



# Victoria Government Gazette

By Authority of Victorian Government Printer

**No. G 30 Thursday 27 July 2006**

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**GENERAL**

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**TABLE OF PROVISIONS**

Private Advertisements		Proclamations	1532
RMBL Investment Limited	1526	Government and Outer Budget Sector	
Dissolution of Partnership		Agencies Notices	1535
Ozzie Opportunitis	1526	Orders in Council	1598
Estates of Deceased Persons		Acts: Corrections;	
Arthur J. Dines & Co.	1526	Crown Land (Reserves);	
Borchard & Moore	1526	Land;	
Brennan & Georgiou	1527	Parliamentary Committees	
D. J. Thwaites	1527		
Donald & Ryan Lawyers	1527		
Dwyer Mahon & Robertson	1527		
Garden & Green	1528		
Harris & Chambers	1528		
James Kelleher	1528		
John Matthies & Co.	1528		
Littleton Hackford & D'Alessandro	1529		
Lyttletons	1529		
Maddocks	1529		
McCracken & McCracken	1529		
McDonough & Co.	1529		
McNab McNab & Starke	1529		
Pietrzak	1529		
Rickards Legal	1530		
Rigby Cooke	1530		
Tivey & Holland	1530		
Sales by the Sheriff			
John W. Bayley	1530		
Philip Martin Peter Parkes	1530		

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**Advertisers Please Note**

As from 27 July 2006

The last Special Gazette was No. 182 dated 26 July 2006.

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

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(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](http://www.craftpress.com.au/gazette)

JENNY NOAKES  
Government Gazette Officer

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**PRIVATE ADVERTISEMENTS**

**Corporations Act 2001**

SECTION 427(1B)

Notification of Appointment of a Controller  
JTS Property & Investments No. 1 Pty Ltd  
ACN 113 271 426

On 26 June 2006, Colin Henry Madden of RMBL Investments Limited, ACN 004 493 789 ("the chargee") of 40–42 Scott Street, Dandenong, Victoria, was appointed singly as Controller of the properties situated at Ward 12, Lot 17 Lower Road, New Norfolk, Tasmania 7140 and described in Certificate of Title Volume 139432, Folio 17, Social Centre, Lot 1 Ring Road, New Norfolk, Tasmania 7140 and described in Certificate of Title Volume 141791, Folio 1, Nurses Home, Lot 2 corner of Lower & Cross Roads, New Norfolk, Tasmania 7140 and described in Certificate of Title Volume 141791, Folio 2 and Lot 3 Lower & Middle Roads, New Norfolk, Tasmania 7140 and described in Certificate of Title Volume 141791, Folio 3, owned by JTS Property & Investments No. 1 Pty Ltd, ACN 113 271 426 ("the chargor") pursuant to a registered fixed and floating charge No. 1252148 given by the chargor to the chargee and registered with ASIC.

Dated 14 July 2006

COLIN HENRY MADDEN  
RMBL Investments Limited

**Corporations Act 2001**

NOTICE OF  
CESSATION OF CONTROLLER

Ruralcorp Consulting Pty Ltd  
ACN 055 756 557

I, Colin Henry Madden of RMBL Investments Limited, ACN 004 493 789, of 40–42 Scott Street, Dandenong, Victoria 3175, give notice that on 17 July 2006 it ceased to be in control of the property specified in the Schedule.

SCHEDULE

Lot 2 Central Road, Tarwin East, Victoria 3871 and described in Certificate of Title Volume 10805, Folio 950.

Dated 17 July 2006

COLIN HENRY MADDEN  
RMBL Investments Limited

NOTICE OF  
DISSOLUTION OF PARTNERSHIP

I hereby give you notice pursuant to Section 36 of the **Partnership Act 1958** (Vic.) of the dissolution of any partnership relating to the business of Ozzie Opportunities from 30 June 2006.

GINA CACCIOTTI, late of 42 Shamrock Street, Brunswick West, in the State of Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 December 2005, are required by the executor, Antonio George Cacciotti, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to him by 28 September 2006, after which date the executor may convey or distribute the assets, having regards only to claims to which he then has notice.

Dated 14 July 2006

ARTHUR J. DINES & CO., solicitors,  
2A Highlands Road, Thomastown 3074.

JOHN ELLINGSWORTH FOLLETT, also known as Jack Follett, late of Meadow Glen Nursing Home, 202 McDonalds Road, Epping, in the State of Victoria, pensioner, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 December 2005, are required by the executors, John Follett and Kaye Jeanine Donoghue, care of Arthur J. Dines & Co., solicitors, 2A Highlands Road, Thomastown, in the said State, to send particulars to them by 28 September 2006, after which date the executors may convey or distribute the assets, having regards only to claims of which they have notice.

Dated 14 July 2006

ARTHUR J. DINES & CO., solicitors,  
2A Highlands Road, Thomastown 3074.

Re: IDA MARY LEROY, late of 382–384 Princes Highway, Noble Park, Victoria, retired florist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 February 2006, are required by the trustee, Mary Griggs, c/- 44 Douglas Street, Noble Park, Victoria, home duties, to send particulars to the trustee by 6 October 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: OTTO SOKOLIS, late of 11 Jasper Street, Noble Park, Victoria, retired mechanic, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 October 2005, are required by the trustee, Thuan Thi Vuong, c/- 44 Douglas Street, Noble Park, Victoria, assistant teacher, to send particulars to the trustee by 6 October 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: FRANK STEFANIC, also known as Frank Stefancic, late of 2 Lenton Road, Keysborough, Victoria, retired mechanical engineer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 May 2006, are required by the trustees, Christel Frieda Kruger, in the Will called Christel Kruger, and Geoffrey Martin Preston, in the Will called Geoffrey Preston, c/- 44 Douglas Street, Noble Park, Victoria, to send particulars to the trustees by 6 October 2006, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: CORNELIUS McINTYRE, deceased.

Creditors, next-of-kin and others having claims against the estate of CORNELIUS McINTYRE,, late of Unit 2, 14 Hewitts Road,

Carnegie, Victoria, who died on 7 June 2006, are required by the executor to send particulars of their claim to the undermentioned firm by 26 September 2006, after which date the executor will proceed to convey or distribute the assets, having regard only to the claims of which the executor then has notice.

BRENNAN & GEORGIU, lawyers,  
Suite 2, 1st Floor,  
427 Blackburn Road, Mount Waverley.

Creditors, next-of-kin and others having claims in respect of the estate of IAN LINDSAY ARMISTEAD, late of 11 Elwers Road, Rosebud, gentleman, deceased, who died on 1 February 2006, are required by the executor, Robyn Gayle Hayton of 26 Fore Street, Whittlesea, in the State of Victoria, to send particulars of their claim to her care of the undermentioned lawyer by 11 October 2006, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which she then shall have notice.

D. J. THWAITES LL.B., solicitor,  
106 Lower Plenty Road, Rosanna.

Re: BETTY MARGARET BLANDFORD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of BETTY MARGARET BLANDFORD, late of 3/5 Boston Road, Balwyn, in the said State, married woman, deceased, who died on 19 December 2005, are required by the executor, Ian Geoffrey Blandford of 22 Robinson Street, Malvern, in the said State, engineer, to send particulars of their claim to him, care of the undermentioned solicitors by 12 October 2006, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which he then shall have notice.

DONALD & RYAN LAWYERS, solicitors,  
304 High Street, Kew 3101.

Re: Estate of PRUDENCE LEITH ARNOLDT, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of PRUDENCE LEITH ARNOLDT, formerly of 8 Bath Street, Swan Hill, but late of 1/90 Sternberg Street,

Bendigo, in the State of Victoria, retired, deceased, who died on 2 April 2006, are to send particulars of their claim to the executors care of the undermentioned legal practitioners by 2 October 2006, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Re: SUSANNAH MARTIN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 April 2006, are required by the trustees, Wendy Susanne Martin and Rodney John Martin, to send particulars to them care of the undersigned solicitors by 28 September 2006, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

HELENE HERMINE ANTONIA SOBOCINSKI, late of Autumdale Lodge, 13 Eagland Road, Cheltenham, Victoria, dressmaker/photographer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 June 2006, are required by the trustee, care of Harris & Chambers, lawyers of 338 Charman Road, Cheltenham 3192, to send particulars to them by 28 September 2006, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

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

DERRICK JOHN BAXTER, late of 131 Barry Street, Romsey, Victoria, retired, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 October 2005, are required by the trustee and executrix, Andrea Doris Lambert of 131 Barry Street, Romsey, Victoria, legal clerk, to send their particulars to

her at the address appearing below by 30 September 2006, after which date the trustee and executrix may convey or distribute the assets, having regard only to the claims of which she has notice.

JAMES KELLEHER, legal practitioner,  
75 Main Street, Romsey 3434.

Re: PHYLLIS KENNEDY CHRISTOPHER.

Creditors, next-of-kin and others having claims in respect of the estate of PHYLLIS KENNEDY CHRISTOPHER, late of Autumdale Lodge Residential Aged Care Facility, 13 Eagland Road, Cheltenham, in the State of Victoria, secretary, deceased, who died on 29 January 2006, are required by the executor of the estate, Trust Company of Australia Limited, ACN 004 027 749, of 151 Rathdowne Street, Carlton South, Victoria 3053, to send particulars of their claims to the executor at its address of 151 Rathdowne Street, Carlton South, Victoria 3053 by 28 September 2006, after which date the executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

JOHN MATTHIES & CO.,  
legal practitioners for the applicant,  
6th Floor, 416 Collins Street, Melbourne 3000.

Re: PHILIP JOHN MACDONALD.

Creditors, next-of-kin and others having claims in respect of the estate of PHILIP JOHN MACDONALD, late of "The Plantation", 121 Haycock Road, Pambula, in the State of New South Wales, retired, deceased, who died on 25 April 2006, are required by the executor of the estate, Trust Company of Australia Limited, ACN 004 027 749, of 151 Rathdowne Street, Carlton South, Victoria 3053, to send particulars of their claims to the executor at its address of 151 Rathdowne Street, Carlton South, Victoria 3053 by 28 September 2006, after which date the executor may convey or distribute the assets, having regard only to the claims of which it then has notice.

JOHN MATTHIES & CO.,  
legal practitioners for the applicant,  
6th Floor, 416 Collins Street, Melbourne 3000.

Re: FRANK JAMES MERRITT, late of 7 Ashby Street, Trafalgar, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 January 2006, are required by the trustee, Dianne Joy Ryan, to send particulars to the trustee care of the undermentioned solicitors by 2 October 2006, after which date she will convey or distribute the assets, having regard only to the claims of which she then has notice.

LITTLETON HACKFORD &  
D'ALESSANDRO, solicitors,  
256A Commercial Road, Morwell 3840.

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CATHERINE TTIROU, late of 73A Bonogin Road, Mudgeeraba, Queensland, pensioner, widow, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 October 2003, are required by the executor, Suzanne Mary Lyttleton, to send particulars to her care of the undermentioned solicitors by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,  
53 Marcus Road, Dingley.

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Re: ALAN GORDON McMILLEN, late of 763 Doncaster Road, Doncaster, Victoria, gentleman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 May 2006, are required by the trustee, Perpetual Trustees Victoria Limited, ACN 004 027 258, of 28th Floor, 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 25 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.

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: RODERICK DOUGLAS DAVIDSON, late of Elliott Road, McLaren Flat, South Australia, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 March 2005, are required by the personal representative, Philip John Eakins of 40 William Street, Hawthorn, South Australia, to send particulars to him by 28 September 2006, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

McCRACKEN & McCRACKEN, solicitors,  
501 La Trobe Street, Melbourne.

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Re: BETTY LORRAINE MACKAY, 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 trustees, Debra Lee Shaw, Trudi Lyn Warren and Stephen Bruce Mackay, to send particulars to the trustees, care of the belowmentioned solicitors by 28 September 2006, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

McDONOUGH & CO., solicitors,  
68 Seymour Street, Traralgon 3844.

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Re: FRANCES VALERIE MARTIN, late of 2-58 Newmarket Street, Flemington, in the State of Victoria.

Creditors next-of-kin and others having claim in respect of the estate of the above deceased, who died at Parkville on 13 April 2006, are required by the executor and trustee of the said deceased, Kathleen Mary Lumsden, care of McNab McNab & Starke of 21 Keilor Road, Essendon, to send particulars to her by 28 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.

McNAB McNAB & STARKE, solicitors,  
21 Keilor Road, Essendon 3040.  
Telephone 9379 2819.

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Creditors, next-of-kin and others having claims in respect of the estate of STANISLAW BANDUROWSKI, late of 3 Percival Street,

Bayswater, in the State of Victoria, retired storeman, deceased, who died on 24 June 2006, are required to send particulars of such claims to the executors care of the undermentioned solicitors by 25 September 2006, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executors then have notice.

PIETRZAK, solicitors,  
222 La Trobe Street, Melbourne.

ROBERT HENRY GRIMMER, also known as Robert Grimmer and Bob Grimmer, late of 16 Goe Street, Caulfield South, Victoria, retired clerk, deceased. Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 February 2006, are required by the executor, Michael Aidan Rickards of 731 Glenhuntly Road, Caulfield South, Victoria, to send particulars to him by 4 October 2006, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

RICKARDS LEGAL, solicitors,  
731 Glenhuntly Road, Caulfield South 3162.

Creditors, next-of-kin or others having claims in respect of the estate of PENROD VANCE DEAN, deceased, who died on 16 May 2006, are to send particulars of their claims to the executors care of the undermentioned solicitors by 28 September 2006, after which date the executors will distribute the assets, having regard only to the claims of which the executors then have notice.

RIGBY COOKE, lawyers,  
Level 13,  
469 La Trobe Street, Melbourne, Vic. 3000.

JESSIE JARDINE BATES, late of Ararat Retirement Village, Albert Street, Ararat, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 April 2006, are required by the executor, Anthony John Arundell of care of the undermentioned solicitors, to send particulars to them by 29 September 2006, after which date the executor may convey or distribute the assets,

having regard only to the claims of which they then have notice.

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

In the Supreme Court of the State of Victoria  
SALE BY THE SHERIFF

On Thursday 24 August 2006 at 11.00 a.m. at the Sheriff's Office, 3/148 Welsford Street, Shepparton (unless process be stayed or satisfied).

All the estate and interest (if any) of John W. Bayley of Headworks Road, Torrumbarry, as shown on Certificate of Title as John William Bayley, joint proprietor with Miriam Bayley of an estate in fee simple in the land described on Certificate of Title Volume 5506, Folio 024 which is vacant land known as Lot 1 Headworks Road, Torrumbarry.

Registered Mortgage Nos, V006514A and V219035V affect the said estate and interest.

The property can be located by travelling to the township of Echuca via the Northern Highway. Turn onto the Murray Valley Highway and travel for approx. 25 kilometres to the township of Torrumbarry. Headworks Road is on the right-hand side.

Refer RACV VicRoads Country, Edition No. 5, Map 31, A2.

Terms – Cash/Eftpos, Bank Cheque or Solicitors Trust Account Cheque only  
GST plus 10% on fall of hammer price  
SW-05-010550-3

Dated 20 July 2006

M. TREWIN  
Sheriff's Office

In the Supreme Court of the State of Victoria  
SALE BY THE SHERIFF

On Thursday 24 August 2006 at 11.00 a.m. at the Sheriff's Office, 3/148 Welsford Street, Shepparton (unless process be stayed or satisfied).

All the estate and interest (if any) of Philip Martin Peter Parkes of 108 Bowen Street, East Malvern, proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10524, Folio 492 which is vacant land known as 33 Mitchell Street, Avenel.



Registered Caveat No. AC872560E affects the said estate and interest.

The property can be located by travelling to the township of Avenel via the Hume Freeway. Turning left from the freeway into Jones Street, and the second left at Mitchell Street, where the property is located at 33 Mitchell Street, Avenel.

Refer RACV VicRoads Country, Edition, Map 46, E8/292 H4.

Terms – Cash, Bank Cheque or Solicitors Trust Account Cheque only

GST plus 10% on fall of hammer price

SW-05-010805-5

Dated 20 July 2006

M. TREWIN  
Sheriff's Office

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## PROCLAMATIONS

### ACTS OF PARLIAMENT

#### Proclamation

I, David de Kretser, Governor of Victoria, declare that I have today assented in Her Majesty's name to the following Bills:

- No. 41/2006 **Accident Compensation and Other Legislation (Amendment) Act 2006**  
 No. 42/2006 **Building and Construction Industry Security of Payment (Amendment) Act 2006**  
 No. 43/2006 **Charter of Human Rights and Responsibilities Act 2006**  
 No. 44/2006 **Electoral and Parliamentary Committees Legislation (Amendment) Act 2006**  
 No. 45/2006 **Health Legislation (Infertility Treatment and Medical Treatment) Act 2006**  
 No. 46/2006 **Land (Further Miscellaneous) Act 2006**  
 No. 47/2006 **Transport Legislation (Further Amendment) Act 2006**

Given under my hand and the seal of Victoria at  
Melbourne on 25th July 2006.

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

STEVE BRACKS MP  
Premier

- |             |   |
|-------------|---|
| No. 41/2006 | (1) This Part, sections 6, 7, 8, 9, 25 and 26, and Parts 4, 5 and 7 come into operation on the day after the day on which this Act receives the Royal Assent. |
|             | (2) Section 17(1) is deemed to have come into operation on 20 October 1999.   |
|             | (3) Sections 4, 18 and 24 are deemed to have come into operation on 1 June 2006.  |
|             | (4) Sections 3, 5, 10, 11, 12, 13, 14, 15, 16, 17(2), 19, 20, 21, 22 and 23 and Part 3 are deemed to have come into operation on 1 July 2006.                 |
|             | (5) Part 6 comes into operation on 5 August 2006.   |
| No. 42/2006 | (1) This section and sections 1, 3, 38, 39 and 41 come into operation on the day after the day on which this Act receives the Royal Assent.                   |
|             | (2) The remaining provisions of this Act come into operation on a day or days to be proclaimed.   |
|             | (3) If a provision referred to in sub-section (2) does not come into operation before 30 March 2007, it comes into operation on that day.                     |
| No. 43/2006 | (1) This Charter (except Divisions 3 and 4 of Part 3) comes into operation on 1 January 2007.   |
|             | (2) Divisions 3 and 4 of Part 3 come into operation on 1 January 2008.  |
| No. 44/2006 | This Act comes into operation on the day after the day on which it receives the Royal Assent.   |
| No. 45/2006 | (1) This Act (except section 5) comes into operation on the day on which it receives the Royal Assent.  |
|             | (2) Section 5 is deemed to have come into operation on 6 May 2003.  |
| No. 46/2006 | This Act comes into operation on the day after the day on which it receives the Royal Assent.   |

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- No. 47/2006
- (1) Section 1, this section and sections 3, 4, 5, 6, 7, 15, 30, 33(1), (2), (3), (4) and (5), 34, 36 and 37 and Division 1 of Part 4 come into operation on the day after the day on which this Act receives the Royal Assent.
  - (2) Section 38 comes into operation on the same day as the day on which section 155 of the **Rail Safety Act 2006** comes into operation.
  - (3) Division 2 of Part 4 comes into operation on the same day as the day on which section 119 of the **Rail Safety Act 2006** comes into operation.
  - (4) Division 3 of Part 4 comes into operation on the same day as the day on which section 125 of the **Rail Safety Act 2006** comes into operation.
  - (5) Subject to sub-sections (6) and (7), the remaining provisions of this Act come into operation on a day or days to be proclaimed.
  - (6) If a provision referred to in sub-section (5), other than sections 8, 9, 10, 11, 12, 13 and 14 does not come into operation before 1 January 2007, it comes into operation on that day.
  - (7) If section 8, 9, 10, 11, 12, 13 or 14 does not come into operation before 1 August 2008, it comes into operation on that day.
-

**Transport Legislation  
(Safety Investigations) 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 **Transport Legislation (Safety Investigations) Act 2006**, fix 1 August 2006 as the day on which that Act comes into operation.

Given under my hand and the seal of  
Victoria on 25th July 2006.

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

PETER BATCHELOR  
Minister for Transport

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**Victoria Racing Club 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 **Victoria Racing Club Act 2006**, fix 1 August 2006 as the day on which the **Victoria Racing Club Act 2006** comes into operation.

Given under my hand and the seal of  
Victoria on 25th July 2006.

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

JOHN PANDAZOPOULOS MP  
Minister for Racing

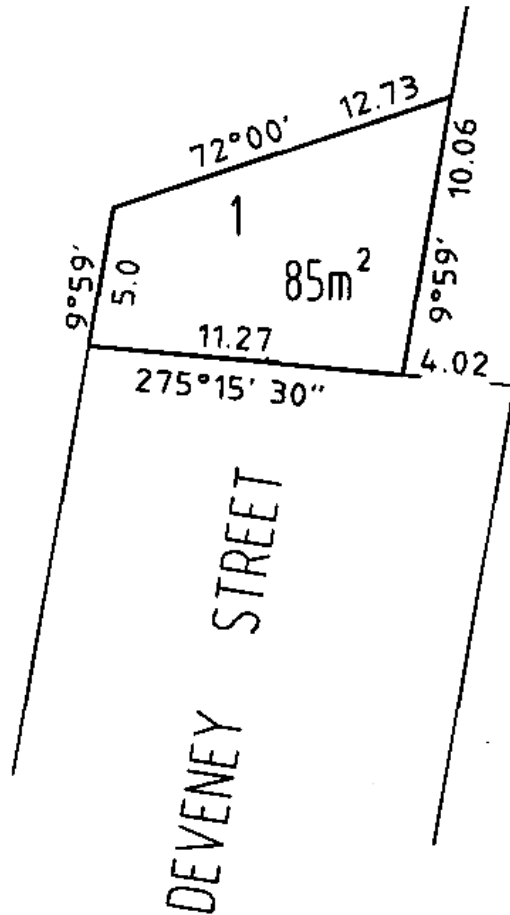
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**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**



Road Discontinuance

Pursuant to section 206 and clause 3, schedule 10 of the **Local Government Act 1989**, the Cardinia Shire Council, at its general meeting held on 19 June 2006, formed the opinion that the unused portion of road abutting the rear of 15 Eagle Drive, Pakenham and having an area of 85m<sup>2</sup> as indicated on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and to retain or sell the land from the road by private treaty to the abutting property owners at 15 Eagle Drive, Pakenham.



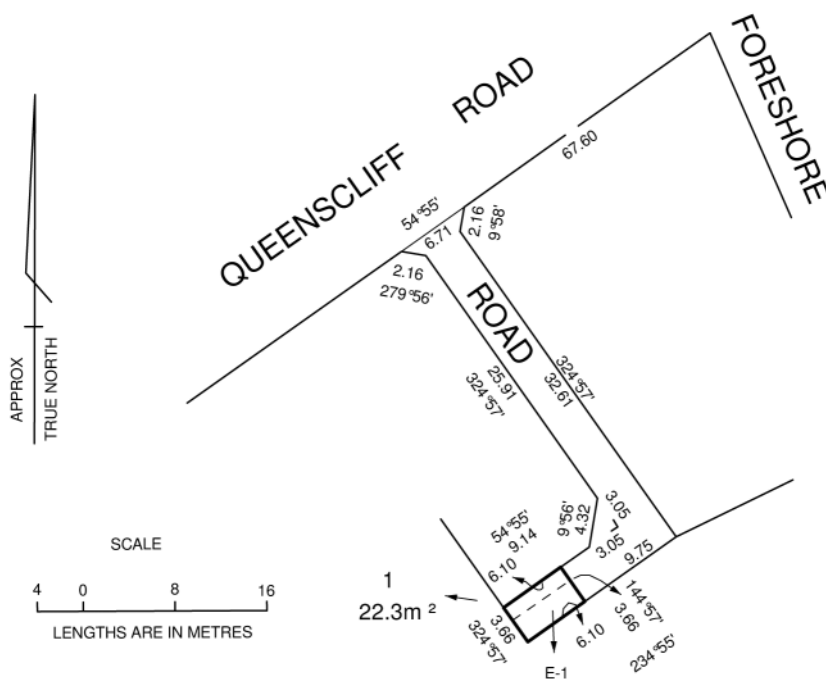
GARRY McQUILLAN  
Acting Chief Executive Officer



Road Discontinuance

At its meeting on 27 June 2006 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Greater Geelong City Council resolved to discontinue the road shown as Lot 1 on the plan below.

The road is to be sold subject to any right, power or interest held by Barwon Region Water Authority, as to the land marked "E-1", in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.

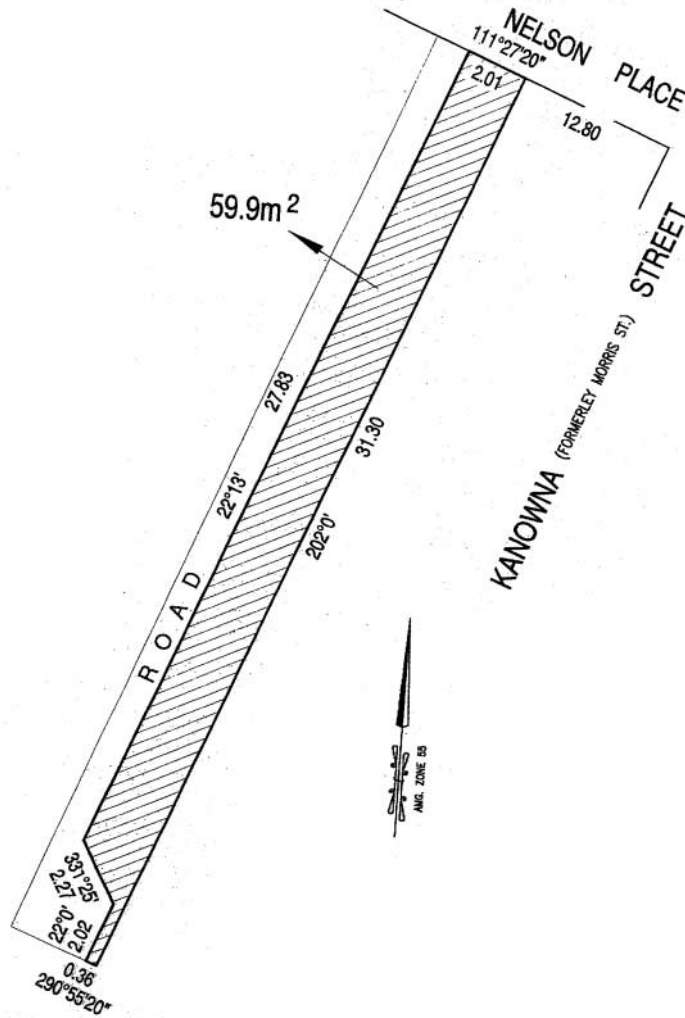




Road Discontinuance

Pursuant to section 206 schedule 10 clause 3 of the **Local Government Act 1989**, the Hobsons Bay City Council at its ordinary meeting held on 27 June 2006 formed the opinion that the section of road shown hatched on the plan below is not reasonably required for public use and resolved to discontinue the section of road and to sell the land in the discontinued section of road to the owner of No. 1 Nelson Place, Williamstown by private treaty.

The discontinued road is to be sold subject to the right, power or interest held by City West Water in the road in connection with an existing sewer asset under the control of that authority in or near the road.

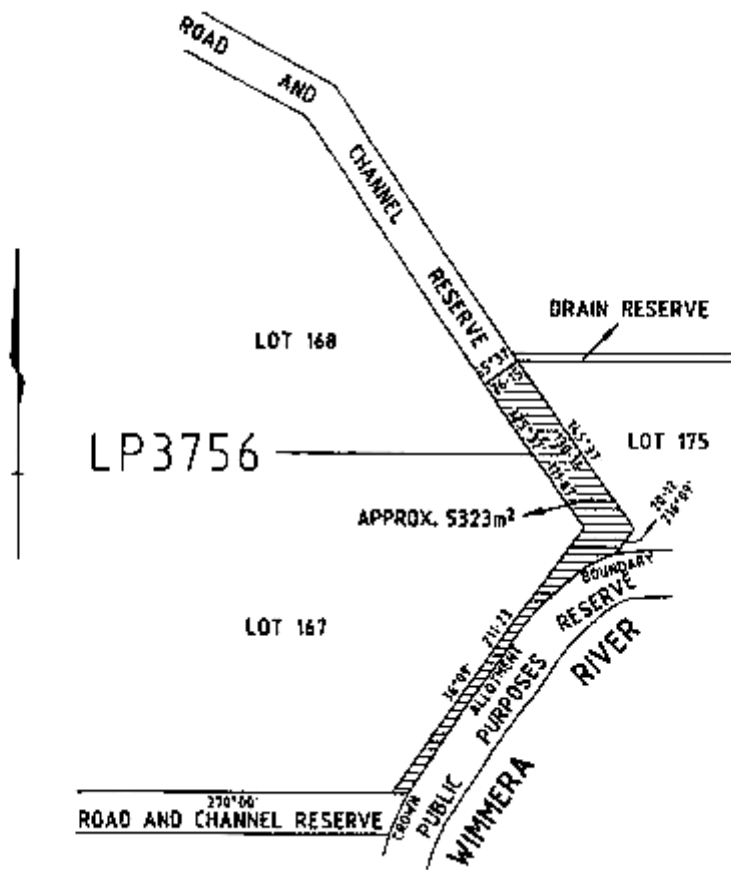


BILL JABOOR  
Chief Executive Officer



Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Horsham Rural City Council, at its Ordinary Meeting on 17 July 2006, formed the opinion that the road, being Part of CA 265, LP 3756, Parish of Vectis East and being situated between Lots 167, 168 and 175, LP 3756, off Hutchinsons Road, Quantong and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land to Mrs Cecilia Caris.



K. V. SHADE  
Chief Executive Officer

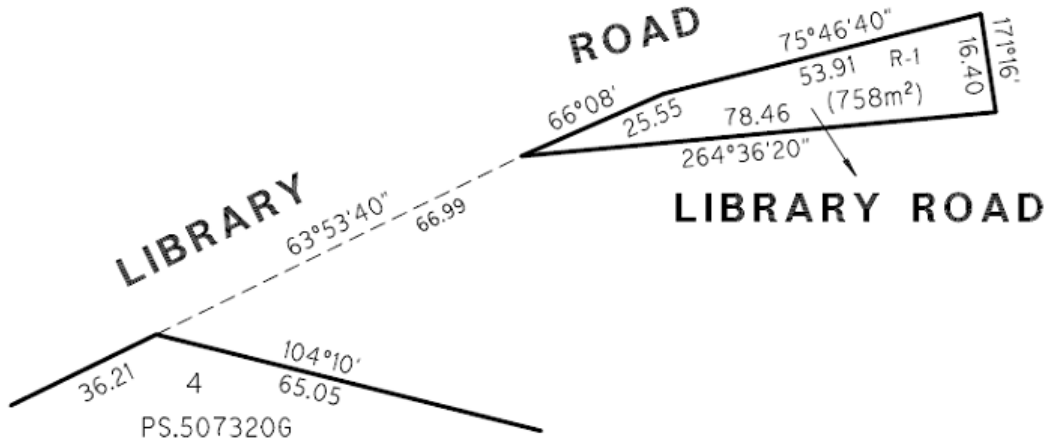




Addendum Road Closure –  
Library Road Beechworth

Government Gazette G7 Page 328 dated 16 February 2006

Notice is hereby given that the Indigo Shire Council, at its ordinary meeting on Tuesday 7 February 2006, having formed the view that the land Library Road shown as R-1 on PS 507320G is not reasonably required as a road, will close the road in accordance with Schedule 10 of the **Local Government Act 1989**.

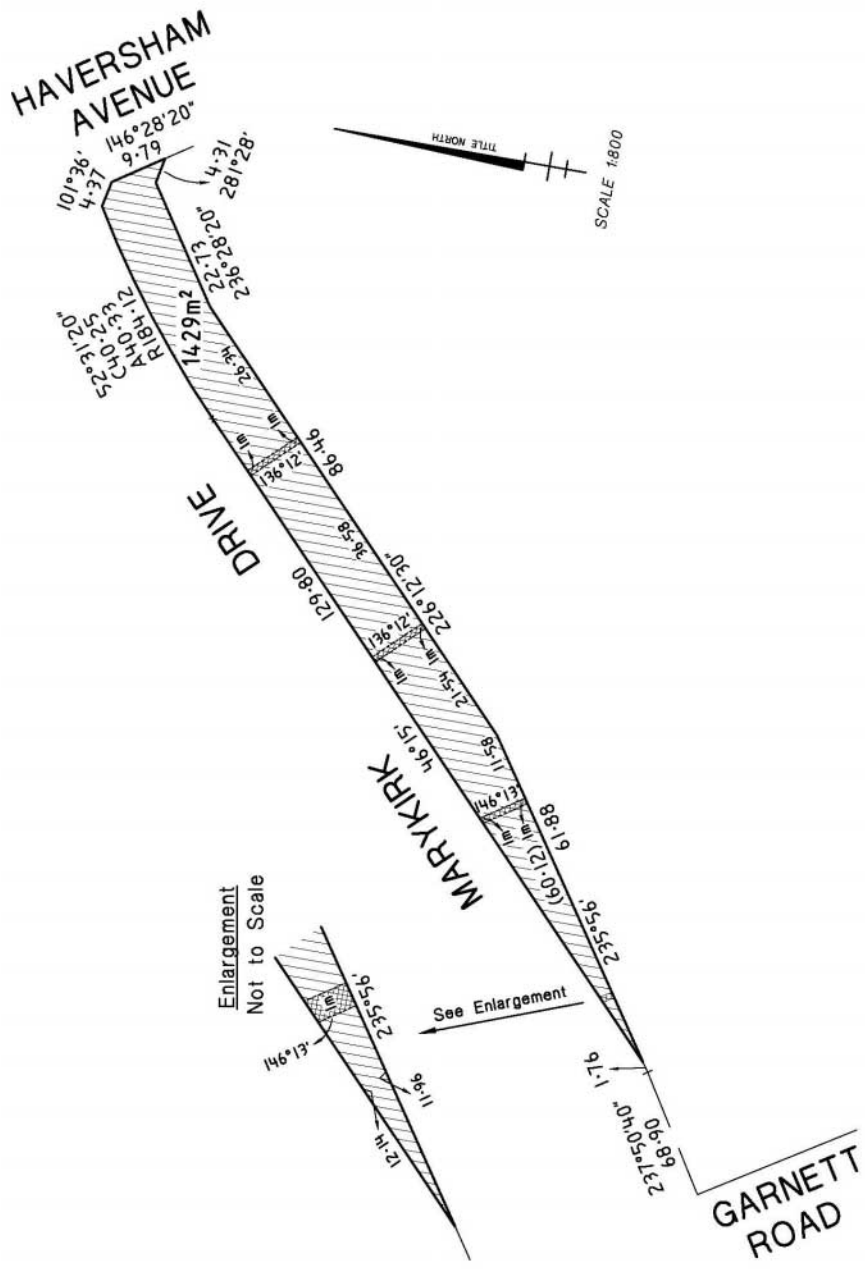


JOHN COSTELLO  
Chief Executive Officer

MONASH CITY COUNCIL

Erratum

Notice is hereby given that the plan published on page 2906 of the Victoria Government Gazette dated 15 December 2005 is incorrect. The plan below supersedes the plan previously gazetted.



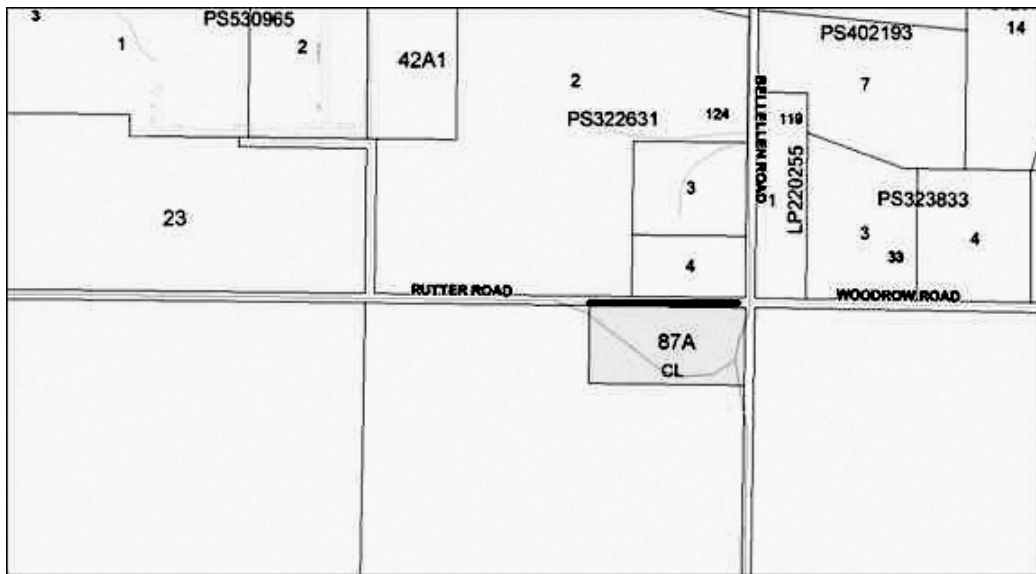
DAVID CONRAN  
Chief Executive Officer



**Northern Grampians**  
*Shire Council*

Road Discontinuance

Pursuant to Section 206 and Schedule 10, Clause 3 of the **Local Government Act 1989**, the Northern Grampians Shire Council at its ordinary meeting held on 4 March 2004 formed the opinion that the road at the intersection of Stawell-Jallukar Road and Rutters Lane, Bellellen shown hatched on the plan below and being part of Crown Allotment 87A, Parish of Bellellen, is not reasonably required as a road for public use and has resolved to discontinue the road to allow implementation of LCC Recommendation I70 for Bushland Reserve.

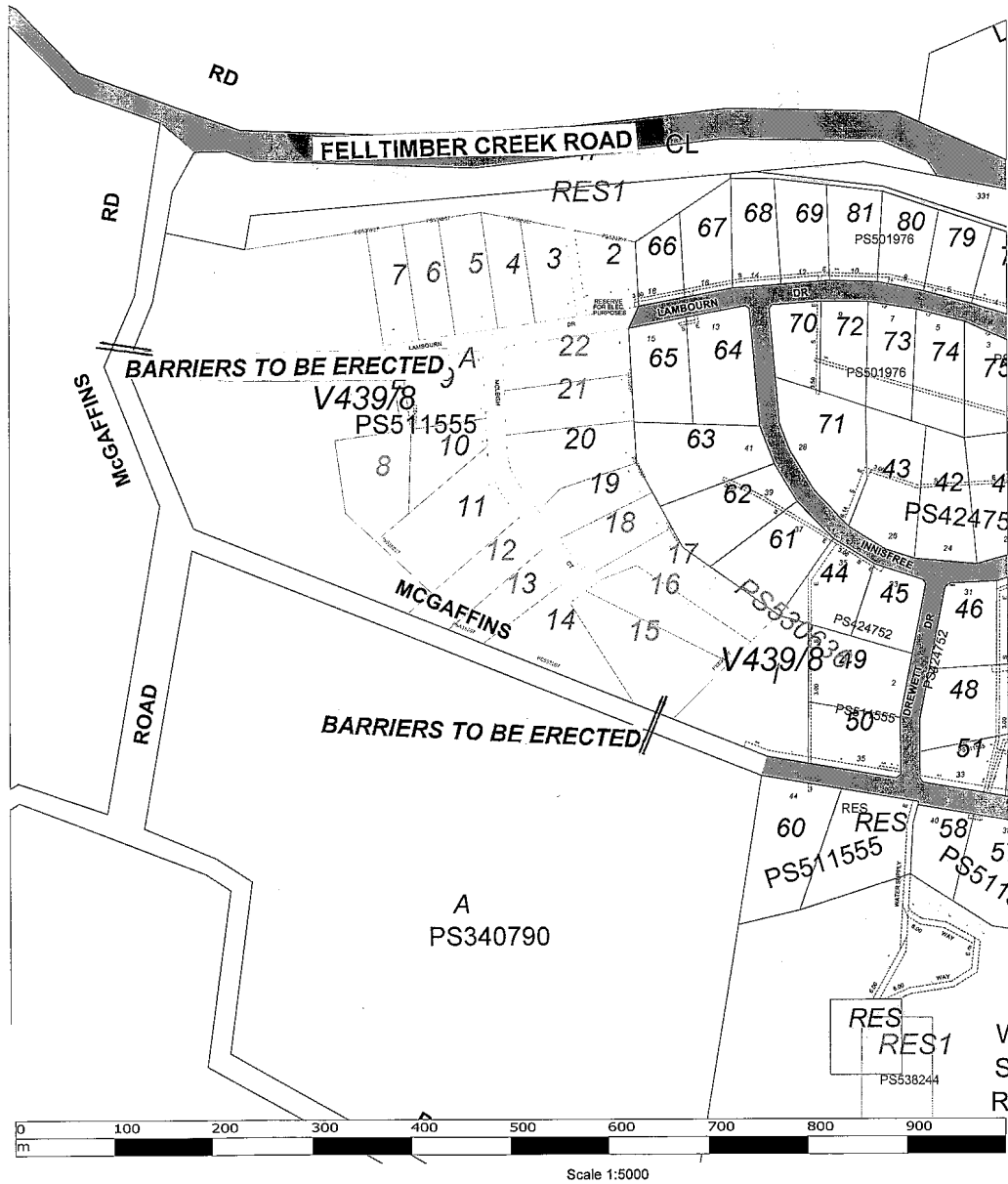


GLEN DAVIS  
Chief Executive Officer

CITY OF WODONGA

Closure of Part of McGaffins Road to Traffic

Council at its meeting of 19 June 2006 resolved pursuant to Section 207 and Clause 9 of Schedule 11 of the **Local Government Act 1989** to erect barriers at the locations shown on the attached plan to permanently restrict the passage of vehicles (except emergency vehicles) over that section of McGaffins Road.



PETER MARSHALL  
Chief Executive Officer

## CARDINIA SHIRE COUNCIL

## Meeting Procedure (Amendment) Local Law

Notice is hereby given that the Cardinia Shire Council at its meeting held on 17 July 2006 made Local Law No 11 "Meeting Procedure (Amendment) Local Law".

The purposes and general purport of the Local Law are to amend Council's Meeting Procedure Local Law (Local Law No. 8) to:

- re-introduce Motions Without Notice at Council Meetings;
- provide for rescission motions to be signed by one councillor only;
- provide for questions from the community to be lodged by midday on the day of the meeting;
- allow for the 'expulsion' of persons in the public gallery if they have unduly disrupted the meeting; and for
- consequential amendments to various clauses in the Principal Local Law.

Copies of the Local Law and the accompanying guidelines are available for inspection at, and can be obtained from, the Cardinia Shire Council Offices, Henty Way, Pakenham.

The Local Law is to commence on the day after notice of its making appears in the Victoria Government Gazette.

GARRY McQUILLAN  
Acting Chief Executive Officer



## ROAD MANAGEMENT PLAN – VERSION 2

Notice pursuant to Section 54 of the  
**Road Management Act 2004**

Central Goldfields Shire Council has resolved to amend its road management plan.

The purposes of the plan are:

- to establish a management system for the road management functions of Council which is based on policy, operational objectives and available resources; and
- to set the relevant standard in relation to the discharge of duties in the performance of this road management function.

When adopted by Council, the amended plan will be regarded as a policy decision in relation to the performance of Council's statutory road management function.

The Central Goldfields Shire Council Road Management Plan (Version 2) may be viewed during business hours at any of the following six locations:

1. Bealiba Post Office;
2. Carisbrook Post Office;
3. Central Goldfields Shire Office – 2 Neil Street, Maryborough;
4. Central Goldfields Shire Visitor Information Centre – Nolan Street, Maryborough;
5. Dunolly Rural Transaction Centre;
6. Talbot Post Office.

Additional copies may be sourced from Council's website ([www.centralgoldfields.com.au](http://www.centralgoldfields.com.au)) or during office hours, from Kerri Long on telephone (03) 5461 0610.

Any person wishing to make a written submission in regards to the draft Road Management Plan may utilise the pro forma document and forward it to the Chief Executive Officer, Central Goldfields Shire, PO Box 194, Maryborough 3465 within 28 days of the publication of this notice.

MARK JOHNSTON  
Chief Executive Officer

## GREATER BENDIGO CITY COUNCIL

**Public Holidays Act 1993**

## Appointment of Local Public Holiday

The **Public Holidays Act 1993** allows non-metropolitan Councils to appoint one day or two half days annually as public holidays within the municipal district.

Notice is given that the Greater Bendigo City Council has appointed Wednesday 15 November 2006, being Bendigo Cup Day, as a public holiday in lieu of Melbourne Cup Day throughout the City of Greater Bendigo, except for the Heathcote District.

Notice is also given that the Greater Bendigo City Council has appointed Tuesday 7 November 2006, being Heathcote Show Day, in the Heathcote District of the City of Greater Bendigo.

JOHN McLEAN  
Chief Executive Officer

## MACEDON RANGES SHIRE COUNCIL

**Public Holidays Act 1993**

## Proclamation of Public Holiday

In accordance with the **Public Holidays Act 1993**, the Macedon Ranges Shire Council declares:

- a) a full day holiday for Tuesday 7 November 2006 in that part of the municipal district of the Macedon Ranges Shire Council with the post codes 3430, 3431, 3432, 3433, 3434, 3435, 3437, 3438, 3440, 3441, 3764, 3762, 3756 and 3224 (not including the localities Cadello and Carlsruhe being the areas that make up the former Shire of Newham and Woodend, Romsey and Gisborne. The purpose of this holiday is in recognition of Melbourne Cup Day.
- b) a full day holiday for Wednesday 8 November 2006 in that part of the municipal district of the Macedon Ranges Shire Council with the post codes 3444, 3446, 3458 and the Localities of Cadello and Carlsruhe, being the area that made up the former Shire of Kyneton. The purpose of this holiday is in recognition of Kyneton Cup Day.



**Northern Grampians**  
*Shire Council*

## Drainage of Land Local Laws 2006

Notice is hereby given that at a meeting of the Northern Grampians Shire Council held on 20 July 2006, Council made Drainage of Land Local Law 2006 pursuant to the **Local Government Act 1989**.

The purpose of the Local Law is to:

- define Council's powers and responsibilities on undeclared and declared lands (Special Charge Schemes) with respect to drainage within its municipal district;
- permit Council to proceed with offences relating to interference with drains or drainage works on declared lands;
- establish a permit system for applicants relating to drains or drainage works;
- provides for compensation to landowners where any pecuniary loss or direct expense is sustained.

The general purport of the Local Law is to facilitate the executing of documents for and on behalf of the Council.

A copy of the Local Law may be inspected at or obtained from Council offices in Stawell and St Arnaud during office hours.

GLEN DAVIS  
Chief Executive Officer

**Planning and Environment Act 1987**

## BRIMBANK PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C83

## Authorisation No. A0176

Brimbank City Council has prepared Amendment C83 to the Brimbank Planning Scheme.

The land affected by the Amendment is land known as Volume 10551, Folio 188 and Volume 10551, Folio 189 on PS 331541S, which is also known as Lot 4, 11-99 Mt Derrimut Road, Deer Park and Lot 5, 101-213 Mt Derrimut Road, Derrimut. The land is generally bound by Tilburn Road and the Melbourne-Ballarat railway line to the north, Mt Derrimut Road to the west, the Western Ring to the east and the northern boundary of the proposed Sunshine Golf Course to the south.

The Amendment proposes to:

- amend Clauses 21.05, 21.07 and 21.10 of the Brimbank Planning Scheme;
- rezone the subject land from the Industrial 2 Zone to the Industrial 1 Zone;
- apply a Development Plan Overlay (Schedule 14) to the subject land.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Brimbank City Council, Keilor Office, Old Calder Highway, Keilor, Vic. 3036; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 25 August 2006. A submission must be sent to: Andrew Gray, Brimbank City Council, Statutory Planning Department, PO Box 70, Sunshine, Vic. 3020.

Signature for the Planning Authority  
ANDREW GRAY  
Manager Planning

**Planning and Environment Act 1987**

CASEY PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C88

Authorisation A0366

The Casey City Council has prepared Amendment C88 to the Casey Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Casey City Council, as planning authority, to prepare the Amendment.

The land affected by the Amendment is described as Reserve No. 1 on proposed Plan of Subdivision No. 544726, being part of the land at CP 158216W, Nos. 5–7 Jacques Road, Narre Warren North.

The Amendment proposes to apply a Public Acquisition Overlay (PAO3 – Municipal purposes) over that part of the subject land to be acquired by Council for the future development of a sports facility.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: the office of the planning authority, City of Casey, Magid Drive, Narre Warren; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

The Amendment is also available for viewing on the City of Casey website at [www.casey.vic.gov.au/planningexhibition](http://www.casey.vic.gov.au/planningexhibition).

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

The closing date for submissions is 28 August 2006. A submission must be sent to the: Planning Scheme Amendment Co-ordinator, City of Casey, PO Box 1000, Narre Warren, Vic. 3805.

Should you have any queries about this Amendment, please contact Geoff Marten on 9705 5314.

Dated 27 July 2006

Signature for the planning authority  
ROBERT BAGGIO  
Manager Planning

**Planning and Environment Act 1987**

FRANKSTON PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C34

Authorisation A0364

The Frankston City Council has prepared Amendment C34 to the Frankston Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Frankston City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is 191 Old Wells Road, Seaford.

The Amendment proposes to include the land in a Public Acquisition Overlay – PAO3.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Frankston City Council, Civic Centre, corner of Davey and Young Streets, Frankston; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 28 August 2006. A submission must be sent to the Development Manager, Frankston City Council, PO Box 490, Frankston 3199.

NICK CHARALAMBAKIS  
Development Manager

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

#### **FRANKSTON PLANNING SCHEME**

##### Notice of Preparation of Amendment

##### Amendment C38

##### Authorisation A0361

The Frankston City Council has prepared Amendment C38 to the Frankston Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Frankston City Council as planning authority to prepare the Amendment. The Minister also authorised the Frankston City Council to approve the Amendment under section 35B of the Act.

The land affected by the Amendment is 176 North Road, Langwarrin.

The Amendment proposes to rezone the land from a Residential 1 Zone to a Business 1 Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Frankston City Council, Civic Centre, corner of Davey and Young Streets, Frankston; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 28 August 2006. A submission must be sent to the Development Manager, Frankston City Council, PO Box 490, Frankston 3199.

NICK CHARALAMBAKIS  
Development Manager

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

#### **GREATER BENDIGO PLANNING SCHEME**

##### Notice of Preparation of Amendment

##### Amendment C86

##### Authorisation A359

The City of Greater Bendigo has prepared Amendment C86 to the Greater Bendigo Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the City of Greater Bendigo as planning authority to prepare the Amendment.

The land affected by the Amendment is:

- The study area for the Bendigo CBD Plan 2005;
- 93–113 Williamson Street, Bendigo;
- 16–20, 32 and 45–57 Myers Street, Bendigo;
- 3–13 and 26–30 McLaren Street, Bendigo;
- 84, 95–111 and 100–104 Mollison Street, Bendigo;
- 44–50 King Street, Bendigo;
- 93–125 Garsed Street, Bendigo;
- 12 Myrtle Street, Bendigo;
- 145–149 and 159 Hargreaves Street, Bendigo;
- 25–47 Mundy Street, Bendigo (excluding 41 Mundy Street);
- 1–23 Hopetoun Street, Bendigo;
- 171 Lyttleton Terrace, Bendigo.

The Amendment proposes to:

- replace Clause 21.06 with a new Clause 21.06 to make reference to the Bendigo CBD Plan 2005;
- replace Clause 21.07 with a new Clause 21.07 that introduces a new section within the overview that relates to the Bendigo CBD Activity Centre, and introduces strategies and implementation actions that relate to the Bendigo CBD Plan 2005;
- replace Clause 21.09 with a new Clause 21.09 that introduces a new paragraph within the overview that relates to Bendigo as a 'Transit City' location, and introduces an implementation action that relates to the Bendigo Transport Interchange/Urban Design/Masterplanning Study 2003;



- replace Clause 21.10 with a new Clause 21.10 that updates the list of Reference Documents to show the Bendigo CBD Plan 2005 and updates the reference to the Bendigo Transport Interchange/Urban Design/Masterplanning Study 2003;
  - replace the Schedule to Clause 34.02 with a new Schedule that restricts combined leasable floor area for Shop (other than Restricted Retail Premises) to 500sqm within Bendigo CBD Plan Precinct D, and restricts combined leasable floor area for Restricted Retail Premises to 500sqm for part of Bendigo CBD Plan Precinct G;
  - replace the Schedule to Clause 34.04 with a new Schedule that restricts combined leasable floor area for Restricted Retail Premises to 500sqm for part of Bendigo CBD Plan Precinct G;
  - introduce a new Schedule to Clause 43.02 to guide new development building height, set back and provision of weather protection in areas of pedestrian priority;
  - amend Planning Scheme Map No. 19 to rezone land described as 93–113 Williamson Street, 16–20 Myers Street, 3–13 and 26–30 McLaren Street, 95–111 and 100–104 Mollison Street, Bendigo from a Business 4 Zone and Public Use Zone – Schedule 7 to a Mixed Use Zone. This will encourage the development of a range of small scale uses that complement other CBD activities, and that do not cause amenity impacts on adjoining residential uses;
  - amend Planning Scheme Map No. 19 to rezone 84 Mollison Street and 32 Myers Street, Bendigo (former Army Drill Hall) from a Business 5 and Residential 1 Zone to a Mixed Use Zone. This will encourage the development of a range of small scale uses that complement other CBD activities, and that do not cause amenity impacts on adjoining residential uses;
  - amend Planning Scheme Map No. 19 to rezone 159 Hargreaves Street, 25–47 Mundy Street (excluding 41 Mundy Street), 1–23 Hopetoun Street, 45–57 Myers Street and 171 Lyttleton Terrace, Bendigo from a Business 4 Zone to a Business 2 Zone. The rezoning of this land will maintain and enhance the role of the area for service business activities supporting the retail, business, commercial and residential communities within and near the CBD.
  - amend Planning Scheme Map No. 19 to rezone the rear of 145–149 Hargreaves Street (Bendigo Fire Station), Bendigo from a Business 4 Zone to Public Use Zone 7. This will correct a zoning anomaly;
  - amend Planning Scheme Map No. 19 to rezone the southeast portion of the car park located at 44–50 King Street, Bendigo from a Business 5 Zone to a Business 1 Zone. The rezoning will encourage the redevelopment of the at-grade car park with a development that incorporates a mix of retail, office, residential and car parking;
  - amend Planning Scheme Map No. 19HO to remove the Heritage Overlay – Schedule 6 from the southeast portion of the car park located at 44–50 King Street, Bendigo. This control is not appropriate to be applied to this at-grade car park;
  - amend Planning Scheme Map No. 23 to rezone 93–125 Garsed Street and 12 Myrtle Street, Bendigo from a Mixed Use and Public Use Zone – Schedule 4 to a Business 2 Zone. This is a key redevelopment site and provides the opportunity to develop large format uses that cannot readily be accommodated elsewhere in the CBD;
  - amend Planning Scheme Map No. 23EAO to include land described as 123 Garsed Street, Bendigo, in the Environmental Audit Overlay (EAO). The EAO will ensure that an environmental audit process is carried out should the land be redeveloped for sensitive uses, such as residential;
  - amend Planning Scheme Map No. 19DDO and Map No. 23DDO to include land within the Bendigo CBD Plan study area in the DDO – Schedule 5. DDO5 will guide new development in terms of building height, set back and provision of weather protection along pedestrian priority areas within the Bendigo CBD.
- You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, City of Greater Bendigo, Lyttleton Terrace, Bendigo, or Hopetoun Mill, Hopetoun

Street, Bendigo; at the Department of Sustainability and Environment, North West Regional Office, corner of Midland Highway and Taylor Street, Epsom; at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; on the City of Greater Bendigo website: [www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au); and on the Department of Sustainability and Environment website: [www.dse.vic.gov.au](http://www.dse.vic.gov.au).

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

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

The closing date for submissions is 28 August 2006. A submission must be sent to: John McLean, Chief Executive Officer, City of Greater Bendigo, PO Box 733, Bendigo, Vic. 3552.

JOHN McLEAN  
Chief Executive Officer

**Planning and Environment Act 1987**  
GREATER GEELONG PLANNING SCHEME  
Notice of Preparation of an Amendment  
Amendment C86  
Authorisation A106

The Greater Geelong City Council has prepared Amendment C86 to the Greater Geelong Planning Scheme for public exhibition.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised (A106) the Greater Geelong City Council as planning authority to prepare the Amendment (C86).

The Amendment has been made at the request of L. Bisinella Developments P/L.

The Amendment applies to an area of land approximately 85 ha in area on the western edge of the Lara township established urban area comprising Lots 1 and 2 of PS139922, part Crown Portion C, Section 15, Parish of Moranghurk, County of Grant and Lot B PS502735C which is generally bounded by Buckingham Street, O'Halloran Road and Canterbury Road West, Lara.

The Amendment proposes to:

1. rezone the land from Rural zone and Low Density Residential zone to Residential 1 zone and Urban Floodway zone;
2. alter the application of the Land Subject to Inundation Overlay to the land;
3. introduce Schedule 9 to the Development Plan Overlay into the Planning Scheme Ordinance;
4. apply the Development Plan Overlay, Schedule 9, to the land; and
5. apply the Design and Development Overlay, Schedule 14, to part of the land.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Public Comment section of the City's website [www.geelongaustralia.com.au](http://www.geelongaustralia.com.au); at the office of the planning authority, City of Greater Geelong, Ground Floor, 131 Myers Street, Geelong; Customer Service Centre, Corio Village Shopping Centre, Bacchus Marsh Road, Corio; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

This can be done during office hours and is free of charge. Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is Monday 4 September 2006. Submissions must be in writing and addressed to The Co-ordinator, Strategic Planning Unit, City of Greater Geelong, either to: PO Box 104, Geelong, Vic. 3220; or [strategicplanning@geelongcity.vic.gov.au](mailto:strategicplanning@geelongcity.vic.gov.au).

Any person who may be affected by the Amendment may make a submission to the planning authority. All submissions will be made available for any person to inspect, upon request by appointment, at the office of the planning authority, City of Greater Geelong, Ground Floor, 131 Myers Street, Geelong, free of charge until the end of two months after the Amendment comes into operation or lapses. Anonymous submissions will not be considered.

AARON GARRETT  
Co-ordinator Strategic Planning

**Planning and Environment Act 1987**

## LATROBE PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C16

## Authorisation A0251

The Latrobe City Council has prepared Amendment C16 to the Latrobe Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Latrobe City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is:

- the north section of the municipality including northern parts of Moe, Yallourn North, Tyers, Glengarry and west of the Toongabbie township.
- The area to the north of Morwell and west of Traralgon township located south of the Latrobe River.
- The west sections of the municipality including areas south of Moe and Newborough to south of Boolarra including parts of Yinnar.
- The south-east section of the municipality including areas adjacent to Morwell National Park and Strzelecki Ranges from south of Grand Ridge to sections of Traralgon South, including areas east of Churchill and north-east of Callignee.

The Amendment proposes to:

- update the Municipal Strategic Statement, through minor changes, to acknowledge the introduction of the Wildfire Management Overlay (WMO).
- Introduce the WMO into the planning scheme.
- Amend Clause 61 through the inclusion of the new maps.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: the offices of the planning authority, Latrobe City Council, 141 Commercial Road, Morwell; 34–38 Kay Street, Traralgon, and 44 Albert Street, Moe; Department of Sustainability and Environment Regional Office, 71 Hotham Street, Traralgon; Department of

Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

This can be done during office hours and is free of charge. Any person who may be affected by the Amendment may make a submission to the planning authority.

The closing date for submissions is Friday 8 September 2006. A submission must be sent to the Chief Executive Officer, Latrobe City Council, PO Box 264, Morwell, Vic. 3840.

PEGGY STEVENSON  
Acting Chief Executive Officer

**Planning and Environment Act 1987**

## LATROBE PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C45

## Authorisation A0312

The Latrobe City Council has prepared Amendment C45 to the Latrobe Planning Scheme.

In accordance with section 9(2) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Latrobe City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is 73–83 (Part Crown Allotment 69) Church Street, Morwell.

The Amendment proposes to:

- rezone 73–83 Church Street, Morwell from 32.04 Mixed Use Zone (MUZ) to 32.02 Residential 2 Zone (R2Z).

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Latrobe City Council, 241 Commercial Road, Morwell; Department of Sustainability and Environment Regional Office, 71 Hotham Street, Traralgon; Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

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

The closing date for submissions is 31 August 2006. A submission must be sent to the Latrobe City Council, PO Box 264, Morwell, Vic. 3840.

PEGGY STEVENSON  
Acting Chief Executive Officer

**Planning and Environment Act 1987**

**YARRA RANGES PLANNING SCHEME**

Notice of the Preparation of an  
Amendment to a Planning Scheme and  
Notice of an Application for Planning Permit  
given under S96C of the

**Planning and Environment Act 1987**

Amendment C45

Authorisation No. A0261

Planning Permit Application YR2006/983

The land affected by the Amendment and the application is located on the eastern side of Bell Street in Yarra Glen adjoining to the north of the existing commercial shopping strip. It is described as Lot G PS427454.

The Amendment proposes to rezone that part of the subject land that is within the Urban Growth Boundary from a Residential 1 Zone to a Business 1 Zone.

The application is for a permit to use and develop the subject land for a supermarket and specialty shops together with the development of an informal outdoor recreation area on the balance of the land.

The person who requested the Amendment is Yarra Valley Developments Pty Ltd.

The applicant for the permit is Yarra Valley Developments Pty Ltd.

You may inspect the Amendment and the application, together with any documents that support the Amendment and application, and the explanatory report about the Amendment at the offices of the planning authority, at the following Shire of Yarra Ranges Community Link Centres: Lilydale – Anderson Street, Lilydale; Monbulk – 94 Main Street, Monbulk; Healesville – 276 Maroondah Highway, Healesville; Upwey – 40 Main Street, Upwey; Yarra Junction – Warburton Highway/Hoddele

Street, Yarra Junction; and at the Department of Sustainability and Environment, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne.

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

An information display including a copy of the Amendment documents will also be made available for public viewing at the Yarra Glen Memorial Hall (McCoome Room), corner of Bell Street and Anzac Avenue, Yarra Glen between 9.00 am and 12 noon on Saturday 12 August and Saturday 19 August 2006.

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

The closing date for submissions is 28 August 2006. A submission must be sent to the Shire of Yarra Ranges, PO Box 105, Lilydale 3140.

GRAHAM WHITT  
Manager Strategic Planning

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 26 September 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.

BARLOW, Helen, late of Ripplebrook Aged Care, 21–25 Inverness Street, Clarinda, Victoria 3169, retired, and who died on 29 March 2006.

BOLDEN, Henry Dennis, late of 106 Nepean Street, Greensborough, Victoria 3088, retired, and who died on 6 March 2006.

GOMEZ, Hubert Albert, late of 36 Heller Street, Brunswick, Victoria 3056, retired, and who died on 9 May 2006.

HAWKLESS, Lois Irene, late of Unit 3, 630 Mountain Highway, Bayswater, Victoria 3153, retired, and who died on 16 April 2006.

McLENNAN, Ellen Agnes, late of Amity At Caulfield, 349 North Road, Caulfield South, Victoria 3162, retired, and who died on 25 February 2006.

PALMER, Alice, late of Healesville & District Private Nursing Home, 494 Don Road, Healesville, Victoria 3777, and who died on 17 April 2006.

TRAVIATO, Maria Rosa, also known as Rosa Maria Traviato, late of Judge Book Nursing Home, 43 Diamond Street, Eltham, Victoria 3095, pensioner, and who died on 10 January 2006.

WIROWSKI, Tecla, late of Ukrainian Elderly People's Home, 344 Taylors Road, Delahey, Victoria 3037, pensioner, and who died on 12 May 2006.

Dated 18 July 2006

MARY AMERENA  
Manager  
Executor and Trustee Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 2 October 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.

BARTHOLOMEW, Eva, late of 110 Wantirna Village, 2 Old Stud Road, Wantirna South, Victoria 3152, retired, and who died on 29 April 2006.

BELGRAVE, Fay, also known as Fay Evelyn Belgrave, late of 175 Highbury Road, Burwood, Victoria 3125, retired, and who died on 13 February 2006.

ELMS, May Ivy, late of Flat 203/127 Gordon Street, Footscray, Victoria 3011, retired, and who died on 4 January 2006.

FREDERICKS, Mary Winifred, formerly of 14 Seascope Street, Clayton, Victoria 3168, but late of 97 Carinish Road, Clayton, Victoria 3168, and who died on 23 April 2006.

JAMIESON, William John, formerly of Flat 3, 31 Eildon Road, St Kilda, Victoria 3182, but late of Unit 3/26 Lansdowne Road, St Kilda East, Victoria 3183, and who died on 5 May 2006.

JORY, Edna May, late of Ashleigh Lodge, 58 Cochrane Street, Brighton, Victoria 3186, retired, and who died on 15 July 2006.

MURRAY, Kenneth Francis, formerly of 4 Tarnook Place, Dingley, Victoria 3172, but late of Unit 2/4 Isabella Street, Parkdale, Victoria 3195, and who died on 3 March 2006.

TUTENKO, Paul, also known as Pawlo Tutenko, Paula Tutenko and Paulo Tutenko, late of 12 Donald Street, Footscray, Victoria 3011, pensioner, and who died on 2 May 2006.

WILLIAMSON, Mark Daniel, late of 314 Palmerston Street, Buninyong, Victoria 3357, and who died on 20 April 2006.

ZIMMERMAN, Margaret Rosemary, late of 6 Turnstone Street, Doncaster East, Victoria 3109, and who died on 9 May 2005.

Dated 24 July 2006

MARY AMERENA  
Manager  
Executor and Trustee Services

#### Adoption Act 1984

Under the functions and powers assigned to me by the Secretary to the Department of Human Services, under Section 10(2) of the **Community Services Act 1970** in relation to Section 5 of the **Adoption Act 1984**, I, Carolyn Gale, approve the following person under Section 5(1) and Section 5(2) of the **Adoption Act 1984** as approved counsellor for the purposes of Section 87 of the **Adoption Act 1984**.

Sanja Biondic

Dated 17 July 2006

CAROLYN GALE  
Manager, Community Care  
Southern Metropolitan Region

**Building Act 1993****BUILDING REGULATIONS 2006**

## Notice of Accreditation

Pursuant to Part 14 of the Building Regulations 2006 a Certificate of Accreditation (Number V06/02) has been issued to Stump Systems, 31 Edinburgh Road, Lilydale, Victoria 3140 by the Building Commission for "Tek Stump 75 mm square and 85 mm square Concrete Stumps".

The Building Regulations Advisory Committee appointed under Division 4 of Part 12 of the **Building Act 1993** after examination of an application for "Tek Stump 75 mm square and 85 mm square Concrete Stumps", has determined that the system complies with the requirements of:

Clauses P2.1 of Volume Two of the Building Code of Australia, as adopted by the Building Regulations 2006.

Conditions for use are provided on the Certificate and in the one (1) document attached to the Certificate.

MATTHEW COLLINA  
Secretary

Building Regulations Advisory Committee

**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 proprietor of Sale North Kindergarten, Licence Number 3163 (the service) is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulation 1998.

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

1. Whenever children are being cared for or educated by the service, the number of staff members as set out in regulation 24 are caring for or educating the children.
2. The staff members must include a staff member who holds a primary teaching qualification and is currently enrolled and attending a course which achieves an early childhood qualification recognised under regulation 25; and

3. The staff member with the primary teaching qualification receives mentoring from a teacher with an early childhood teaching qualification.

This exemption remains in force until 31 December 2006.

Dated 18 July 2006

HON SHERRYL GARBUTT MP  
Minister for Children  
Minister for Community Services

**Education Act 1958**

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

An Order of the Minister for Education Services was made on 13 July 2006 under sections 13(4), 13(5) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 180) 2002 dissolving the Patchewollock Group School Council and making interim arrangements for the membership of the school council and the disposal of the assets of the school council in the period prior to its dissolution.

JACINTA ALLAN  
Minister for Education Services

**Education Act 1958**

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

An Order of the Minister for Education Services was made on 23 March 2006 under sections 13(4) and 13(11) of the **Education Act 1958** and Administrative Arrangements Order (No. 180) 2002 amending the constituting Orders of the school councils of all State schools except those listed in Attachment 1A of the Order (listed in Schedule 1 below) (the Councils), by inserting—

- (1) a definition of "financial institution" into clause 3.1, and
- (2) a new clause 30 into the constituting Orders to empower the Councils to enter into arrangements with a financial institution under which the Councils may purchase goods, services, equipment or material only for the purposes of the relevant school by the use of purchasing card facilities provided by the financial institution subject to compliance with:

- i. any guidelines and directions issued by the Minister under section 14A(1) of the **Education Act 1958**;
- ii. any directions issued by the Secretary of the Department of Education and Training; and
- iii. the terms and conditions relating to the use of the School Purchasing Card issued by the financial institution.

## SCHEDULE 1

Bayswater North Primary School, The Basin Primary School, Camberwell High School, Wellington Secondary College, Templestowe College, Glen Waverley College, Heatherwood School, South Oakleigh Secondary College, Glenallen School, Forest Hill College, Dimboola Memorial Secondary College, Edenhope P12 College, Horsham 298 Primary School, Horsham West Haven Primary School, Murtoa College, Ballarat North Primary School, Ararat Primary School, Brighton Primary School, Carwatha P12 College, Emerson School, Mornington Secondary College, Western Port Secondary College, Thomas Mitchell Primary School, Southern Cross Primary School, Beaumaris Primary School, Dandenong West Primary School, Corio West Primary School, Lavers Hill P12 College, Merrivale Primary School, Oberon High School, Portland Secondary College, Newcomb Secondary College, Manifold Heights Primary School, Cohuna Consolidated School, Golden Square Secondary College, Kennington Primary School, Kyneton Secondary College, Merbein Primary School, Coburg West Primary School, Concord School, Mill Park Heights Primary School, St Andrews Primary School, Whittlesea Secondary College, Pascoe Vale Girls Secondary College, Bairnsdale Secondary College, Bairnsdale West Primary School, Lowanna College, Newborough Primary School, Warragul Primary School, Essendon Primary School, Hoppers Crossing Secondary College, Kings Park Primary School, Rosamond Special School, Wembley Primary School, Broadford Primary School, Kyabram Secondary College, Melrose Primary School, Numurkah Secondary College, Yarrawonga Secondary College.

JACINTA ALLAN  
Minister for Education Services

**Electoral Act 2002**

## RE-REGISTRATION OF POLITICAL PARTY

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

Socialist Alliance (Victoria).

Dated 24 July 2006

STEVE TULLY  
Victorian Electoral Commission

**Electoral Act 2002**CHANGE TO REGISTER OF  
POLITICAL PARTIES

In accordance with section 51 of the **Electoral Act 2002**, I hereby give notice of the following change to the Register of Political Parties.

**Party:** National Party of Australia – Victoria.

**Former Abbreviation of Name:** National Party.

**New Abbreviation of Name:** The Nationals.

Dated 19 July 2006

STEVE TULLY  
Victorian Electoral Commission

**Electricity Industry Act 2000**CLICK ENERGY PTY LTD  
(ABN 41 116 567 492)

## Notice of Grant of Licence

The Essential Services Commission gives notice under section 30 of the **Electricity Industry Act 2000** (EI Act) that it has, pursuant to section 19 of the EI Act, granted a licence to Click Energy Pty Ltd (ABN 41 116 567 492) to sell (retail) electricity in Victoria otherwise than through the National Electricity Market.

A copy of the licence is available on the Commission's website located at <http://www.esc.vic.gov.au> or a copy can be obtained by contacting the Commission's reception on (03) 9651 0222.

Dated 21 June 2006

GREG WILSON  
Chairperson

**Land Acquisition and Compensation Act 1986**

FORM 7 S.21

Reg. 16

## Notice of Acquisition

## Compulsory Acquisition of Interest in Land

The Secretary to the Department of Infrastructure declares that by this notice it acquires the following interests in the land described as Crown Allotments 77R and 77S in the Parish of Melbourne South.

## Interest acquired:

- any sub-tenancy interests of Lure Plage Syndicate Pty Ltd in Shed 6, South Wharf Tourist Precinct, within Crown Allotment 77S;
- any sub-tenancy interests of Krista Corporation Pty Ltd in Shed 7, South Wharf Tourist Precinct, within Crown Allotment 77R;
- any sub-tenancy interests of Alexee Pty Ltd in Sheds 8, 8A and 10, South Wharf Tourist Precinct, within Crown Allotment 77R;
- any sub-tenancy interests of Events Warehouse Pty Ltd in Shed 9, South Wharf Tourist Precinct, within Crown Allotment 77R.

Published with the authority of the Secretary to the Department of Infrastructure, Level 14, 80 Collins Street, Melbourne, Victoria 3000.

Dated 25 July 2006

For and on behalf of  
the Secretary to the  
Department of Infrastructure

**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 Lot 110 on Plan of Subdivision 001362, Parish of Prahran comprising 91 square metres and being land described in Certificate of Title Volume 3430 Folio 875 shown as Parcel 11 on Survey Plan 21133.

**Interest acquired:** That of Amerina Lucia and all other interests.

Published with the authority of VicRoads.

Dated 27 July 2006

For and on behalf of VicRoads

BERNARD TOULET

Manager

VicRoads Property

**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 Lot 1 on Title Plan 016908T and part of Lot 1 on Title Plan 016915W, Parish of Eddington, comprising 619 square metres and being land described in Certificates of Title Volume 10512, Folio 538 and Volume 10512, Folio 540 shown as parcels 1 and 2 on Survey Plan 20840.

**Interest acquired:** That of Goulburn–Murray Rural Water Authority and all other interests.

Published with the authority of VicRoads.

Dated 27 July 2006

For and on behalf of VicRoads

BERNARD TOULET

Manager

VicRoads Property

**Land Acquisition and Compensation Act 1986**

FORM 7 S.21

Reg. 16

## Notice of Acquisition

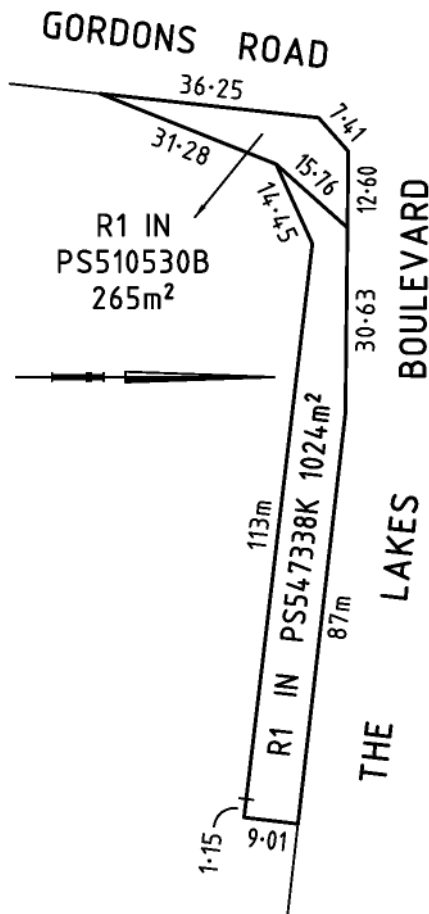
## Compulsory Acquisition of Interest in Land

The Whittlesea City Council declares that by this notice it acquires the following interest in fee simple in part of the land known as 290 Gordons Road and contained in Certificate of Title Volume 9878, Folio 474:

- a 265 square metre parcel of land marked "R1" on plan of subdivision PS510530B; and
- a 1,024 square metre parcel of land marked "R1" on plan of subdivision PS547338K.

**Interest acquired:** Mareva Investments Pty Ltd, ACN 113 885 564, and all or any other interests in the land.





Published with the authority of the Whittlesea City Council.

Dated 27 July 2006

For and on behalf of  
the Whittlesea City Council  
Mr GRAEME BRENNAN  
Chief Executive Officer

**Liquor Control Reform Act 1998**

**LIQUOR LICENSING POLL –  
CAMBERWELL NEIGHBOURHOOD**

In the matter of an application by the Amici Trattoria Restaurant under the **Liquor Control Reform Act 1998** for an on-premises licence at 726–728 Burke Road, Camberwell.

The resolution submitted to a poll on 14 July 2006 was:

‘That an on-premises licence be granted in the neighbourhood of the premises situated at 726–728 Burke Road, Camberwell’.

The result of the poll was:

Votes polled for the resolution	595
Votes polled against the resolution	246
Informal votes polled	5
Total votes polled	846

S. TULLY  
Victorian Electoral Commissioner

**Mineral Resources Development Act 1990**

**EXEMPTION FROM EXPLORATION  
LICENCE OR MINING LICENCE**

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

1. hereby exempt all that Crown land situated within the boundaries of exploration licence application 4982 that have been excised from the application, from being subject to an exploration licence or mining licence.
2. Subject to paragraph 3, this exemption applies until the expiration of 2 years after the grant of the licence (if the licence is granted), or until the expiration of 28 days after the application lapses or is withdrawn or refused.
3. This exemption is revoked in respect of any land that ceases to lie within the boundaries of the application or licence, at the expiration of 28 days after the said land ceases to lie within the boundaries of the application or licence.

Dated 21 July 2006

RICHARD ALDOUS  
Executive Director  
Minerals and Petroleum

**Nurses Act 1993**

**NURSES BOARD OF VICTORIA**

Re: Glen Charles Fitzpatrick  
Identification Number 136966

Registered in Division 3

Following a formal hearing into the professional conduct of Glen Charles Fitzpatrick, a Panel appointed by the Nurses

Board of Victoria found, on 13 July 2006, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

- 1 Pursuant to Section 48(2)(e) of the Act, the Panel imposes the following conditions on Mr Fitzpatrick's registration:
- (a) that Mr Fitzpatrick provide the Board with satisfactory employer reports every three months for a period of one year with the first report required one month from the date of this determination;
  - (b) that Mr Fitzpatrick provide the Board with satisfactory reports of counselling within 6 months from the date of this determination.

LOUISE MILNE-ROCH  
Chief Executive Officer

**State Superannuation Act 1988**  
DECLARATION OF ELIGIBLE  
SALARY SACRIFICE CONTRIBUTORS

I, John Lenders MP, in my capacity as Minister for Finance for the State of Victoria, under paragraph (b) of section 3A of the **State Superannuation Act 1988** ("the Act"), by this instrument declare executives employed under Part 3 of the **Public Administration Act 2004** and executives employed by a public sector body who are members of the Melbourne Water Corporation Employees' Superannuation Scheme (as those terms are defined in the Act) to be eligible salary sacrifice contributors from the date of gazettal.

Dated 20 July 2006

JOHN LENDERS MP  
Minister for Finance

**State Employees Retirement Benefits Act 1979**  
DECLARATION OF ELIGIBLE  
SALARY SACRIFICE CONTRIBUTORS

I, John Lenders MP, in my capacity as Minister for Finance for the State of Victoria, under paragraph (b) of section 2A of the **State Employees Retirement Benefits Act 1979** ("the Act"), by this instrument declare executives employed under Part 3 of the **Public Administration Act 2004** and executives

employed by a public sector body who are members of the State Employees Retirement Benefits Scheme (as those terms are defined in the Act) to be eligible salary sacrifice contributors from the date of gazettal.

Dated 20 July 2006

JOHN LENDERS MP  
Minister for Finance

**Transport Superannuation Act 1988**  
DECLARATION OF ELIGIBLE  
SALARY SACRIFICE CONTRIBUTORS

I, John Lenders MP, in my capacity as Minister for Finance for the State of Victoria, under paragraph (b) of section 3A of the **Transport Superannuation Act 1988** ("the Act"), by this instrument declare executives employed under Part 3 of the **Public Administration Act 2004** and executives employed by a public sector body who are members of the Transport Scheme (as those terms are defined in the Act) to be eligible salary sacrifice contributors from the date of gazettal.

Dated 20 July 2006

JOHN LENDERS MP  
Minister for Finance

**State Superannuation Act 1988**  
DECLARATION OF ELIGIBLE  
SALARY SACRIFICE CONTRIBUTORS

I, John Lenders MP, in my capacity as Minister for Finance for the State of Victoria, under paragraph (b) of section 3A of the **State Superannuation Act 1988** ("the Act"), by this instrument declare executives employed under Part 3 of the **Public Administration Act 2004** and executives employed by a public sector body who are members of the:

- i. Original;
- ii. Revised Scheme; or
- iii. New Scheme,

(as those terms are defined in the Act) to be eligible salary sacrifice contributors from the date of gazettal.

Dated 20 July 2006

JOHN LENDERS MP  
Minister for Finance

**Emergency Services Superannuation Act 1986**DECLARATION OF ELIGIBLE  
SALARY SACRIFICE CONTRIBUTORS

I, John Lenders MP, in my capacity as Minister for Finance for the State of Victoria, under paragraph (b) of section 3A of the **Emergency Services Superannuation Act 1986** ("the Act"), by this instrument declare executives employed under Part 3 of the **Public Administration Act 2004** and executives employed by a public sector body who are members of the Emergency Services Superannuation Scheme (as defined in the Act) to be eligible salary sacrifice contributors from the date of gazettal.

Dated 20 July 2006

JOHN LENDERS MP  
Minister for Finance

**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.

<b>File No.</b>	<b>Naming Authority</b>	<b>Place Name</b>	<b>Location</b>
LA/12/0019	Baw Baw Shire	Bravington, Buln Buln, Darnum, Drouin, Drouin West, Icy Creek, Jindivick, Longwarry, Neerim, Neerim East, Neerim Junction, Neerim North, Noojee, Rokeby, Shady Creek, Tanjil Bren, Tarago, Vesper, Warragul, Willow Grove, Yarragon.	As on version 4.3 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.
LA/12/0079	Wellington Shire	Blackwarry, Callignee North, Callignee South, Carrajung, Mount Tassie.	As on version 4.8 of the plan showing the town and rural district names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names.

Office of the Registrar of Geographic Names

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

JOHN E. TULLOCH  
Registrar of Geographic Names

**Interpretation of Legislation Act 1984****DRUGS, POISONS AND CONTROLLED SUBSTANCES REGULATIONS 2006**

As required by section 32 of the **Interpretation of Legislation Act 1984**, I give notice that the Drugs, Poisons and Controlled Substances Regulations 2006 apply, adopt or incorporate the following documents:

**Table of Applied, Adopted or Incorporated Matter  
Required by the Subordinate Legislation Regulations 2004**

<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 4 (definition of "listed regulated poison")	Poisons Code	Part 2 of Chapter 1
Regulation 4 (definition of "ovulatory stimulant")	Poisons Code	Part 2 of Chapter 1
Regulation 4 (definition of "prostaglandin")	Poisons Code	Part 2 of Chapter 1
Regulation 4 (definition of "retinoid")	Poisons Code	Part 2 of Chapter 1
Regulation 4 (definition of "special Schedule 7 substance")	Poisons Code which incorporates:  Appendix C of Part 5 of the Standard for the Uniform Scheduling of Drugs and Poisons as in force from time to time	Part 2 of Chapter 1

A copy of the material applied, adopted or incorporated by the regulations was lodged with the Clerk of the Parliaments on 19 June 2006.

A copy of the aforementioned documents applied, adopted or incorporated by the Drugs, Poisons and Controlled Substances Regulations 2006 shall be kept available for inspection during normal office hours by members of the public without charge at the Library, Department of Human Services, 50 Lonsdale Street, Melbourne 3000. The Poisons Code is available on the DHS website at [www.health.vic.gov.au/dpu](http://www.health.vic.gov.au/dpu)

Dated 30 June 2006

HON BRONWYN PIKE MP  
Minister for Health

**Private Agents Act 1966****NOTICE 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>
Norman Reginald Strickland	Austral Mercantile Collections	6/356 Collins Street, Melbourne, Vic. 3000	Commercial Sub-Agents Licence
Adam Joshua Faingold	RCL Mercantile P/L	Level 7, 505 Little Collins Street, Melbourne 3000	Commercial Sub-Agents Licence
Andrew John Campbell	RCL Mercantile P/L	Level 7, 505 Little Collins Street, Melbourne 3000	Commercial Sub-Agents Licence
Christopher Aneza Chant	RCL Mercantile P/L	Level 7, 505 Little Collins Street, Melbourne 3000	Commercial Sub-Agents Licence

Dated at Melbourne 18 July 2006

GRAEME J. HORSBURGH  
Principal Registrar  
Magistrates' Court of Victoria

**Victoria Racing Club Act 2006**  
VICTORIA RACING CLUB REGULATIONS 2006

Table of Provisions

I, John Pandazopoulos MP, Minister for Racing, make the following Regulations.

**PART 1 – PRELIMINARY**

- 1. Title**  
These Regulations may be cited as the Victoria Racing Club Regulations 2006.
- 2. Objective**  
The objective of these Regulations is to make provision with respect to—
  - (a) Fees for entry to the Flemington Racecourse land;
  - (b) The setting aside by VRC Limited of particular areas of the Flemington Racecourse land;
  - (c) The safety of persons and animals on the Flemington Racecourse land;
  - (d) The care, protection and good order of the Flemington Racecourse land.
- 3. Authorising provision**  
These Regulations are made under section 20 of the **Victoria Racing Club Act 2006**.
- 4. Commencement**  
These Regulations come into operation on 1 August 2006.
- 5. Definitions**  
In these Regulations—  
“**Act**” means the **Victoria Racing Club Act 2006**.  
“**Event**” means any race day, horse race, or other sporting or entertainment activity conducted at Flemington Racecourse by, or under authorisation from VRC Limited.
- 6. Entry onto Flemington Racecourse land**  
Subject to these regulations and the provisions of any other Act or regulation a person must not enter onto the Flemington Racecourse land without VRC Limited’s authorisation.
- 7. Admission charges**
  - (1) VRC Limited may set charges for general admission to the Flemington Racecourse land subject to subsection (2), (3) and (4);
  - (2) VRC Limited must not less frequently than annually submit a schedule of proposed general admission charges to the Minister for Racing;
  - (3) The Minister for Racing may disallow any proposed general admission charge or charges within one month of the submission of a schedule under subsection (2) and following any disallowance by the Minister for Racing the proposed general admission charge or charges will have no effect and the existing general admission charge or charges will continue to have effect;
  - (4) If the Minister for Racing disallows a proposed general admission charge or charges under subsection (3), VRC Limited may submit a revised schedule of proposed general admission charges to the Minister for Racing under subsection (2);
  - (5) If the Minister for Racing does not disallow a proposed general admission charge or charges within one month of a schedule of being submitted by VRC Limited under subsection (2), then the schedule of general admission charges will have effect following publication in the Government Gazette.
- 8. VRC Limited may reserve areas of Flemington Racecourse land**  
VRC Limited may, at its discretion, set aside reserved areas of the Flemington Racecourse land.

**9. Demarcation of reserved areas**

Any areas reserved by VRC Limited under regulation 8 must be clearly demarcated and signposted.

**10. Entry into reserved areas**

- (1) No person may enter into areas reserved under regulation 8 without VRC Limited's authorisation and upon payment of such toll, fee, rent or other charge (if any) as VRC Limited may impose for or in respect of entry into or occupation or use of such area or areas.
- (2) Any person who enters into a reserved area without VRC Limited's authorisation may be requested to leave the reserved area by a person authorised by VRC Limited for this purpose.

**11. Entry into areas where horse movement occurs**

A person must not enter any area on the Flemington Racecourse land where the movement of horses occurs, without the authorisation of VRC Limited.

**12. Items prohibited from Flemington Racecourse land**

- (1) A person must not bring any of the following items onto the Flemington Racecourse land without the authorisation of VRC Limited:
  - (a) Alcoholic beverages;
  - (b) Any structure or item that may be used to erect a structure; or any structure or item that may be capable of supporting the weight of a person, including:
    - (i) Market or beach umbrellas;
    - (ii) Portable shade structures;
    - (iii) Chairs, lounges, benches or stools.
  - (c) Prohibited weapons or controlled weapons within the meaning of the **Control of Weapons Act 1990**;
  - (d) Any fireworks, flares or distress signals;
  - (e) Any dangerous goods within the meaning of section 3(1) of the **Dangerous Goods Act 1985**;
  - (f) Any vehicle or transportation device including, without limitation, any:
    - (i) Motorcar;
    - (ii) Motorcycle;
    - (iii) Motor scooter;
    - (iv) Bicycle;
    - (v) Scooter;
    - (vi) Skateboard; or
    - (vii) Rollerskates or rollerblades.

This regulation does not apply to any wheelchair or other mobility device that is used by a person to facilitate access to the Flemington Racecourse land.

**13. Prohibited behaviour on Flemington Racecourse land – Public safety**

While on the Flemington Racecourse land a person must not, without the authorisation of VRC Limited:

- (a) Throw or kick, or attempt to throw or kick, any stone, bottle or other projectile;
- (b) Block any thoroughfare including, without limitation, any stairs, steps, aisle, gangway, overpass, underpass, pontoon, bridge, passage, entry or exit;

- (c) Disrupt, interrupt or behave in a manner that may disrupt or interrupt an Event;
- (d) Distract, hinder or interfere with any participant in an Event;
- (e) Interfere with the comfort of other persons on the Flemington Racecourse land or the Flemington Racecourse land itself; or
- (f) Act in a manner that may startle, spook, distract, interfere with or cause harm to any horse present on the Flemington Racecourse land, or to any person in proximity to any horse present on the Flemington Racecourse land.

Penalty: 20 penalty units

**14. Prohibited behaviour on Flemington Racecourse land – care, protection and good order of the land**

While on the Flemington Racecourse land a person must not do any of the following without the authorisation of VRC Limited:

- (a) Pick any flower or injure or uproot any tree, shrub, flower or other plant, or disturb or interfere with any fauna;
- (b) Climb or attempt to climb or remain on any tree or structure;
- (c) Misuse, deface or damage or attempt to misuse, deface or damage any building, structure or other improvement on the Flemington Racecourse land, or the Flemington Racecourse land itself;
- (d) Remove from the Flemington Racecourse land, or attempt to remove from the Flemington Racecourse land, any structure, seat, chair, table, pipe, tap, tap fitting, conduit, electrical equipment, wiring, sign, vehicle, craft or truck;
- (e) Excavate, or cause to be excavated any part of the Flemington Racecourse land.

Penalty: 20 penalty units

**15. Request to leave the Flemington Racecourse land**

Any person who contravenes regulations 6, 10, 11, 12, 13 or 14 must leave the Flemington Racecourse land when requested by a person authorised by VRC Limited for this purpose.

Dated 25 July 2006

JOHN PANDAZOPOULOS, MP  
Minister for Racing



**Accident Compensation Act 1985**

NOTICE OF GAZETTAL OF NEW AND AMENDED  
IMPAIRMENT ASSESSMENT GUIDELINES

Pursuant to Section 91(6C) of the **Accident Compensation Act 1985**

Currently, assessments of permanent impairment for psychiatric injury, occupational asthma, and infectious occupational diseases are made pursuant to section 91 of the **Accident Compensation Act 1985**.

Following legislative changes in July 2006, pursuant to section 91(6), (6A) and (6B) of the **Accident Compensation Act 1985**, new and amended methods of assessments are to be used when assessing permanent impairment of:

- psychiatric impairment;
  - occupational asthma; and
  - infectious occupational diseases.
-

**THE GUIDE TO THE EVALUATION OF  
PSYCHIATRIC IMPAIRMENT FOR CLINICIANS  
(GEPIC)**

Prepared by

M.W.N. Epstein, G. Mendelson, N.H.M. Strauss

Revised December 2005

Melbourne

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Michael W.N. Epstein, George Mendelson, Nigel H.M. Strauss

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## Introduction

The Guide to the Evaluation of Psychiatric Impairment for Clinicians (GEPIC) is a revision of the Clinical Guidelines to the Rating of Psychiatric Impairment (Clinical Guidelines), which has been in use for seven years. In general the Clinical Guidelines has performed very well but some concerns have emerged that this revision intends to correct.

The name has been changed to distinguish the new edition from its predecessor, and to provide a convenient acronym. The basic aim of the Clinical Guidelines remains, being to improve the inter-rater reliability of psychiatric impairment assessments.

It has been made explicit that the descriptors associated with each class for a particular mental function are intended to be indicative examples of the type of symptoms one could expect to see in that class range. The list of descriptors is not intended to be all-encompassing, as the Guide is designed to be used only by qualified psychiatrists who have completed the prescribed training course. To provide an exhaustive list of descriptors would be an impossible and ultimately unnecessary task. Furthermore, such a document would be so voluminous as to be practically useless as a handy guide for the clinician, and would amount to a textbook of psychiatry.

There has been some re-wording of the definitions of some mental functions, and some descriptors have been added to provide a more comprehensive range of examples for each class. The changes implemented in this revision are designed to further improve the inter-rater reliability of the GEPIC.

The Clinical Guidelines were developed from the User's Manual to the second edition of the American Medical Association's Guides to the Evaluation of Permanent Impairment, which was prepared by the authors with the assistance of other members of the Psychiatric section of the Victorian WorkCover Medical Panel in 1994.

There had been considerable concern about the lack of reliability of impairment assessment by psychiatrists using the second edition of the AMA Guides. The User's Manual was an attempt to provide definitions of the terms which were used in the second edition, with an explanation of the various changes that would be observed with increasing levels of impairment. In addition, the User's Manual developed a method, now known as the "median method", to determine whole person impairment.

The User's Manual had no official status but was widely used for assessment of psychiatric impairment. The User's Manual had considerable impact in improving the inter-rater reliability of assessments.

The changeover in various legal jurisdictions from the second to the fourth edition of the AMA Guides proved to be a particular concern with regard to psychiatry. Chapter 14 of the fourth edition of the AMA Guides provides a classification which is impossible to quantify, and it fails to provide any method of maintaining reliability of assessments.

It was with these concerns in mind that the authors of the User's Manual further refined and developed the Clinical Guidelines to the Rating of Psychiatric Impairment, with the assistance of other members of the Psychiatric Medical Panel.

The GEPIC maintains the principles found in both the User's Manual and the Clinical Guidelines. The six terms which had originally been used to assess mental function, that is, Intelligence, Thinking, Perception, Judgement, Affect, and Behaviour, have remained substantially the same. (The Clinical Guidelines replaced "Affect", which was technically an inaccurate term, with the word "Mood".)

The final two items in the Table which was adapted from the second edition of the AMA Guides, that is, "Ability" (in terms of "Activities of Daily Living") and "Potential" (in terms of "Rehabilitation or Treatment Potential") were removed in the Clinical Guidelines, as it was considered that they do not reflect impairment. ("Ability" is a measure of disability rather than impairment, and "potential" involves a prediction of the future, which is problematical at best, and not a measure of current psychiatric impairment.)

The table in the Clinical Guidelines included a footnote: In evaluating the “whole person psychiatric impairment”, intermediate values may be used that are not included in the individual classes.

This footnote has been removed from the GEPIC as it undermined the intention of the authors to force assessors to make clear choices in determining both individual classes and whole person psychiatric impairment.

As with the Clinical Guidelines, the GEPIC must be considered in the context of the fourth edition of the AMA Guides, and any explanatory or other information provided in that edition of the AMA Guides is applicable to the Clinical Guidelines and to the GEPIC.

### **Psychiatric Impairment Evaluation**

The assessment of psychiatric impairment is based on the systematic application of empirical criteria, and takes into consideration both the diagnosis and other factors unique to the individual. It is also relevant to consider motivation, and to review the history of the illness, as well as the treatment and rehabilitation methods. These considerations can be summarised in the following five principles:

#### **Principle 1:**

In assessing the impairment that results from any mental or physical disorder, readily observable empirical criteria must be applied accurately. The mental state examination, as used by consultant psychiatrists, is the prime method of evaluating psychiatric impairment.

#### **Principle 2:**

Diagnosis is among the factors to be considered in assessing the severity and possible duration of the impairment, but is by no means the sole criterion.

#### **Principle 3:**

The evaluation of psychiatric impairment requires that consideration be also given to a number of other factors including, but not limited to, level of functioning, educational, financial, social and family situation.

#### **Principle 4:**

The underlying character and value system of the individual is of considerable importance in the outcome of the disorder, be it mental or physical. Motivation for improvement is a key factor in the outcome.

#### **Principle 5:**

A careful review must be made of the treatment and rehabilitation methods that have been applied or are being used. No final judgement can be made until the whole history of the illness, the treatment, the rehabilitation phase, and the individual's current mental and physical status and behaviour have been considered.

### **Use of the Guide**

The presence and extent of impairment is a medical issue, and is assessed by medical means. This Guide has been designed for use by medical practitioners; in evaluating psychiatric impairment in accordance with this Guide clinical information has to be obtained and assessed, together with an examination of the individual's mental state.

The evaluation of psychiatric impairment in accordance with the Guide is meant to be informed by clinical judgement, based on appropriate training and experience, and the specific rating criteria are not meant to be used in a “cookbook” fashion.

The descriptors associated with particular classes for each mental function are intended to be indicative only. They are intended to provide an overview of the type and severity of symptoms expected for each particular class. It would be futile to attempt to list all relevant symptoms and would be onerous for the assessor. The absence of a particular symptom in the list of descriptors does not mean that that symptom is to be disregarded. The assessor may be required to justify why that/those symptom(s) is/are associated with a particular class of severity.

It is ultimately for the clinician, and no one else, to make the *clinical judgement* whether a specific rating criterion is present. If the clinician doubts that a particular symptom or abnormality of mental function is present, even after hearing the patient describe it, the item should be rated as not present. This convention is advocated in the Structured Clinical Interview for DSM-IV Axis I Disorders, and it is important to emphasise that the evaluation of psychiatric impairment, like diagnosis, is based on “ratings of criterion items, not of answers to questions”.

The method described in this Guide involves the assessment of the severity of six specific mental functions into five classes of increasing severity. The different classes are combined to produce a total psychiatric impairment. Use is made of a modified form of the table that was in the second edition of the AMA Guides.

### **Impairment of Perception**

According to Sims, “There can be few areas where the work of assessment by the psychiatrist is more misunderstood than in the psychopathology of perception”.

In clinical psychiatry, impairments of perception are disturbances of one or more of the five sensory modalities (hearing, vision, smell, taste and touch). Possible disturbances of perception that need to be assessed as part of the mental state examination are hallucinations and illusions. Hallucinations are subjective sensory perceptions in the absence of an actual external stimulus; these may occur in any one of the five sensory modalities. Illusions are defined as distorted perceptions of real external stimuli, usually visual. Where the person indicates an awareness that hallucinations are imaginary (not real, lacking an external source or stimulus) the term pseudohallucinations is used.

The concept of perception in clinical psychiatry is narrower than the definition of perception in the Concise Oxford Dictionary, which reads “the intuitive recognition of a truth, aesthetic quality, etc...”. Thus, phrases such as “a sudden perception of the true position” or “he perceives the world to be a very fearful place” do not refer to perception in the technical sense in which the term is used in clinical psychiatry.

### **Definitions**

The assessor must be mindful that in some jurisdictions an evaluation of impairment needs to be made according to the methods specified in this Guide after a period of time when the claimant’s entitlement to certain statutory benefits needs to be determined, and at a time when the impairment may not be permanent.

In developing this Guide, the authors made use of the following definitions:

*Impairment:* The World Health Organization has defined impairment in the following terms: “In the context of health experience, an impairment is any loss or abnormality of psychological, physiological, or anatomical structure or function”.

*Permanent impairment* is impairment that has become static or well stabilised with or without medical treatment and is not likely to remit despite future medical treatment. If an impairment is not permanent, it is inappropriate to characterise it as such.

*Disability:* The World Health Organization has defined disability in the following terms: “In the context of health experience, a disability is any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being”.

*Possibility. Probability:* These are terms that refer to the likelihood or chance that an injury or illness was caused or aggravated by a particular factor. “Possibility” sometimes is used to imply a likelihood of less than 50 per cent; “probability” sometimes is used to imply a likelihood of greater than 50 per cent.

*Hallucinations.* Abnormalities of sensory perception in the absence of external stimuli.

*Illusions.* Distortions of real sensory stimuli – illusions can be a normal phenomenon as well as indicating psychopathology.

*Pseudohallucinations.* Hallucinations that are recognised by the person as being imaginary (not real, lacking an external source or stimulus).

## EVALUATION OF PSYCHIATRIC IMPAIRMENT

<b>Class of Impairment</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Percentage of Impairment</b>	<b>0% to 5%</b>	<b>10% to 20%</b>	<b>25% to 50%</b>	<b>55% to 75%</b>	<b>over 75%</b>
<b>MENTAL FUNCTION</b>					
<b>Intelligence</b> <i>(Capacity for understanding)</i>	Normal to Slight	Mild	Moderate	Moderately Severe	Severe
<b>Thinking</b> <i>(The ability to form or conceive in the mind)</i>	Normal to Slight	Mild	Moderate	Moderately Severe	Severe
<b>Perception</b> <i>(The brain's interpretation of internal and external stimuli)</i>	Normal to Slight	Mild	Moderate	Moderately Severe	Severe
<b>Judgement</b> <i>(Ability to assess a given situation and act appropriately)</i>	Normal to Slight	Mild	Moderate	Moderately Severe	Severe
<b>Mood</b> <i>(Emotional tone underlying all behaviours)</i>	Normal to Slight	Mild	Moderate	Moderately Severe	Severe
<b>Behaviour</b> <i>(Behaviour that is disruptive, distressing or aggressive)</i>	Normal to Slight	Mild	Moderate	Moderately Severe	Severe

### Whole person psychiatric impairment

The second edition of the American Medical Association's Guides to the Evaluation of Permanent Impairment stated that "the overall rating of a patient [is] based upon the mental status and upon the current condition as observed by the evaluator. The rating is based upon observed attributes and phenomena that are somewhat interrelated, and it necessarily must be considered to be somewhat subjective".

In developing the Clinical Guidelines, and also in the current revision, the authors have taken this comment into consideration.

It remains our considered view that the "median method" is the most appropriate and fairest of the three statistical methods available by which the overall level of the whole person psychiatric impairment can be calculated, based on each of the six items reflecting mental functions. The three methods are the "mean" (or average), the "median", and the "mode". The advantage of using the median is that it is not influenced by extreme scores (as is the "mean" or averaging method), yet it is significantly more sensitive to variability of scores than the mode, especially with the modification implemented in this Guide.

Because each of the six aspects of mental functioning that constitute the Guide is rated on what is essentially an ordinal scale, the median method is technically the most appropriate method of determining the overall rating.

For that reason, the determination of the "class" of the overall collective whole person psychiatric impairment assessed in accordance with this Guide is to be undertaken in accordance with the median method. The median is the middle number of a series; a typical result of scores for the six individual aspects of mental function may be 112233, and thus the middle number is 2. "Class 2" is therefore the correct class for the "whole person psychiatric impairment" in this example.

The overall collective percentage impairment is within the percentage range of the median class. The final figure is determined by taking into account the person's level of functioning, on the basis of clinical judgement.

Each median class includes descriptors which indicate a range of symptoms within that class. Each class has a low range, a mid range, and a high range.

The indicative ranges for each class are as follows:

	Low range	Mid range	High range
Class One	0–1%	2–3%	4–5%
Class Two	10–12%	14–16%	18–20%
Class Three	25–30%	35–40%	45–50%
Class Four	55–60%	65–70%	70–75%
Class Five	75–80%	85–90%	95–100%

In coming to the final rating of the whole person psychiatric impairment the assessor should consider the range of descriptors and/or equivalent symptoms that emerged during the interview, as well as the findings on mental state examination.

The assessor should consider both the descriptors for each class and equivalent symptoms that might not be listed amongst the descriptors. The assessor should assess the severity of each symptom or descriptor and/or the number of symptoms or descriptors present. As a result of this clinical assessment the assessor should use clinical judgment to determine where the final figure lies.

The assessor should consider in which part of the median class these descriptors and/or equivalent symptoms would fall, e.g. if the individual assessed has symptoms which lie within median class 2, and these symptoms were relatively minimal in severity or there were only a few symptoms this indicates a final value in the low range for class 2 (10–12%). If the descriptors and/or

equivalent symptoms were more numerous and/or more severe the final value is likely to be mid range (14–16%). If the individual has most of the descriptors and/or equivalent symptoms for median class 2 or fewer but more severe descriptors and/or equivalent symptoms the final value would be in the upper range (18–20%). These indicative ranges are to provide guidance to clinicians and do not preclude the use of final values lying between them, e.g., 13%.

It may be the case that the median of a series is not a whole number, e.g., 111233: the median of this series is 1.5; similarly, a series such as 222334 has a median of 2.5. There are problems of legality, equity and simplicity with a number of proposed solutions to this dilemma.

When the Clinical Guidelines were developed, the Medical Panel considered that an appropriate and simple solution is to promote the median figure to the next highest class and allow, except in unusual circumstances, only the lowest percentage in that class. This practice should also be followed when using this revised Guide.

Using the examples given therefore:

- Series 111233, median 1.5 becomes 2, and therefore the whole person psychiatric impairment is 10 per cent (“Class 2” range 10–20 per cent);
- Series 222334, median 2.5 becomes 3, and therefore the whole person psychiatric impairment is 25 per cent (“Class 3” range 25–30 per cent).

If the distribution of scores is skewed, with four or more scores in the “Class 1” range and one or two higher scores, the highest possible “whole person” psychiatric impairment rating is ten (10) per cent.



**INTELLIGENCE**

Capacity for understanding and for other forms of adaptive behaviour. Impairments of intelligence are a consequence of brain injury or disease. Generally, before impairment of intelligence is confirmed neuropsychological assessment should be undertaken. (Care has to be exercised to ensure that there is no overlap between an assessment of impairment of intelligence made during a psychiatric evaluation and an assessment of impairment of higher cerebral functions made by an assessor in accordance with Chapter 4 of the 4th edition of the American Medical Association's Guides.)

***Guides for the rating of impairment of intelligence:***

<b>Class</b>	<b>Impairment</b>	<b>Description</b>
1	0–5%	Normal to Slight – there is no evidence of cognitive impairment on mental state examination, and the individual does not report any difficulties in everyday functioning that can be attributed to cognitive difficulties
2	10–20%	Mild – some interference with everyday functioning.
3	25–50%	Moderate – a reduction in intelligence that significantly interferes with everyday functioning.
4	55–75%	Moderately Severe – a reduction in intelligence which makes independent living impossible.
5	over 75%	Severe – needs constant supervision and care.

**THINKING**

The ability to form thoughts and conceptualise. Impairment is both a matter of degree and type of disturbance, which may involve stream, form and content.

***Guides for the rating of impairment of thinking:***

<b>Class</b>	<b>Impairment</b>	<b>Description</b>
1	0–5%	Normal to Slight – includes mild transient disturbances that are not disruptive and are not noticed by others.
2	10–20%	Mild – mild symptoms that usually cause subjective distress, for example: thinking may be muddled or slow; may be unable to think clearly; mild disruption of the stream of thought due to some forgetfulness or diminished concentration; may have some obsessional thinking which is mildly disruptive; may be preoccupied with distressing fears, worries or experiences, and by inability to stop ruminating; an increased sense of self-awareness or a persistent sense of guilt; some other thought disorder that is minimally disruptive, such as overvalued ideas or delusions; some formal thought disorder that does not interfere with effective communication.
3	25–50%	Moderate – manifestations of thought disorder, to the extent that most clinicians would consider psychiatric treatment indicated, for example: severe problems with concentration due to intrusive thoughts or obsessional ruminations; marked disruption of the stream of thought due to significant memory problems or diminished concentration; persistent delusional ideas interfering with capacity to cope with everyday activities, e.g., severe pathological guilt; formal thought disorder that interferes with verbal and other forms of communication.
4	55–75%	Moderately Severe – disorders of thinking that cause difficulty in functioning independently and usually require some external assistance.
5	Over 75%	Severe – disorders of thinking that cause such a severe disturbance that independent living is impossible.

### PERCEPTION

The individual's interpretation of internal and external experience received through the senses. Stimuli arise from the five senses – the form is relevant, not necessarily the content. (Refer to discussion above of the concept of perception in clinical psychiatry.)

#### Definitions:

*Hallucinations* Abnormalities of sensory perception in the absence of external stimuli.

*Illusions* Distortions of real sensory stimuli – illusions can be a normal phenomenon as well as indicating psychopathology.

*Pseudohallucinations* Hallucinations that are recognised by the person as being imaginary (not real, lacking an external source or stimulus).

#### Guides for the rating of impairment of perception:

Class	Impairment	Description
1	0–5%	Normal to Slight – transient heightened, dulled or blunted perceptions of the internal and external world, but with no or little interference with function
2	10–20%	Mild – persistent heightened, dulled or blunted perceptions of the internal and external world, with mild but noticeable interference with function – pseudohallucinations
3	25–50%	Moderate – presence of hallucinations (other than hypnagogic or hypnopompic) that cannot be attributed to a transitory drug-induced state; – obvious illusions (when associated with a diagnosable mental disorder).
4	55–75%	Moderately Severe – hallucinations and/or illusions (as above) cause subjective distress and disturbed behaviour.
5	Over 75%	Severe – hallucinations and/or illusions (as above) cause disturbed behaviour to the extent that constant supervision is required.

**JUDGEMENT**

Ability to evaluate and assess information and situations, together with the ability to formulate appropriate conclusions and decisions. This mental function may be impaired due to brain injury, or to conditions such as schizophrenia, major depression, anxiety, dissociative states or other mental disorders.

***Guides for the rating of impairment of judgement:***

<b>Class</b>	<b>Impairment</b>	<b>Description</b>
1	0–5%	Normal to Slight – may lack some insight and misconstrue situations but with little interference with function
2	10–20%	Mild – persistently misjudges situations in relationships, occupational settings, driving and with finances. The misjudgements are noticed by others but are accommodated.
3	25–50%	Moderate – misjudging social, work and family situations repeatedly leading to some disruption in relationships, occupational settings, living circumstances and financial reliability. – inappropriate spending of money or gambling
4	55–75%	Moderately Severe – moderately severe misjudgement with regular failure to evaluate situations or implications, causing actual risk or harm to self or others – failure to respond to any regular guidance and requirement for constant supervision.
5	Over 75%	Severe – persistently assaultive due to misinterpretation of the behaviour or motives of others; – sexually disinhibited (may occur following a head injury).

**MOOD**

Mood is a pervasive lasting emotional state. Affect is the prevailing and conscious emotional feeling during the period of the mental state examination.

Affect observed during the mental state examination is a reflection of the subject's mood, and has a number features, including:

Range:	Variability of emotional expression over a period of time, i.e., if only one mood is expressed over a period of time, the affective range is restricted.
Amplitude:	Amount of energy expended in expressing a mood, i.e., a mild amplitude of anger is manifested by annoyance and irritability.
Stability:	Slow shifts of mood are normal. Rapid shifts (affective lability) may be pathological.
Appropriateness:	The "fit" (or congruency) between the affect and the situation.
Quality of Affect:	Suspicious, sad, happy, anxious, angry, apathetic.
Relatedness:	Ability to express warmth, to interact emotionally and to establish rapport.

***Guides for the rating of impairment of mood:***

<b>Class</b>	<b>Impairment</b>	<b>Description</b>
1	0–5%	Normal to Slight – relatively transient expressions of sadness, happiness, anxiety, anger and apathy; – normal variation of mood associated with upsetting life events.
2	10–20%	Mild – mild symptoms: some or all of the below mild depression; subjective distress leading to some mild interference with function; reduced interest in usual activities; some days off; reduced social activities; fleeting suicidal thoughts; some panic attacks; heightened mood; – may experience feelings of derealisation or depersonalisation.
3	25–50%	Moderate Impairment – moderate symptoms: some or all of the below frequent anxiety attacks with somatic concomitants; inappropriate self-blame and/or guilt; persistent suicidal ideation or suicide attempts; marked lability of affect; significant lethargy; social withdrawal leading to major problems in interpersonal relationships; anhedonia; appetite disturbance with significant weight change; psychomotor retardation/agitation; hypomania; – severe depersonalisation.

- |   |          |  |
|---|----------|--|
| 4 | 55–75%   | Moderately Severe<br>– cannot function in most areas<br>constant agitation;<br>violent manic excitement;<br>repeated suicide attempts;<br>remains in bed all day;<br>extreme self neglect;<br>extreme anger/hypersensitivity;<br>requires supervision to prevent injury to self or others. |
| 5 | Over 75% | Severe<br>– severe depression, with regression requiring attention and assistance in all aspects of self care;<br>– constantly suicidal;<br>– manic excitement requiring restraint.  |

## BEHAVIOUR

Behaviour is one's manner of acting. It is considered with regard to its appropriateness in the overall situation. Disturbances vary in kind and degree. Behaviour may be destructive either to self and/or others, it may lead to withdrawal and isolation. Behaviour may be odd or eccentric. Particular mental disorders may be manifested by particular forms of behaviour, e.g., compulsive rituals associated with Obsessive Compulsive Disorder.

### *Guides for the rating of impairment of behaviour:*

<b>Class</b>	<b>Impairment</b>	<b>Description</b>
1	0–5%	Normal to Slight – transient disturbances in behaviour that are understandable in the context of this person's situation, excessive fatigue, intoxication, family or work disruption.
2	10–20%	Mild – persons who generally function well, but regularly manifest disturbed behaviour under little extra pressure that nevertheless is able to be accommodated by others – persistent behaviour that has some adverse effect on relationships or employment.
3	25–50%	Moderate – occasional aggressive, disruptive or withdrawn behaviour requiring attention or treatment; – obsessional rituals interfering with but not preventing goal-directed activity; – repeated antisocial behaviour leading to conflict with authority.
4	55–75%	Moderately Severe – persistently aggressive, disruptive or withdrawn behaviour requiring attention or treatment; – behaviour significantly influenced by delusions or hallucinations; – behaviour associated with risk of self harm outside the hospital setting, but not requiring constant supervision – manic overactivity associated with inappropriate behaviour; – significantly regressed behaviour, e.g., extreme neglect of hygiene, inability to attend to own bodily needs
5	Over 75%	Severe – requiring constant supervision to prevent harming self or others (repeated suicide attempts, frequently violent, manic excitement); – catatonic excitement or rigidity; – incessant rituals or compulsive behaviour preventing goal-directed activity.

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The format of the Table at page 10 of this Guide has been used with permission of the American Medical Association, and is based on the Guides to the Evaluation of Permanent Impairment (second edition), published by the American Medical Association, copyright 1984.

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A series of discussion papers, "Annotations to the Guide for the Evaluation of Psychiatric Impairment for Clinicians", are available for further reference. These may be obtained by contacting the Authors.

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**IMPAIRMENT ASSESSMENT IN WORKERS  
WITH OCCUPATIONAL ASTHMA**

Jonathan Streeton  
Jonathan Burdon  
Michael Pain

**Definition**

“Occupational asthma is a disease characterised by variable airflow limitation and/or airway hyper-responsiveness due to causes and conditions attributable to a particular occupational environment”<sup>1</sup>.

**Preamble**

Occupational asthma is a frequent cause of an inability to work in the industry causing the complaint. It gives rise to claims for compensation. The difficulty in determining a level of impairment\*, and in particular deriving a precise score as required under various legislations, has long been recognised<sup>2</sup> and has given rise to several attempts to produce a useful guide for these purposes. The American Medical Association Guides to the Evaluation of Permanent Impairment 4th edition – 3rd printing<sup>3</sup> (AMA 4) are now widely used for this purpose in Australia (it is noted that the AMA 5th edition Guides<sup>4</sup> are used in Queensland) but have proved unsatisfactory in relation to the assessment of impairment in occupational asthma. Assessments may be made using the results of respiratory function tests and applying them to Table 8 on page 5/162 of the AMA 4th edition Guides. The latter also recognise that persons with asthma may have normal or near normal physiology when adequately treated or not exposed to sensitising agents and also regard asthma as a special condition (Table 10, page 5/164). Table 10 allows for an overall subjective opinion regarding impairment and disability<sup>+</sup> to be made. In terms of impairment scoring, Table 10 is may be criticised because it provides, at best, a subjective assessment of impairment only. This may vary more widely between clinicians than is useful. An attempt has been made to reconcile the AMA Guides<sup>3, 4</sup> with schemes suggested by the American Thoracic Society<sup>5, 6</sup> and the Thoracic Society of Australia and New Zealand which has produced a general guide to respiratory impairment, which also deals with the difficulties encountered in assessing impairment in workers with occupational asthma<sup>7</sup>.

The particular concern with occupational asthma relates to the variability of asthma severity in terms of simple lung function measurement. Occupational asthma is a classic example of a chronic disability which in most cases exhibits variable degrees of impairment (it is noted that there are some cases of longstanding asthma in which airway calibre is fixed). Thus the situation, in most cases, is a fluctuating one liable to both modification by treatment and aggravation by many adverse factors not necessarily work related. Impairment assessment based on lung function tests at the time of a single medical examination may, therefore, be grossly misleading.

A further difficulty is that once initiated by an apparent single factor, the asthmatic state may become responsive to a wide variety of stimuli, many of which may be unrelated to the working environment. This disability is still, however, caused by the initial development of occupational asthma.

**Purpose of this paper**

The purpose of the present paper is to develop a more equitable system for assessing the degree of impairment in workers presenting with occupational asthma. Matters related to the diagnosis and ongoing management of individuals with occupational asthma was not part of the brief given to the authors and have, for this reason, not been addressed. However, the impairment assessor will, of necessity, need to address and satisfy him/herself that the individual being assessed does, in fact, suffer from bronchial asthma and that it has been occupationally induced. These matters are addressed in the text below.

In developing the recommendations (see below) reference has been made to the Guides currently used in Victoria (AMA 4)<sup>3</sup> and to the AMA 5th edition Guides<sup>4</sup> (excluded by legislation from use in Victoria), the American Thoracic Society recommendations<sup>5</sup> and those published by the Thoracic Society of Australia and New Zealand<sup>7</sup>. The recommendations of a Victorian WorkCover Authority working party have been incorporated into the development of, and in arriving at the final agreed method of assessment.

\* Impairment ... any loss or abnormality of psychological, physical or anatomical structure or function (ie. the manifestation at the organ level).

+ Disability ... a restriction (resulting from impairment) of the ability to perform an activity in the manner or within the range considered normal for a human being (the outcome at a whole body level).

**Is it asthma?**

There may be good historical information and lung function testing data demonstrating fluctuating airflow obstruction that would satisfy the assessor. Determination of bronchial reactivity at the time of the examination may be necessary, in very occasional cases. However, it is important to recognise that the degree of airway reactivity (bronchial responsiveness) is not advocated as a guide to asthma severity as there is no good association between asthma severity and airway reactivity. Furthermore, whilst not necessarily diagnostic, an assessment of patterns of atopy may be of value in determining the likelihood or otherwise of persistent symptoms.

**Is it occupational asthma?**

In order to determine whether an individual has developed occupational asthma, careful inquiry must be made of the historical relationships between specific workplace exposure and symptomatic airflow obstruction and the veracity of the documentation between them. Important questions include "Is the occupational exposure likely to be associated with the development of occupational asthma or the aggravation of pre-existent asthma?". Respiratory function tests are useful in the diagnosis and assessment of occupational asthma. These include standard lung functions tests (eg spirometry), non-specific and specific provocation tests and serial peak expiratory flow measurements.

Recognised causes of occupational asthma form long lists in standard textbooks and review articles but it is also important to stress and appreciate that new causes are being recognised on a regular basis.

**Approach to determining a level of impairment.**

The determination of impairment in occupational asthma can be difficult because of the variability in airway calibre which is characteristic of the condition itself. Thus airway calibre and respiratory function tests can be normal on one occasion, only to be grossly abnormal on another. It is not usually possible to determine a level of chronic (long-term) impairment at a single medical examination when the impairment is based on objective measurements alone (ie. no consideration taken of the medical history). Furthermore, assessment for chronic impairment should not be made until at least 12 months after initial diagnosis and management by which time the condition has had a chance to stabilise. There are several important steps in the process of determining respiratory impairment in persons with occupational asthma. These include the clinical history, physical examination and respiratory function tests. A well-documented carefully taken clinical history may provide the bulk of material in determining impairment.

**What is the severity of the asthma?**

The severity of occupational asthma includes both historical findings and the results of physiological testing. As well as determining the normality or otherwise of ventilatory capacity, the other indicators of severity include

- a. The amount of anti-asthma medication required to sustain a particular level of lung function;
- b. The number of episodes of acute asthma that required urgent treatment or admission to hospital within a fixed time frame;
- c. The number of admissions to hospital that required admission to an intensive care unit for management of respiratory failure.

**The measurement of impairment**

It is difficult to reliably assess permanent respiratory impairment in patients with asthma early in the course of their condition and such an assessment should not be made for at least 12 months and longer in some cases. It is also stressed that normal respiratory function tests and the absence of symptoms in persons taking asthma treatment do not imply a zero percent impairment. For, how can it be possible to say that there is no impairment when regular treatment taking is required to maintain normal lung function? Consecutive measurements of ventilatory capacity on more than one occasion over at least 12 months are desirable. The following must also be considered:

- a. Impaired ventilatory capacity in asthma should be weighted more than in other chronic lung conditions;

- b. Most subjects with asthma will be treated with a combination of short and/or long acting  $\beta$ -agonist and inhaled corticosteroids. Doses of these are not necessarily a guide to real medication requirements nor to the severity of their asthma;
- c. Long-term oral corticosteroid medication or frequent short course oral corticosteroid therapy should significantly add to any impairment score;
- d. Probably a mild, moderate or severe grading is realistic, but the limitations of the estimation of long-term prognosis and the difficulties in assessment of compliance must be recognised.

The following is suggested as a more sensible approach to the evaluation of permanent impairment assessment in occupational asthma than the use of AMA 4 as it recognises respiratory function tests and the medical history in the assessment, whilst ignoring breathlessness as a sole symptom which may be due to other conditions.

Class 1 – (0% Impairment)

- No symptoms and
- No treatment requirement and
- Normal respiratory function tests
- Normal exercise capacity, no impairment
- Breathlessness, if present, not due to asthma.

Class 2 – (1–9% Impairment)

- $FEV_{1,0} \geq 80\%$  predicted and/or
- Normal ventilatory capacity and/or
- No hospitalisation after diagnosis and/or
- Minimal or occasional medication (including the use of  $\beta$ -agonists) or no anti-asthma therapy
- Breathless on walking briskly on level ground
- Breathless walking uphill, stairs or on prolonged or heavy exertion.

Class 3 – (10–29% Impairment)

- $FEV_{1,0} \geq 70\%$  predicted and/or
- Other documented impairment of ventilatory capacity and/or
- No hospitalisation and/or
- Occasional self managed asthma exacerbations
- Regular use of anti-asthma medication with inhaled  $\beta$ -agonists and corticosteroids and/or
- Breathless on walking at normal pace for age on level ground
- Breathless on walking at normal pace for age with peer group, family or friends.

Class 4 – (30–49% Impairment)

- $FEV_{1,0}$  60 – 69% predicted and/or
- Other documented impairment of ventilatory capacity and/or
- Frequent asthma exacerbations and/or
- Occasional Accident and Emergency Department or own doctor visits for asthma attacks and/or
- Occasional hospitalisations and/or
- Regular use of anti-asthma medication with inhaled  $\beta$ -agonists, corticosteroids or other anti-asthma treatment and/or
- Occasional oral corticosteroids required
- Breathless on walking up one flight of stairs
- Breathless walking at own pace on level ground for more than 100 metres.

## Class 5 – (50–100% Impairment)

- FEV<sub>1.0</sub> <60% predicted and/or
- Chronically impaired ventilatory capacity and/or
- Regular Accident & Emergency Department or own doctor attendances and/or
- Regular hospital admissions and/or
- Life threatening episodes and/or
- Regular use of anti-asthma medication with inhaled  $\beta$ -agonists, corticosteroids or other anti-asthma treatment and/or
- Oral corticosteroids required (frequently or regularly)
- Breathless walking at a slow pace on level ground for less than 100 metres or at rest
- Breathlessness prompts stopping while walking up one flight of stairs or inclines.

The following scale of degrees of severity of impairment is suggested.

- 50–64% Impairment: FEV<sub>1.0</sub> 50–59% predicted
- 65–79% Impairment: FEV<sub>1.0</sub> 40–49% predicted
- 80–100% Impairment: FEV<sub>1.0</sub> <40% predicted

The position of any individual on the 50% to 100% scale would depend on a combination of the dose of oral corticosteroids (including the presence of steroid-induced side effects), documented frequency and severity of hospital admissions and the degree of documented ventilatory impairment. Reasons for the score allocated will need to be justified.

TABLE: IMPAIRMENT ASSESSMENT IN PATIENTS WITH ASTHMA

	<b>Class 1</b> <b>0% Impairment</b>	<b>Class 2</b> <b>1 to 9%</b> <b>Impairment</b>	<b>Class 3</b> <b>10 to 29% Impairment</b>	<b>Class 4</b> <b>30 to 49% Impairment</b>	<b>Class 5</b> <b>50 to 100% Impairment</b>
<b>Respiratory Function Tests</b>	<ul style="list-style-type: none"> <li>Normal lung function tests</li> </ul>	<ul style="list-style-type: none"> <li>FEV<sub>1,0</sub> ≥ 80% predicted</li> <li>Normal ventilatory capacity</li> <li>And/or</li> </ul>	<ul style="list-style-type: none"> <li>FEV<sub>1,0</sub> ≥ 70% predicted</li> <li>Other documented impairment of ventilatory capacity</li> <li>And/or</li> </ul>	<ul style="list-style-type: none"> <li>FEV<sub>1,0</sub> 60 – 69% predicted</li> <li>Other documented impairment of ventilatory capacity</li> <li>And/or</li> </ul>	<ul style="list-style-type: none"> <li>FEV<sub>1,0</sub> &lt; 60% predicted</li> <li>Chronically impaired ventilatory capacity</li> <li>And/or</li> </ul>
<b>Clinical</b>	<ul style="list-style-type: none"> <li>No symptoms</li> </ul>	<ul style="list-style-type: none"> <li>No hospitalisations after diagnosis</li> <li>And/or</li> </ul>	<ul style="list-style-type: none"> <li>No hospitalisations</li> <li>Occasional self managed asthma exacerbations</li> <li>And/or</li> </ul>	<ul style="list-style-type: none"> <li>Frequent asthma exacerbations</li> <li>Occasional A&amp;E* or own doctor visits</li> <li>Occasional hospitalisations</li> <li>And/or</li> </ul>	<ul style="list-style-type: none"> <li>Regular A&amp;E* attendances</li> <li>Regular Hospital admissions</li> <li>Life threatening episodes</li> <li>And/or</li> </ul>
<b>Treatment</b>	<ul style="list-style-type: none"> <li>No treatment requirement</li> </ul>	<ul style="list-style-type: none"> <li>Minimal or occasional medication (including the use of β-agonists) or no anti-asthma therapy</li> </ul>	<ul style="list-style-type: none"> <li>Regular anti-asthma medication including inhaled β-agonists and corticosteroids</li> </ul>	<ul style="list-style-type: none"> <li>Regular anti-asthma medication including inhaled β-agonists and corticosteroids</li> <li>Occasional oral corticosteroids required</li> </ul>	<ul style="list-style-type: none"> <li>Regular anti-asthma medication including inhaled β-agonists and corticosteroids</li> <li>Oral corticosteroids required (frequently or regularly)</li> </ul>
<b>Exercise capacity #</b>	<ul style="list-style-type: none"> <li>Normal capacity</li> <li>Breathlessness, if present, not due to asthma</li> </ul>	<ul style="list-style-type: none"> <li>Breathless on walking briskly on level ground</li> <li>Breathless walking uphill, stairs or on prolonged or heavy exertion</li> </ul>	<ul style="list-style-type: none"> <li>Breathless on walking at normal pace for age on level ground</li> <li>Breathless on walking at normal pace for age with peer group, family or friends</li> </ul>	<ul style="list-style-type: none"> <li>Breathless on walking up one flight of stairs</li> <li>Breathless walking at own pace on level ground for more than 100 metres</li> </ul>	<ul style="list-style-type: none"> <li>Breathless walking at a slow pace on level ground for less than 100 metres or at rest</li> <li>Breathlessness prompts stopping while walking up one flight of stairs or inclines</li> </ul>

\* - Accident and Emergency Department

# - Exercise capacity based on symptoms is a subjective assessment and should not be used in isolation in the calculation of impairment.

References

1. Medicolegal and compensation aspects of occupational asthma. J-D Dewitte, M Chan-Yeung, J-L Malo. *Eur Resp J* 1994;7:969–980
  2. Assessing occupational disability from asthma. P Harber. *J Occup Med* 1992;34:120–128
  3. American Medical Association. *Guides to the Evaluation of Permanent Impairment*, 4th ed, (3rd printing), 1995
  4. American Medical Association. *Guides to the Evaluation of Permanent Impairment*, 5th ed, 2000
  5. Guidelines for the evaluation of impairment/disability in patients with asthma. *Amer Rev Resp Dis* 1993;147:1056–1061
  6. The challenge of evaluating asthma impairment and disability. M I Ranavaya. *The Guides Newsletter* May/June 1997. American Medical Association
  7. Evaluation of impairment and disability caused by respiratory disease. M Abramson et al. *Aust N Z J Med* 1996;26:697–701.
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**CLINICAL GUIDELINES TO  
THE RATING OF IMPAIRMENTS ARISING FROM  
INFECTIOUS OCCUPATIONAL DISEASES**

**Prepared by:  
David Fish  
Ian Jennens  
Gregory Taggart  
Louise Seward  
Richard Stark**

June 2006

These clinical guidelines have been prepared by the following medical specialists (Infectious Occupational Diseases):

David Fish (Occupational Physician), Ian Jennens (Infectious Diseases Physician), Gregory Taggart (Gastroenterologist), Louise Seward (Psychiatrist) and Richard Stark (Neurologist)

The assessment of impairment arising from infectious occupational diseases is based on the systematic application of empirical criteria and takes into account the physical symptoms and effects on daily activities of the condition.

These Guidelines are intended to be used for occupational diseases where the disease is an accepted injury under the **Accident Compensation Act 1985** (Victoria). Infectious occupational disease is defined as any physical ailment, disorder, defect or morbid condition caused by work-related exposure to biologically active organisms including bacteria, viruses, fungi and parasites. Such diseases include (but are not limited to) Brucellosis, Q-Fever, Leptospirosis, Legionnaires' Disease and Viral Hepatitis.

The impairment assessor should be satisfied that an appropriate diagnosis has been made by reference to and analysis of the supplied information.

This assessment method provides for the assessment of the physical impacts of an occupational disease. Assessment of the psychological impacts of the condition are specifically excluded, and are to be separately assessed using the psychiatric impairment assessment guideline as required by the relevant accident compensation legislation.

In assessing impairment arising from infectious occupational diseases the assessor should have regard for the principles outlined in the American Association Guides to the Evaluation of Permanent Impairment (4th Edition, 3rd Printing), hereafter called the AMA Guides. In particular:

1. The evaluator should assess the impairment as permanent.
2. As the AMA Guides state on page 9:  
“An impairment should not be considered ‘permanent’ until the clinical findings, determined during a period of months, indicate that the medical condition is static and well stabilized”.  
As the AMA Guides also state on page 315:  
“*Permanent impairment* is impairment that has become static or well stabilized with or without medical treatment and is not likely to remit despite medical treatment”.  
If an impairment is not *permanent*, it is inappropriate to characterize it as such and evaluate it according to Guides criteria.  
While chronic infectious diseases may be subject to variation from day to day with occasional flare-ups, the impairment assessor should be satisfied that the overall pattern over at least twelve (12) months is stable. A pattern of gradual improvement or deterioration over this time would indicate that the condition is not stable and therefore impairment should not be assessed at this time.
3. In principle no assessment should include an impairment more than once. That is, double counting should not occur. The authors have determined that use of the median method will ensure that double counting does not occur given that the effects of chronic occupational diseases will typically affect many of the items of assessment in a similar way.
4. The evaluation of impairment is a medical issue and is assessed by medical means. The evaluation of impairment arising from infectious occupational diseases requires an assessment of the individual level of functioning according to a number of criteria. Application of these guidelines requires clinical judgement that is based on appropriate training and experience. The specific rating criteria are not meant to be used in a “cook book” fashion.
5. It is ultimately for the clinician to make a clinical judgement as to whether a specific rating criterion is present. It is important to emphasise that the evaluation of impairment is based on rating of criterion items, not just on answers to questions.
6. The assessor should complete and return the assessment templates with the report (see Appendix A: Assessment & Appendix B: Activities of Daily Living reporting templates).

**Whole Person Impairment**

The determination of the class of the overall collective whole person impairment assessed in accordance with these Guidelines is to be undertaken in accordance with the median method. The median is the middle number of a series. A typical result of scores for the four individual aspects of function may be 1, 2, 2, 2 and thus the middle number is 2. Class 2 is therefore the correct class for the whole person impairment.

Where the median falls between classes, the impairment will be at the lower end of the higher class. For example if scores are 1, 2, 3, 3 the median is between class 2 and 3, and the impairment would be 25%.

**INFECTIOUS OCCUPATIONAL DISEASES ASSESSMENT TABLE**

	<b>CLASS 1 (0-9%)</b>	<b>CLASS 2 (10-24%)</b>	<b>CLASS 3 (25-39%)</b>	<b>CLASS 4 (40-70%)</b>
<b>Fatigue</b> see Assessment Note 7	Patient has no limitation of physical activities; ordinary physical activity does not cause undue fatigue or other symptoms.	Patient has slight limitation of physical activity; patient is comfortable at rest and in performance of ordinary, light, daily activities; greater than ordinary physical activity, such as heavy physical exertion results in fatigue, or other symptoms.	Patient has marked limitation of physical activity; patient is comfortable at rest. Ordinary physical activity results in fatigue or other symptoms.	Patient is unable to carry on any physical activity without discomfort. Symptoms occur even at rest; if any physical activity is undertaken, fatigue or other symptoms are increased.
<b>Sleep and arousal</b> see Assessment Note 8	Reduced daytime alertness with sleep patterns such that patient can carry out most daily activities.	Reduced daytime alertness requiring naps or up to two hours day time sleep on most days.	Reduced daytime alertness requiring greater than two hours daytime sleep on most days.	Reduced daytime alertness requires greater than four hours daytime sleep and the patient is unable to carry out normal daytime activities.
<b>Other symptoms</b> see Assessment Note 9 & 10	Minimal <u>or</u> intermittent (Refer to Frequency & Intensity Table outlined in Assessment Note 10)	At least slight and occasional (Refer to Frequency & Intensity Table outlined in Assessment Note 10)	At least moderate and frequent (Refer to Frequency & Intensity Table outlined in Assessment Note 10)	Marked and constant (Refer to Frequency & Intensity Table outlined in Assessment Note 10)
<b>Activities of Daily Living</b> see Assessment Note 11	All or most activities of daily living can be performed.	Many of the activities of daily living can be performed.	There is interference with the performance of activities of daily living which requires occasional assistance from others.	Difficulty is experienced in performance of activities of daily living which requires continuous care or assistance from others.

**Assessment Notes:**

1. Where other specific methods of assessment provided under the AMA Guides can be reasonably applied, then the patient should be rated according to these tables and the other specific method of assessment. The resulting highest impairment rating is adopted as the final impairment. For example a patient with chronic hepatitis B should be rated according to these Guidelines and also according to Table 6 of Chapter Ten of the AMA Guides. The highest impairment rating derived under either method is then adopted as the final impairment rating.
2. Where the signs and symptoms of the impairment could be attributed to either the chronic condition or specific organ damage and an alternative assessment method is to be chosen that provides the worker with a higher assessment, both assessment outcomes should be reported to demonstrate and justify how the assessor selected the method in favour of the worker.
3. Where a specific and distinct injury is evidenced as a result of the medically confirmed and diagnosed infectious or post-infectious disease state, it should be assessed discretely in accordance with the AMA Guides and its impairment rating combined with all other signs and symptoms of the disease state addressed in these Guidelines. This may include the effects of tissue necrosis (such as digit or limb loss); recognised complications, not typically seen in the post infectious state; or complications or effects of treatment.
4. This only applies where the method of assessment is different from that under these Guidelines. Methods of assessment that include Activities of Daily Living (ADL), fatigue or sleep and arousal should NOT be rated separately and combined with the impairment arising under these tables. Where the method of assessment includes any of these items then they should be rated separately and considered as a potential alternative method of assessment (see Note 1 above).
5. Where organic brain injury is present this should be assessed under Chapter 4 of the AMA Guides and not included under the assessment under these Guidelines. Organic (structural) brain injury includes (but is not limited to) the effects of infection of the central nervous system and immune mediated nervous system injury following viral infections and/or vaccination.
6. Under these tables the impairment is individually rated for each of four categories:
  - Fatigue
  - Sleep and arousal
  - Other symptoms
  - Activities of daily living
7. The patient's fatigue is rated according to clinical assessment of the physical limitations resulting from the fatigue. While no objective criteria for fatigue rating exists, the assessor is referred to the introductory section to Chapter 6 and the accompanying Tables 1, 2 and 3 of the AMA Guides. While treadmill tests or bicycle ergometry is not required to perform a fatigue rating, if such information exists it will be of assistance in carrying out the assessment. Generally Class 1 patients are able to perform at greater than or equal to 7 METS of activity, Class 2 patients are able to perform at 5 METS of activity, Class 3 patients at greater than 3 METS of activity and Class 4 patients are unable to perform at 3 METS activity.
8. Sleep and arousal is assessed on principles similar to those used in Table 6 of Chapter 4 : The Nervous System of the AMA Guides. However details of the criteria have been altered to reflect more closely the problems typically seen in patients with infectious disease.
9. Other physical symptoms may include myalgia, headaches, dizziness, muscular spasms or night sweats. To be included, other physical symptoms must be those typically associated with the diagnosed disease or disorder. Ratings of intensity and frequency of other symptoms should be undertaken according to the criteria on page 316 of the AMA Guides.

10. Following the rating of intensity and frequency of other symptoms the Class for other symptoms can be derived from the table below by cross-referencing the rating for each category.

	<b>INTENSITY</b>			
<b>FREQUENCY</b>	Minimal	Slight	Moderate	Marked
Intermittent	1	1	1	1
Occasional	1	2	2	2
Frequent	1	2	3	3
Constant	1	2	3	4

11. Activities of Daily Living are specifically listed on page 317 of the Guides and should be referred to when determining the effect of the condition on the patient's Activities of Daily Living. Appendix B: Activities of Daily Living reporting template is provided to assist the assessor to document those activities of daily living discussed in the course of the assessment.
12. Following rating against each of the four categories, the median class is chosen being the middle of the rank of the classes. For example, in a patient with fatigue Class 2, sleep and arousal Class 2, other symptoms Class 1 and activities of daily living Class 3, then the ranking of Classes is 1, 2, 2, 3. The median class is the middle ranked class, i.e. 2. The patient's class is therefore Class 2 with a range of 10–24% impairment.
13. The final impairment figure is determined by taking into account the patient's overall level of functioning. This detail should be described in the assessment report to communicate how the final value was assigned.
14. If the distribution of scores is skewed, with one item of assessment being severely affected, the whole person impairment rating is near the top of the derived median class. Similarly if the distribution of scores is skewed in the other direction, with one extreme low class and a number of Class 2 or 3 assessments, then the final impairment should be near the bottom of the derived class.

#### **REFERENCES**

American Medical Association, Guides to the Evaluation of Permanent Impairment, Fourth Edition (Third Printing). Illinois, 1995.

**Appendix A : CLINICAL GUIDELINES TO THE RATING OF IMPAIRMENTS  
ARISING FOR INFECTIOUS OCCUPATIONAL DISEASES**

**ASSESSMENT TEMPLATE**

NAME: .....

CLAIM NUMBER: .....

DATE OF ASSESSMENT: .....

Class of Impairment	1	2	3	4	Class of Impairment assessed for each Category
Percentage Impairment	0-9%	10-24%	25-39%	40-70%	
<b>Fatigue</b>	No limitations or undue fatigue	Slight limitations with greater than ordinary activity	Marked limitations with ordinary activity	Severe limitations even at rest	
<b>Sleep and arousal</b>	Can carry out most activities	Naps or up to two hours daytime sleep	Greater than two hours daytime sleep	Greater than four hours daytime sleep	
<b>Other symptoms</b>	Minimal <u>or</u> intermittent	At least slight <u>and</u> occasional	At least moderate <u>and</u> frequent	Marked <u>and</u> constant	
<b>Activities of daily living</b>	All or most can be performed	Many can be performed	Requires occasional assistance	Requires continual care or assistance	
<b>RANKED CLASSES:</b>					
<b>MEDIAN CLASS:</b>					
<b>TOTAL WPI%</b>					

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SIGNATURE

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NAME

-----  
DATE

**Appendix B : ACTIVITIES OF DAILY LIVING**

(Based on AMA Guides, Fourth Edition (Third Printing) Glossary ADL Table, page 317)

**NAME:** .....

**CLAIM NUMBER:** .....

**DATE OF ASSESSMENT:** .....

<b>SELF CARE, PERSONAL HYGIENE</b> Bathing, grooming, dressing, eating, eliminating	
<b>COMMUNICATION</b> Hearing, speaking, reading, writing, using keyboard	
<b>PHYSICAL ACTIVITY</b> <i>Intrinsic:</i> Standing, sitting, reading, walking, stooping, squatting, kneeling, reaching, bending, twisting, leaning	<i>Intrinsic:</i>
<i>Functional:</i> Carrying, lifting, pushing, pulling, climbing, exercising	<i>Functional:</i>
<b>SENSORY FUNCTION</b> Hearing, seeing, tactile feeling, tasting, smelling	
<b>HAND FUNCTIONS</b> Grasping, holding, pinching, percussive movements, sensory, discrimination	
<b>TRAVEL</b> Riding, driving, travelling by airplane, train or car	
<b>SEXUAL FUNCTION</b> Participating in desired sexual function	
<b>SLEEP</b> Having a restful sleep pattern	
<b>SOCIAL AND RECREATIONAL ACTIVITIES</b> Participating in individual or group activities, sports, hobbies	

**CONCLUSION:** ADL that can be performed (please indicate)

<b>ALL</b>	<b>MOST</b>	<b>MANY</b>	<b>SOME</b>	<b>FEW</b>	<b>NONE</b>
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**ASSISTANCE REQUIRED** (please indicate): OCCASIONAL CONTINUAL

-----  
**SIGNATURE**

-----  
**NAME**

-----  
**DATE**



**Planning and Environment Act 1987**

## BAYSIDE PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C39 Part 1

The Minister for Planning has approved Amendment C39 Part 1 to the Bayside Planning Scheme.

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

The Amendment implements the Bayside Industrial Area Strategy 2004 by:

- rezoning land in the Bayside Business Employment Area in parts of Sandringham, Hightett and Cheltenham from an Industrial 1 Zone and an Industrial 3 Zone to a Business 3 Zone, Mixed Use Zone and Residential 1 Zone;
- applying the Environmental Audit Overlay to land rezoned to a Mixed Use Zone or a Residential 1 Zone;
- replacing the Industrial Areas Policy at Clause 22.05 with a new Business Employment Area Policy; and
- amending Clauses 21.01, 21.03 and 21.07 of the Municipal Strategic Statement to reflect recent strategic work.

The Amendment also deletes the Industrial 3 Zone from the Scheme as it is no longer required.

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**

## CASEY PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C87

The City of Casey has approved Amendment C87 to the Casey Planning Scheme.

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

The Amendment deletes part of the Heritage Overlay (HO41) that applies to a portion of Lot 2 on Plan of Subdivision No. 444550L, known as No. 12S Peak Drive, Harkaway.

The Amendment was approved by the City of Casey on 30 June 2006 in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987**. 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 City of Casey, Magid Drive, Narre Warren.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## GREATER BENDIGO PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C83

The Minister for Planning has approved Amendment C83 to the Greater Bendigo Planning Scheme.

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

The Amendment introduces interim heritage provisions to 150 Lyttleton Terrace, Bendigo by including the land in the Schedule to the Heritage Overlay and on Map 19HO.

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 North West Regional Office, corner of Midland Highway and Taylor Street, Epsom; and at the offices of the Greater Bendigo City Council, 15 Hopetoun Street, Bendigo.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## KINGSTON PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C33

The Minister for Planning has approved Amendment C33 to the Kingston Planning Scheme.

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

The Amendment deletes a Public Acquisition Overlay (PAO1) where it impinges on the rear of properties at 27–39 (Lots 14–20) Jolimont Place, Dingley Village and realigns it with the rear of the affected lot boundaries.

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 Kingston City Council, 1230 Nepean Highway, Cheltenham.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## MURRINDINDI PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C18

The Minister for Planning has approved Amendment C18 to the Murrindindi Planning Scheme.

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

The Amendment rezones all land zoned Rural in the municipality to a Farming Zone and all land zoned Environmental Rural to a Rural Conservation Zone.

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

8 Nicholson Street, East Melbourne; and at the offices of the Murrindindi Shire Council, Perkins Street, Alexandra.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

## STONNINGTON PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C49

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

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

## The Amendment:

- introduces a site-specific exclusion into the Schedule to Clause 52.03 for the property at 159 Commercial Road, South Yarra, to enable the land to be used for an Adult Sex Bookshop; and
- modifies the Schedule to Clause 81.01 to introduce an incorporated document relating to 159 Commercial Road, South Yarra.

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

Permit No.: 461/05.

Description of land: 159 Commercial Road, South Yarra.

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, Ground Floor, 8 Nicholson Street, East Melbourne; and at the office of the Stonnington City Council, corner of Greville and Chapel Streets, Prahran.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**  
YARRA RANGES PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C54

The Minister for Planning has approved Amendment C54 to the Yarra Ranges Planning Scheme.

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

The Amendment introduces a site-specific provision for a portion of land at 266 Maroondah Highway, Chirnside Park to be used for offices.

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 Yarra Ranges Shire Council, Anderson Street, Lilydale.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

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

Notice of Lapsing of Amendment  
Amendment C85

The Minister for Planning has refused to approve Amendment C85 to the Ballarat Planning Scheme.

The Amendment proposed to apply the Residential 1 Zone, Heritage Overlay, Design and Development Overlay, Environmental Audit Overlay and Vegetation Protection Overlay to part Crown Allotments 6 and 7, Section 2, Parish of Ballarat also known as the former Broodseinde Barracks, Russell Street, Newington.

The Minister for Planning previously introduced identical controls into the planning scheme as an interim measure through Amendment C80. The above mentioned zone

and overlays will continue to apply to the subject land.

The Amendment lapsed on 18 July 2006.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**Planning and Environment Act 1987**

MOIRA PLANNING SCHEME

Notice of Lapsing of Amendment  
Amendment C6

Pursuant to Section 30(1)(a) of the **Planning and Environment Act 1987**, Amendment C6 to the Moira Planning Scheme has lapsed.

The Amendment proposed to apply the Public Acquisition Overlay to land along a proposed alignment of Goulburn Valley Highway between Ryans Road, west of Strathmerton and the Victoria–New South Wales border, south of the Murray River, amend the schedules of the Rural Zone, Floodway Overlay, the Land Subject to Inundation Overlay, the Public Acquisition Overlay and clause 52.17, all of which exempt VicRoads from the need to apply for a permit for roadworks, works, and/or the removal, destruction or lopping of native vegetation associated with the works and construction of the Goulburn Valley Highway–Strathmerton Deviation.

The Amendment lapsed on 28 July 2002.

GENEVIEVE OVERELL  
Deputy Secretary  
Built Environment  
Department of Sustainability  
and Environment

**ORDERS IN COUNCIL**

**Corrections Act 1986**  
**VARIATION OF APPOINTMENT OF PRISON**  
 Order in Council

The Governor in Council under section 10 of the **Corrections Act 1986** varies the appointment of Her Majesty's Prison, Ararat by substituting the existing Schedule with the Schedule attached to this Order.

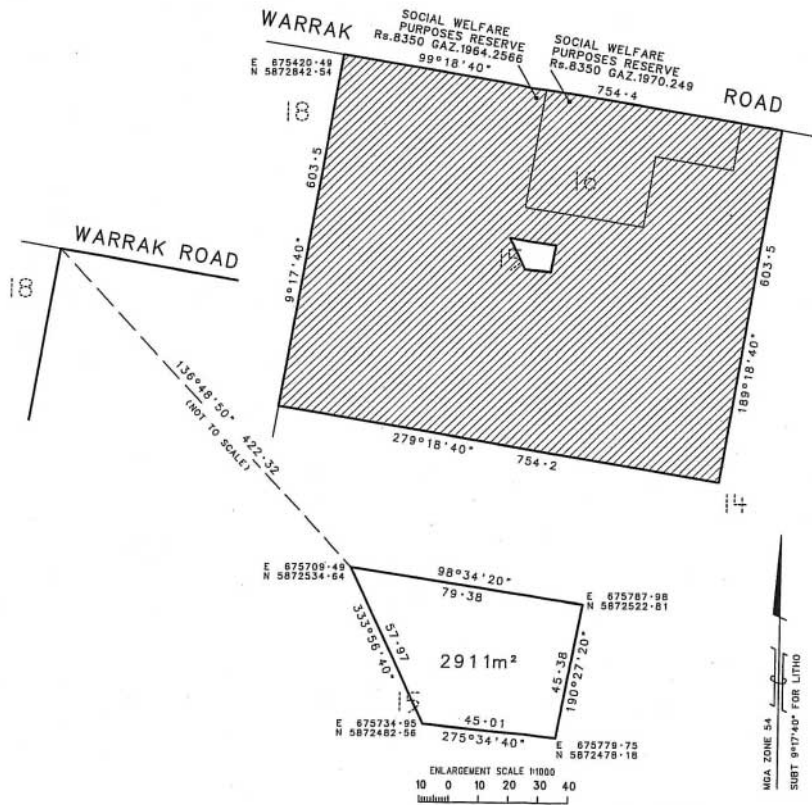
Her Majesty's Prison, Ararat was first proclaimed as the Ararat Prison under Part IV of the **Social Welfare Act 1970** by Order dated 26 April 1972 (published in the Government Gazette on 3 May 1972).

Ararat Prison was subsequently deemed to be appointed as a prison named Her Majesty's Prison, Ararat under section 10(6) of the **Corrections Act 1986**.

This order is effective from 28 July 2006.

**SCHEDULE**

The area shown hatched on the plan below, being part of Crown allotment 15 and Crown allotment 16, Section 1B, Parish of Ararat, County of Ripon.



Dated 25 July 2006  
 Responsible Minister:  
 TIM HOLDING MP  
 Minister for Corrections

RUTH LEACH  
 Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**CAULFIELD RACECOURSE RESERVE (AMENDMENT)  
REGULATIONS NO. 1 2006

The Governor in Council, under Section 13 of the **Crown Land (Reserves) Act 1978**, being satisfied that there are special reasons justifying the Regulations, approves the making of the following Regulations:

Dated 25 July 2006

Responsible Minister  
ROB HULLS MP  
Minister for Planning

RUTH LEACH  
Clerk of the Executive Council

The Trustees of the Caulfield Racecourse Reserve makes the following Regulations:

Dated 25 July 2006

Trustees:

PB Lawrence  
EMP Tanner  
FJ Granter  
TC Reynolds  
G Sword  
Justice S Marshall  
MS Burney  
PC Young  
JFX Dillon

**1. Title**

These Regulations may be cited as the Caulfield Racecourse Reserve (Amendment) Regulations No. 1 2006.

**2. Objective**

The objective of these Regulations is to amend the Caulfield Racecourse Reserve Regulations to provide for increased admission charges to the Caulfield Racecourse Reserve at certain times.

**3. Authorising Provisions**

These Regulations are made under Section 13 of the **Crown Land (Reserves) Act 1978**.

**4. Amendments relating to admission charges**

For Regulation XVII of the Caulfield Racecourse Reserve Regulations 1931 substitute:—

**REGULATION XVII**  
**(Admission Charges)**

The Melbourne Racing Club may levy the following (or at its discretion, lesser) charges for admission upon persons other than members or members' visitors' pass-holders of the said Club.

	\$
For the admission of each person to all of the first, fourth and sixth divisions on Caulfield Cup Day	45.00
For the admission of each person to all of the first, fourth and sixth divisions on Caulfield Guineas Day	35.00

For the admission of each person to all of the first, fourth and sixth divisions on Blue Diamond Stakes Day	25.00
For the admission of each person to all of the first, fourth and sixth divisions on other race days	20.00
For the admission to the eighth division of every motor vehicle (or \$50.00 per annum)	2.00

The Committee of the Melbourne Racing Club, or any person duly authorised in writing by that Committee, may exempt any person wholly or partially from the payment of all or any of such charges or may reduce the same from time to time, and furthermore, the Club may levy such charges as it determines from time to time for access to reserved seats and private or corporate suites.

**(Admission and Access)**

Members of the Melbourne Racing Club and Holders of Members' visitors' passes, upon production of their badges or passes, shall be admitted to any part of the said divisions with the exception of the third and seventh divisions without payment of any of the above charges for admission.

Regulations made on 13 October 1931 (Government Gazette: 21 October 1931) by the Trustees of the Caulfield Racecourse Reserve, being the land reserved for Racing, Recreation and Public Park purposes and premises being Allotment A at Caulfield in the Parish of Prahran, County of Burke and last amended by the Trustees on 21 September 2004 (Government Gazette: 23 September 2004).

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**Crown Land (Reserves) Act 1978**

NOTICE OF INTENTION  
TO REVOKE TEMPORARY RESERVATIONS  
Order in Council

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

AMHERST – The temporary reservation by Order in Council of 4 July 1939 of an area of 3.354 hectares, more or less, of land in the Township of Amherst, Parish of Amherst as a site for Public Hall and Recreation. – (Rs 4958).

DUNOLLY – The temporary reservation by Order in Council of 22 April 1952 of an area of 3.473 hectares, more or less, of land in Section F, Township of Dunolly, Parish of Dunolly as a site for State School purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 20 July 1874. – (Rs 2435).

DUNOLLY – The temporary reservation by Order in Council of 13 December 1911 of an area of 7133 square metres, more or less, of land in Section F, Township of Dunolly, Parish of Dunolly as a site for Water Supply purposes. – (0617361).

EAGLEHAWK – The temporary reservation by Order in Council of 12 June 1979 of an area of 3.027 hectares of land being Crown Allotment 125B, Section N, At Eaglehawk, Parish of Sandhurst as a site for State School purposes. – (Rs 10517).

GLENROWEN – The temporary reservation by Order in Council of 7 March 1916 of an area of 12.02 hectares of land in the Parish of Glenrowen (formerly part of Crown Allotment 110) as a site for a Quarry. – (Rs 1003).

SHELBOURNE – The temporary reservation by Order in Council of 18 November 1878 of an area of 4.047 hectares, more or less, of land in the Parish of Shelbourne (formerly part Crown Allotment 3, in Section 4) as a site for a Quarry. – (06L6–10782).

SHELBOURNE – The temporary reservation by Order in Council of 9 August 1881 of an area of 4.047 hectares, more or less, of land in Section 4, Parish of Shelbourne as a site for Conservation of Water. – (06L6–10782).

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

Dated 25 July 2006

Responsible Minister  
ROB HULLS  
Minister for Planning

RUTH LEACH  
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**

REVOCATION OF  
TEMPORARY RESERVATION  
Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservation :

JIKA JIKA – The temporary reservation by Order in Council of 9 September 1941 of an area of 1169 square metres of land in the Parish of Jika Jika (formerly Town of Northcote) as a site for Court House and Police purposes, so far only as the portion containing 730 square metres being Crown Allotment 100A, Parish of Jika Jika as indicated by hatching on plan published in the Government Gazette on 11 May 2006 page – 913. – (Rs 5266).

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

Dated 25 July 2006

Responsible Minister  
ROB HULLS  
Minister for Planning

RUTH LEACH  
Clerk of the Executive Council

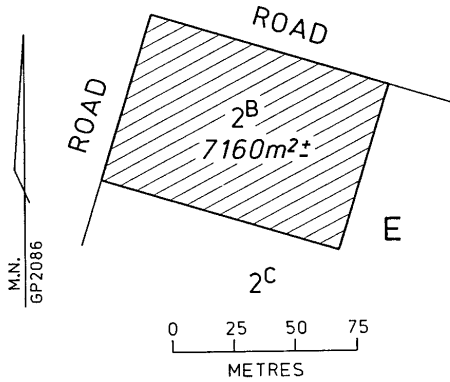
**Crown Land (Reserves) Act 1978**

TEMPORARY RESERVATION  
OF CROWN LANDS  
Order in Council

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

MUNICIPAL DISTRICT OF THE  
CENTRAL GOLDFIELDS SHIRE COUNCIL  
AMHERST – Conservation of an area of natural interest, being Crown Allotment 47D, Section 2, Parish of Amherst (area 3.8 hectares, more or less) as shown hatched on Plan No.

LEGL./06-080 lodged in the Central Plan Office of the Department of Sustainability and Environment and Crown Allotment 2B, Section E, Parish of Amherst (area 7160 square metres, more or less) as indicated by hatching on plan GP2086 hereunder. (GP2086) – (0615737).

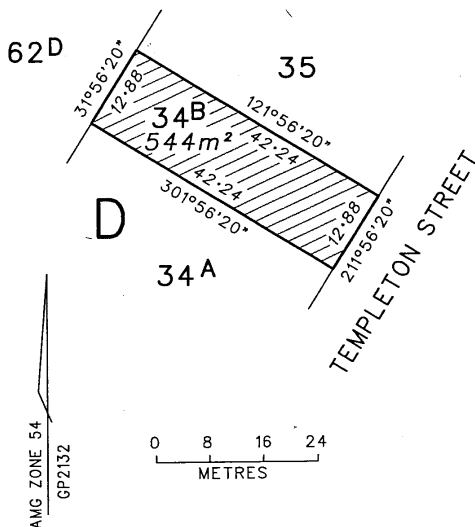


MUNICIPAL DISTRICT OF THE GOLDEN PLAINS SHIRE COUNCIL

CARRAH – Public Recreation, 56.98 hectares being Crown Allotment 15C, Parish of Carrah as shown on Certified Plan No. 102433 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (0701581).

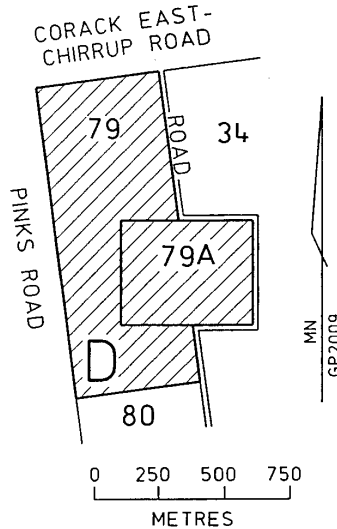
MUNICIPAL DISTRICT OF THE HEPBURN SHIRE COUNCIL

CLUNES – Public purposes, 544 square metres, being Crown Allotment 34B, Section D, Township of Clunes, Parish of Clunes as indicated by hatching on plan hereunder. (GP2132) – (0615824).



MUNICIPAL DISTRICT OF THE BULOKE SHIRE COUNCIL

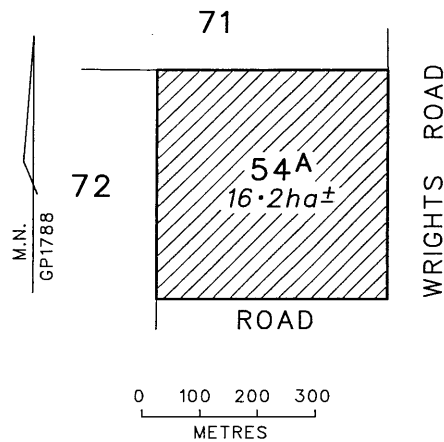
CORACK EAST – Conservation of an area of natural interest, total area 68.8 hectares, more or less, being Crown Allotments 79 and 79A, Section D, Parish of Corack East as indicated by hatching on plan hereunder. (GP2009) – (2003950).



Total area of hatched portion is 68.8ha±

MUNICIPAL DISTRICT OF THE BULOKE SHIRE COUNCIL

DONALD – Conservation of an area of natural interest, 16.2 hectares, more or less, being Crown Allotment 54A, Parish of Donald as indicated by hatching on plan hereunder. (GP1788) – (0607384).



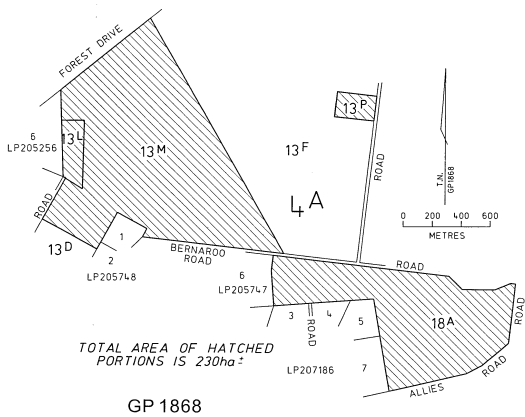
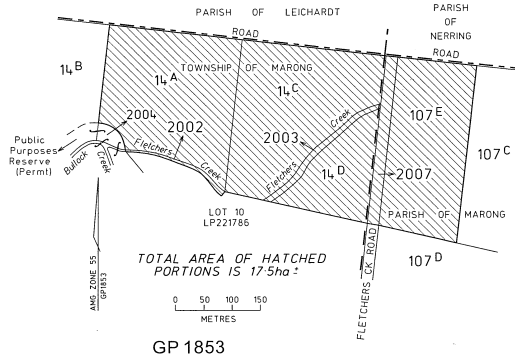


MUNICIPAL DISTRICT OF THE  
PYRENEES SHIRE COUNCIL

LANDSBOROUGH – Conservation of an area of natural interest, total area 5 hectares, more or less, being Crown Allotment 1C, Section 4 and Crown Allotment 2016, Parish of Landsborough as shown hatched on Plan No. LEGL./05–504 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (0615587).

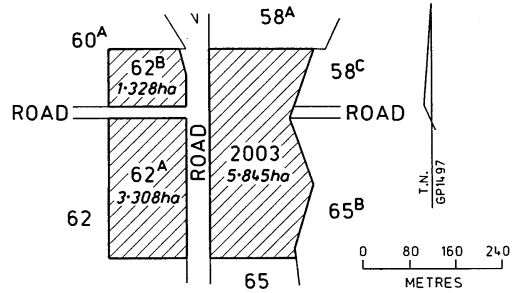
MUNICIPAL DISTRICT OF THE  
GREATER BENDIGO CITY COUNCIL

MARONG and NERRING – Conservation of an area of natural interest, Crown Allotments 14A, 14C, 14D, 2002 and 2003, Township of Marong, Parish of Marong and Crown Allotments 107E and 2007, Parish of Marong as indicated by hatching on plan GP1853 hereunder (total area 17.5 hectares, more or less); and Crown Allotments 13L, 13M, 13P and 18A, Section 4A, Parish of Nerring (total area 230 hectares, more or less), as indicated by hatching on plan GP1868 hereunder. (GP1853 & 1868) – (0607224).



MUNICIPAL DISTRICT OF THE  
STRATHBOGIE SHIRE COUNCIL

MIEPOLL – Conservation of an area of natural interest, total area 10.48 hectares, being Crown Allotments 62A, 62B and 2003, Parish of Miepoll as indicated by hatching on plan hereunder. (GP1497) – (Rs 804628).

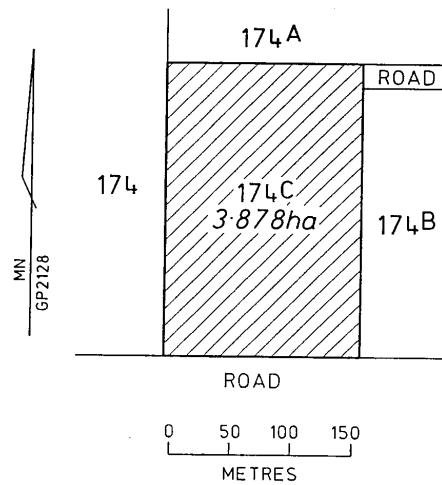


MUNICIPAL DISTRICT OF THE  
GREATER DANDENONG CITY COUNCIL

MORDIALLOC – Public purposes (Police purposes), 4263 square metres, being Crown Allotment 2005, Parish of Mordialloc as shown on Original Plan No. 122233 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (2015468).

MUNICIPAL DISTRICT OF THE  
LODDON SHIRE COUNCIL

MYSIA – Conservation of an area of natural interest, 3.878 hectares, being Crown Allotment 174C, Parish of Mysia as indicated by hatching on plan hereunder. (GP2128) – (2002969).



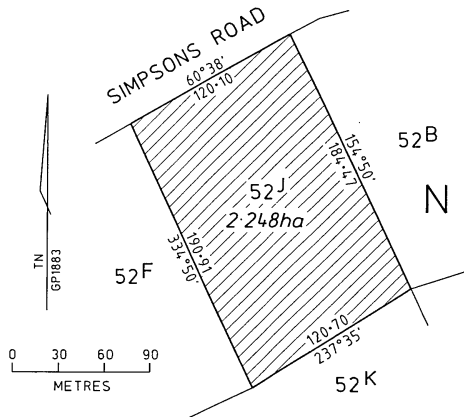
MUNICIPAL DISTRICT OF THE  
MILDURA RURAL CITY COUNCIL

OUYEN – Conservation of an area of natural interest, total area 4.86 hectares, being Crown Allotments 2004 and 2005, Parish of Ouyen as indicated by hatching on plan hereunder. (GP1691A) – (012015469).



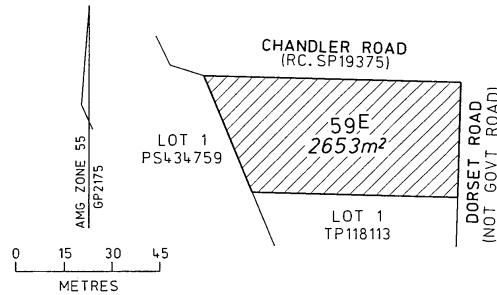
MUNICIPAL DISTRICT OF THE  
GREATER BENDIGO CITY COUNCIL

SANDHURST – Conservation of an area of natural interest, 2.248 hectares, being Crown Allotment 52J, Section N, Parish of Sandhurst as indicated by hatching on plan hereunder. (GP1883) – (0606907).



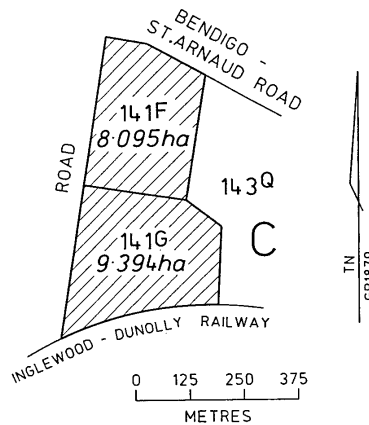
MUNICIPAL DISTRICT OF THE  
KNOX CITY COUNCIL

SCORESBY – Public purposes (Police purposes), 2653 square metres, being Crown Allotment 59E, Parish of Scoresby as indicated by hatching on plan hereunder. (GP2175) – (2015453).



MUNICIPAL DISTRICT OF THE  
LODDON SHIRE COUNCIL

TARNAGULLA – Conservation of an area of natural interest, total area 17.49 hectares, being Crown Allotments 141F and 141G, Section C, Parish of Tarnagulla as indicated by hatching on plan hereunder. (GP1879) – (0606961).



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

Dated 25 July 2006  
Responsible Minister  
ROB HULLS  
Minister for Planning

RUTH LEACH  
Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**  
AMENDMENT OF  
TEMPORARY RESERVATION – BENDIGO  
Order in Council

The Governor in Council under Section 4(1) of the **Crown Land (Reserves) Act 1978** amends the following Order in Council:–

BENDIGO – Order in Council made on 4 April 2006 and published in the Government Gazette on 6 April 2006 – page 696 of the temporary reservation of an area of 3410 square metres, more or less, of land being Crown Allotment 13, Section 123C, At Bendigo, Parish of Sandhurst, as a site for Conservation of an area of historic interest;

by deletion of the words “Conservation of an area of historic interest” and the substitution therefor of the words “Public purposes”. – 2011933.

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

Dated 25 July 2006

Responsible Minister  
 ROB HULLS  
 Minister for Planning

RUTH LEACH  
 Clerk of the Executive Council

**Crown Land (Reserves) Act 1978**  
 PERMANENT RESERVATION  
 OF CROWN LAND  
 Order in Council

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** permanently reserves the following Crown land which in his opinion is required for the purpose mentioned:-

MUNICIPAL DISTRICT OF THE  
 STRATHBOGIE SHIRE COUNCIL

WILLS – Preservation of an area of ecological significance, area 12.3 hectares, more or less, being Crown Allotment 2001, Parish of Wills as shown hatched on Plan No. LEGL./05-400 lodged in the Central Plan Office of the Department of Sustainability and Environment. (09/L7-5768).

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

Dated 25 July 2006

Responsible Minister  
 ROB HULLS  
 Minister for Planning

RUTH LEACH  
 Clerk of the Executive Council

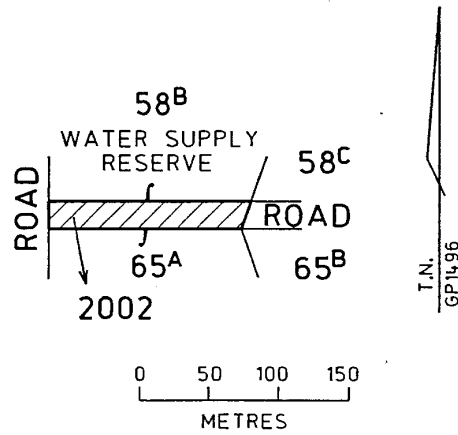
**Land Act 1958**  
 CLOSURE OF UNUSED ROADS

Order in Council

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated closes the following unused roads:

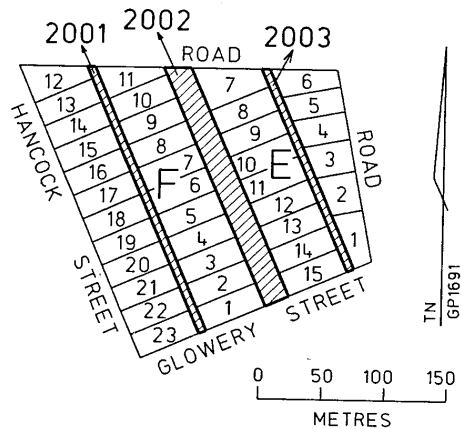
MUNICIPAL DISTRICT OF THE  
 STRATHBOGIE SHIRE COUNCIL

MIEPOLL – The road in the Parish of Miepoll being Crown Allotment 2002 as indicated by hatching on plan hereunder. (GP1496) – (Rs 804628).



MUNICIPAL DISTRICT OF THE  
 MILDURA RURAL CITY COUNCIL

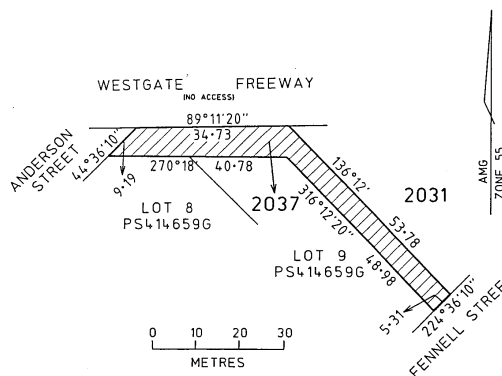
OUYEN – The roads in the Parish of Ouyen being Crown Allotments 2001, 2002 and 2003 as indicated by hatching on plan hereunder. (GP1691) – (012015469).



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

Dated 25 July 2006  
Responsible Minister  
**ROB HULLS**  
Minister for Planning

**RUTH LEACH**  
Clerk of the Executive Council



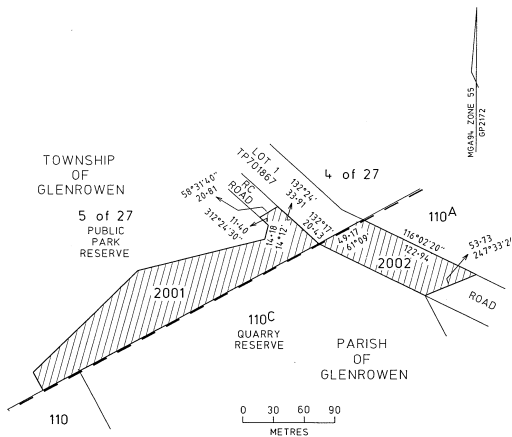
**Land Act 1958**  
**CLOSURE OF UNUSED ROADS**

**Order in Council**

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipalities in which the roads are situated and the owners of land adjoining those roads closes the following unused roads:

**MUNICIPAL DISTRICT OF THE RURAL CITY OF WANGARATTA**

**GLENROWEN** – The portions of road being Crown Allotment 2001, Township of Glenrowen and Crown Allotment 2002, Parish of Glenrowen as indicated by hatching on plan hereunder. (GP2172) – (P202262).



**MUNICIPAL DISTRICT OF THE CITY OF PORT PHILLIP**

**SOUTH MELBOURNE** – The road in the City of South Melbourne, Parish of Melbourne South being Crown Allotment 2037 as indicated by hatching on plan hereunder. (GP2185) – (2013735).

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

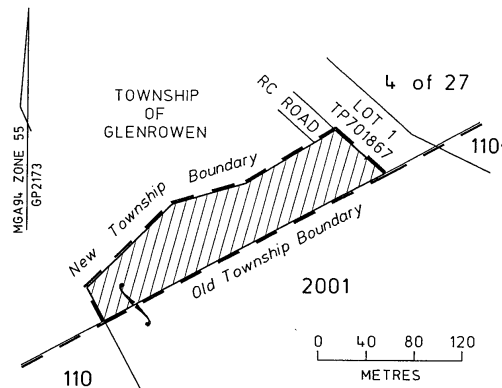
Dated 25 July 2006  
Responsible Minister  
**ROB HULLS**  
Minister for Planning

**RUTH LEACH**  
Clerk of the Executive Council

**Land Act 1958**  
**AMENDMENT TO TOWNSHIP AREA – GLENROWEN**

**Order in Council**

The Governor in Council under section 25(3)(d) of the **Land Act 1958** diminishes the area of the Township of Glenrowen, proclaimed on 20 August 1888 by the excision therefrom of the land indicated by hatching on plan hereunder. (GP2173) – (P202262).



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

Dated 25 July 2006  
Responsible Minister  
ROB HULLS  
Minister for Planning

RUTH LEACH  
Clerk of the Executive Council

**Land Act 1958**  
APPROVAL BY THE  
GOVERNOR IN COUNCIL TO THE  
SALE OF CROWN LAND  
BY PRIVATE TREATY  
Order in Council

The Governor in Council, pursuant to Sections 99A(1)(a) and 99A(2) of the **Land Act 1958**, approves the sale by private treaty of Crown Allotment 2031, Parish of Dousta Galla and located at 448 Epsom Road, Flemington.

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

Dated 25 July 2006  
Responsible Minister  
JOHN LENDERS MP  
Minister for Finance

RUTH LEACH  
Clerk of the Executive Council

**Parliamentary Committees Act 2003**

THE ENVIRONMENT AND  
NATURAL RESOURCES  
COMMITTEE OF PARLIAMENT

Inquiry into the Production and/or  
Use of Biofuels in Victoria

Referral of Terms of Reference

Order in Council

The Governor in Council under section 33 of the **Parliamentary Committees Act 2003** refers Terms of Reference requiring the Environment and Natural Resources Committee of Parliament to conduct an Inquiry into the Production and/or Use of Biofuels in Victoria and report to Parliament by 17 October 2006.

The Terms of Reference for this Inquiry are attached to this Order.

This Order is to be effective from the date of gazettal.

Dated 25 July 2006  
Responsible Minister:  
STEVE BRACKS  
Premier

RUTH LEACH  
Clerk of the Executive Council

**TERMS OF REFERENCE**

ENVIRONMENT AND  
NATURAL RESOURCES  
COMMITTEE OF PARLIAMENT

Inquiry into the Production and/or  
Use of Biofuels in Victoria

That the Environment and Natural Resources Committee investigate the potential for Victoria to manufacture and use biofuels for transport applications.

The Committee is asked to inquire into, consider and report to Parliament on:

- current manufacture, availability and use of biofuels for transport applications in Australia and Victoria;
- potential environmental, economic and social impacts of increased manufacture and use of biofuel for transport applications;
- the impact of reducing reliance on oil imports as a result of increased use of biofuel for transport;
- barriers to and incentives for increased use of biofuel for transport;
- the role of government in the manufacture and use of biofuels for transport.

The Committee is required to report to Parliament by 17 October 2006.

**Parliamentary Committees Act 2003**

THE OUTER SUBURBAN/INTERFACE  
SERVICES AND DEVELOPMENT  
COMMITTEE OF PARLIAMENT

Inquiry into Local Economic Development  
in Outer Suburban Areas

Referral of Terms of Reference

Order in Council

The Governor in Council under section 33 of the **Parliamentary Committees Act 2003** refers Terms of Reference requiring the Outer

Suburban/Interface Services and Development Committee of Parliament to conduct an Inquiry into Local Economic Development in Outer Suburban Areas and report to Parliament by 28 February 2008.

The Terms of Reference for this Inquiry are attached to this Order.

This Order is to be effective from the date of gazettal.

Dated 25 July 2006

Responsible Minister:  
STEVE BRACKS  
Premier

RUTH LEACH  
Clerk of the Executive Council

**TERMS OF REFERENCE**

**OUTER SUBURBAN/INTERFACE  
SERVICES AND DEVELOPMENT  
COMMITTEE OF PARLIAMENT**

**Inquiry into Local Economic Development  
in Outer Suburban Areas**

To inquire into and report to Parliament on issues relating to strengthening communities through local economic development initiatives in outer suburban areas.

In particular, the Committee is requested to:

1. Examine existing local economic development programs being carried out by municipalities in outer suburban areas;
2. Identify the barriers to local economic development and the ways in which these can be addressed;
3. Investigate and recommend incentive arrangements for industry and the respective responsibilities of each tier of government;
4. Investigate the role of council local economic development units and the types of assistance they provide;
5. Examine and report on ways in which councils and government at all levels can encourage economic development, enhance and promote employment opportunities and attract new investment;
6. Identify export based operations and opportunities in outer suburban areas and recommend options to encourage their growth;

7. Identify new and emerging sectors and how they can assist economic development in outer suburban areas, including innovative examples of business incubators, home-based businesses and social enterprises; and
8. Examine national and international initiatives relevant to these issues.

The Committee is to make its final report to Parliament by 28 February 2008.

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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:

93. *Statutory Rule:* Retirement Villages (Records and Notices) (Amendment) Regulations 2006  
*Authorising Act:* Retirement Villages Act 1986  
*Date of making:* 25 July 2006
94. *Statutory Rule:* Second-Hand Dealers and Pawnbrokers (Exemption) Regulations 2006  
*Authorising Act:* Second-Hand Dealers and Pawnbrokers Act 1989  
*Date of making:* 25 July 2006
95. *Statutory Rule:* Consumer Credit (Victoria) (Administration) Regulations 2006  
*Authorising Act:* Consumer Credit (Victoria) Act 1995  
*Date of making:* 25 July 2006
96. *Statutory Rule:* Rail Safety Regulations 2006  
*Authorising Act:* Rail Safety Act 2006  
*Date of making:* 25 July 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:

90. *Statutory Rule:* Administration and Probate (Deposit of Wills) (Fees) Regulations 2006  
*Authorising Act:* Administration and Probate Act 1958  
*Date first obtainable:* 25 July 2006  
*Code A*
91. *Statutory Rule:* Zoological Parks and Gardens (Fees) Regulations 2006  
*Authorising Act:* Zoological Parks and Gardens Act 1995  
*Date first obtainable:* 25 July 2006  
*Code A*
92. *Statutory Rule:* Subordinate Legislation (Heritage (Historic Shipwrecks) (General) Regulations 1996 – Extension of Operation) Regulations 2006  
*Authorising Act:* Subordinate Legislation Act 1994  
*Date first obtainable:* 25 July 2006  
*Code A*



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