of Murray Cod applies to all inland waters from 1 September to 30 November in each year.</li> <li>5. A person must not, in, on or next to inland waters, possess any Murray Cod in any form other than in the form of a carcass.</li> </ol>
Murray Spiny Crayfish ( <i>Euastacus armatus</i> ) and Glenelg Spiny Crayfish ( <i>Euastacus bispinosus</i> )	<p><b>General conditions</b></p> <ol style="list-style-type: none"> <li>1. A person must not, in, on or next to inland waters, possess any Spiny Freshwater Crayfish in any form other than in the form of a carcass.</li> <li>2. A person must not take or cause to be landed any female Spiny Freshwater Crayfish in berry or with young attached.</li> <li>3. A person must not remove eggs, spawn, setae or fibres from any female Spiny Freshwater Crayfish.</li> </ol> <p><b>Fishing gear</b></p> <ol style="list-style-type: none"> <li>4. Spiny Freshwater Crayfish may be taken by— <ol style="list-style-type: none"> <li>(a) hand; or</li> <li>(b) up to two bait traps; or</li> <li>(c) up to ten baited lines (no hooks); or</li> <li>(d) recreational hoop nets.</li> </ol> </li> <li>5. Not more than five recreational hoop nets may be used in Carrol's Creek, the Glenelg River system (excluding Rocklands Reservoir), the Goulburn River system (excluding Lake Eildon), the Kiewa River system, the Latrobe River system, the Mitta Mitta River system (excluding Lake Dartmouth), the Ovens River system, Ryans Creek, the Tarra River system, Waranga Reservoir and Wodonga Creek, including any tributary stream flowing into those waters and any impoundment on those waters.</li> </ol>



Listed fish	Terms and conditions
	<p>6. In all other inland waters, up to ten recreational hoop nets may be used.</p> <p>7. Recreational hoop nets must be attached to a tag which remains above the water's surface with the recreational fisher's full name and place of residence clearly and legibly written.</p> <p><b>Closed season</b></p> <p>8. Spiny Freshwater Crayfish must not be taken from inland waters north of the Great Dividing Range from the days inclusive from the first day of September in a given year until the last day of April in the following year.</p> <p>9. A person must not possess Spiny Freshwater Crayfish in, on or next to inland waters north of the Great Dividing Range from the days inclusive from the first day of September in a given year until the last day of April in the following year.</p> <p><b>Daily bag, possession and size limits – Glenelg River system</b></p> <p>10. A daily bag limit of one Spiny Freshwater Crayfish applies to inland waters in the Glenelg River system.</p> <p>11. No female Spiny Freshwater Crayfish may be taken from inland waters in the Glenelg River system.</p> <p>12. A possession limit of one Spiny Freshwater Crayfish applies in, on or next to inland waters in the Glenelg River system.</p> <p>13. No female Spiny Freshwater Crayfish may be possessed in, on or next to inland waters in the Glenelg River system.</p> <p>14. A minimum size* of ten centimetres carapace length for Spiny Freshwater Crayfish applies to inland waters in the Glenelg River system.</p> <p><b>Daily bag, possession and size limits – other inland waters</b></p> <p>15. A daily bag limit of five Spiny Freshwater Crayfish applies to inland waters other than the Glenelg River system. Only one of the five fish may be equal to or exceed twelve centimetres carapace length.</p> <p>16. A possession limit of five Spiny Freshwater Crayfish applies in, on or next to inland waters other than the Glenelg River system. Only one of the five fish may be equal to or exceed twelve centimetres carapace length.</p> <p>17. A person must not possess any female Spiny Freshwater Crayfish in berry (with eggs) or with young attached.</p> <p>18. A minimum size* limit of nine centimetres carapace length for Spiny Freshwater Crayfish applies to inland waters other than the Glenelg River system.</p>
Silver Perch ( <i>Bidyanus bidyanus</i> )	1. Silver Perch must not be taken from or possessed in, on or next to any rivers or streams north of the Great Dividing Range.

Listed fish	Terms and conditions
	<ol style="list-style-type: none"> <li>2. A daily bag limit of five Silver Perch applies to –               <ol style="list-style-type: none"> <li>(a) lakes and impoundments of inland waters north of the Great Dividing Range (excluding the Wimmera Basin); and</li> <li>(b) all inland waters south of the Great Dividing Range (including the Wimmera Basin).</li> </ol> </li> <li>3. A possession limit of five Silver Perch applies –               <ol style="list-style-type: none"> <li>(a) in, on or next to lakes and impoundments of inland waters north of the Great Dividing Range (excluding the Wimmera Basin); and</li> <li>(b) in, on or next to all inland waters south of the Great Dividing Range (including the Wimmera Basin).</li> </ol> </li> <li>4. A person must not, in, on or next to inland waters, possess any Silver Perch in any form other than in the form of a carcass.</li> <li>5. A minimum size* limit of 25 centimetres for Silver Perch applies to all inland waters.</li> </ol>
Southern Bluefin Tuna ( <i>Thunnus maccoyii</i> )	<ol style="list-style-type: none"> <li>1. A daily bag limit of two Southern Bluefin Tuna applies to marine waters.</li> <li>2. A possession limit of two Southern Bluefin Tuna applies in, on or next to marine waters.</li> </ol>
Western Carp Gudgeon ( <i>Hypseleotris kluzingeri</i> )	no conditions

\*Note: The size of fish must be measured in accordance with Regulation 502 of the Fisheries Regulations 1998 (S.R. No. 23/1998).

This Order is effective the day it is published in the Government Gazette.

Dated 10 August 2004

Responsible Minister  
JOHN THWAITES  
Minister for Environment

DIANE CASEY  
Clerk of the Executive Council

**Housing Act 1983**  
**ORDER TO CLOSE A ROAD**  
 Order in Council

The Governor in Council under section 16(1)(b) of the **Housing Act 1983** by Order closes the street or part thereof, contained in the attached plans.

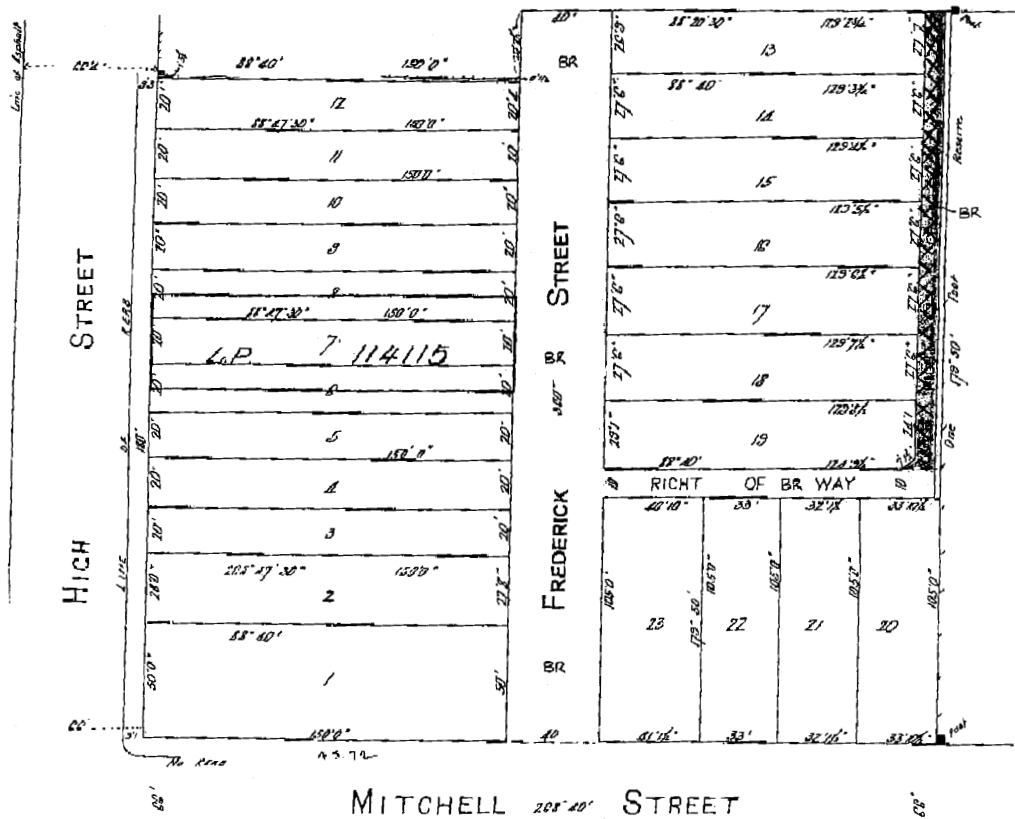
The attached plan identifies the road recommended to be closed.

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

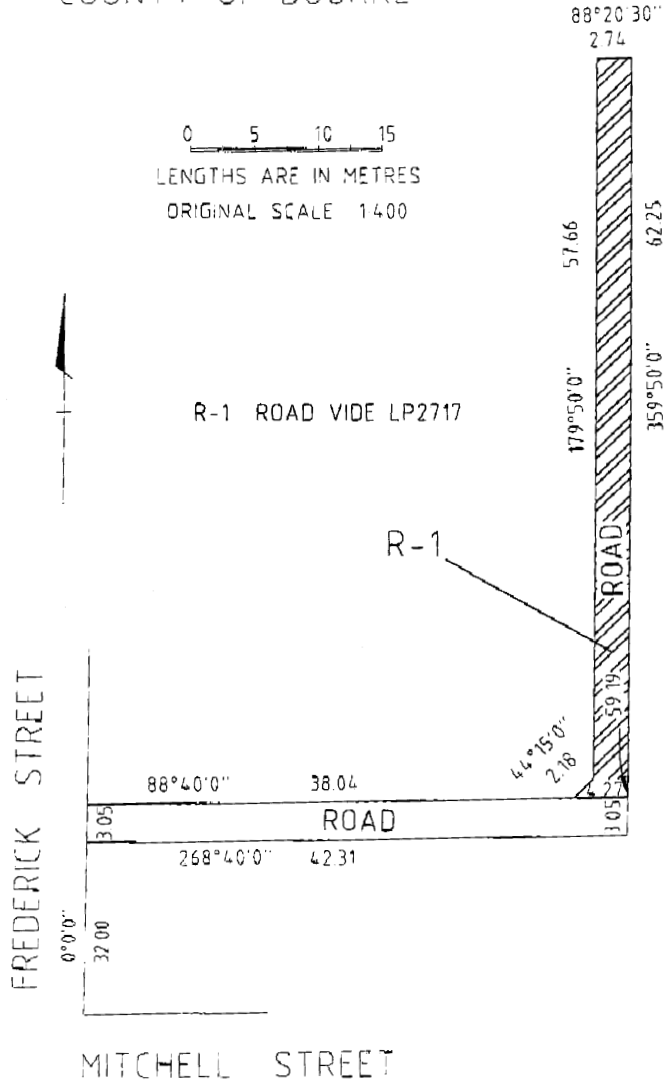
Scale 30 feet to one inch

Plan of  
 Part of Crown Allot<sup>1</sup> 106  
*Jika-Jika*  
 HIGH STREET ESTATE  
 542964

LP 2717  
 EDITION 1



PART OF CROWN ALLOTMENT 106  
PARISH OF JIKA JIKA  
COUNTY OF BOURKE



Dated 10 August 2004  
Responsible Minister  
HON CANDY BROAD MP  
Minister for Housing

DIANE CASEY  
Clerk of the Executive Council

**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:

105. *Statutory Rule:* Occupational Health and Safety (Mines) (Amendment) Regulations 2004  
*Authorising Act:* Occupational Health and Safety Act 1985  
*Date of making:* 10 August 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:

100. *Statutory Rule:* Supreme Court (Chapter I Amendment No. 26) Rules 2004  
*Authorising Act:* Supreme Court Act 1986  
*Date first obtainable:* 10 August 2004  
*Code A*
101. *Statutory Rule:* Nurses Regulations 2004  
*Authorising Act:* Nurses Act 1993  
*Date first obtainable:* 10 August 2004  
*Code B*
102. *Statutory Rule:* Pharmacists (Interim) Regulations 2004  
*Authorising Act:* Pharmacists Act 1974  
*Date first obtainable:* 10 August 2004  
*Code C*
103. *Statutory Rule:* Rural Finance Corporation of Victoria (Amendment) Regulations 2004  
*Authorising Act:* Rural Finance Act 1988  
*Date first obtainable:* 10 August 2004  
*Code A*
104. *Statutory Rule:* Medical Practice Regulations 2004  
*Authorising Act:* Medical Practice Act 1994  
*Date first obtainable:* 10 August 2004  
*Code A*

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