



Victoria Government Gazette

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As from 29 June 2006

The last Special Gazette was No. 161 dated 22 June 2006.

The last Periodical Gazette was No. 1 dated 15 June 2006.

How To Submit Copy

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 - or contact our office on 9642 5808
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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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VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

Please note that the principal office of the Victoria Government Gazette, published and distributed by The Craftsman Press Pty Ltd, has changed from 28 July 2005.

The new office and contact details are as follows:

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Website: www.craftpress.com.au/gazette

JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

DISSOLUTION OF PARTNERSHIP

In accordance with Section 41 of the **Partnership Act 1958** notice is hereby given that the dairy farm business partnership carried on between Michael Damien Lafferty & Pamela Lafferty and John Anthony Lafferty and Mary Monica Lafferty of Yinnar, Victoria is dissolved with effect from 1 July 2006.

Re: SIEGLINDE LUISE WIEDERHOLD, late of 7 Jeffery Avenue, Noble Park, Victoria, security officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 April 2006, are required by the trustee, Barbel Corredig, c/- 44 Douglas Street, Noble Park, Victoria, conveyancer, to send particulars to the trustee by 18 September 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: ARTHUR COLIN BURNS, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of ARTHUR COLIN BURNS, late of Fernhill Hostel of 18–20 Fernhill Road, Sandringham, in Victoria, deceased, who died on 3 July 2004, are to send particulars of their claims to the executors, Ian Malcolm Burns and Catherine Margaret Burns, care of the undermentioned solicitors by 31 August 2006, after which date the executors will distribute the assets, having regard only to the claims of which they then have notice.

DAVIS & MARKS, lawyers,
Level 1, 28 Carpenter Street, Brighton 3186.

Re: MAXWELL SERPELL FAULKS, late of 39 Davies Street, Hadfield, Victoria, retired prison officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 April 2006, are required by the trustee, Heather June Faulks, to send particulars to the trustee care of the undermentioned solicitors within sixty days from the publication

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

DE MARCO, lawyers,
794A Pascoe Vale Road, Glenroy 3046.

Re: EMILIE KOS, late of 104 Derby Street, Pascoe Vale, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 April 2006, are required by the trustee, Joseph De Marco, to send particulars to the trustee care of the undermentioned solicitors within sixty days from the publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DE MARCO, lawyers,
794A Pascoe Vale Road, Glenroy 3046.

Re: JAMES PERICLES KOKOTIS, late of 38 Meakin Terrace, Seaton, South Australia, merchandiser manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 February 2003, are required by the trustee, National Australia Trustees Limited of 800 Bourke Street, Docklands, Victoria, trustee company, to send particulars to the trustee by 28 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DIBBS ABBOTT STILLMAN, lawyers,
Level 4, 575 Bourke Street, Melbourne 3000.

Creditors, next-of-kin or others having claims in respect of the estate of the late MYRTLE AMELIA BEST, late of Unit 49, Mount Martha Valley Lodge, 130 Country Club Drive, Safety Beach, in the State of Victoria, deceased, who died on 9 January 2006, are to send particulars of their claims to the executors care of the undermentioned solicitors by 31 August 2006, after which date the executors will distribute the assets, having regard only to the claims of which they then have notice.

FEATHERBY'S, solicitors,
1043A Point Nepean Road, Rosebud 3939.

Creditors, next-of-kin or others having claims in respect of the estate of the late MARTJE ENGELSMA, late of 19 Trafalgar Street, Belmore, in the State of New South Wales, deceased, who died on 7 February 2006, are to send particulars of their claims to the executors care of the undermentioned solicitors by 31 August 2006, after which date the executors will distribute the assets, having regard only to the claims of which they then have notice.

FEATHERBY'S, solicitors,
1043A Point Nepean Road, Rosebud 3939.

Re: ELSIE MAY CHAMBERLAIN, late of Healesville & District Nursing Home, 494 Don Road, Healesville, Victoria 3777, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 April 2006, are required by the trustee, Graeme John Watkins, to send particulars to him care of the undersigned by 28 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

G. A. BLACK & CO., solicitors,
222 Maroondah Highway, Healesville 3777.

Re: ELIZABETH MAY SHORTEN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 March 2006, are required by the trustee, Jean Elizabeth Dart, to send particulars to her, care of the undersigned, by 7 September 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

GARDEN & GREEN, solicitors,
4 McCallum Street, Swan Hill 3585.

Re: WILLIAM JOHN HARPER, late of Chesham Bois Manor, Amersham Road, Chesham, Buckinghamshire HP5 1NE, retired civil engineer, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 2 July 2005, are required by the trustee, Trust Company of Australia Limited, ABN 59 004 027 749, of 151 Rathdowne Street, Carlton South, Victoria, to send particulars to the trustee by 29 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

HALL & WILCOX, solicitors,
Level 30, 600 Bourke Street, Melbourne 3000.

Re: CLINTON RONALD HUXTABLE, late of 48 Harold Street, Hawthorn, Victoria, marketing manager, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 March 2004, are required by the trustee, Linda Rose Huxtable, to send particulars to the trustee c/- Mahons with Yuncken & Yuncken, by 29 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MAHONS with YUNCKEN & YUNCKEN,
solicitors,
178 Whitehorse Road, Blackburn 3130.

Re: MARION SACKS, late of 98/431 St Kilda Road, Melbourne, Victoria, but formerly of 1 Howitt Street, South Yarra, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 April 2006, are required by the trustee, John Richard Campton, to send particulars to the trustee care of the undermentioned solicitors by 31 August 2006, 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, lawyers,
315 Ferntree Gully Road, Mount Waverley 3149.

Re: MARY BOULTON, late of Noel Miller Aged Care, 9-15 Kent Street, Glen Iris, formerly of Flat 1, 49A Denbeigh Road, Armadale, Victoria, retired accounting machine operator, deceased.

Creditors, next-of-kin and others having claim in respect of the estate of the deceased, who died on 28 May 2006, are required by the executor, Francis James Lynch of 180 Queen Street, Melbourne, Victoria, to send particulars to him by 7 September 2006, after which date he may convey or distribute the assets, having regard only to the claims of which he has notice.

NICHOLAS O'DONOHUE & CO., lawyers,
180 Queen Street, Melbourne 3000.

DORIS NOTHLING, late of George Vowell Centre, corner of Cobb Road and Nepean Highway, Mount Eliza, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 December 2005, are required by Equity Trustees Limited, ABN 46 004 031 298, the executor of the Will of the deceased, to send particulars of their claims to the executor care of their solicitors, Russell Kennedy at Level 12, 469 La Trobe Street, Melbourne, Victoria, by 29 August 2006, after which date the executor may convey or distribute the assets, having regard only to the claims of which they then have notice.

RUSSELL KENNEDY, solicitors,
Level 12, 469 La Trobe Street, Melbourne 3000.

Re: GWENDOLINE MADGE BLACK, late of 6 Longmore Street, Kangaroo Flat, Victoria 3555, artist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 March 2006, are required by the trustee, Sandhurst Trustees Limited, ABN 16 004 030 737, of 18 View Street, Bendigo, Victoria, the executor, to send particulars to the trustee by 31 August 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

KATHLEEN SANDFORD, late of Andrew Kerr Aged Care Facility, 67 Tanti Avenue, Mornington, Victoria, deceased. Creditors, next-of-kin and others having claims in respect

of the estate of the deceased, who died on 19 April 2006, are required by the executor, William Francis Wynne of 28 Ruth Road, Mornington, Victoria, to send particulars to him care of Stidston & Williams Weblaw, by 2 September 2006, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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

CLARA HITTER, also known as Klara Hitter, late of Unit 1, 23 Allison Road, Elsternwick, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 23 February 2005, are required to send particulars of their claim to the executor, Israel Lederberger, care of the undermentioned lawyer by 1 September 2006, after which date he will distribute the assets, having regard only to the claims for which he then has notice.

T. SCHWARCZ, lawyer,
137 Hawthorn Road, Caulfield 3161.

EILEEN MARGARET GOSS, deceased.

Creditors, next-of-kin and others having claims against the estate of EILEEN MARGARET GOSS, late of Mordialloc Nursing Home, 10 Brindisi Street, Mentone, Victoria, widow, deceased, who died on 4 March 2006, are required to send particulars of their claims to the executor care of the undermentioned solicitor by 1 September 2006, after which date the executor will proceed to distribute the assets, having regard only to the claims of which he shall then have had notice.

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

Re: RUSI FRAMROZ KHAN, late of 4/19 Robe Street, St Kilda, Victoria, retired university teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 15 February 2006, are required by the executors, Esther

Tonia Khan and Donald George Axup, to send particulars to them c/- Wisewoulds of 459 Collins Street, Melbourne, by 31 August 2006, after which date the executors intend to convey or distribute the assets of the estate, having regard only to the claims of which the executors may have notice.

WISEWOULDS, solicitors,
459 Collins Street, Melbourne.

PROCLAMATIONS

Equal Opportunity and Tolerance Legislation (Amendment) Act 2006

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2 of the **Equal Opportunity and Tolerance Legislation (Amendment) Act 2006**, fix 30 June 2006 as the day on which the remaining provisions of that Act come into operation.

Given under my hand and the seal of
Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

HON STEVE BRACKS MP
Premier of Victoria
Minister for Multicultural Affairs

Crimes (Assumed Identities) Act 2004

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2 of the **Crimes (Assumed Identities) Act 2004**, fix 1 July 2006 as the day on which that Act comes into operation.

Given under my hand and the seal of
Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Evidence (Witness Identity Protection) Act 2004

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2 of the **Evidence (Witness Identity Protection) Act 2004**, fix 1 July 2006 as the day on which that Act comes into operation.

Given under my hand and the seal of
Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Investigative, Enforcement and Police Powers Acts (Amendment) Act 2005

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(2) of the **Investigative, Enforcement and Police Powers Acts (Amendment) Act 2005**, fix 1 July 2006 as the day on which Part 9 of that Act comes into operation.

Given under my hand and the seal of
Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Major Crime Legislation (Office of Police Integrity) Act 2004

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(1) of the **Major Crime Legislation (Office of Police Integrity) Act 2004**, fix 1 July 2006 as the day on which section 12 and Parts 6 and 7 of that Act come into operation.

Given under my hand and the seal of
Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Surveillance Devices (Amendment) Act 2004
PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2 of the **Surveillance Devices (Amendment) Act 2004**, fix 1 July 2006 as the day on which that Act comes into operation.

Given under my hand and the seal of Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Infringements Act 2006

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(1) of the **Infringements Act 2006**, fix 1 July 2006 as the day on which that Act comes into operation.

Given under my hand and the seal of Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Infringements (Consequential and Other Amendments) Act 2006

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(3) of the **Infringements (Consequential and Other Amendments) Act 2006**, fix 1 July 2006 as the day on which the remaining provisions of that Act come into operation.

Given under my hand and the seal of Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

ROB HULLS
Attorney-General

Firearms (Further Amendment) Act 2005
PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(3) of the **Firearms (Further Amendment) Act 2005**, fix 1 July 2006 as the day on which the remaining provisions of Part 2 of that Act (other than sections 11, 15, 27, 33, 48, 54 and 59) and Part 5 of that Act come into operation.

Given under my hand and the seal of Victoria on 27th June 2006.

(L.S.) DAVID DE KRETSER
Governor
By His Excellency's Command

TIM HOLDING
Minister for Police
& Emergency Services

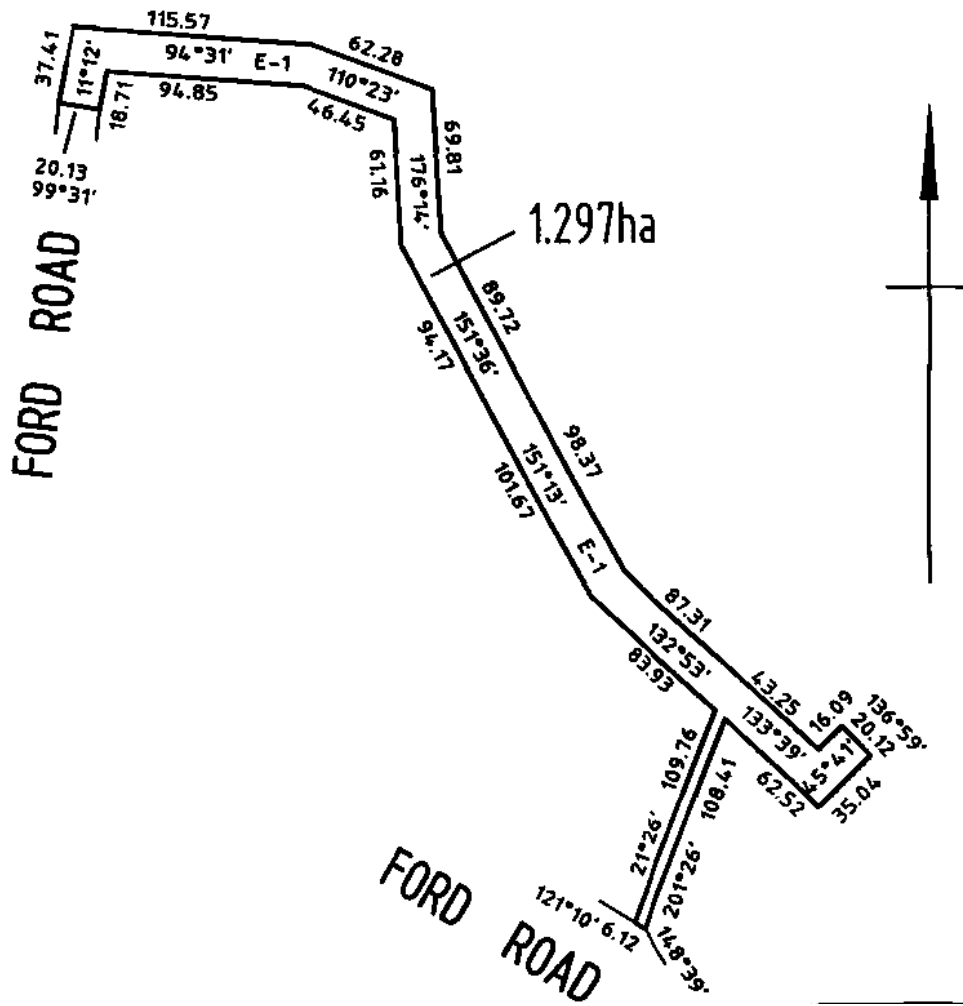
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

CARDINIA SHIRE COUNCIL

Road Discontinuance

At its general meeting on 21 March 2005 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Cardinia Shire Council ("Council"):

1. formed the opinion that the unused portion of Ford Road, Emerald, the area of which is shown on the plan below, is not reasonably required as a road for public use; and
2. resolved to discontinue this unused portion of road and either retain or sell the land to issue from the road to the abutting landowners at 4 and 26 Ford Road, Emerald.



GARRY MCQUILLAN
Acting Chief Executive Officer

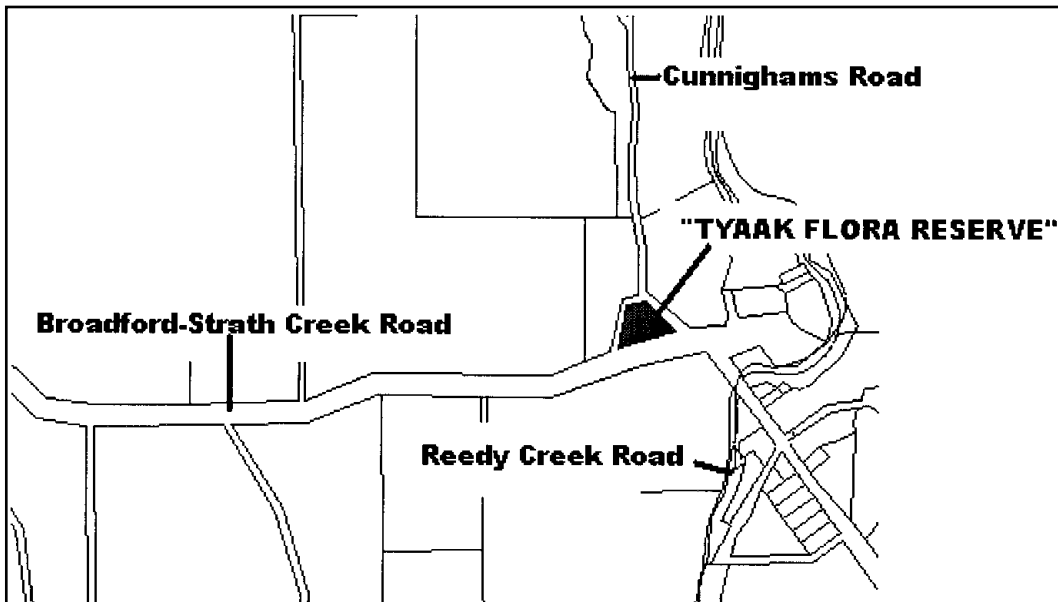


Proposed Road Closure
Road Adjacent to Tyaak Flora Reserve

The Council, pursuant to the provisions of Section 206 and Clause 3, Schedule 10 of the **Local Government Act 1989**, proposes to close the Government Road adjacent to the Tyaak Flora Reserve, as detailed on the plan below.

Any person may make a submission about the proposed road closure pursuant to the provisions of Section 223 of the **Local Government Act 1989**.

Written submissions must be received at the Mitchell Shire Council offices, 113 High Street, Broadford no later than 4.00 pm on Friday 7 July 2006 and should contain an indication of whether the person wishes to be heard in respect of their submission.



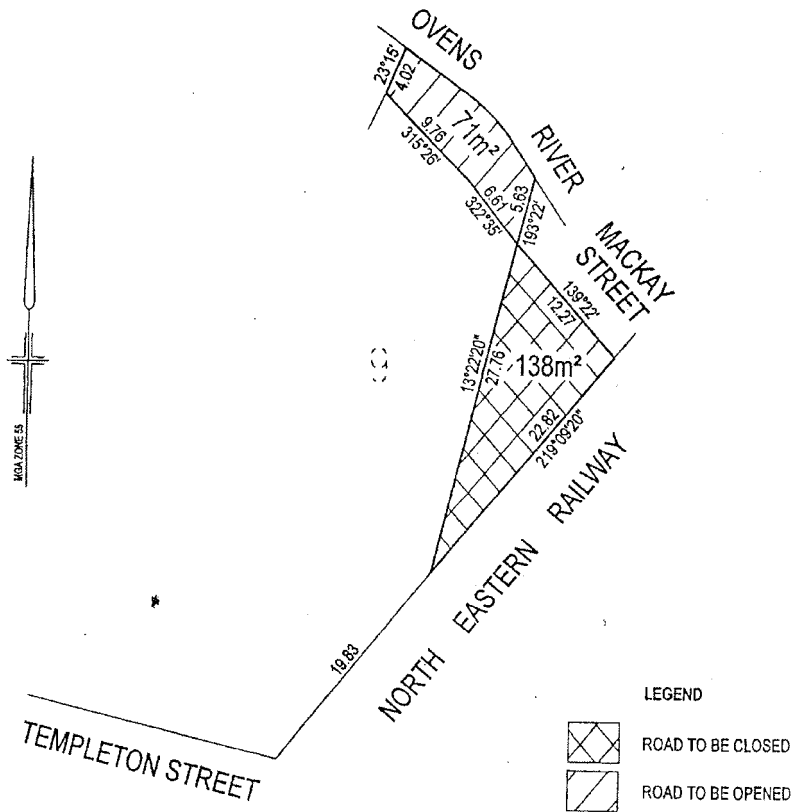
CHRIS GILLARD
Acting Chief Executive Officer



Road Exchange –
Part Templeton Street and Mackay Street, Wangaratta

In accordance with Section 207E and Schedule 10 of the **Local Government Act 1989**, the Rural City of Wangaratta Council, at its meeting on 16 August 2005, resolved to undertake an exchange of land in Mackay Street and Templeton Street in Wangaratta.

The land shown lightly hatched at 62 Templeton Street will be exchanged for that shown boldly hatched in Mackay Street. As Mackay Street is a road on Crown Land, Ministerial consent has been provided for the facilitation of its exchange.



DOUG SHARP
Chief Executive Officer

BOROONDARA CITY COUNCIL

Local Laws

On 22 May 2006, Council resolved to amend the City of Boroondara Local Law No. 1C Protecting Health Safety and Access. The amended Local Law commenced operation on 23 May 2006.

The following information about the amendment to Local Law 1C is provided in accordance with section 119 of the **Local Government Act 1989**.

The purpose of the Local Law on Protecting Health, Safety and Access as amended is to:

- (a) minimise risks to health and property within Council's municipal district;
- (b) encourage residents and others to minimise, within the municipality, nuisance from excessive noise, after-hours activities, unpleasant smells and careless use of toy vehicles; and
- (c) support safe, unobstructed and lawful use of Council-controlled land.

The Local Law as amended will –

- prohibit an owner or occupier of land allowing that land to be unsightly or dangerous or likely to be dangerous to health or property;
- prohibit a person from lighting a fire in the open without a permit;
- prohibit certain activities that result in noise in or next to residential areas at particular times;
- control the number of animals kept or allowed to be kept and the manner in which those animals are kept;
- control the use of unauthorised waste bins, trade waste storage bins and bulk rubbish containers;
- prohibit an owner or occupier of land from allowing any vegetation, sign or other object to extend over Council-controlled land to a height less than 2.4 metres or remain or be placed so as to obstruct the clear view of traffic controls by a person on adjacent road or footpath, or substantially interfere with vehicle or pedestrian use of Council-controlled land, with street lighting;
- incorporate Council's "Management of Cypress Hedges Policy" as adopted 24 October 2005 and as amended from time to time;

- prohibit door to door sales and collections without a permit.

A copy of the Local Law may be inspected at Council's office at 8 Inglesby Road, Camberwell, during normal business hours.

PETER JOHNSTONE
Chief Executive Officer
Boroondara City Council

MOORABOOL SHIRE COUNCIL

Public Holidays Act 1993

Melbourne Cup Day Public Holiday
Tuesday 7 November 2006

The Moorabool Shire Council, under Section 7 of the **Public Holidays Act 1993**, appoints Tuesday 7 November 2006 (Melbourne Cup Day) as a Public Holiday throughout the entire Moorabool Shire.

ROBERT DOBRZYNSKI
Chief Executive Officer

CITY OF WODONGA

Review of Road Management Plan

Council at its meeting of 19 June 2006 resolved, pursuant to Section 54(5) of the **Road Management Act 2004** and Part 3 of the Road Management (General) Regulations 2005, to review the contents of its Road Management Plan (the plan).

The purpose of the review is to review the road inspection frequencies and response times prescribed in the plan.

The roads to which the plan applies are all roads under the control of Council that are described in Council's Register of Public Roads which forms Appendix A of the plan.

A copy of the current Road Management Plan may be inspected at the City of Wodonga City Offices, Hovell Street, Wodonga during normal business hours.

Any person may make a submission to Council on the proposed review within 28 days after the date on which the notice is given.

Persons wishing to obtain further information in relation to this review should contact Gary Mawby on 6022 9277 during normal business hours.

PETER MARSHALL
Chief Executive Officer

Planning and Environment Act 1987GREATER SHEPPARTON
PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C72

Authorisation No. A0145

The Greater Shepparton City Council has prepared Amendment C72 to the Greater Shepparton Planning Scheme.

The land affected by the Amendment is part of 85 Riverview Drive, Kialla.

The Amendment proposes to:

- rezone 1.812 hectares of land being the northern part of Lot S3 on PS522430N from Urban Floodway Zone to Residential 1 Zone and include the land in the Development Contributions Plan Overlay – Schedule 2 (DCPO2) and the Environmental Audit Overlay (EAO).
- Rezone 1.581 hectares of land being the southern part of Lot S3 on PS522430N from Residential 1 Zone to Urban Floodway Zone and remove the Development Contributions Plan Overlay – Schedule 2 (DCPO2) and the Environmental Audit Overlay (EAO) from the land.
- Delete the Floodway Overlay (FO) and the Land Subject to Inundation Overlay (LSIO) from all land which is to be included in the Urban Floodway Zone and amend the boundaries of the Overlays so that they align with the new UFZ–R1Z boundary on the eastern side of Lot S3 on PS522430N.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; Department of Sustainability and Environment, North Eastern Region Office, 35 Sydney Road, Benalla; and Greater Shepparton City Council office, 90 Welsford Street, Shepparton.

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 Monday 31 July 2006. Submissions must be sent to the Greater Shepparton City Council, Locked Bag 1000, Shepparton, Vic. 3632.

For further information please contact Manager Planning Colin Kalms on 5832 9732.

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 30 August 2006, 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.

COULTER, Martha Louisa, late of 19 Baldwin Avenue, Montmorency, Vic. 3094, retired, and who died on 21 May 2006.

CURTIS, Denis Terence, late of 222 Lovers Lane, Garfield, Vic. 3814, pensioner, and who died on 16 February 2006.

DWYER, Maurice Arthur, late of 141 Kilby Road, Kew East, Vic. 3102, retired, and who died on 16 March 2006.

HALL, Muriel Lyall, late of Lower Plenty Garden Views, 378–390 Main Road, Lower Plenty, Vic. 3093, retired, and who died on 11 March 2006.

STEVENS, Henry William, late of Unit 1, 14 O'Shanassy Street, Sunbury, Vic. 3429, retired, and who died on 3 February 2006.

Dated 21 June 2006

MARY AMERENA
Manager
Executor and Trustee Services

EXEMPTION

Application No. A186 of 2006

The Victorian Civil and Administrative Tribunal has considered an application pursuant to Section 83 of the **Equal Opportunity Act 1995** (the Act) by the Catholic Education Commission of Victoria and the Catholic Education Office Melbourne (the applicants). The application for exemption is to enable the applicants to allow a class of people, namely

Aboriginal and Torres Strait Islander people only, to be employed in the position of Koorie Education Worker in Victorian Catholic Schools and to allow the publishing of advertisements for such positions (“the specified conduct”).

Upon reading the material filed in support of this application, including an affidavit by Susan Mary Pascoe, CEO of the Catholic Education Commission of Victoria and Director of the Catholic Education Office Melbourne, 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 engage in the specified conduct.

In granting this exemption the Tribunal noted:

- Previous exemptions in similar terms were granted in May 2000 and June 2003.
- The roles and responsibilities of Koorie Education Workers as contained in the Catholic Education Commission of Victoria’s Draft Guidelines for the Employment of Koorie Education Workers in Victorian Catholic Primary and Secondary Schools include:
 - (a) assist and support Indigenous students to achieve improved educational outcomes;
 - (b) participation in school activities to assist in creating a culturally inclusive environment; and
 - (c) encourage Indigenous community participation in school education through liaison with individuals and groups.
- It is considered that Aboriginal and Torres Strait Islander people would be better suited to these positions as they would have extensive knowledge of Indigenous cultural values and issues, would be accepted by the Koorie community, would be able to communicate in culturally appropriate ways through recognition of shared experiences and understandings of those matters that affect Koorie people, and would be a strong and positive role model for Koorie students.

The Tribunal hereby grants an exemption from the operation of Sections 13, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 29 June 2009.

Dated 23 June 2006

HER HONOUR JUDGE DAVIS
Vice President

Associations Incorporation Act 1981

NOTICE OF ISSUE OF
CERTIFICATE OF INCORPORATION
PURSUANT TO SECTION 10 OF
THE ASSOCIATIONS INCORPORATION
ACT 1981

Notice is hereby given pursuant to Section 10 of the **Associations Incorporation Act 1981** that a certificate of incorporation was issued by the Registrar of Associations on 26 June 2006 to Toscana Social Club Inc. The Association is now incorporated under the said Act.

Dated at Melbourne 29 June 2006.

JOHN STEVENS
Deputy Registrar
of Incorporated Associations
GPO Box 4567
Melbourne, Vic. 3001

Associations Incorporation Act 1981

NOTICE OF ISSUE OF
CERTIFICATE OF INCORPORATION
PURSUANT TO SECTION 10 OF
THE ASSOCIATIONS INCORPORATION
ACT 1981

Notice is hereby given pursuant to Section 10 of the **Associations Incorporation Act 1981** that a certificate of incorporation was issued by the Registrar of Associations on 26 June 2006 to West Gate Golf Club Inc. The Association is now incorporated under the said Act.

Dated at Melbourne 29 June 2006.

JOHN STEVENS
Deputy Registrar
of Incorporated Associations
GPO Box 4567
Melbourne, Vic. 3001

Associations Incorporation Act 1981

SUB-SECTION 36E(5)

Notice is hereby given that the incorporation of the associations mentioned below is cancelled in accordance with section 36E(5) of the **Associations Incorporation Act 1981**.

Hendala Cricket Club Inc., Ruffy Recreation Reserve Committee of Management Inc., Bridgwater Bay Coast Action Group Inc., McAuley Parents and Friends Association Inc., Ararat United Football Netball Club Inc., Swan Marsh & District Playgroup Inc., South Dandenong Tennis Club Inc., Baringhup Cricket Club Inc., Wheelers Hill Netball Club Inc., Hastings Westernport Employment Skills Training Inc., The Chook Hill Ski Club Inc., Strath Creek Tennis Club Inc., Australian Bodyboard Circuit Inc., Surftrider Surf Schools Inc., Wandin North Committee Inc., Upwey Committee of Management Inc., Silvan Public Hall Inc., Apex Club of Lakes Entrance Inc., Foster Apex Club Inc., Apex Club of Birchip Inc., Goulburn Murray Quality Network Inc., The Vietnamese Romac Volunteer Inc., The South Bendigo Progress Association Reserve Liaison Committee Inc., Great Alpine Preschool Service Inc., Williamstown Bocce Club Inc., Latin American Association of Community Development & Welfare Services Inc., Koonwarra Village Association Inc., Golf Challenge Social Club Inc., Doll and Bear Club Inc., Dandenong Ranges Employment Accommodation Melbourne Inc.

Dated 29 June 2006

JOHN STEVENS
Deputy Registrar
of Incorporated Associations
PO Box 4567
Melbourne, Vic. 3001

| |
|---|
| The ADASS Israel Cemetery Trust |
| The Avoca Cemetery Trust |
| The Barnawartha Cemetery Trust |
| The Banyule Cemetery Trust |
| The Briagalong Cemetery Trust |
| The Carlyle Cemetery Trust |
| The Casterton New Cemetery Trust |
| The Clunes Cemetery Trust |
| The Cobden Cemetery Trust |
| The Corinella Cemetery Trust |
| The Eddington Cemetery Trust |
| The Ferntree Gully Cemetery Trust |
| The Fryerstown Cemetery Trust |
| The Gaffney's Creek Cemetery Trust |
| The Gisborne Cemetery Trust |
| The Melbourne Chevra Kadisha Cemetery Trust |
| The Mildura Cemetery Trust |
| The Rainbow Cemetery Trust |
| The Toongabbie Cemetery Trust |
| The Woodend Cemetery Trust |

BRYAN CRAMPTON
Acting Assistant Director
Food Safety and Regulatory Activities

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of
Cemetery Trust Fees and Charges

I, Bryan Crampton as delegate of the Secretary to the Department of Human Services for the purposes of Section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scale of fees and charges fixed by the public cemetery trust listed in this notice. The approved scale of fees and charges will take effect from 1 July 2006 and will be published on the Internet.

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that Warrnambool City Netball Association Licence Number 3692 ("the service") is exempt from regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the following conditions:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and

3. The proprietor ensures that whenever children are being cared for or educated by the children's service, there is present 1 staff member at the service for every 7 children, or fraction of that number; and
4. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption and parents or guardians are to be informed that the service is not required to employ qualified staff at all times during operation; and
5. Each staff member at the service is not less than 18 years of age.

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 15 May 2006

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that Knox Gymnastics Centre Licence Number 1944 ("the service") is exempt from regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the following conditions:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and
3. The proprietor ensures that whenever children are being cared for or educated by the children's service, there is present 1 staff member at the service for every 7 children, or fraction of that number; and
4. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption and parents or guardians are to be informed that the service is not required to employ qualified staff at all times during operation; and

5. Each staff member at the service is not less than 18 years of age.

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 15 May 2006

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that the Portland Leisure & Aquatic Centre Licence Number 9574 ("the service") is exempt from regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the following conditions:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and
3. The proprietor ensures that whenever children are being cared for or educated by the children's service, there is present 1 staff member at the service for every 7 children, or fraction of that number; and
4. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption and parents or guardians are to be informed that the service is not required to employ qualified staff at all times during operation; and
5. Each staff member at the service is not less than 18 years of age.

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 15 May 2006

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ("the Act"), the Minister for Children, Minister for Community Services hereby declares that the Windy Hill Fitness Centre Licence Number 1409 ("the service") is exempt from regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the following conditions:

1. The service holds a restricted licence; and
2. No child is cared for or educated at the service for more than 3 hours each day and more than 10 hours each week; and
3. Information is displayed prominently at the entrance to the children's service which indicates the conditions of this exemption; and
4. Each staff member at the service is not less than 18 years of age; and
5. The proprietor ensures that whenever children are being cared for or educated by the children's service, the number of staff members set out in the table are caring for or educating the children –

| No. of children present | Age of children | Number of staff members | Number of total staff members who must be qualified staff members |
|--------------------------------|--|---|---|
| 15 or less | under 3 years (all children under 3 years) | 1 for every 7 children or fraction of that number | 1 qualified staff member |
| | mixed age grouping (children under 3 years and 3 years or more) | | |
| | 3 years or more (all children 3 years or more) | | |
| 16 or more | under 3 years (all children under 3 years) | 1 for every 7 children or fraction of that number | 1 qualified staff member for every 15 children or fraction of that number |
| | mixed age grouping (children under 3 years and 3 years or more) | 1 for every 7 children or fraction of that number | 1 qualified staff member for every 15 children or fraction of that number |
| | 3 years or more (all children 3 years or more) | 1 for every 7 children or fraction of that number | 1 qualified staff member for every 30 children or fraction of that number |

This exemption remains in force until 28 May 2008 unless revoked earlier.

Dated 15 May 2006

HON SHERRYL GARBUTT MP
Minister for Children
Minister for Community Services

Defamation Act 2005

DECLARATION UNDER SECTION 35(3)

I, Rob Hulls, Attorney-General, being the Minister for the time being administering the **Defamation Act 2005**, hereby declare in accordance with sub-section (3) of section 35 of the **Defamation Act 2005** that on and from 1 July 2006 the maximum amount of damages that may be awarded for non-economic loss in defamation proceedings shall be Two Hundred and Fifty Nine Thousand and Five Hundred Dollars (\$259,500.00).

Dated 22 June 2006

ROB HULLS MP
Attorney-General

Electoral Act 2002RE-REGISTRATION OF
POLITICAL PARTIES

In accordance with Section 58D of the **Electoral Act 2002**, the following parties are hereby re-registered:

Christian Democratic Party (Fred Nile Group).
Citizens Electoral Council (Victorian Division).

Dated 23 June 2006

STEVE TULLY
Victorian Electoral Commission

Environment Protection Act 1970MANAGING
USED PACKAGING MATERIALS

A new waste management policy (Used Packaging Materials) has now been declared. This policy was printed in Government Gazette No. S 94, Tuesday 28 March 2006.

Notice is given of the fact that this policy incorporates: The National Packaging Covenant and National Environment Protection Measure (Used Packaging Materials) – Application Thresholds. Copies of these incorporated documents have been lodged with the Clerk of the Parliaments.

Copies of the abovementioned incorporated documents are available for inspection at EPA library, HWT Building, Podium Level, 40 City Road, Southbank, telephone (03) 9695 2766.

For more information contact the EPA Information Centre on (03) 9695 2722.

Dated 14 June 2006

JOHN THWAITES, MP
Minister for Environment

Financial Management Act 1994VICTORIAN GOVERNMENT
PURCHASING BOARD

Supply Policies

In accordance with Section 54L(3) of the **Financial Management Act 1994**, notice is given of the following new supply policy made by the Victorian Government Purchasing Board (VGPB) which came into effect on and from 5 June 2006.

Strategic Sourcing Policy

This policy provides a benchmark for the implementation of strategic sourcing within the Victorian Government.

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

BRUCE HARTNETT
Chairperson

Victorian Government Purchasing Board

Interpretation of Legislation Act 1984
and**Environment Protection Act 1970**ENVIRONMENT PROTECTION
(SHIPS' BALLAST WATER)
REGULATIONS 2006AND WASTE MANAGEMENT POLICY
(SHIPS' BALLAST WATER)

The Environment Protection (Ships' Ballast Water) Regulations 2006 have been made. Notice of the making of these Regulations was printed in Government Gazette No. 22, Thursday 1 June 2006 and notice of the availability of these Regulations was printed in Government Gazette No. 23 on Thursday 8 June 2006.

Notice is given of the fact that these Regulations incorporate EPA publication 949.1 'Protocol for Environmental Management Domestic Ballast Management in Victorian State Waters' published by the Authority in June 2006.

Notice is also given that this incorporated document replaces EPA publication 949 'Protocol for Environmental Management – Domestic Ballast Water Management in Victorian State Waters' published by the Authority in 2004 and incorporated to Waste management policy (Ships' Ballast Water), printed in Government Gazette No. S100, Tuesday 27 April 2004.

A copy of the above mentioned incorporated document has been lodged with the Clerk of the Parliaments and is available for inspection during normal business hours at the EPA Library, HWT Building, Podium Level, 40 City Road, Southbank, telephone (03) 9695 2766.

For more information contact the EPA Information Centre on (03) 9695 2722.

Dated 21 June 2006

JOHN THWAITES, MP
Minister for Environment

Land Acquisition and Compensation Act 1986

FORM 7 S.21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lots 31, 30 and 29 on Plan of Subdivision 006132, Parish of Dandenong, comprising 854 square metres and being land described in Certificate of Title Volume 3866, Folio 197; Certificate of Title Volume 3866, Folio 198; Certificate of Title Volume 3993, Folio 407, shown as Parcels 30, 31 and 32 on Survey Plan 21143A.

Interest acquired: That of John Michael Interlandi and Jacqueline Mary Interlandi (as registered proprietors), and Europa Cheese Pty Ltd (as lessee) and all other interests.

Published with the authority of VicRoads.

Dated 29 June 2006

For and on behalf of VicRoads
BERNARD TOULET
Manager
VicRoads Property

Meat Industry Act 1993

In accordance with section 13 of the **Meat Industry Act 1993** notice is given that PrimeSafe has made a revised Code of Practice, the "Australian Standard for Construction of Premises and Hygienic Production of Poultry Meat for Human Consumption". The revised Code of Practice came into operation on 8 June 2006 and copies can be obtained by contacting the PrimeSafe office (telephone 03 9685 7333) or downloading a copy from the PrimeSafe website (www.primesafe.vic.gov.au). The revised

Code of Practice may also be inspected at the PrimeSafe office, 150 Albert Road, South Melbourne.

Pipelines Act 1967 (Vic.)

VARIATION TO THE ROUTE OF A PIPELINE

In accordance with the provisions of Section 12(4) of the **Pipelines Act 1967**, notice is given that an application has been received from Cabot Australasia Pty Ltd to vary the route of Pipeline Permit 151.

The details of the application are:

- delete Plan Number 29-1-001 Rev A from Pipeline Permit 151 and add Plan Number AZ-050-5009 Rev 4 to Pipeline Permit 151.

Plan Number AZ-050-5009 Rev 4 provides for a new termination point just within the boundary of the Cabot Australasia Pty Ltd tank farm on Millers Road, Altona. This new termination point cuts off the 300m of pipeline on the Cabot tank farm property.

If you require further information on this application or to view the plans, please contact Sandra Kasunic, Department of Primary Industries on (03) 9658 4438.

Dated 14 June 2006

BOB CAMERON
Acting Minister for Resources

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. V015749J pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 1 October 1997 on Certificate of Title Volume 10331, Folio 624, under the **Transfer of Land Act 1958**, is cancelled.

Dated 8 June 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. AC848996B pursuant to section 9 of the **Retirement Villages Act 1986**, registered

on 10 May 2004 on Certificate of Title Volume 10711, Folio 253, under the **Transfer of Land Act 1958**, is cancelled.

Dated 8 June 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge No. AC848997Y pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 10 May 2004 on Certificate of Title Volume 10711, Folio 253 under the **Transfer of Land Act 1958**, is extinguished

Dated 8 June 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 47

Extinguishment of Charge

I hereby declare that the charge No. AD414685H pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 4 February 2005 on Certificate of Title Volume 09166, Folio 412 under the **Transfer of Land Act 1958**, is extinguished

Dated 8 June 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Retirement Villages Act 1986

SECTION 48

Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. AD414684K pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 4 February 2005 on Certificate of Title Volume 09166, Folio 412, under the **Transfer of Land Act 1958**, is cancelled.

Dated 8 June 2006

DR DAVID COUSINS
Director
Consumer Affairs Victoria

Subordinate Legislation Act 1994

NOTICE OF DECISION

Transport (Ticketing) Regulations 2006

I, Peter Batchelor, Minister for Transport give notice under section 12 of the **Subordinate Legislation Act 1994** as follows:

The proposed Regulations will replace relevant parts of the **Transport Act 1983**, the Transport (Ticketing and Conduct) Regulations 2005 and the Transport (Passenger Vehicles) Regulations 2005. The proposed Regulations will also amend the Transport (Ticketing and Conduct) Regulations 2005, the Transport (Passenger Vehicles) Regulations 2005 and the Transport (Infringements) Regulations 1999.

The objectives of proposed Regulations are to:

- require and regulate the use of tickets for Victoria's public transport system with the intention of supporting the collection of revenue for that system and reducing fare evasion and the consequential revenue losses incurred by public transport operators and the State;
- clarify contractual arrangements in relation to certain tickets;
- prescribe certain conditions and enforcement powers in relation to tickets; and
- make related amendments to the Transport (Ticketing and Conduct) Regulations 2005, the Transport (Passenger Vehicles) Regulations 2005 and the Transport (Infringements) Regulations 1999; and
- make a further minor amendment to the Transport (Passenger Vehicles) Regulations 2005 to clarify the scope of the offences in Division 2 of Part 5 of those Regulations.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Transport (Ticketing) Regulations 2006. The RIS was advertised seeking public comment and a number of submissions were received.

After considering the submissions, I have decided that the proposed Regulations should be made with amendments.

Dated 23 June 2006

PETER BATCHELOR MP
Minister for Transport

Subordinate Legislation Act 1994NOTICE OF PREPARATION OF
REGULATORY IMPACT STATEMENT (RIS)
Prevention of Cruelty to Animals
(Domestic Fowl) Regulations 2006

Notice is given that, in accordance with Section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared for the Prevention of Cruelty to Animals (Domestic Fowl) Regulations 2006.

The primary objective of the proposed Regulation is to amend the Prevention of Cruelty to Animals Regulations 1997 to amend provisions relating to the confinement of layer hens in accordance with national agreements.

The Regulations are to be made under the **Prevention of Cruelty to Animals Act 1986**. The RIS discusses possible alternatives to the proposed Regulations. The proposed Regulations were considered the best means of achieving the stated objective and the most appropriate means to regulate the confinement of layer hens.

The RIS assesses the costs and benefits of the proposed Regulations and concludes that the benefits of the Regulations are greater than the costs imposed.

Copies of the RIS and the proposed Regulations may be obtained from the Customer Service Centre by phoning 136 186 (between 8.00 am to 8.00 pm) and the internet at <http://www.dpi.vic.gov.au/ris>.

Public comments are invited on the RIS and the accompanying Regulations. All comments must be in writing and should be sent to the Bureau of Animal Welfare, 475 Mickleham Road, Attwood, Victoria 3049 or emailed to animal.welfare@dpi.vic.gov.au by no later than 5.00 pm on 31 August 2006.

Dated 19 June 2006

BOB CAMERON MP
Minister for Agriculture

Terrorism (Community Protection) Act 2003
TERRORISM (COMMUNITY PROTECTION)
(CHEMICALS & SUBSTANCES)
REGULATIONS 2006

Notice of Incorporated Material

Notice is given that in accordance with section 32(3) of the **Interpretation of Legislation Act 1984** the following documents which are referred to in the Terrorism (Community Protection) (Chemicals & Substances) Regulations 2006 have been lodged

with the Clerk of the Parliaments to be laid before each House of Parliament –

Appendix 1 & 2 of Chapter 9 of the Australian Code for the Transport of Explosives by Road & Rail 2nd Edition, published March 2000, as published from time to time.

Copies of the incorporated material are available for inspection during normal office hours at Justice Policy, Department of Justice, Level 3, 55 St Andrews Place, East Melbourne 3002.

Responsible Minister
TIM HOLDING MP
Minister for Police & Emergency Services

Transport Act 1983TOW TRUCK DIRECTORATE
OF VICTORIA

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 2 August 2006.

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 27 July 2006.

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

Philip John Carrigg. Application for variation of conditions of tow truck licence TOW108 which authorises the licensed vehicle to be managed, controlled and operated from a depot situated at Maroondah Highway, Narbethong, to change the depot address to 20 Grover Road, Hoddles Creek.

Note: This licence is under consideration for transfer to Yarra Valley & District Towing Service Pty Ltd.

Dated 29 June 2006

STUART SHEARER
Director

Gas Industry Act 2001

GAS MARKET RETAIL RULES

On 24 March 2006 the Essential Services Commission determined to approve amendments to the “Gas Market Retail Rules” under sections 65 and 67 of the **Gas Industry Act 2001**.

In accordance with the requirements of clause 3.4 of VENCORP's "Scheme for Development and Implementation of Gas Market Retail Rules" those amendments are published hereunder.

The following amendments are to be effective as of 30 June 2006.

Clause 3.3 is amended by inserting the following new clause 3.3.1A after clause 3.3.1:

"3.3.1A Complete MORN Listing

- (a) Each *Distributor* must use its best endeavours to update, format and deliver a new *complete MORN listing* in accordance with the *Gas Interface Protocol* which is to be made available to the *Retailer* by 5.00 pm on the fifth *business day* after the end of the calendar month or as otherwise agreed from time to time by all relevant parties.
- (b) The *Retailer* must ensure that the *complete MORN listing* is accessed and used solely to confirm the relevant *discovery address/MORN* details of the subject customer; and
- (c) The *Retailer* must ensure that the *subject customer* has provided *explicit informed consent* to access and use the *complete MORN listing* to confirm the relevant *discovery address/MORN* details of the *subject customer* in relation to the *distribution supply point*."

Attachment 1 is amended by inserting after the definition of "*checksum*" the following new definition:

"*complete MORN listing*" A listing created and administered by a *Distributor* that comprises the *MORN, discovery address, meter number* of every *MORN* that is recorded in the *MORN database* of that *Distributor*.

M. ZEMA
Chief Executive Officer
VENCORP

Geographic Place Names Act 1998

NOTICE OF INTENTION TO REGISTER A GEOGRAPHIC NAME

The Registrar of Geographic Names hereby gives notice of intention to register the undermentioned place name(s). Any objections to the proposal should be made in writing (stating the reasons therefor) and lodged with the Registrar within 30 days of publication of this notice. If no objections are lodged within this period, the proposed name becomes the official name and will be registered in the Register of Geographic Names.

| File No. | Naming Authority | Place Name | Location |
|----------|----------------------------|-----------------|---|
| GPN 1004 | Benalla Rural City Council | Taungurong Park | Bounded by Maud, Benson, Market and Arundel Streets, Benalla. |
| GPN 1005 | Benalla Rural City Council | Waminda Park | Bounded by Kelly Court, Nicholson Court and Gaskin Street, Benalla. |

Office of the Registrar of Geographic Names

c/- LAND VICTORIA
17th Floor
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Infringements Act 2006

ATTORNEY-GENERAL'S GUIDELINES TO THE INFRINGEMENTS ACT 2006

Introduction

In the State of Victoria, infringements are used to address the effect of minor law breaking with minimum recourse to the machinery of the formal criminal justice system and, as a result, often without the stigma associated with criminal judicial processes, including that of having a criminal conviction.

The **Infringements Act 2006** establishes a revised model for managing the issuing of infringements and their enforcement. This Act aims to provide both a fairer system, particularly in addressing the needs of people in special circumstances and providing people with more information about infringements and more avenues by which to expiate (make amends without conviction) the matter. The new model also provides for firmer enforcement through the introduction of a range of measures where expiation has not occurred.

Purpose

These Guidelines are issued by the Attorney-General in accordance with section 5 of the **Infringements Act 2006** (the Act). The purpose of the Guidelines is twofold:

1. to assist enforcement agencies (as defined in section 3 of the Act) in meeting their responsibilities for issuing infringement notices for offences and for the enforcement of infringement notices; and
2. to set out the policy outlining what is appropriate to be dealt with by way of infringement and how that policy should be applied by agencies seeking to make new offences infringeable.

Additional information for members of the public is being developed and will be available at www.justice.vic.gov.au.

Scope of the Guidelines

These Guidelines explain the fundamental elements on which the **Infringements Act 2006** was prepared, and the manner in which responsibilities under that Act are to be exercised.

The Guidelines do not cover agency operational procedures, which will be prepared by each agency in accordance with these Guidelines.

The definitions set out in section 3 of the Act apply to terms used in these Guidelines.

These Guidelines are designed to assist in the interpretation of the Act and should be read in conjunction with the Infringements (General) Regulations 2006 and the Infringements (Reporting and Prescribed Details and Forms) Regulations 2006.

Infringements System Oversight Unit

The Infringements System Oversight Unit (ISOU), within the Department of Justice, provides authoritative advice to Ministers, the Whole of the Victorian Government, and external enforcement agencies on the policy and operation of the infringements system.

The Unit monitors the success of Government initiatives with respect to the infringements system and in consultation with stakeholders and advocacy groups, examines potential improvements.

The Unit monitors, and provides guidance for, the implementation of these Guidelines. Further advice is available from the Unit on a range of operational matters relating to the Guidelines and the Act.

New Infringements Framework

Victoria's new infringements system as provided for in the **Infringements Act 2006** is based on a number of underlying principles which are to be kept in mind when considering how to apply the Act.

The principles upon which the Act is based are:

- recognition of the authority of the State to set minimum standards of civil behaviour;
- the balancing of fairness (lower fine levels, convenience of payment, consistency of approach) with compliance and system efficiency (reduced administration costs, no need to appear in court, no conviction);
- the provision of a rapid and certain response for lower level offences appropriate for infringements, with deterrence dependent on people being aware they are likely to be detected offending and dealt with through less severe penalties;
- an acceptance that offences can be dealt with through the efficiency of the infringement system or in open court;
- a requirement that individual circumstances be taken into account;
- a recognition of genuine special circumstances, both at the time of infringement notice issue, and during the enforcement process;
- requiring improved public awareness of rights and responsibilities;
- the provision for regular review of the infringements system; and
- stipulating the duty of external agencies to observe the policies and principles of the system in discharging their responsibilities.

Using these principles, the improved infringements system seeks to achieve:

- improved protection for all individuals, as well as for people in special circumstances (i.e. mental or intellectual disability, homelessness, serious addictions, those in genuine financial difficulty);
- improved administration by enforcement agencies of the infringements environments they manage; and
- firmer enforcement measures to improve deterrence in the system, and reduce 'civil disobedience' and the undermining of the rule of law.

The Infringements Act 2006

The **Infringements Act 2006** provides that guidelines may be made in respect to specific matters, and more generally, to any other matter relating to the administration of this Act.

Guidelines in relation to specific matters

1. Offences suitable for enforcement by infringement notice

The offences covered by the infringement system will include:

- offences that were infringeable prior to 1 July 2006;
- any new offences that the Government introduces on or after that date which fall within the Policy on infringement offences set out in annexure A to these Guidelines; and
- any new offences that the Government introduces for trial on or after that date.

The Government is commencing on 1 July 2006 a three year trial of new offences which can be dealt with by way of infringement notice. This trial will be used to critically assess and further develop the Policy on infringement offences, which is annexed to these Guidelines and forms part of these Guidelines.

From 1 July 2006, any department or enforcement agency wishing to propose new offences to be dealt with by way of infringement must consult with the Infringement System Oversight Unit in the Department of Justice.

When proposed infringement offences are to go to Cabinet, the Cabinet Submission must indicate that the Department of Justice has been consulted and the offence complies with these Guidelines and the annexed Policy.

Where the proposed infringement offence is to be made via regulation and Executive Council, the responsible Minister must obtain a s6A infringements offence consultation certificate (pursuant to s177 of the **Infringements Act 2006** which amends the **Subordinate Legislation Act 1984**) for submission to the Executive Council and also, as soon as practicable after the regulation has been made, to the Scrutiny of Acts and Regulations Committee.

The purpose of both requirements is to ensure that a proposed infringement offence satisfies the annexed Policy on infringement offences and if it does not, to make clear the reasons and justification why it does not.

The four main principles used in assessing the suitability for new infringement offences are:

- Gravity;
- Clarity;
- Penalty; and
- Consequence.

2. Level of penalty suitable for enforcement by infringement notice

An infringement penalty should generally be approximately no more than 20–25% of the maximum penalty for the offence and be demonstrated to be lower than the average of any related fines previously imposed by the Courts. See the Policy annexed to these Guidelines for further information.

3. Code of Conduct to apply to issuing officers

The **Infringements Act 2006** does not require that officers of enforcement agencies consider ‘special circumstances’ at the issuing stage. However, if issuing officers are to exercise such discretions, then each enforcement agency must have a code of conduct to guide officers with the responsibility for issuing infringement notices in the discharge of their responsibilities.

The code should take into account the nature of the business of the issuing agency and the role and functions of its issuing officers. The code should focus on principles of the infringements system with respect to fairness and the recognition of individual circumstances, and deal with the appropriateness of issuing infringements to people with obvious special circumstances.

4. Eligibility criteria for payment plans

The **Infringements Act 2006** (Part 3) provides that a payment plan must be offered to any natural person who meets the eligibility criteria set out in these Guidelines.

Early entry into a payment plan, before the matter reaches the Infringements Court, will allow those wanting to pay their infringement notice by instalment or an extension of time the opportunity to do so without accruing additional enforcement costs. It also diverts people from the court system who have a genuine desire to pay their infringement notice.

Agencies may impose a minimum level of payment before they will offer a payment plan to an individual. This level may differ between agencies and between plans offered to those who have an automatic entitlement and those who have discretionary access to payment plans.

Automatic Entitlement to be offered a Payment Plan

A person will be automatically entitled to be offered a payment plan if they are in receipt of any one of the following:

- a Commonwealth Government (Centrelink) Pensioner Concession Card;
- a Department of Veterans’ Affairs Pensioner Concession Card or Gold Card; or
- a Centrelink Health Care Card (all types including non-means tested).

Discretionary Access to Payment Plans

Agencies may, at their discretion, offer a payment plan on the application of any natural person.

Holders of Victorian Seniors Card or Commonwealth Government Seniors Card are not automatically entitled to access a payment plan. However, agencies may at their discretion offer these card holders access to a payment plan.

In exercising the discretion as to whether to offer a payment plan to any person who is not automatically entitled to be offered a payment plan, agencies should take into account the situation of persons who may be experiencing unavoidable financial hardship resulting in the person not having the capacity to pay the fine in full within the payment period. Hardship may be recognised, but not limited to circumstances such as where an individual suffers a sudden change in their situation such as loss of employment, a large unexpected expense on an essential item, sudden or long term illness, family violence or similar circumstances.

5. Internal Enforcement Agency Review

Each enforcement agency must develop procedures for the conduct of internal reviews of infringement notices as required by Part 2 of the **Infringements Act 2006**. The internal agency review process is governed by the Act, the Infringements (General) Regulations 2006, the Infringements (Reporting and Prescribed Details and Forms) Regulations 2006 and these Guidelines.

The time period for conducting an internal agency review is set out in the Infringements (Reporting and Prescribed Details and Forms) Regulations 2006 and is a maximum of 90 days. This can be extended by a further 21 days if during a review an enforcement agency seeks further information from an applicant.

An internal agency review can only be conducted prior to the infringement being lodged with the Infringements Court. The application must be in writing and can only be made once in respect of each infringement notice.

The grounds for considering internal agency reviews are established by s22 of the Act.

The review must be conducted by a person not associated with the issuing of the infringement notice.

Review officers conducting internal agency reviews must ensure that their discretionary powers are exercised in good faith and in a way that is consistent with the principles of the Act and these Guidelines. To help ensure the integrity of the review process, applications must be determined with reference to the written application and wherever possible, to any statement provided by the applicant and any other evidence, such as medical, psychological or case worker reports in the case of an application for Special Circumstances.

The review must also take into account the grounds upon which the application for review has been made (as set out in s22 of the Act) and whether, given the person's application, prosecution of the offence would be likely to be successful and/or, whether it is appropriate to continue the enforcement process.

6. Provision of information including statistical data in relation to the enforcement of infringement notices to the Attorney-General

The Attorney-General will publish an annual report outlining information collected on the new infringements system.

Using aggregated data collected from issuing agencies, and advice from both the Standing Advisory Committee of Stakeholders (which has membership outside of the Victorian Government) and an internal government Monitoring Committee, the report will examine the application of the fundamental principles outlined at the beginning of these guidelines to the new system. The data collected will be used to assess how the infringement system

is working from a whole of system perspective, as well as whether individual agencies are applying and interpreting the Act in accordance with its guiding principles and these Guidelines.

In particular the annual report may examine and publish information or findings on the operation of the infringement system generally including, but not limited to, reports on the following matters:

- the diversion of inappropriate cases from the criminal justice system;
- the application and effect of the new sanctions regime;
- the take-up rate for payment plans;
- the use of official warnings;
- whether any new infringeable offences have created efficiencies and contributed to diverting cases from the courts; and
- the statistical data authorised to be collected under s6 of the Act and prescribed under the Infringements (Reporting and Prescribed Details and Forms) Regulations 2006.

Other matters relating to the administration of this Act

7. Use of Sanctions

Operational guidelines for the use of sanctions have been developed by the Sheriff with regard to the fundamental principles behind the new infringements system.

The operational guidelines establish a process for the use of new and existing sanctions which should only be applied if other avenues of enforcement (including entering into a payment plan/order) have failed. The process the Sheriff's office employs operationally in considering how to apply the sanctions available to it can be viewed at the Sheriff's website located at www.justice.vic.gov.au.

In applying sanctions the Sheriff's office will recognise the balance between temporary measures to encourage fine defaulters to pay, and more serious and permanent sanctions (such as the sale of property) which will be used in the most serious cases of refusal to pay.

The sanctions contained in Parts 10 and 11 of the **Infringements Act 2006**, relating to attachments of earnings and debts, and the sale or charging of real property, cannot be applied without first obtaining authorisation from an Infringements Registrar or the Magistrates Court. Gaol remains the ultimate sanction which can be exercised by the courts after all other measures have been exhausted.

8. Special Circumstances

'Special Circumstances' is defined by the **Infringements Act 2006** and means persons with: a mental or intellectual disability, disorder, disease or illness; a serious addiction to drugs, alcohol or a volatile substance; or are homeless. The definition then requires that these persons could not control or understand their offending conduct because of their condition or situation. Homelessness is defined in the Infringement (General) Regulations 2006.

The recognition of 'Special Circumstances' in the **Infringements Act 2006** is to ensure that certain members of the community are not unfairly caught up in the infringement system, through providing flexibility in the system so that the special circumstances of individuals can be considered.

In recognising these circumstances, agencies are reminded that the Act seeks to divert from the criminal justice system those who do not have the ability to understand the consequences of their actions, or by virtue of their circumstances or disability are unlikely to be able to avoid the commission of the offence. This aim should be specifically considered by agencies when applications involving special circumstances are being considered by review officers.

Agencies are to have in place operational guidelines to assist them in understanding and considering applications for 'Special Circumstances'.

There are a number of points at which people with 'Special Circumstances' can be diverted out of the infringement system. These are:

- as part of the individual agency discretion at the point of issue of the Infringement Notice (Part 2 of the Act);
- at the Agency Review Stage (Part 2 of the Act); and
- by the Registrar of the Infringements Court on an application for revocation of an enforcement order (Part 4 of the Act).

It should also be noted that the Magistrates Court, when dealing with people arrested and brought before it on an Infringement Warrant, may have regard, amongst other things, to 'Special Circumstances' in accordance with Part 12 of the Act.

8.1 At point of issue of infringement notice

The **Infringements Act 2006** does not require that issuing officers of enforcement agencies consider 'Special Circumstances' at the issuing stage. However, enforcement agencies may wish issuing officers to exercise their discretion in issuing infringement notices where it is clear that a person falls within the definition of 'Special Circumstances'. This will depend on agency circumstances, the type of offence and the level of training possessed by the issuing officers of the particular agency.

8.2 At the Agency Review Stage

An application for internal review may be made by the person served with the infringement notice, or if they consent, someone acting on their behalf.

If an application for withdrawal of an infringement notice is received by the issuing agency on the basis that 'Special Circumstances' applied, the agency should consider the application in light of the circumstances identified by the alleged offender.

These circumstances would mean that the person's judgement was impaired at the time of the offence and meant that they could not control or understand their offending behaviour.

If 'Special Circumstances' are considered to apply then the agency should withdraw the infringement notice, or withdraw the infringement notice and issue an official warning in its place (s25(2)) of the Act.

8.3 Application for Revocation of Enforcement Order

When an enforcement order has been made by an Infringements Registrar, a revocation of the order can be sought (under s65) by:

- the enforcement agency;
- the person against whom the order has been made; or
- a person acting on behalf of someone against whom an order has been made to whom Special Circumstances is thought to apply.

If the order is not revoked and the application was by the person against whom it was made, or by the person acting on behalf of someone to whom Special Circumstances is thought to apply, then the person may apply to the infringements registrar to have the matter referred to the Magistrates Court (s68).

Further Information

For further information on these Guidelines contact the Infringements System Oversight Unit at the Department of Justice on telephone 8684 1781 or via email at isou@justice.vic.gov.au.

Annexure A to Attorney-General's Guidelines
POLICY ON INFRINGEMENT OFFENCES
INFRINGEMENTS SYSTEM POLICY FRAMEWORK

Introduction

Infringement notices offer an alternative method for dealing with minor offences, giving the person to whom a notice is issued the option of paying a fixed penalty, rather than proceeding to a court hearing. This system uses inducements such as convenience of payment, lower fine levels than in open court, the avoidance of a conviction being recorded and saving of legal costs to dispose of matters in an efficient and timely manner.

By offering a straightforward, expeditious method of making amends for an offence, the infringement notice system aims to encourage compliance with regulatory regimes. Maintenance of proportionality between the relatively minor, clear-cut nature of infringement offences and the penalty they attract reinforces a sense of fairness in the system.

Because infringement notices depart from the standard practice of court hearings to enforce breaches of the law, their use must be carefully scrutinised, and limited to suitable offences. Consistency of approach is crucial to retaining public understanding of, confidence in, and compliance with, the penalty enforcement system.

Consequently, it is generally inappropriate for more serious or complex offences to fall within the infringement regime. Justice and procedural fairness demands that such matters proceed to court, allowing a full hearing of any charges, including a full response from the alleged offender, rather than being automatically enforced without a hearing.

The Guidelines set out below aim to establish primary principles as a guide to the type of offences that are suitable for enforcement by infringement notice. Departments and agencies are expected to comply with the Guidelines in introducing new infringement offences and reviewing existing infringement offences. A case must always be demonstrated as to the suitability of the offence for the infringements system.

The agency must also demonstrate that it has the capacity to administer the offence fairly and effectively, giving staff appropriate powers and training, taking account of the authority they have, and the discretion they are able to exercise.

If an agency has established that an offence is suitable to be dealt with as part of the infringement system, then it is able to request the Attorney-General to have the offence prescribed under the Infringements (General) Regulations 2006 as a lodgeable infringement offence. It is for this reason also that offences must satisfy the requirements set out in these Guidelines.

This policy has been approved by the Attorney-General and endorsed by Cabinet and applies to all legislative and regulatory proposals for infringement offences from 1 July 2006. It will be critically reviewed and assessed in the second half of 2009 following the conclusion of a trial on infringement offences on 30 June 2009.

Part 1 of the Guidelines deals with preliminary matters which must be examined before any new infringement offence is considered.

Once this initial analysis has been undertaken, Part 2 below specifies four broad determinants of suitability for specific offences to become an infringement offence:

- Gravity;
- Clarity;
- Penalty; and
- Consequence.

1. ESTABLISHING THE NEED FOR AN INFRINGEMENT OFFENCE

In preparing proposals for considering whether an offence is one appropriate to be dealt with by way of infringement all proposals (to the Infringements System Oversight Unit) must consider the following:

- What is the nature of the disorder or behaviour to be addressed (Is it a behaviour or public disorder that is appropriate to be regulated by infringement offence rather than by court hearing?);
- The consequence of that behaviour continuing unregulated or maintaining the regulation in its current form? (What is the anticipated effect on the behaviour as a consequence of making the offence one regulated by infringement?);
- Deterrent effect sought by regulation as an infringement offence (Would adoption as an infringement offence undermine the perceived seriousness of the offence?);
- Alternative measures considered (Why is adoption of an infringement offence preferable to other options within the criminal justice system?);
- Will the proposal adversely affect fairness and rights within the community? (This is particularly important in relation to the impact on vulnerable members of the community); and
- Is there a strategy for ensuring community awareness of the new offence, and of rights in relation to the offence? (The level and quality of public information is important; community awareness of rights and responsibilities should not only be part of implementation, but ongoing).

2. SUITABILITY FACTORS

After the initial assessment outlined in Part 1 above, more specific criteria must be considered to test the suitability of the proposed offence as an infringement offence. Offences which meet the criteria set out below will generally be able to be enforced through the automatic enforcement process for infringement offences.

2.1 GRAVITY OF OFFENCE

Strict liability infringement offences, where an offence occurs automatically on the basis of proved facts or behaviour (e.g. speeding by 10kms or less), are currently subject to the infringement process. The philosophy behind this policy is that because there is no requirement to prove a guilty mind or subjective culpability for these offences, their enforcement is relatively straightforward.

Offences which are more complex than strict liability offences can be made infringeable, but will generally be more difficult to establish as infringement offences. Agencies seeking to have these more complex offences included as infringement offences will be required to provide adequate protections and education about the offences.

A. Offences which contain an exception, proviso, excuse or qualification

Offences which contain an exception, proviso, excuse or qualification (e.g. doing a certain act without a lawful excuse) are inherently more complex than offences without such exceptions. They introduce extra elements to be proved by agencies, or which may be contested or claimed by alleged offenders.

Such offences can only be infringement offences under carefully defined circumstances, with clarity being the crucial principle. For such offences to be infringeable the exception, proviso etc must be defined as clearly as possible in the Act, so that the community can clearly understand what actions or behaviour constitutes wrongdoing, taking account of the exception, proviso etc.

The offence must also be fully detailed in the infringement notice, especially where the exception, proviso etc is a defence to the alleged offence shown in the infringement notice (eg. not wearing a seat belt except where reversing, or provisions such as illegal fishing unless authorised in accordance with the Act).

At a minimum, for offences of the types set out above to be considered as appropriate for inclusion as infringement offences the following detail would also be required:

- a) Clarity around what constitutes offending behaviour. The agency's issuing documentation, and other publicly provided information, must clearly and accurately set out the offending behaviour, and the rights of the person, including the right to have the matter determined in court;
- b) Only certain categories of trained officers should be able to issue infringement notices for the more serious offences;
- c) The agency should provide operational guidelines and training for issuing officers prior to any offences coming into effect, and proof of this would be the basis for an offence meeting (b) above;
- d) The operating guidelines would need to be publicly disclosable to the extent that they inform the community of what constitutes wrongdoing;
- e) The guidelines must include an option to give formal and informal warnings (unless a case can be made that this is inappropriate for a particular offence, e.g. drink driving offences where prosecutorial discretion is rarely exercised); and
- f) The agency must also report annually on such offences.

B. Offences requiring proof of intention, subjective awareness or objective standards and public order offences

The second stage of a trial on infringement offences scheduled to commence, depending upon receipt of Cabinet approval, on 1 July 2007, will allow the limited introduction of a small number of public order/mens rea offences. The purpose of the trial is to test whether these type of offences can be dealt with effectively and fairly by way of infringement.

Pending the analysis of this trial, these types of offences will generally not be considered for inclusion as infringement offences. This is because these offences require proof of an intention, of a subjective state of mind, of fault, or requiring assessment of behaviour against objective standards (i.e. whether it be reasonable, careless, disruptive, abusive, negligent or wilful behaviour), and are not as straightforward. These offences require proof not only as to actions, but also as to the state of mind (or presumed state of mind) of the alleged offender. However, if a significant public policy argument could be mounted in support of the case for making the offence infringeable, then on an exceptional case by case basis, consideration may be given to making the offence infringeable.

Those offences which could be categorised as falling into this category currently, such as disorderly or offensive conduct on public transport will remain as infringement offences but are to be seen as exceptions to the Policy and not to be added to until the trial has been completed.

C. Offences where there is a victim of violence

There is a presumption that offences where there is a victim of violence should not be infringement offences. The concept of restorative justice applies here, so that the rights of, and impact on, the victim should be considered, and the alleged offender should be required to acknowledge and atone for the harm caused by the criminal act, or be provided with the opportunity to respond to all allegations. These precepts necessitate a court hearing.

D. Indictable offences

Indictable offences are those matters requiring deliberation by judge and jury. Where it has already been decided that an offence requires such a full court process to determine guilt and sentencing, it is generally not appropriate that they be infringement offences.

E. Offences where imprisonment is a mandatory sentencing option

Those offences where imprisonment is a mandatory sentencing option by a judicial officer are not suitable as infringement offences (e.g. a second offence for 'drive whilst disqualified').

This policy would only allow offences with imprisonment as a punishment to become infringement offences where the magistrate can convert a sentence of imprisonment to a fine. There may be occasions in such instances where an agency can demonstrate a strong public interest case for an offence with a term of imprisonment to be infringeable. Offences in this category would also need to satisfy the requirements set out above at 2.1A (a)–(f).

2.2 CLARITY AND COMPREHENDING OFFENDING BEHAVIOUR

Clarity of description and community awareness

An offence cannot be infringeable unless there is clarity about what constitutes offending behaviour. The community needs to be aware of what type of behaviour is liable to trigger an infringement notice.

Offences should not be infringeable where relevant offending behaviour cannot be adequately dealt with or described on the notice provided, given that an infringement is a fixed penalty which is imposed without the opportunity for independent scrutiny by a court (unless the person chooses to contest it).

Creating awareness of the offending behaviour needs to be dealt with by general public information campaigns, as well as by providing adequate information in the infringement notice about the offending behaviour.

Further, in providing this information about what constitutes offending behaviour, other critical information should be supplied. This includes ensuring that the notice refers to the individual's options and rights in the infringements process.

2.3 PENALTY

Percentage of maximum penalty

Part of the incentive underpinning the system is that the level of penalty is set at an amount lower than a person might expect to receive were the matter to go to court.

The level of the infringement penalty must be set as a significantly lesser proportion of the maximum penalty to maintain the "bargain" in the infringements system and the incentive inherent in that bargain. As a general rule, the infringement penalty should be no more than approximately 25% of the maximum penalty for the offence. However, a proportion of up to 50% can be considered where there are strong and justifiable public interest grounds.

Level of infringement penalty

The maximum infringement penalty for an individual should generally not exceed 12 penalty units, and for a corporation should not exceed 60 penalty units. The infringement penalty should only be higher than this recommended maximum where a demonstrable case can be made on public interest grounds and/or on the basis of a demonstrable deterrent level of penalty. A deterrent level of penalty can be determined taking into account factors such as consequences of offence, risk or opportunity cost.

The amount of variation must be such that the penalty is still suitable for a summary offence.

Graduated Penalties

Infringements should not generally apply to graduated penalties. This is because they are difficult to apply at the point of issue which cuts across the principle of clarity, as well as the wider principle underpinning the infringement system that infringements 'provide a rapid and certain response for lower level offences'.

The Department of Infrastructure graduated penalty scheme for transport offences should be regarded as an exception to the policy for what can be dealt with by the infringement system.

2.4 CONSEQUENCE

Record of offence

No conviction should be recorded as a result of the issue of an infringement notice or payment of an infringement penalty.

However, the fact of an offence having occurred can be recorded for certain purposes. For example a record of the offence may be taken into account in relation to subsequent infringements (as in graduated penalty schemes for public transport ticketing offences) or other penalty sanctions (as in the demerit points system).

These regimes should only be implemented where the deterrent value can be clearly demonstrated by the enforcement agency, along with a strong public interest case. The enforcement agency must also be able to demonstrate arrangements that ensure that the public is aware of the offence structure – both general information as well as information in the infringement notice issued (refer to the package of protections outlined in 2.1A (a)–(f) above).

The Infringements Act specifically provides that agencies are able to record an official warning in relation to an infringeable offence. This provides an incentive for agencies to issue a formal warning notice in certain situations rather than an infringement notice carrying a fine. Agencies are also able to withdraw a notice after issue and the fact of this withdrawal can also be recorded.

An exception to the rule that no conviction is recorded has been the existing drink driving/excessive speed legislation which provides for a 'deemed conviction' within 28 days of issue of an infringement notice. No new infringement offences which record a 'conviction' will be allowed under this Policy.

Medical Practice Act 1994

FIXING OF FEES

Pursuant to section 96 of the **Medical Practice Act 1994** the Medical Practitioners Board of Victoria has fixed the following fees for a period of not less than 12 months commencing 1 July 2006.

1. Registration Fees:

| Application for: | \$ |
|---|--------|
| General registration (section 7) | |
| (i) in excess of six (6) months | 360.00 |
| (ii) six (6) months or less | 180.00 |
| Specific registration (section 8) | |
| (i) in excess of six (6) months | 360.00 |
| (ii) six (6) months or less | 180.00 |
| Specific registration – non-practising (section 8(1)(f)) | 200.00 |
| Provisional registration (section 9) | 205.00 |
| Renewal of registration (section 13) | 405.00 |
| Renewal of registration (section 13) online | 395.00 |
| Amendment/variation of specific registration | |
| (i) in excess of six (6) months | 405.00 |
| (ii) six (6) months or less | 205.00 |
| Registration pursuant to Mutual Recognition Act 1992 (C'th) | |
| (i) in excess of six (6) months | 360.00 |
| (ii) six (6) months or less | 180.00 |
| Restoration of name to the Register of Medical Practitioners (section 14) | 575.00 |
| Additional renewal fee for application for renewal of registration received within three (3) months after 30 September 2006 (section 13(2)) | 140.00 |

2. Other Fees:

| | |
|---|----------|
| Application for Certificate of Good Standing | 65.00 |
| Provision of a letter of confirmation of registration status, not being a Certificate of Good Standing | 65.00 |
| Endorsement fee re the practice of acupuncture (section 9B) | 25.00 |
| Fee for extracts/copies from the Register of Medical Practitioners (section 17(5)) | |
| (i) Single extract | 65.00 |
| (ii) Multiple extracts (up to 20) | 245.00 |
| (iii) Copy of full Register | 1,750.00 |
| (iv) Copy of part Register | 875.00 |
| Redirection fee (GST inclusive) | 35.00 |
| Replacement student card (GST inclusive) | 35.00 |

Dated 22 June 2006

Dr J. M. FLYNN
President
Medical Practitioners Board of Victoria

Pharmacy Practice Act 2004
PHARMACY BOARD OF VICTORIA

Determination of Fees

Under Section 122 of the **Pharmacy Practice Act 2004**, I, Stephen H. P. Marty, Registrar of the Pharmacy Board of Victoria, hereby advise that the Pharmacy Board of Victoria has determined that the prescribed fees for the provisions of the **Pharmacy Practice Act 2004** shall be in accordance with this Schedule with effect from 1 July 2006.

SCHEDULE

| PROVISION | FEE (\$) |
|---|-----------|
| Interim (General) Registration | |
| (Payment between Jan – Dec) | \$295.00 |
| (Payment between July – Sept) | \$245.00 |
| (Payment between Oct – Dec) | \$195.00 |
| General Registration | \$295.00 |
| General Registration – Non-practising | \$295.00 |
| Late Fee (for registration renewal applications received between 1 Jan & 31 March) | \$145.00 |
| Specific Registration | \$295.00 |
| Endorsement of Registration | \$150.00 |
| Application for Restoration of name to the Register | \$50.00 |
| Assessment for restoration of name to the Register | \$300.00 |
| Application for approval to conduct a pharmacy business or pharmacy department | \$450.00 |
| Application for approval to conduct a pharmacy business or pharmacy department in accordance with Sections 25(1)(a) and 25(1)(f). | \$200.00 |
| Application for approval of premises as a pharmacy or pharmacy department | \$450.00 |
| Premises re-inspection | \$250.00 |
| Certificate of Identity | \$100.00 |
| Application for approval of a pharmacy depot | \$150.00 |
| Application for approval to practise in special circumstances | \$450.00 |
| For each examination subject taken at a final examination controlled and directed by the Board | \$150.00 |
| For a copy of the Pharmacists Register | \$300.00 |
| For an extract from the Register | \$20.00 |
| CD containing the Office Consolidation of legislation | \$110.00* |
| Student legislation package | \$82.50* |
| Board policies & procedures booklet | \$27.50* |
| List of approved pharmacy businesses | \$660.00* |
| *Fee shown includes GST. | |
| Dated 21 June 2006 | |

Plant Health and Plant Products Act 1995
ORDER PROHIBITING OR RESTRICTING THE ENTRY OR
IMPORTATION OF HOST MATERIALS TO PREVENT THE ENTRY OF
TOMATO YELLOW LEAF CURL VIRUS INTO VICTORIA

I, Bob Cameron, Minister for Agriculture, make the following Order:

BOB CAMERON MP
Minister for Agriculture

Dated 26 June 2006

1. Objective

The objective of this Order is to prevent the importation or entry of the exotic disease, Tomato Yellow Leaf Curl Virus (TYLCV) into Victoria.

2. Authorising Provision

This Order is made under Section 24 of the **Plant Health and Plant Products Act 1995**.

3. Definitions

In this Order—

“**TYLCV host material**” means any plant or plant part, excluding fruit and seeds, of tomatoes (*Lycopersicon esculentum*), beans (*Phaseolus vulgaris*), lisianthus (*Eustoma grandiflorum*), lobed croton (*Croton lobatus*) and all species of *Capsicum*, *Euphorbia* and *Physalis*;

“**Manager Plant Standards**” means the person for the time being occupying or acting in the position of Manager Plant Standards in the Department of Primary Industries.

4. Controls applying to TYLCV host materials

- (1) The entry or importation into Victoria of any TYLCV host material is prohibited.
- (2) Sub-clause (1) does not apply if the TYLCV host material:
 - (a) was grown on, or sourced from a property, that is located in a State or Territory, or part of a State or Territory, for which an area freedom certificate, issued by an officer responsible for agriculture in the State or Territory where the host material was grown or sourced, is currently in force certifying that the State or Territory, or part of the State or Territory, is free from TYLCV; or
 - (b) is accompanied by an assurance certificate issued by a person who is accredited by the department responsible for agriculture in the affected State or Territory, or a plant health declaration issued by an authorised person, or a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory, certifying that the host material has been treated in a manner approved by the Manager Plant Standards.

Note: Section 25 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units for a natural person, or 200 penalty units for a body corporate, for knowingly breaching an importation order.

Private Agents Act 1966NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966**

I, the undersigned, being the Registrar of the Magistrates' Court at Melbourne hereby give notice that applications as under, have been lodged for hearing by the said Court on the date specified.

Any person desiring to object to any of such applications must:-

- (a) lodge with me a notice in the prescribed form of his objection and of the grounds thereof;
- (b) cause a copy of such notice to be served personally or by post upon the applicant at least three days before the hearing of the application; and
- (c) send or deliver
 - (i) where the objection is not made by the officer in charge of the police district in which the Court is situated – a copy of the notice to such officer; and
 - (ii) where the objection is not made by the Registrar or Deputy Registrar – a copy to the Registrar.

| <i>Full name of Applicant or in the case of a Firm or Corporation, of the Nominee</i> | <i>Name of Firm or Corporation</i> | <i>Address for Registration</i> | <i>Type of Licence</i> |
|---|------------------------------------|--------------------------------------|-------------------------------|
| Stephen Edward Johnston | Lyndon Peak P/L | 6 McGlone Street, Mitcham 3132 | Commercial Sub-Agents Licence |
| Meaghan Julie Grace | Australian Receivables Ltd | 363 King Street, Melbourne Vic. 3000 | Commercial Sub-Agents Licence |
| Khoi Ho | Lyndon Peak P/L | 6 McGlone Street, Mitcham 3132 | Commercial Sub-Agents Licence |

Dated at Melbourne 21 June 2006

GRAEME J. HORSBURGH
Principal Registrar
Magistrates' Court of Victoria

Private Agents Act 1966NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966**

I, the undersigned, being the Deputy Registrar of the Magistrates' Court at Dandenong hereby give notice that application, as under, has been lodged for hearing by the said Court on the date specified.

Any person desiring to object to any of such application must—

- (a) lodge with me a notice in the prescribed form of his objection and of the grounds thereof;
- (b) cause a copy of such notice to be served personally or by post upon the applicant at least three days before the hearing of the application; and
- (c) send or deliver
 - (i) where the objection is not made by the officer in charge of the police district in which the Court is situated—a copy of the notice to such officer; and
 - (ii) where the objection is not made by the Registrar or Deputy Registrar—a copy to the Registrar.

| <i>Full Name of Applicant or in the case of a Firm or Corporation, of the Nominee</i> | <i>Place of Abode of Applicant or Nominee</i> | <i>Name of Firm or Corporation</i> | <i>Address for Registration</i> | <i>Type of Licence</i> | <i>Date of Hearing of Application</i> |
|---|--|------------------------------------|---------------------------------|---|---------------------------------------|
| Daryl Rodney Silvey | 47 Mossgiel Park Drive, Endeavour Hills | Brookmost P/L | | Commer- cial Sub-agent Licence | 5 July 2006 |

Dated 21 June 2006

MICHELLE CARNEY
Deputy Registrar
Magistrates' Court of Victoria

Road Management Act 2004

VARIATION OF SECTION 110 THRESHOLD AMOUNT FOR 2006–07

I, Peter Batchelor, Minister for Transport and Minister administering the **Road Management Act 2004**, publish this notice in accordance with section 111(5) of that Act.

Background

Section 110 of the **Road Management Act 2004** (“the Act”) provides that a road authority is not liable for property damages (as defined in that section) where the value of the damage is equal to or less than the “threshold amount”. It further provides that the amount which may be recovered against a road authority in a claim for property damages which exceeds the threshold amount is to be reduced by the threshold amount.

“Threshold amount” is defined by section 110(1) as the amount of \$1,000 as varied under section 111. Section 111(1) of the Act provides a formula for the variation of the original \$1,000 threshold amount in respect of the 2005–06 financial year and each subsequent financial year:

$$A \times \frac{B}{C}$$

where—

- ‘A’ is the amount referred to in section 110.
- ‘B’ is the all groups consumer price index for Melbourne as at 15 June in the preceding financial year last published by the Australian Statistician in respect of the December quarter of that financial year.
- ‘C’ is the all groups consumer price index for Melbourne as at 15 June in the year preceding the preceding financial year published by the Australian Statistician in respect of the December quarter preceding that 15 June.

Section 111(2) requires rounding to the nearest whole \$10 for amounts of \$1,000 or more.

Section 111(5) requires the Minister to cause a notice to be published in the Government Gazette specifying the amount as varied for the purposes of section 110 in respect of the relevant financial year.

Calculation of varied threshold amount for 2006–07

For the purposes of the calculation of the threshold amount in respect of the 2006–07 financial year, the values are as follows:

- A = \$1,020 being the amount referred to in section 110 of the Act as varied under section 111 – see definition of “threshold amount” in section 110(1) and the notice specifying the threshold amount in respect of the 2005–2006 financial year published in the Victoria Government Gazette G26 of 30 June 2005, pp 1415–16;
- B = 149.2 being the all groups consumer price index for Melbourne as at 15 June 2006 last published by the Australian Statistician in respect of the December quarter of the 2005–06 financial year;
- C = 145.3 being the all groups consumer price index for Melbourne as at 15 June 2005 published by the Australian Statistician in respect of the December quarter of the 2004–05 financial year.

The calculation of the threshold amount in respect of the 2006–07 financial year is therefore as follows:

$$\$1,020 \times \frac{149.2}{145.3} = \$1,047$$

This figure must be rounded up to \$1,050 in accordance with section 111(2)(b) of the Act.

Specification of varied threshold amount for 2006–2007

In accordance with section 111(5) of the **Road Management Act 2004**, I specify \$1,050 to be the threshold amount for the purposes of section 110 (as varied in accordance with section 111) of that Act, in respect of the financial year beginning on 1 July 2006.

Dated 23 June 2006

PETER BATCHELOR
Minister for Transport

Note: The threshold amount specified in this notice applies to property damages claims (as defined in section 110) which arise out of incidents that occur during the 2006–07 financial year.



WATER RESTRICTION NOTICE

Coliban Water's new By-Law No. 9 – Water Restrictions received Ministerial approval 9 June 2006. Stage 4A restrictions under this new By-Law, which supersedes By-Law No. 6 – Water Restrictions, commence Saturday 1 July 2006 for the following service areas:

Bendigo area (including Axedale, Goornong, Sebastian, Raywood), Castlemaine area (including Taradale and Elphinstone) and Kyneton area (including Malmsbury and Tylden).

The restrictions on this stage remain essentially the same as those which existed under the previous by-law due to the general exemption which currently applies, the only major change being the change in definition to the 'Odds & Evens'* system.

During this period of restriction, water supplied by Coliban Water from a water main (other than recycled water) shall be used in accordance with the following:

| | |
|---|--|
| <p>Gardens & Lawns (public & private)</p> <p>and</p> <p>Commercial Accommodation</p> | <p>Watering lawns or grass – by any means at any time – is banned. Sprinklers must not be used. Garden areas (other than lawn) may be watered between 6.00 pm and 7.00 pm on the odds and evens system* by means of a hand-held hose, fitted with a trigger mechanism. Bucket watering is allowed anytime, on the odds and evens system. No lawns or grass. *ODDS AND EVENS SYSTEM means: Odd numbered properties water on odd numbered days Even numbered & un-numbered properties water on even numbered days Anyone can water on the 31st of the month</p> |
| <p>Vehicles (including motor vehicle dealers)</p> | <p>A vehicle may only be washed for health and safety reasons, in which case the windows, mirrors and lights must be washed and rinsed by means of a bucket filled directly from the tap (not by hose). Commercial car washes which use water from a source other than the Coliban Water reticulated water system may operate.</p> |
| <p>Paving, concrete & other hard surfaces</p> | <p>Water must not be used to clean hard surfaces except for health or safety reasons, and only when dirt and debris cannot be removed without water, and only then by means of a bucket or hand-held hose fitted with a trigger mechanism. This includes houses, walls, sheds etc.</p> |
| <p>Swimming pools & spas (residential & commercial)</p> | <p>All previous exemptions are void. For further information, contact Coliban Water.</p> |
| <p>Garden ponds</p> | <p>Must not be filled from empty. Top up with written permission of Coliban Water only.</p> |
| <p>Fountains</p> | <p>Fountains must not operate.</p> |
| <p>Construction</p> | <p>Use a trigger hose only in the construction or repair of any building or works.</p> |

| | |
|---|--|
| Mobile Water Tankers | Fill anytime for firefighting, construction, dust suppression, inside dwelling, stock watering or public health reasons. A tanker permit from Coliban Water is required. |
| Dams and tanks | Dams, tanks or like containers must not be filled or have their water added to or replaced, unless the water is to be used for in-house domestic, stock, firefighting purposes, or with written permission of Coliban Water. |
| Poultry Sheds | Must not be cooled using sprinklers, unless shed temperature reaches 30 degrees, and then only between 6.00 am – 9.00 pm. Fogging systems may be used anytime. |
| Sports grounds | Watering banned on all exempt and non-exempt playing surfaces. |
| Plant Nurseries & Market Gardens | Sprinklers can only be used to water plant nurseries and market gardens where written permission has been obtained from Coliban Water. Water using a hand-held hose fitted with a trigger mechanism, or bucket, anytime. |

By order,
GEOFF MICHELL
Chief Executive



WATER RESTRICTION NOTICE

Coliban Water's new By-Law No. 9 – Water Restrictions received Ministerial approval 9 June 2006. Stage 3 restrictions under this new By-Law, which supersedes By-Law No. 6 – Water Restrictions, commence Saturday 1 July 2006 for the following service areas:

Borong, Korong Vale, Wedderburn and Wychitella

During this period of restriction, water supplied by Coliban Water from a water main (other than recycled water) shall be used in accordance with the following:

| | |
|--|--|
| <p>Gardens & Lawns (private)</p> <p>and</p> <p>Commercial Accommodation</p> | <p>Watering lawns or grass – by any means at any time – is banned.</p> <p>Garden areas (other than lawn) may be watered by a manual dripper system or hand-held hose fitted with a trigger mechanism between 6.00 am – 8.00 am and 8.00 pm – 10.00 pm; or an automated dripper system between midnight and 4.00 am, on alternate days* only.</p> <p>NOTE: no other sprinkler systems are permitted. A bucket can be used at anytime on alternate days.</p> <p>*ALTERNATE DAYS means:</p> <p>Sunday and Wednesday for odd numbered properties Saturday and Tuesday for even numbered & un-numbered properties water No watering on Monday, Thursday and Friday.</p> |
| <p>Vehicles (including motor vehicle dealers)</p> | <p>Wash and rinse from a bucket.</p> <p>Commercial car washes which use less than 70 litres per vehicle where water is drawn from the Coliban Water reticulated water system may be used.</p> |
| <p>Paving, concrete & other hard surfaces</p> | <p>Water must not be used to clean paved areas except for health or safety reasons, and only when dirt and debris cannot be removed without water, and only then by means of a bucket or hand-held hose fitted with a trigger mechanism. This includes houses, walls, sheds etc.</p> |
| <p>Swimming pools & spas (residential & commercial)</p> | <p>All previous exemptions are void. Cannot be filled, added to or replaced without prior written approval.</p> |
| <p>Garden ponds</p> | <p>Must not be filled from empty. Top up with written permission of Coliban Water only.</p> |
| <p>Fountains</p> | <p>Fountains must not operate unless the water recirculates and must not have water added or replaced.</p> |
| <p>Construction</p> | <p>Use a trigger hose only in the construction or repair of any building or works.</p> |
| <p>Mobile Water Tankers</p> | <p>Fill anytime for firefighting, construction, road maintenance or public health reasons. A tanker permit from Coliban Water is required.</p> |
| <p>Dams and tanks</p> | <p>Dams, tanks or like containers must not be filled or have their water added to or replaced, unless the water is to be used for in-house domestic, stock, firefighting purposes, or with written permission of Coliban Water.</p> |

| | |
|---|--|
| Poultry Sheds | Must not be cooled using sprinklers, unless shed temperature reaches 30 degrees, and then only between 6.00 am – 9.00 pm. Fogging systems may be used anytime. |
| Sports grounds | Watering banned on non-active playing surfaces (e.g. grassed oval or fairway). Active playing surfaces (e.g. cricket pitch, tennis court, golf & bowling green, running track) can be watered by manual dripper systems and hand-held hoses between 6.00 am – 10.00 am and 8.00 pm – midnight, or an automated watering system which operates between midnight and 8.00 am on a needs basis, on alternate days. |
| Plant Nurseries & Market Gardens | Use of automated or manual watering system with written approval of Coliban Water only. Can use a hand-held hose fitted with a trigger mechanism or bucket anytime. |
| Public gardens | Watering lawns or grass – by any means at any time – is banned. Garden areas (other than lawn) may be watered by a manual dripper system or hand-held hose fitted with a trigger mechanism between 6.00 am – 10.00 am and 8.00 pm – midnight; or an automated dripper system between midnight and 8.00 am on alternate days* only. Note: No other sprinkler systems are permitted. A bucket can be used at anytime on alternate days. |

By order,
GEOFF MICHELL
Chief Executive

CONTACT
Customer Service
1300 363 200 or www.coliban.com.au



Water Act 1989

NOTICE OF TARIFFS FOR WATER AND WASTEWATER IN ACCORDANCE WITH SECTION 260 AND 264 OF THE WATER ACT 1989

This notice applies to the current and proposed water and sewerage (wastewater) districts detailed in the schedule below. Water usage for residential properties is calculated as a stepped tariff and fixed service fees are calculated on a daily basis. Amounts are charged quarterly. All charges, whether based on a three month period, a meter reading or other method, must be paid by the date specified in the invoice rendered and if no date is specified, then 28 days from the date the invoice was issued.

Stepped tariff for residential customers

A stepped tariff pricing structure applies to all residential customers.

The three-stepped tariff charges a higher rate per kilolitre of water as water consumption increases, so that customers using higher volumes of water pay a higher price. Details of these charges are provided in the schedule below. The stepped tariff does not apply to non-residential customers, rural licence holders, and customers supplied with untreated water in Elmore and Goornong, who will continue to be charged a flat rate for water consumption. For further information, contact us on 1300 363 200.

Water and wastewater service charges

Water and wastewater service charges will increase from 1 July 2006. These charges are calculated on a daily basis and charged per quarterly billing period. Further details are provided in the schedule below.

WATER CONSUMPTION TARIFF SCHEDULE 2006/2007 volume charge/kL*

| | | Central Districts per kL | Northern River Districts per kL | Rochester per kL | Non-Potable Systems per kL |
|---|--------|--------------------------|---------------------------------|------------------|----------------------------|
| 1. 0 – 0.548 kL (0 – 548 litres) ** | | | | | |
| 2. 0.549 – 1.096 kL (549 - 1,096 litres) | | | | | |
| 3. 1.097 kL plus (1,097 litres plus) | | | | | |
| Non Residential | | 0.7345 cents | 0.4665 cents | 0.4663 cents | 0.5000 cents |
| Residential | Step 1 | 0.6697 cents | 0.4220 cents | 0.4249 cents | 0.4470 cents |
| | Step 2 | 0.8101 cents | 0.5221 cents | 0.5181 cents | 0.5464 cents |
| | Step 3 | \$1.3287 | 0.8442 cents | 0.8396 cents | 0.8941 cents |

*Elmore and Goornong customers supplied with untreated water will be charged at a flat rate of 0.4811 cents and 0.3499 cents per kL (1 kilolitre = 1000 litres) of water respectively.

**Each Step is calculated on an average daily water consumption (litres) amount.

Townships that are included in each District are listed in the table below.

| District | Towns |
|-------------------------|--|
| Central Districts | Bridgewater, Huntly, Inglewood, Maldon, Marong, Axedale, Baynton, Boort, Campbells Creek, Chewton, Dunolly, Harcourt, Newbury, Newstead, Pyramid Hill, Trentham, Tylden, Wedderburn, Bendigo and suburbs, Castlemaine, Elmore, Heathcote, Kyneton, Lockington, Maiden Gully, Malmsbury, Strathfieldsaye, Barkers Creek, Bealiba, Elphinstone, Fryerstown, Goornong, Guildford, Korong Vale, Laanecoorie, Maldon–Newstead pipeline, Mandurang, Raywood, Serpentine, Taradale, Tarnagulla, Tooborac, Yapeen. |
| Northern River District | Gunbower, Leitchville, Cohuna, Echuca, Gannawarra, Mead. |
| Rochester | Rochester. |
| Non-Potable Systems | Borong, Dingee, Jarklin, Macorna, Mitiamo, Mysia, Sebastian, Wychitella. |

WATER SERVICE FEES (ALL DISTRICTS) 2006/2007

| Size Meter | Water Service* | Fire Service* |
|-------------------|-----------------------|----------------------|
| Vacant Land | 0.00 | 0.00 |
| 0mm | 115.80 | 0.00 |
| 20mm | 115.80 | 0.00 |
| 25mm | 158.01 | 0.00 |
| 32mm | 269.72 | 40.48 |
| 40mm | 396.79 | 59.94 |
| 50mm | 581.14 | 87.61 |
| 80mm | 1 388.77 | 208.53 |
| 100mm | 2 169.96 | 325.88 |
| 150mm+ | 4 533.60 | 680.43 |

* Water and fire service fees are fixed annual charges, calculated on a daily basis and charged quarterly.

New customer augmentation fee – water (all areas) \$514.91

WASTEWATER SERVICE FEES 2006/2007

| | Major Districts Non Residential | Minor Districts Post 1999 Non Residential | Minor Districts Post 1999 within 3 years Non Residential |
|---|--|--|---|
| Vacant Land | 0.00 | 0.00 | 0.00 |
| Minimum Access Fee p/a | 217.62 | 255.50 | 209.55 |
| 20mm | 217.62 | 255.50 | 209.55 |
| 25mm | 277.44 | 325.71 | 267.08 |
| 32mm | 473.53 | 555.97 | 455.97 |
| 40mm | 696.39 | 817.54 | 670.48 |
| 50mm | 1 020.05 | 1 197.65 | 982.17 |
| 80mm | 2 437.40 | 2 861.56 | 2 346.89 |
| 100mm | 3 536.36 | 4 151.86 | 3 405.16 |
| 150mm+ | 7 344.80 | 8 623.15 | 7 072.23 |
| Non-Residential – volume (all districts) | 0.3616 | 0.3616 | 0.3616 |
| | Residential | Residential | Residential |
| | 304.46 | 357.37 | 295.00 |

Townships that are included in each District are listed in the table below.

| District | Towns |
|--|---|
| Major Districts pre 1999 | Cohuna, Echuca, Rochester, Bendigo, Castlemaine, Elmore, Heathcote, Kyneton, Lockington, Maiden Gully, Malmsbury, Strathfieldsaye. |
| Minor Districts post 1999 | Bridgewater, Bendigo (Epsom), Huntly, Inglewood, Maldon, Marong, Echuca (Hansen St, Wharparilla Drive), Campbells Creek, Chewton, Harcourt, Trentham, Tylden, Pyramid Hill. |
| Minor Districts post 1999 within 3 years of finalisation | Axedale, Boort, Dunolly, Newstead, Wedderburn, Gunbower, Leitchville. |

Non-Residential wastewater volume and service charge explanation: The wastewater volume charge is calculated by multiplying the water used as per the meter reading by the volume price by the industry discharge factor.

The service fee is calculated by multiplying the price as per the meter size by the industry discharge factor.

New customer augmentation fee – wastewater (all areas) \$514.91**Major and other trade waste**

Major trade waste charges are billed monthly, where agreed.

By Agreement

Minor trade waste

Daily Charge

0.2896

COLIBAN SYSTEM RURAL TARIFF SCHEDULE 2006/2007

| | |
|---|----------|
| Volume Charge (per ML*) | 51.8161 |
| Capacity Charge (per ML*) | 100.6333 |
| Service Fee – Pipeline | 782.17 |
| – Channel | 663.63 |
| – Storage Access | 101.62 |
| Outlet Charge (Total Fee) | |
| – Number 2 – 5 | 23.91 |
| – Number 6 – 10 | 35.87 |
| – Number 11+ | 43.74 |
| Rural Administration Fee–Licence Transfer (per transaction) | \$58.75 |

*ML = megalitre = 1 million litres

Tariffs set by resolutions 29/06 dated 20 April 2006 under Section 260 of the **Water Act 1989**. Effective 1 July 2006.

Fees and Charges are payable at Coliban Water, 37–45 Bridge Street, Bendigo; Australia Post Offices and Agencies; and other agencies as determined by Coliban Water.

Concessions are available to eligible concession and HealthCare Card holders. Contact Coliban Water for information or to register.

Trustee Companies Act 1984
State Trustees (State Owned Company) Act 1994

STATE TRUSTEES FEES AND CHARGES

All fees are inclusive of GST

Effective 1 July 2006

1. PREPARATION OF WILLS, ENDURING POWERS OF ATTORNEY, AND TRUSTS

| 1.1 WILL PREPARATION | | |
|--|--|---|
| | If State Trustees is appointed Executor, Co-Executor or first Substitute Executor: | If State Trustees is not appointed Executor, Co-Executor, or first Substitute Executor: |
| Joint or reciprocal Wills for two persons | \$245 per couple | \$540 per couple |
| Individual Rate | \$140 per person | \$300 per person |
| Seniors Card holders | \$110 per person | \$240 per person |
| Commonwealth Benefits Card holders | \$55 per person | \$180 per person |
| Complex Will# # Where the following additional services may be required in the establishment of a Will: <ul style="list-style-type: none"> ● Establishing a Trust (such as a Discretionary Trust). ● Dealing with a business structure or self-managed superannuation fund. ● Establishing a high number of bequests or legacies. ● Complex or detailed legal advice is sought and/or provided. The Will is assessed as to whether it is a Complex Will at time of appointment. | \$215 per hour | \$215 per hour |

| 1.2 WILL ALTERATION | | | |
|--|--|---|--------------------------------------|
| The Will Alteration fees apply where there is a change to an existing Will such as change of Executor, organ donation, change of address, adding guardian instructions, or changes in legacies and/or bequests. If more than 3 such changes are required, a new Will is prepared and the Will preparation fees outlined in 1(i) may apply. | | | |
| | If State Trustees is appointed Executor, Co-Executor or first Substitute Executor: | If State Trustees is not appointed Executor, Co-Executor, or first Substitute Executor: | |
| Joint or reciprocal Wills for two persons | \$95 per couple | \$160 per couple | |
| Individual Rate | \$60 per person | \$100 per person | |
| Seniors Card holders | \$45 per person | \$80 per person | |
| Commonwealth Benefits Card holders | \$40 per person | \$70 per person | |
| 1.3 ENDURING POWERS OF ATTORNEY PREPARATION | | | |
| 1.3(i) Preparation of Enduring Power of Attorney (Financial) | | | |
| | If State Trustees is appointed sole Attorney or sole Alternative Attorney.* | If child/sibling is nominated primary Attorney and State Trustees is appointed sole Alternative Attorney. | All other Attorney appointments. |
| Prepared but not activated immediately: | | | |
| Individual/Couple Rate | \$140 per person or \$245 per couple | \$260 per person or \$470 per couple | \$390 per person or \$780 per couple |
| Seniors Card holders | \$110 per person | \$210 per person | \$310 per person |
| Commonwealth Benefits Card holders | \$55 per person | \$180 per person | \$310 per person |
| Prepared and activated immediately: | Nil | Rates as above | Rates as above |
| | * Where the Primary Attorney is a spouse/partner. | | |
| 1.3(ii) Preparation of Enduring Power of Attorney (Medical Treatment) or Enduring Power of Guardianship | | | |
| | Individual/Couple Rate | \$140 per person or \$245 per couple | |
| | Seniors Card holders | \$110 per person | |
| | Commonwealth Benefits Card holders | \$55 per person | |

Note: State Trustees will not act or accept appointment as an Agent under an Enduring Power of Attorney (Medical Treatment) nor act or accept appointment as an Enduring Guardian under an Enduring Power of Guardianship.

| 1.4 WILL PREPARATION AND ENDURING POWERS OF ATTORNEY PREPARATION – PACKAGE PRICING | | |
|---|------------------------------------|-----------------------------------|
| Will and one of Enduring Power of Attorney (Financial), Enduring Power of Attorney (Medical Treatment) or Enduring Power of Guardianship | Individual/Couple Rate | \$220 per person/\$350 per couple |
| | Seniors Card holders | \$170 per person/\$280 per couple |
| | Commonwealth Benefits Card holders | \$110 per person/\$220 per couple |
| Will and any two of Enduring Power of Attorney (Financial), Enduring Power of Attorney (Medical Treatment) or Enduring Power of Guardianship | Individual/Couple Rate | \$335 per person/\$530 per couple |
| | Seniors Card holders | \$255 per person/\$410 per couple |
| | Commonwealth Benefits Card holders | \$165 per person/\$330 per couple |
| Will and Enduring Power of Attorney (Financial) and Enduring Power of Attorney (Medical Treatment) and Enduring Power of Guardianship | Individual/Couple Rate | \$440 per person/\$710 per couple |
| | Seniors Card holders | \$345 per person/\$550 per couple |
| | Commonwealth Benefits Card holder | \$220 per person/\$440 per couple |

Package prices apply only when State Trustees is appointed sole Executor or Co-Executor in the Will and sole Attorney in the Enduring Power of Attorney (Financial), if applicable. Package Pricing does not apply to Will Alterations or Complex Wills.

Note: State Trustees will not act or accept appointment as an Agent under an Enduring Power of Attorney (Medical Treatment), nor act or accept appointment as an Enduring Guardian under an Enduring Power of Guardianship.

| 1.5 TRUST PREPARATION | | |
|---|---|----------------|
| Fees for provision of Legal Services (including preparation of Trust documents, such as Trust deeds). Charged according to hourly Legal Services rates: | Senior Lawyer | \$370 per hour |
| | Lawyer | \$280 per hour |
| | Junior Lawyer | \$170 per hour |
| | Articled Clerk/ Para-Legal/Law Clerk | \$130 per hour |

| 1.6 URGENT ATTENDANCE FEE | |
|--|---|
| Where requested, State Trustees will prepare a Will and/or Enduring Power of Attorney within two business days of notification. This period includes visiting the customer, taking instructions, drafting the Will and/or the Enduring Power of Attorney and attending for the execution of the Will and/or the signing of the Enduring Power of Attorney. | <p>\$215 per hour calculated from the time of departure to the return to the State Trustees office.</p> <p>No Urgent Attendance fee is charged if State Trustees is appointed Executor or Co-Executor or first Substitute Executor, in the case of the Enduring Power of Attorney, sole Attorney.</p> |

| 2.1 ESTATE ADMINISTRATION AND ADVICE | |
|--|--|
| <p>Capital Commission Capital Commission is charged on the gross value of any assets of the estate.</p> | <p>Up to 5.5%* * This rate is a maximum and may be negotiated depending on the estate's value and complexity, and the amount of ongoing administration required.</p> |
| <p>Income Commission Income Commission is charged on the gross estate income received.</p> | <p>Up to 6.6%</p> |
| <p>Where the administration of an estate commenced before the introduction of GST on 1 July 2000, and where there was no agreement or other restriction in place, the relevant capital and income commission shall be at the rate of the published scale at the time the administration commenced, plus 10%.</p> | |
| State Trustees' Common Funds Management Fee | |
| <p>Management Fee on funds held in Common Funds. Where a Fund invests in a financial product for which State Trustees provides services (e.g. custodial services, unit registry services), the investment will meet a portion of the fees charged to the product for these services.</p> | <p>1.1% per annum</p> |

Note: The same rates of commission and fees as set out above also apply to Agencies, Court-appointed Administrations, Statutory Administrations and Other Administrations.

| 2.2 EXECUTOR ADVICE | |
|---|----------------|
| Advice relating to deceased estate administrations where State Trustees is not appointed Executor or Administrator. | \$147 per hour |

| 2.3 INFORMAL ADMINISTRATION | |
|--|----------------|
| The administration of a deceased estate where formal Court authorisation is not required and no capital commission is taken. | \$147 per hour |
| Income Commission and State Trustees Common Funds Management Fee apply as set out in Section 2.1. | |

| 2.4 ENDURING POWER OF ATTORNEY (FINANCIAL) ADMINISTRATION | |
|---|----------------|
| Capital Commission Capital commission is charged on the gross value of any assets of the estate. | Up to 5.5% |
| Income Commission On Centrelink pensions and allowances or Department of Veterans Affairs pensions received. | Up to 3.3% |
| On all other gross income received. | Up to 6.6% |
| Where the administration of an estate commenced before the introduction of GST on 1 July 2000, and where there was no agreement or other restriction in place, the relevant capital and income commission shall be at the rate of the published scale at the time the administration commenced, plus 10%. | |
| State Trustees' Common Funds Management Fee | |
| Management Fee on funds held in Common Funds. Where a Fund invests in a financial product for which State Trustees provides services (e.g. custodial services, unit registry services), the investment will meet a portion of the fees charged to the product for these services. | 1.1% per annum |

| 2.5 TRUST ADMINISTRATION | |
|---|------------|
| Capital Commission Capital Commission is charged on the gross value of any assets of the Trust. | Up to 5.5% |
| Income Commission Income Commission is charged on the gross trust income received. | Up to 6.6% |

| 3.1 LEGAL SERVICES | | |
|--|---|--|
| Legal fees, for services such as document preparation, legal advice and litigation: | Senior Lawyer | \$370 per hour |
| | Lawyer | \$280 per hour |
| | Junior Lawyer | \$170 per hour |
| | Articled Clerk/ Para-Legal/Law Clerk | \$130 per hour |
| Probate Fees | | Charged in accordance with current Supreme Court (Administration and Probate) Rules. |
| Conveyancing Fees | | |
| Sale or purchase of real estate Fee includes 1 transfer of land, 1 discharge of mortgage, 1 Application by Personal Representative or Survivorship Application (but does not include the Sundries fee below) | | \$715 per sale/purchase |
| Transfer of Land | | \$330 |
| Caveat or withdrawal of Caveat over property | | \$132 |
| Arranging the discharge of the mortgage with the Lender | | \$165 |
| Application by Personal Representative or Survivorship Application | | \$165 |
| Supporting Statutory Declarations | | \$82.50 |
| Lost Title Application | | \$929.50 |
| Notice of Rescission | | \$324.50 |
| Sundries | | \$22 per matter (flat fee) |
| Production of Certificate of Title or other documentation for a third party | | \$66 per document. |
| Any other Conveyancing service not listed above | | As prescribed by the Supreme Court's current Practitioner Remuneration Order. |

| 3.2 TAXATION SERVICES | |
|---|-------------------------|
| Taxation Services | \$147 per hour |
| Computer Assisted Reviews | \$74.25 per review |
| Application for refund of excess franking credits | \$44.55 per application |

| |
|---|
| 3.3(i) FINANCIAL PLANNING SERVICES |
|---|

Financial Planning Services for Powers of Attorney, Agencies, Court-appointed Administrations, Statutory Administrations, Other Administrations, Trusts and Deceased Estates.

| Where the estate's investment assets are valued at \$30,000 to \$75,000: | |
|---|-------------------------|
| Standard Plan/Review Fee Where investment assets such as superannuation, allocated and other superannuation pensions, direct shares, securities or property are held. | \$147 per Plan/Review |
| In all other cases (basic investment assets, including managed investment funds). | \$73.50 per Plan/Review |

| Where the estate's investment assets are valued over \$75,000: | |
|--|----------------|
| Plan Preparation Fee | \$147 per hour |
| Plan Review Fee | \$147 per hour |
| Ancillary Services Fee | \$147 per hour |
| All investment entry fees received by State Trustees are rebated to the customer. External Fund Managers may pay State Trustees a trail commission of up to 1.1% per annum of the amount of the funds invested (generally no more than 0.4%). Trail commission is rebated wherever possible to the relevant estate. | |

| 3.3(ii) Financial Planning services for other customers (customers not part of 3.3(i) above) | | |
|---|-------------|---|
| Statement of Advice | | |
| Preparation Fee (The Fee is rebated if Statement of Advice is implemented). | | \$550 |
| Hourly Rate (Where the Statement of Advice provided does not involve investments that carry an upfront commission, e.g. advice on a rental property or salary sacrifice, the customer and State Trustees shall agree upon the quotation of work before work is commenced on the preparation of the Statement of Advice.) | | \$147 per hour |
| Statement of Advice Implementation Fee | | |
| When a Statement of Advice is implemented, customers may choose from the following fee options: | | |
| 1 Entry Fee Option | | |
| This option means that a fee is paid to State Trustees out of the sum invested. The amount of the fee is based on the value of the investment a customer makes. The fee rates are as follows: | | |
| Amount invested | Fee Payable | Total Fee Range |
| Up to \$250,000 | 2.05% | \$0 – \$5,125 |
| \$250,001 to \$500,000 | 1.54% | \$5,126 – \$8,969 |
| \$500,001 to \$1m | 1.03% | \$8,970 – \$14,094 |
| \$1m to \$2m | 0.77% | \$14,095 – \$21,781 |
| Over \$2m | 0.77% | To maximum of \$21,250 |
| 2 Deferred Entry Fee Option (Nil Entry Fee) | | |
| This option means that the full amount is invested, i.e. for a \$250,000 investment the opening investment value will be \$250,000. However, an additional ongoing fee of 0.25% (plus GST cost recovery) of the investment's account balance is deducted per quarter over 3 years. The fund administrator will pay State Trustees 2% of the investment. An exit fee is payable if the account is closed within 3 years. | | |
| 3 Fee for Service Option | | |
| Under this option, the customer pays a fee directly to State Trustees, calculated as per the scale shown in the Entry Fee Option above (except that the full 10% GST is payable rather than a GST cost recovery). No entry fee is deducted from the investment – i.e. for a \$250,000 investment the opening value will be \$250,000. There is no increase to the standard ongoing fee. | | |
| Statement of Additional Advice Fee | | \$330 |
| If additional advice leads to changes being made in the investments, this may result in additional fees being charged under the relevant Statement of Advice Implementation Fee option. | | |
| Service Fee | | |
| Certain product providers may pay State Trustees a Service Fee (trail commission) where there has been an investment in their products recommended by State Trustees. | | The Service Fee ranges between 0% and 1.1 % pa of funds invested. The individual Service Fee is disclosed in the Statement of Advice. |
| Ancillary Services Fee | | \$147 per hour |
| Applies to any other services that do not include the preparation of a Statement of Advice or review of a Statement of Advice. | | |

State Trustees Limited, AFSL 238037, provides the financial planning services to customers under Financial Planning Section 3.3(ii).

3.4 STATE TRUSTEES FUNERAL FUND

The State Trustees Funeral Fund ("the Fund") is issued and administered by the Ancient Order of Foresters in Victoria Friendly Society Limited ABN 27 087 648 842 ("Foresters"). Before making an investment decision and for any further information in relation to the Fund, including fees and charges, please refer to the Fund's Disclosure Document. To obtain a copy of the Disclosure Document, call (03) 9667 6777 or free call 1800 636 203 or visit our website at www.statetrustees.com.au.

Foresters may pay State Trustees the following commissions:

- (a) up to 2% of the initial amount invested and any subsequent contributions; and
- (b) 0.7% per annum of the Fund's total assets.

3.5 CHARITABLE TRUSTS**3.5(i) State Trustees Australia Foundation**

| | |
|---|------------------------|
| Management Fee on funds held in Common Funds. Where a Fund invests in a financial product for which State Trustees provides services (e.g. custodial services, unit registry services), the investment will meet a portion of the fees charged to the product for these services. | 1.1% per annum |
| Administration Fee | Up to 1.056% per annum |

3.5(ii) Private Charitable Trusts

| | |
|---|------------------------|
| Management Fee on funds held in Common Funds. Where a Fund invests in a financial product for which State Trustees provides services (e.g. custodial services, unit registry services), the investment will meet a portion of the fees charged to the product for these services. | 1.1% per annum |
| Plus either an: (a) Administration Fee: | Up to 1.056% per annum |
| or (b) Income Commission*; and Capital Commission* | 6.6% Up to 5.5% |
| * Applicable to some Charitable Trusts established prior to 1 July 2001. | |

3.6 Commercial Trusts

| | |
|--|--|
| State Trustees acts as Custodial Trustee for a number of public companies and government bodies. As Custodian, State Trustees holds funds or other assets of the Trust and manages them according to the provisions of the Trust Deed. | Fees will be charged in accordance with the amounts set out in the Trust Deed as agreed with the customer. |
|--|--|

3.7 PREMIUM FUNDS

The Premium Funds are a range of managed funds issued by STL Financial Services Limited, ABN 19 070 863 900, Australian Financial Services License Number 238035. The Application and Management Fees, as well as the Transfer and Switching Fees (if any) are received by STL Financial Services Limited, as the Responsible Entity.

| | Application Fee# (Paid on Fund Entry) | Management Fee* (Paid monthly) |
|-----------------------------|--|---|
| Premium Cash Fund | Nil | 0.615% p.a. of Fund capital value |
| Premium Cash Plus Fund | Nil | 0.615% p.a. of Fund capital value |
| Premium Fixed Interest Fund | 0% to 0.75% of investment | 0.82% p.a. of Fund capital value |
| Premium Property Fund | 0% to 1.5% of investment | 1.025% p.a. of Fund capital value |
| Premium Equity Fund | 0% to 1.5% of investment | 1.025% p.a. of Fund capital value |
| Premium International Fund | 0% to 1.5% of investment | 1.025% p.a. of Fund capital value |
| Premium Diversified Fund | 0% to 1.5% of investment | 1.025% p.a. of Fund capital value |

* Management Fee is inclusive of GST less Reduced Input Tax Credits.

Not applicable to Regular Savings Plan contributions or reinvestment of distributions. STL Financial Services Limited is a wholly owned subsidiary of State Trustees Limited.

Other Fees:**Transfer Fee**

1% of the value of the units transferred is charged.

Switching Fee

After three switches are made in any twelve month period, a switching fee of 1% of the value of the units applies.

Custodian Fee

A Custodian Fee is charged for all funds at a maximum of 0.033% p.a. of the capital value of the Fund and is paid monthly.

Unit Registry Fee

A Unit Registry Fee is charged at \$60.50 per annum per Premium Funds unitholding, the total of which is apportioned to the individual Funds (except for the Premium Diversified Fund) on the basis of the total units on issue.

3.8 GENEALOGICAL SERVICES

| | |
|--|---|
| Probate Genealogy | \$147 per hour |
| Other commercial research tasks, e.g. locating unidentified Fund members, biographical research for external commercial trusts, etc. | Fees will be charged as agreed with the customer. |

| 3.9 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (VCAT) EXAMINATIONS – GUARDIANSHIP LIST | |
|--|---|
| Advice to Administrators | \$147 per hour |
| Examination of Accounts by Administrators and Attorneys | \$147 per hour (minimum charge is one hour) |

| 4. ADMINISTRATION SERVICES FOR PEOPLE WITH A DISABILITY (VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (VCAT) ORDERS) (i) Appointed Administrations (including Limited Orders) | |
|---|-----------------|
| Income Commission On Centrelink or Department of Veterans Affairs pensions received. | Up to 3.3% |
| On all other gross income received. | Up to 6.6% |
| Capital Commission A once only capital commission is charged on the gross value of any assets of the estate. | Up to 4.4% |
| Under exceptional circumstances an hourly rate may be charged instead of commissions. | \$147 per hour |
| State Trustees' Common Funds Management Fee Management Fee on funds held in Common Funds. Where a Fund invests in a financial product for which State Trustees provides services (e.g. custodial services, unit registry services), the investment will meet a portion of the fees charged to the product for these services. | 1.1% per annum. |

| (ii) Temporary Order Administration | |
|--|----------------|
| Temporary Order Administration | \$147 per hour |

| 5. OTHER SERVICES | |
|---|--|
| 1. Travel (servicing regional and metro Victoria only) | Travel involved in providing any service within Victoria may be subject to an additional charge: <ul style="list-style-type: none"> ● To a site within a 40 kilometre radius of the Melbourne GPO: \$75 per visit. ● To a site beyond a 40 kilometre radius of the Melbourne GPO: \$125 per visit. |

| | |
|--|---|
| <p>2. Interpreter Services</p> | <p>Where an interpreter service is required, a qualified interpreter (not a family member or friend) will need to attend the Will or Enduring Power of Attorney (EPA) appointment. This will ensure that the Will and/or EPA accurately expresses the customer's wishes. State Trustees can provide details of recommended professional interpreting services on request. The interpreter service will need to be arranged prior to the appointment. The interpreter service is arranged at the customer's cost and will be reimbursed on presentation of a receipt if State Trustees is appointed Executor, Co-Executor or first Substitute Executor or in the case of Enduring Power of Attorney, sole Attorney. This service only applies to the preparation of a Will or Enduring Power of Attorney. An interpreter may also be required at an appointment to discuss Estate or Trust administration issues or to obtain Financial Planning or Taxation advice. Any interpreter costs for ongoing administration services (including Estate or Trust administration, or for Financial Planning or Taxation advice) will be at the customer's expense.</p> |
| <p>3. Payment for Wills and Enduring Powers of Attorney</p> | <p>Will and Enduring Power of Attorney document preparation.</p> <p>Payment is required for Will, Enduring Power of Attorney document preparation at initial appointment time.</p> |
| <p>4. Disbursements</p> | <p>Disbursements are not included in any of the fees and may be charged to the customer. Disbursement charges include the cost of GST where applicable.</p> |
| <p>5. Reduction or Waiver</p> | <p>The fees, commissions and charges set out in this brochure may be reduced or waived by State Trustees at its discretion.</p> |
| <p>6. Hourly Fee</p> | <p>State Trustees has the discretion to negotiate an hourly fee for the provision of any of its services. Except where stated otherwise, all hourly fees are taken on a pro rata basis.</p> |
| <p>7. Advances</p> | <p>Where funds are advanced, State Trustees will fund expenses until the funds become available, or will fund for extraordinary expenses where necessary. The interest charged for these advances is no greater than the interest rate fixed under Section 2 of the Penalty Interest Rates Act 1983, less 2.5%.</p> |
| <p>8. GST</p> | <p>If a service is provided under an existing agreement and the service is GST-free, the agreed charges for the service will remain unaffected by GST-related tax reform until the agreement is able to be reviewed by the parties, or until legislation or other regulatory change permits the adjustment of the charges.</p> |

Planning and Environment Act 1987

BAYSIDE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C51

The Minister for Planning has approved Amendment C51 to the Bayside Planning Scheme.

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

The Amendment introduces and applies interim structure planning controls to the four major activity centres of Bay Street, Brighton; Church Street, Brighton; Hampton Street, Hampton; and Sandringham Village, in the form of Schedule 6 to the Design and Development Overlay. The controls expire on 30 June 2007.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Bayside City Council, Corporate Centre, 76 Royal Avenue, Sandringham.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

BOROONDARA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C57

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

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

The Amendment includes the Auburn Village Precinct, Hawthorn in the Schedule to the Heritage Overlay at Clause 43.01 and makes changes to the Advertising Signs Policy at Clauses 22.01–3 and 22.01–4, and includes the Auburn Village Heritage Guidelines 2005 as a reference document in the Heritage Policy at Clause 22.05–4.

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

8 Nicholson Street, East Melbourne; and at the offices of the Boroondara City Council, 1st Floor, 8 Inglesby Road, Camberwell.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

GLEN EIRA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C51

The Glen Eira City Council has approved Amendment C51 to the Glen Eira Planning Scheme.

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

The Amendment affects land between the south-western corner of North Road and Warrigal Road, and the south-western corner of the intersection of Chauvel Street and Warrigal Road, Bentleigh East. The properties partly or fully affected by this Amendment are 783, 785, 787, 791, 793 and 795 Warrigal Road, 31 Birdwood Street and 33 and 34 Chauvel Street, Bentleigh East.

The Amendment removes the Public Acquisition Overlay from the affected land, and rezones the land to Road Zone Category 1.

The Amendment also rezones part of the land from Residential 1 Zone and Business 1 Zone to Road Zone Category 1.

The Amendment was approved by the Glen Eira City Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 15 June 2006. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Glen Eira City Council, corner of Glen Eira and Hawthorn Roads, Caulfield.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987
MANNINGHAM PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C56 (Part 1)

The Manningham City Council has approved Amendment C56 (Part 1) to the Manningham Planning Scheme.

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

The Amendment corrects mapping errors that have been identified within the Manningham Planning Scheme.

The Amendment was approved by the Manningham City Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987**, on 8 June 2006. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster.

GENEVIEVE OVERELL
 Deputy Secretary
 Built Environment
 Department of Sustainability
 and Environment

Planning and Environment Act 1987
MANNINGHAM PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C56 (Part 2)

The Manningham City Council has approved Amendment C56 (Part 2) to the Manningham Planning Scheme.

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

The Amendment corrects a mapping error applying to 12 Rangeview Road, Donvale, identified within the Manningham Planning Scheme.

The Amendment was approved by the Manningham City Council in accordance with

authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987**, on 8 June 2006. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster.

GENEVIEVE OVERELL
 Deputy Secretary
 Built Environment
 Department of Sustainability
 and Environment

Planning and Environment Act 1987
MOONEE VALLEY PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C60

The Minister for Planning has approved Amendment C60 to the Moonee Valley Planning Scheme.

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

The Amendment rezones the former Orica land, Newsom Street, Ascot Vale from the Industrial 1 Zone to the Residential 1 Zone, applies the Development Plan Overlay Schedule 4 to the land and amends the Design and Development Overlay Schedule 1. The Amendment also renumbers the existing schedule to the Development Plan Overlay that applies to 40–70 Mt Alexander Road from Schedule 4 to Schedule 6.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Moonee Valley City Council, 9 Kellaway Avenue, Moonee Ponds.

GENEVIEVE OVERELL
 Deputy Secretary
 Built Environment
 Department of Sustainability
 and Environment

Planning and Environment Act 1987

STONNINGTON PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C13

The Minister for Planning has refused to approve Amendment C13 to the Stonnington Planning Scheme.

The Amendment proposed to exclude land at 265–267 Chapel Street, Prahran from the schedule to clause 52.28–6 to enable a gaming venue to be established on the subject land.

The Amendment lapsed on 23 April 2006.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C55

The Whitehorse City Council has resolved to abandon Amendment C55 to the Whitehorse Planning Scheme.

The Amendment proposed to change the Schedules in the Residential 1 Zone and Mixed Use Zone to require a permit to construct or extend a single dwelling on a lot between 300 square metres and 500 square metres.

The Amendment lapsed on 29 May 2006.

GENEVIEVE OVERELL
Deputy Secretary
Built Environment
Department of Sustainability
and Environment

ORDERS IN COUNCIL

Drugs, Poisons and Controlled Substances Act 1981 AMENDMENT OF AUTHORITY TO SELL OR SUPPLY HYPODERMIC NEEDLES AND SYRINGES

Order in Council

The Governor in Council under section 80(5)(b) of the **Drugs, Poisons and Controlled Substances Act 1981** and on the recommendation of the Minister for Health, by this Order amends, alters or varies the Order made by the Governor in Council on 6 December 1994 as amended, altered or varied by the Orders made by the Governor in Council on 11 April 1995, 29 August 1995, 25 June 1996, 6 August 1996, 18 February 1997, 20 May 1997, 9 September 1997, 25 November 1997, 28 April 1998, 28 July 1998, 4 November 1998, 14 December 1999, 18 April 2000, 26 September 2000, 6 February 2002, 12 August 2003, 27 July 2004 and 17 March 2005, which relates to authorising the sale or supply of hypodermic needles and syringes by a specified person or organisation or specified class of persons or organisations in specified circumstances as follows:

by **inserting** after registration number 242

| 243 | Specified Persons or Class of Persons | Specified Circumstances |
|-----|--|---|
| 243 | Welfare workers, youth workers and administrative staff employed by Bendigo Community Health Services, 171 Hargreaves Street, Bendigo. | At the Centre between 8.30 am and 5.45 pm Monday to Friday. |
| 244 | Specified Persons or Class of Persons | Specified Circumstances |
| 244 | Reception staff, Community Health Nurses and Alcohol and Other Drug Counsellors employed by Djerriwarrh Health Services – Bacchus Marsh Community Health Centre, Turner Street, Bacchus Marsh. | At the Centre between 9.00 am and 5.00 pm Monday to Friday and from an outreach service in the municipality of Moorabool Shire 24 hours per day 7 days per week |
| 245 | Specified Persons or Class of Persons | Specified Circumstances |
| 245 | Emergency department nurses and administrative staff employed by Djerriwarrh Health Services – Bacchus Marsh and Melton Regional Hospital, Grant Street, Bacchus Marsh. | At the Centre between 5.00 pm and 9.00 am Monday to Friday and at any time on Saturday, Sunday and public holidays. |
| 246 | Specified Persons or Class of Persons | Specified Circumstances |
| 246 | Reception staff employed by Darebin Community Health – Panch Health Service, Bell Street, Preston. | At the Centre between 9.00 am and 6.00 pm Monday to Friday. |

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

Dated 27 June 2006

Responsible Minister
HON BRONWYN PIKE MP
Minister for Health

RUTH LEACH
Clerk of the Executive Council

Electricity Industry Act 2000
ORDER UNDER SECTION 13

Order in Council

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

1. Objective

The objective of this Order is to regulate the tariffs that AGL Sales may charge prescribed customers.

2. Term

This Order commences on 1 July 2006 and ceases to have effect on 4 August 2006.

3. Definitions

In this Order:

"**AGL Sales**" means AGL Sales Pty Limited (ABN 88 090 538 337);

"**distribution company**" means, in relation to a supply of electricity from a supply point, the distribution company that is licensed to distribute and supply electricity to and is responsible for the supply point in relation to the supply of electricity;

"**domestic or small business customer**" means a person described in clause 4(a) of this Order;

"**former franchise customer**" means a person described in clause 4(b) of this Order;

"**licensee**" means a person to whom a licence has been issued under Part 2 of the Act;

"**supply point**" means, in relation to the supply of electricity to a person, the point at which that supply of electricity last leaves a supply facility owned or operated by a distribution company before being supplied to the person, whether or not the electricity passes through facilities owned or operated by any other person after leaving that point before being so supplied.

4. Prescribed Customers

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

(a) a person is a prescribed customer in respect of a supply point if the person is a domestic or small business customer in relation to AGL Sales and AGL Sales is the local retailer for that supply point; and

(i) the distribution company in respect of the supply point is AGL Electricity Limited (ABN 82 064 651 083); or

(ii) the distribution company in respect of the supply point is United Energy Distribution Pty Ltd (ACN 064 651 029).

within the meaning of the Order under section 35 of the Act published in the Government Gazette on 11 January 2002 (and as amended by Orders published in the Government Gazette on 8 August 2002, 28 April 2005 and 1 March 2006);

(b) a person is a prescribed customer if the person was a franchise customer within the meaning of the **Electricity Industry Act 1993** of AGL Sales or AGL Electricity Limited (ABN 82 064 651 083) immediately before 1 January 2001 and has not entered into a new contract with a licensee which takes effect on or after that date; and

(c) a person is a prescribed customer in respect of particular premises if in respect of those premises there is a deemed contract between AGL Sales and a relevant customer under section 39(1) or (2) of the Act.

5. Tariffs

The tariffs determined by AGL Sales and published in the Special Government Gazette S146 on 5 June 2006:

- (a) are fixed by this Order with effect from and including 1 July 2006 as:
 - (i) the maximum tariffs at which AGL Sales may offer to supply and sell electricity to domestic or small business customers for the purposes of section 35 of the Act; and
 - (ii) the maximum tariffs at which AGL Sales may supply and sell electricity to former franchise customers pursuant to deemed contracts under section 37 of the Act; and
 - (iii) the maximum tariffs at which AGL Sales may supply and sell electricity to relevant customers pursuant to deemed contracts between AGL Sales and such customers under section 39 of the Act; and
- (b) apply with effect from and including 1 July 2006 for the purposes of sections 35, 37 and 39 of the Act until 4 August 2006.

Dated 27 June 2006

Responsible Minister
MARSHA THOMSON MP
Acting Minister for Energy Industries

RUTH LEACH
Clerk of the Executive Council

Electricity Industry Act 2000**ORDER UNDER SECTION 13****Order in Council**

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

1. Objective

The objective of this Order is to regulate the tariffs that Origin Energy may charge prescribed customers.

2. Term

This Order commences on 1 July 2006 and ceases to have effect on 9 August 2006.

3. Definitions

In this Order:

"distribution company" means, in relation to a supply of electricity from a supply point, the distribution company that is licensed to distribute and supply electricity to and is responsible for the supply point in relation to the supply of electricity;

"domestic or small business customer" means a person described in clause 4(a) of this Order;

"former franchise customer" means a person described in clause 4(b) of this Order;

"licensee" means a person to whom a licence has been issued under Part 2 of the Act;

"Origin Energy" means Origin Energy Electricity Limited (ABN 33 071 052 287);

"supply point" means, in relation to the supply of electricity to a person, the point at which that supply of electricity last leaves a supply facility owned or operated by a distribution company before being supplied to the person, whether or not the electricity passes through facilities owned or operated by any other person after leaving that point before being so supplied.

4. Prescribed Customers

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

- (a) a person is a prescribed customer in respect of a supply point if the person is a domestic or small business customer in relation to Origin Energy and Origin Energy is the local retailer for that supply point; and
 - (i) the distribution company in respect of the supply point is CitiPower Pty (ACN 064 651 056); or
 - (ii) the distribution company in respect of the supply point is Powercor Australia Limited (ACN 064 651 109).

within the meaning of the Order under section 35 of the Act published in the Government Gazette on 11 January 2002 (and as amended by Orders published in the Government Gazette on 8 August 2002, 28 April 2005 and 1 March 2006);

- (b) a person is a prescribed customer within the meaning of the **Electricity Industry Act 1993** if the person was a franchise customer of Origin Energy immediately before 1 January 2001 and has not entered into a new contract with a licensee which takes effect on or after that date; and
- (c) a person is a prescribed customer in respect of particular premises if in respect of those premises there is a deemed contract between Origin Energy and a relevant customer under section 39(1) or (2) of the Act.

5. Tariffs

The tariffs determined by Origin Energy and published in Special Government Gazette S152 on 9 June 2006:

- (a) are fixed by this Order with effect from and including 1 July 2006 as:
 - (i) the maximum tariffs at which Origin Energy may offer to supply and sell electricity to domestic or small business customers for the purposes of section 35 of the Act; and
 - (ii) the maximum tariffs at which Origin Energy may supply and sell electricity to former franchise customers pursuant to deemed contracts under section 37 of the Act; and
 - (iii) the maximum tariffs at which Origin Energy may supply and sell electricity to relevant customers pursuant to deemed contracts between Origin Energy and such customers under section 39 of the Act; and
- (b) apply with effect from and including 1 July 2006 for the purposes of sections 35, 37 and 39 of the Act until 9 August 2006.

Dated 27 June 2006

Responsible Minister
MARSHA THOMSON MP
Acting Minister for Energy Industries

RUTH LEACH
Clerk of the Executive Council

Electricity Industry Act 2000
ORDER UNDER SECTION 23

Order in Council

The Governor in Council, acting under section 23 of the **Electricity Industry Act 2000**, amends the Order in Council made under section 23 of the **Electricity Industry Act 2000** on 27 November 2001 and published in the Government Gazette G48 on 29 November 2001, as amended by the Order in Council made on 27 April 2005 and published in the Government Gazette G17 on 28 April 2005, by substituting paragraph (c) of the definition of “local retailer” in clause 3 with the following paragraph:

“(c) TRUenergy Pty Ltd (ABN 99 086 014 968) where the distribution company in respect of the electricity distribution area is SPI Electricity Pty Ltd (ABN 91 064 651 118);”

This amendment will commence on the day it is published in the Government Gazette.

Dated 27 June 2006

Responsible Minister
MARSHA THOMSON MP
Acting Minister for Energy Industries

RUTH LEACH
Clerk of the Executive Council

Electricity Industry Act 2000
ORDER UNDER SECTION 35

Order in Council

The Governor in Council, acting under section 35 of the **Electricity Industry Act 2000**, amends the Order in Council made and published in the Special Government Gazette S11 on 11 January 2002 under section 35 of the **Electricity Industry Act 2000**, as amended by the Order in Council made on 27 April 2005 and published in the Government Gazette G17 on 28 April 2005, by substituting paragraph (c) of the definition of “local retailer” in clause 3 with the following paragraph:

“(c) TRUenergy Pty Ltd (ABN 99 086 014 968) where the distribution company in respect of the electricity distribution area is SPI Electricity Pty Ltd (ABN 91 064 651 118);”

This amendment will commence on the day it is published in the Government Gazette.

Dated 27 June 2006

Responsible Minister
MARSHA THOMSON MP
Acting Minister for Energy Industries

RUTH LEACH
Clerk of the Executive Council

Electricity Industry Act 2000
ORDER UNDER SECTION 13

Order in Council

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

1. Objective

The objective of this Order is to regulate the tariffs that TRUenergy may charge prescribed customers.

2. Term

This Order commences on 1 July 2006 and ceases to have effect on 4 August 2006.

3. Definitions

In this Order:

"distribution company" means, in relation to a supply of electricity from a supply point, the distribution company that is licensed to distribute and supply electricity to and is responsible for the supply point in relation to the supply of electricity;

"domestic or small business customer" means a person described in clause 4(a) of this Order;

"former franchise customer" means a person described in clause 4(b) of this Order;

"licensee" means a person to whom a licence has been issued under Part 2 of the Act;

"supply point" means, in relation to the supply of electricity to a person, the point at which that supply of electricity last leaves a supply facility owned or operated by a distribution company before being supplied to the person, whether or not the electricity passes through facilities owned or operated by any other person after leaving that point before being so supplied;

"TRUenergy" means TRUenergy Pty Ltd (ABN 99 086 014 968) (formerly known as CLP Australia Retail Pty Ltd, SPI Retail Pty Ltd and TXU Pty Ltd).

4. Prescribed Customers

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

- (a) a person is a prescribed customer in respect of a supply point if the person is a domestic or small business customer in relation to TRUenergy, where TRUenergy is the local retailer for that supply point and the distribution company in respect of the supply point is SPI Electricity Pty Ltd (ABN 91 064 651 118), within the meaning of the Order under section 35 of the Act published in the Government Gazette on 11 January 2002 (and as amended by Orders published in the Government Gazette on 8 August 2002, 28 April 2005 and 1 March 2006);
- (b) a person is a prescribed customer if the person was a franchise customer of TRUenergy or SPI Electricity Pty Ltd (ABN 91 064 651 118) within the meaning of the **Electricity Industry Act 1993** immediately before 1 January 2001 and has not entered into a new contract with a licensee which takes effect on or after that date; and
- (c) a person is a prescribed customer in respect of particular premises if in respect of those premises there is a deemed contract between TRUenergy and the person (a relevant customer) under section 39(1) or (2) of the Act.

5. Tariffs

The tariffs determined by TRUenergy and published in Government Gazette S246 on 23 December 2003, and as varied and published in Government Gazettes S221 on 29 October 2004, S242 on 24 November 2004 and S145 on 5 June 2006, being those expressed as applying under the Act:

- (a) are fixed by this Order with effect from and including 1 July 2006 as:
 - (i) the maximum tariffs at which TRUenergy may offer to supply and sell electricity to domestic or small business customers for the purposes of section 35 of the Act; and
 - (ii) the maximum tariffs at which TRUenergy may supply and sell electricity to former franchise customers pursuant to deemed contracts under section 37 of the Act; and
 - (iii) the maximum tariffs at which TRUenergy may supply and sell electricity to relevant customers within a relevant tariff category pursuant to deemed contracts between TRUenergy and such customers under section 39 of the Act; and
- (b) apply with effect from and including 1 July 2006 for the purposes of sections 35, 37 and 39 of the Act until 4 August 2006.

Dated 27 June 2006

Responsible Minister
MARSHA THOMSON MP
Acting Minister for Energy Industries

RUTH LEACH
Clerk of the Executive Council

Health Services Act 1988

PENINSULA COMMUNITY
HEALTH SERVICE INC.

Appointment of Administrator

Order in Council

The Governor in Council, on the recommendation of the Minister for Health and under sections 58(1)(f)(ii) and 61(2) of the **Health Services Act 1988**, appoints Kathleen Rosemary Wilson as administrator of Peninsula Community Health Service Inc. from 1 July 2006 until 30 September 2007.

In accordance with section 61(2) of that Act, the terms and conditions of the appointment are contained in the attached Schedule.

Dated 27 June 2006

Responsible Minister
HON BRONWYN PIKE MP
Minister for Health

RUTH LEACH
Clerk of the Executive Council

Health Services Act 1988

PENINSULA COMMUNITY
HEALTH SERVICE INC.

Appointment of Administrator

Schedule to the Order in Council

1. Appointment Arrangements

The appointment is part-time.

2. Period of Appointment

The appointment is from 1 July 2006 until 30 September 2007.

3. Duties and Responsibilities of the Position

As described in the Department's Guidelines for the Governance, Election and Appointment of Members of Boards of Declared Community Health Centres (May 2004) the function of each Board is to oversee and manage the Community Health Centre and to ensure that the services provided comply with the requirements of the **Health Services Act 1988** ("the Act") and the objects of the centre.

4. Revocation

Under section 61(5) of the Act, on recommendation of the Minister for Health and subject to publication of notice in the Government Gazette by the Governor in

Council declaring that the appointment will be revoked on the date specified in the notice, being a date not less than 28 days after the publication of the notice.

Under section 61(6) of the Act, members of the Board of the agency shall be elected or appointed in accordance with Part 3 of the Act upon the notice of revocation being published, and the Board of the agency is re-established on the date specified in the notice of revocation.

5. Payment Provisions

The administrator will be paid remuneration of \$105 per hour.

6. Superannuation Obligations

Superannuation contributions will be paid by the employer in accordance with the Commonwealth's **Superannuation Guarantee Act 1992**.

7. Travel and Personal Expenses Arrangements

Peninsula Community Health Service Inc. will reimburse the administrator for reasonable travel and personal expenses.

8. Leave Arrangements

As the appointment is part-time, the administrator will not be entitled to paid leave.

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

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

- | | | | |
|----------------------------|--|----------------------------|---|
| 72. <i>Statutory Rule:</i> | Magistrates' Court (Criminal Procedure) (Amendment) Rules 2006 | 78. <i>Statutory Rule:</i> | Crimes (Family Violence) (Amendment) Regulations 2006 |
| <i>Authorising Act:</i> | Magistrates' Court Act 1989 | <i>Authorising Act:</i> | Crimes (Family Violence) Act 1987 |
| <i>Date of making:</i> | 22 June 2006 | <i>Date of making:</i> | 27 June 2006 |
| 73. <i>Statutory Rule:</i> | Surveillance Devices Regulations 2006 | 79. <i>Statutory Rule:</i> | Plumbing (Fees) Regulations 2006 |
| <i>Authorising Act:</i> | Surveillance Devices Act 1999 | <i>Authorising Act:</i> | Building Act 1993 |
| <i>Date of making:</i> | 27 June 2006 | <i>Date of making:</i> | 27 June 2006 |
| 74. <i>Statutory Rule:</i> | Crimes (Assumed Identities) Regulations 2006 | 80. <i>Statutory Rule:</i> | Terrorism (Community Protection) (Chemicals and Substances) Regulations 2006 |
| <i>Authorising Act:</i> | Crimes (Assumed Identities) Act 2004 | <i>Authorising Act:</i> | Terrorism (Community Protection) Act 2003 |
| <i>Date of making:</i> | 27 June 2006 | <i>Date of making:</i> | 27 June 2006 |
| 75. <i>Statutory Rule:</i> | Infringement (Reporting and Prescribed Details and Forms) Regulations 2006 | 81. <i>Statutory Rule:</i> | Firearms (Amendment) Regulations 2006 |
| <i>Authorising Act:</i> | Infringements Act 2006 | <i>Authorising Act:</i> | Firearms Act 1996 |
| <i>Date of making:</i> | 27 June 2006 | <i>Date of making:</i> | 27 June 2006 |
| 76. <i>Statutory Rule:</i> | Infringements (General) Regulations 2006 | 82. <i>Statutory Rule:</i> | Road Safety (General) (Vehicle Impoundment) Regulations 2006 |
| <i>Authorising Act:</i> | Infringements Act 2006 | <i>Authorising Act:</i> | Road Safety Act 1986 |
| <i>Date of making:</i> | 27 June 2006 | <i>Date of making:</i> | 27 June 2006 |
| 77. <i>Statutory Rule:</i> | Evidence (Witness Identity Protection) Regulations 2006 | | |
| <i>Authorising Act:</i> | Evidence Act 1958 | | |
| <i>Date of making:</i> | 27 June 2006 | | |

**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:

| | |
|-------------------------------|--|
| 71. <i>Statutory Rule:</i> | Gambling Regulation (Infringement Offences) Regulations 2006 |
| <i>Authorising Act:</i> | Gambling Regulation Act 2003 |
| <i>Date first obtainable:</i> | 27 June 2006 |
| <i>Code A</i> | |

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