



Victoria Government Gazette

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No. G 43 Thursday 25 October 2007

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GENERAL

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As from 25 October 2007

The last Special Gazette was No. 267 dated 24 October 2007.

The last Periodical Gazette was No. 1 dated 14 June 2007.

How To Submit Copy

- See our webpage www.craftpress.com.au
 - or contact our office on 9642 5808
between 8.30 am and 5.30 pm Monday to Friday
-

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

- 1 Treasury Place, Melbourne (behind the Old Treasury Building)
-

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
MELBOURNE CUP HOLIDAY (Tuesday 6 November 2007)**

Please Note:

The Victoria Government Gazette for Melbourne Cup week (G45/07) will be published on **Thursday 8 November 2007**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 2 November 2007**

Government and Outer
Budget Sector Agencies Notices **9.30 am on Monday 5 November 2007**

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

JENNY NOAKES
Government Gazette Officer

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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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Co-operative Housing Societies Act 1958 (Incorporating the **Corporations Act 1990** & Regulations)

MEMBERS VOLUNTARY WINDING UP FORM 6

Grange Co-operative Housing Society Limited
(In Liquidation) and

Grange Capil Co-operative Housing Society
Limited (In Liquidation)

At a special general meeting of the abovenamed Societies duly convened and held at Axis Accounting Partners, Hamilton, Victoria 3300 on 7 September 2007, the following special resolution for each society was duly passed:

‘That the Society, having completed its objectives, be wound up voluntarily and that Nigel William Delderfield of 44 Gray Street, Hamilton, Victoria 3300 be appointed liquidator for the purposes of the winding up.’

Land Act 1958

Notice is hereby given that Natimuk and District Field and Game Incorporated has applied for a lease pursuant to section 134 of the **Land Act 1958** for a term of 21 years in respect of Crown Allotment 2001 in the Parish of Natimuk, County of Lowan, for the purpose of ‘Amusement and recreation and social activities connected therewith (clay target shooting range). File Ref: 2008766 (Horsham)’.

NOTICE OF RETIREMENT FROM PARTNERSHIP

Take notice that Brenda Fisher retired from the partnership of Swim Stars Swim School with effect from 29 September 2007 and Samantha Dunmall and Anne Long continue to trade as Swim Stars Swim School at 116 Mossfiel Drive, Hoppers Crossing, Victoria 3029.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the AL & CG & PA Bourke Family Partnership previously subsisting between Phillip Bourke, Andrew Bourke and Christopher Bourke, carrying on a business under the name of The Hole in the Wall Gang, has been dissolved as from 10 September 2007.

ZERVOS LAWYERS,
Suite 103, Level 1, 9–11 Claremont Street,
South Yarra 3141.

Re: Estate of MARION VIOLET MARK.

Creditors, next-of-kin and others having claims in respect of the estate of MARION VIOLET MARK, late of 8 Southdown Avenue, Glen Waverley, Victoria, retired secretary, who died on 28 February 2007, are required by Shirley Ann Waddington, the executor of the Will of the deceased, to send particulars of their claim to Andrew McMullan & Co., solicitors, 64 Kingsway, Glen Waverley, in the said State, solicitors for the executor of the said estate, within 90 days from the date of this advertisement, after which time the executor may convey or distribute the assets, having regard only to claims of which she then has notice.

ANDREW McMULLAN & CO., solicitors,
64 Kingsway, Glen Waverley, Victoria 3150.

Re: FRANK LLOYD WHELAN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of FRANK LLOYD WHELAN, late of Unit 117, 42 Capital Avenue, Glen Waverley, Victoria, who died on 22 May 2007, are required by Faye Lynette McDougall and Robert Gordon McDougall, the substituted executors of the Will of the deceased, to send particulars of their claim to Andrew McMullan & Co., solicitors, 64 Kingsway, Glen Waverley, in the said State, solicitors for the executors of the said estate, within 90 days from the date of this advertisement, after which time the executors may convey or distribute the assets, having regard only to claims of which they then have notice.

ANDREW McMULLAN & CO., solicitors,
64 Kingsway, Glen Waverley, Victoria 3150.

Re: SUZANNE MARGARET CRITCHLEY,
late of 33 Delbridge Street, North Fitzroy,
Victoria, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 5 February 2007, are required by the executor, William Henry Critchley of 11 Murrumbidgee Place, New South Wales, to send particulars thereof to him, care of the office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, within two

calendar months from the date of publication of this Notice, after which the executor will distribute the estate, having regard only to claims of which he has notice.

AUGHTERSONS,
current practitioners for the executors,
267 Maroondah Highway, Ringwood 3134.

Re: BRIAN JAMES McKEOWN, late of 1107 Pental Island Road, Swan Hill, Victoria, retired police officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 November 2006, are required by the trustee, Graeme Leslie McKeown of 'Alcheringa', 1546 Coolalie Road, Jerrawa, New South Wales, aviation consultant, brother, to send particulars to the trustee by 24 December 2007, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

BASILE PINO & CO., solicitors,
213 Campbell Street, Swan Hill 3585.

Re: LORETTA CATHERINE HEUSTON, late of Unit 33/1034 Nepean Highway, Mornington, Victoria 3931, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 August 2007, are required by David Ronald Davis and Roma Janet McEvey, the executors of the Will of the deceased, to send particulars of their claims to them, care of the undermentioned solicitors, by 24 December 2007, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: BERYL FLORENCE KEFFORD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of Beryl Florence Kefford, late of 40 Grant Street, Clifton Hill in the State of Victoria, widow, deceased, who died on 7 March 2007, are required by the executor to send particulars of their claim to him, care of the undermentioned solicitors, by 3 February 2008,

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.

Creditors, next-of-kin and others having claims in respect of ELIZABETH CLAIRE WELLISCH, late of 14 Canterbury Close, Bairnsdale, in the State of Victoria, deceased, who died on 7 August 2007, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 25 December 2007, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

ENGEL & PARTNERS PTY, legal practitioners,
109 Main Street, Bairnsdale 3875.

Creditors, next-of-kin and others having claims in respect of the estate of PEGGY MARTINA WOODWARD, late of Luby's Lane, Walpa, in the State of Victoria, deceased, who died on 11 July 2007, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 25 December 2007, after which date it will distribute the assets, having regard only to the claims of which they may then have notice.

ENGEL & PARTNERS PTY, legal practitioners,
109 Main Street, Bairnsdale 3875.

Re: FRANCES MARGARET SMYTH, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 May 2007, are required by the trustees, Ian Edward Smyth and Jo-Anne Frances Moss, to send particulars to them, care of the undersigned, by 26 December 2007, 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, lawyers,
4 McCallum Street, Swan Hill 3585.

Re: MARTHA JEAN BAILEY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 July 2007, are required by the trustees, Daryl William Bailey and Pamela Joan

Martin, to send particulars to them, care of the undersigned, by 26 December 2007, 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, lawyers,
4 McCallum Street, Swan Hill 3585.

Re: ALEXANDER FISHER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 October 2006, are required by the trustees, Alexander John Fisher and Ian Kendall Fisher, to send particulars to them, care of the undersigned, by 26 December 2007, 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.

Re: RONALD FRANK ORFORD, late of 12 Maxflo Court, Highett, Victoria, but formerly of 128 Tramway Parade, Beaumaris, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 May 2007, are required by the trustee, Hilda Joyce Upton, to send particulars to the trustee, care of the undermentioned legal practitioners, by 4 January 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

G. R. HERBERT & CO., solicitors,
Level 1, 1 Bluff Road, Black Rock 3193.

Re: Estate of the late LUCY ANTOINETTE RENNOLDS, deceased.

RENNOLDS creditors, next-of-kin and others having claims in respect of the estate of LUCY ANTOINETTE RENNOLDS, late of 7 Centre Road, Brighton East, Victoria, who died on 10 August 2007, are required to send particulars of their claims to the executor, care of the undermentioned solicitors, by 25 December 2007, after which date the executor may convey or distribute the assets, having regard only to the claims of which the executor has notice.

K. P. ABBOTT & CO., solicitor,
1628 High Street, Glen Iris 3146.

Re: LESLIE OLIVE FEATHER, late of 349 North Road, Caulfield, widow, deceased.

Creditors, next-of-kin, and others having claims in respect of the estate of the deceased, who died on 28 August 2007, are required by the trustees, Denise Yzelle Ceddia of 400 Collins Street, Melbourne, home duties, and Howard David Bear of 400 Collins Street, Melbourne, legal practitioner, to send particulars of their claim to the trustees by 27 December 2007, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MAHONYS, solicitors,
400 Collins Street, Melbourne 3000.

Estate of IAN SCHOLLAR GOSS, late of 7 Queen Street South, Ballarat, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 August 2007, are required by the executor, ANZ Trustees Limited, ACN 006 132 332, of 100 Queen Street, Melbourne, Victoria, to send particulars to it by 27 December 2007, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

MILLS OAKLEY LAWYERS,
121 William Street, Melbourne 3000.

Re: DORIS BEST, late of Welshpool Road, Toora, but formerly of Toora, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 May 2007, are required by the trustees, Bruce Mortimer Best of 5310 South Gippsland Highway, Toora, Victoria, dairy farmer, the son, and Janette Best of 5310 South Gippsland Highway, Toora, Victoria, dairy farmer, the daughter-in-law, to send particulars to the trustees by 15 January 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

OAKLEYS WHITE, solicitors,
65 Main Street, Foster 3960.

Creditors, next-of-kin and others having claims in respect of the estate of ROMAN WALERIAN DASTYCH, late of 9 Sylvester Crescent, East Malvern, Victoria, retired,

deceased, who died on 6 October 2007, are required to send particulars of such claims to the executors, care of the undermentioned solicitors, by 23 December 2007, 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 3000.

Re: DAVID EDWIN DICKINSON, late of 22 Walker Street, Stawell, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 May 2007, are required by the trustees, Peter Lawrence Norton and Francis William Stokes, care of Radford Legal of 14 Napier Street, St Arnaud, to send particulars to the trustees by 30 January 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

RADFORD LEGAL, barristers & solicitors,
14 Napier Street, St Arnaud 3478.

SUZAN WINIFRED JOHNSTON, late of 43 Laurel Street, Whittlesea, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 16 July 2007, are required to send particulars of their claims to the executor, Timothy John Mulvany, care of the undermentioned lawyers, by 28 December 2007, after which date the said executor will distribute the assets, having regard only to the claims of which he then has notice.

T. J. MULVANY & CO., lawyers,
2nd Floor, 51 Queen Street, Melbourne 3000.

ANNE JOSEPHINE O'FLYNN, also known as Ann Josephine O'Flynn, late of Faversham House, 27 Shierlaw Avenue, Canterbury, Victoria, retired deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 1 July 2007, are required to send particulars of their claims to the

executor, Timothy John Mulvany, care of the undermentioned lawyers, by 28 December 2007, after which date the said executor will distribute the assets, having regard only to the claims of which he then has notice.

T. J. MULVANY & CO., lawyers,
2nd Floor, 51 Queen Street, Melbourne 3000.

ADA MAY BROWN, deceased.

Creditors, next-of-kin and others having claims against the estate of ADA MAY BROWN, late of Unit 50, 52–70 Centre Dandenong Road, Dingley, Victoria, retired, deceased, who died on 9 July 2007, are required to send particulars of their claims to the executor, care of the undermentioned solicitor, by 8 January 2008, after which date the executor will proceed to distribute the assets, having regard only to the claims of which he shall then have had notice.

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

Re: COLIN CHAPMAN MILLER, late of Unit 8, 62 Alandale Road, Eaglemont, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 April 2007, are required to send particulars of their claims to the executor, care of GPO Box 1946, Melbourne, Victoria 3001, by 24 December 2007, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

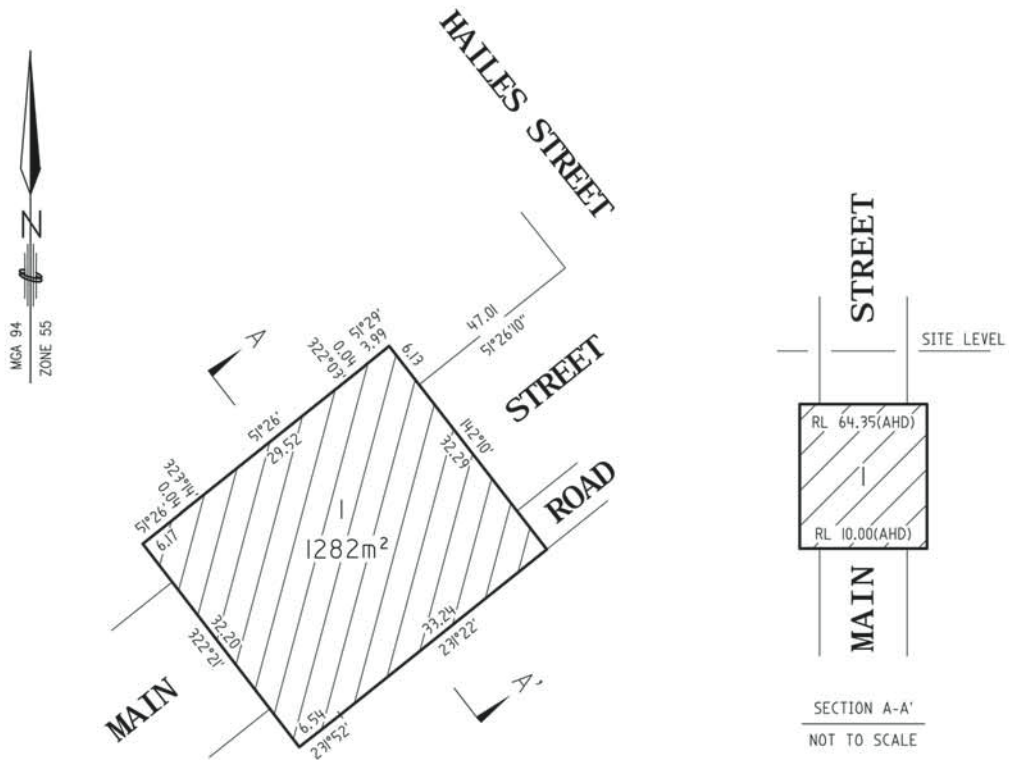
WILLS & PROBATE VICTORIA, lawyers,
Level 3, 20–22 McKillop Street, Melbourne 3000.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

BANYULE CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and clause 3 of schedule 10 to the **Local Government Act 1989**, Banyule City Council, at its ordinary meeting held on 15 October 2007, resolved to discontinue the section of road shown hatched on the plan below between the height and depth shown at section 'A-A' on the plan below.

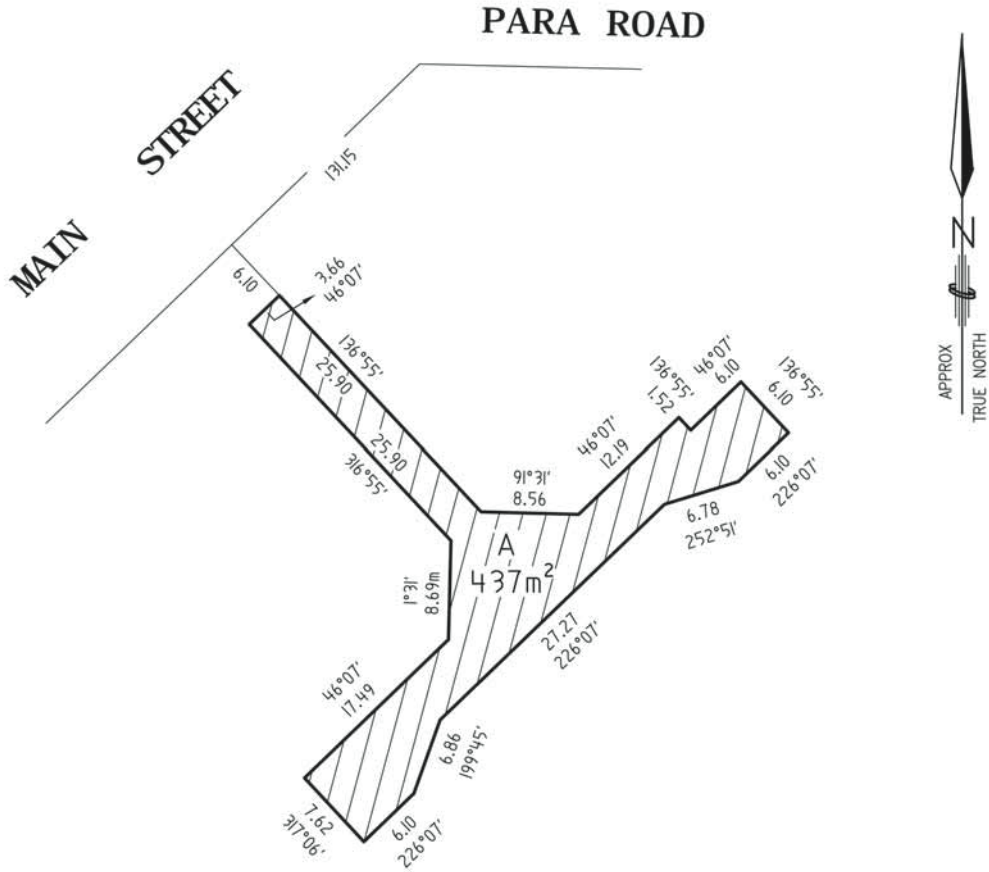


DOUG OWENS
Chief Executive Officer

BANYULE CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, Banyule City Council, at its ordinary meeting held on 15 October 2007, having formed the opinion that the section of road shown hatched on the plan below is not reasonably required as a road for public use, resolved to discontinue the section of road.



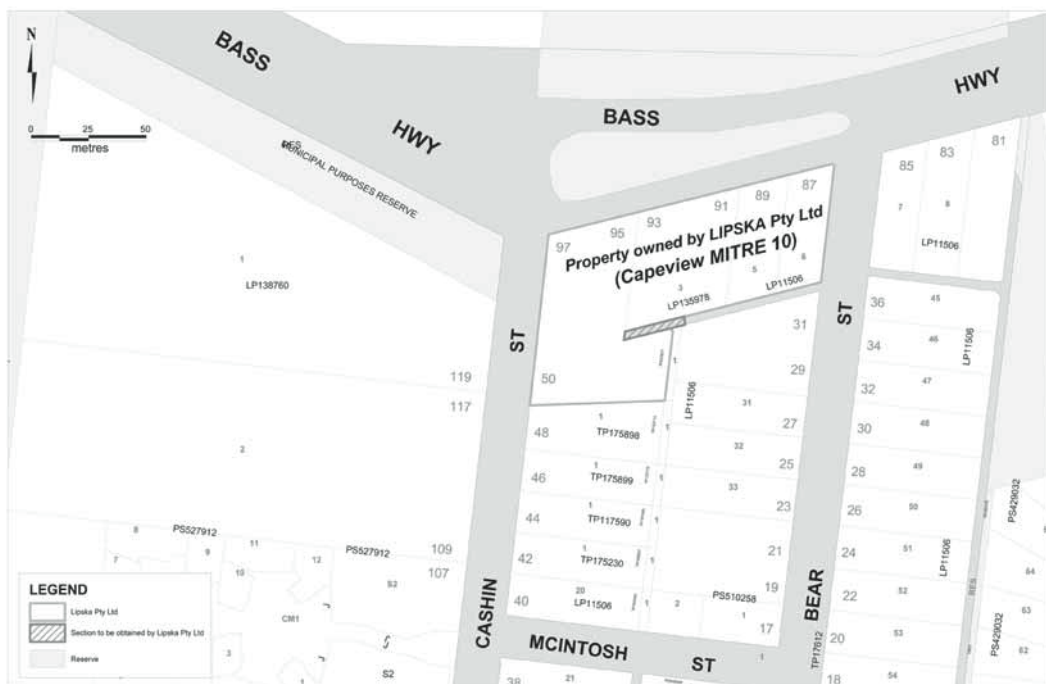
DOUG OWENS
Chief Executive Officer

BASS COAST SHIRE COUNCIL
Road Discontinuances

INVERLOCH

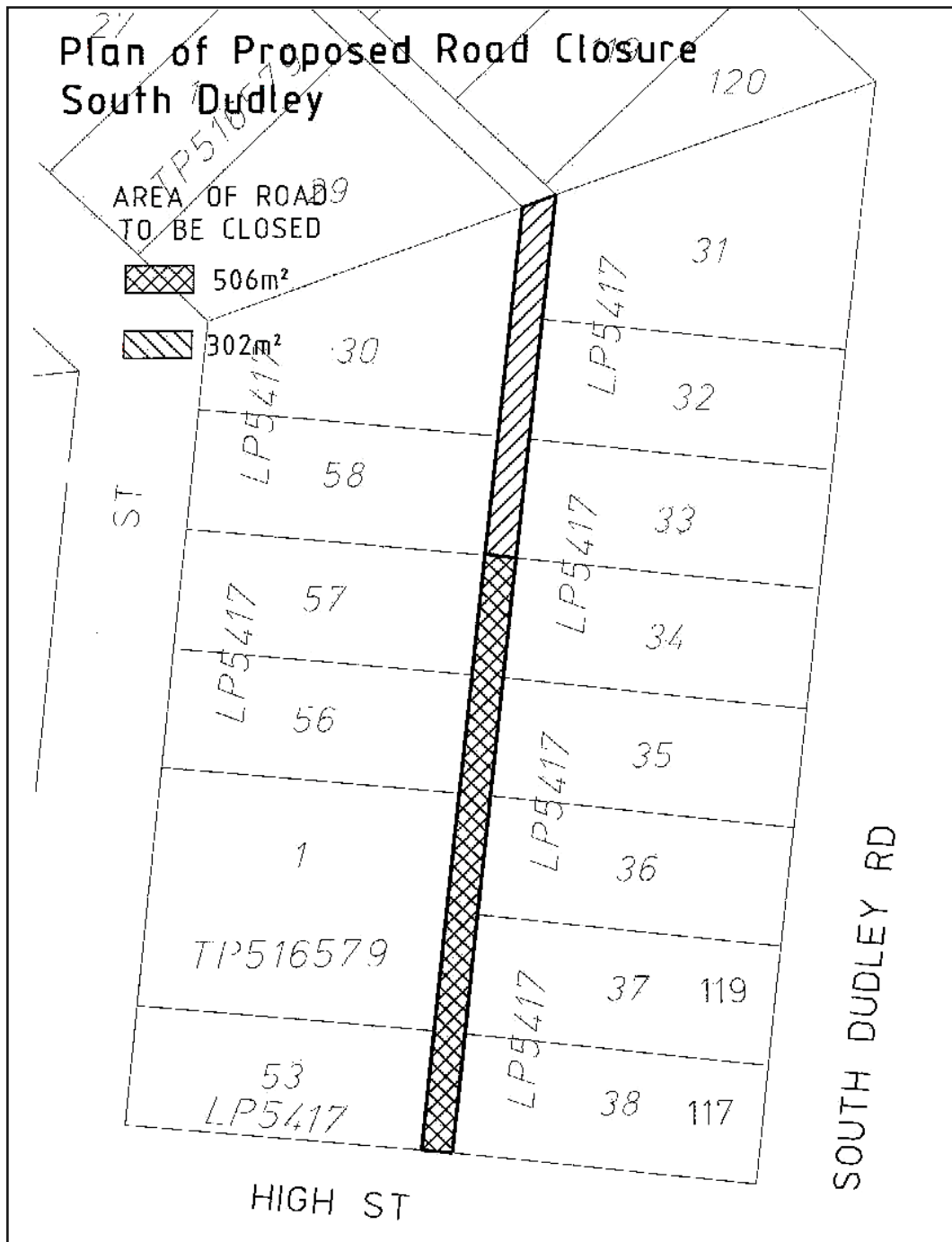
Under section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Bass Coast Shire Council at its ordinary meeting held on 17 October 2007 formed the opinion that the road shown hatched on the plan below is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road to the abutting owner subject to any right, power or interest held by South Gippsland Regional Water in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.

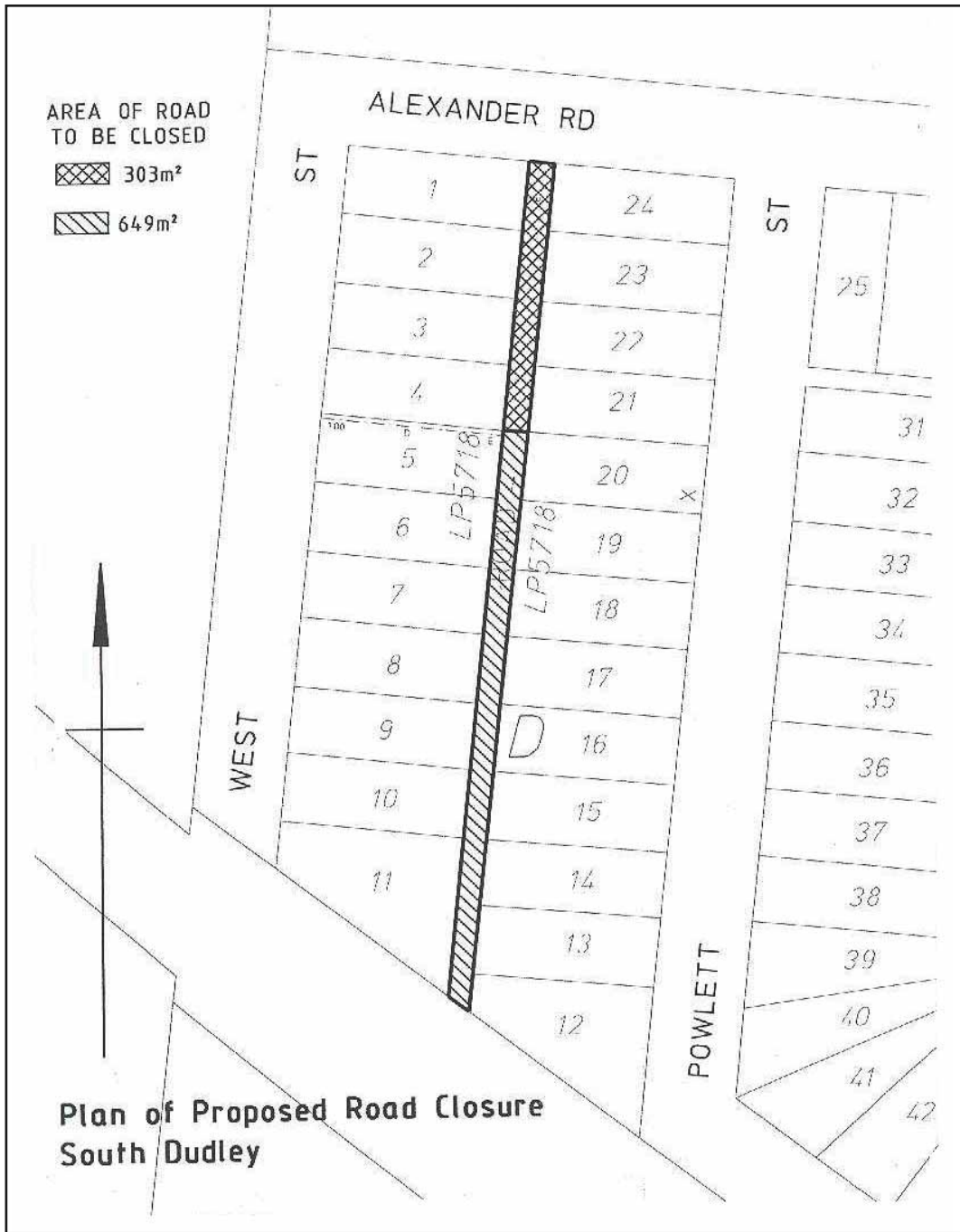
LIPSKA PTY LTD, INVERLOCH



SOUTH DUDLEY

Under section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Bass Coast Shire Council at its ordinary meeting held on 17 October 2007 formed the opinion that the roads shown hatched and crosshatched on the plans below are not reasonably required as roads for public use and resolved to discontinue the roads and to sell the land from the roads to the abutting owners subject to any right, power or interest held by South Gippsland Regional Water in the roads in connection with any sewers, drains or pipes under the control of that authority in or near the roads.





ALLAN BAWDEN
Chief Executive Officer

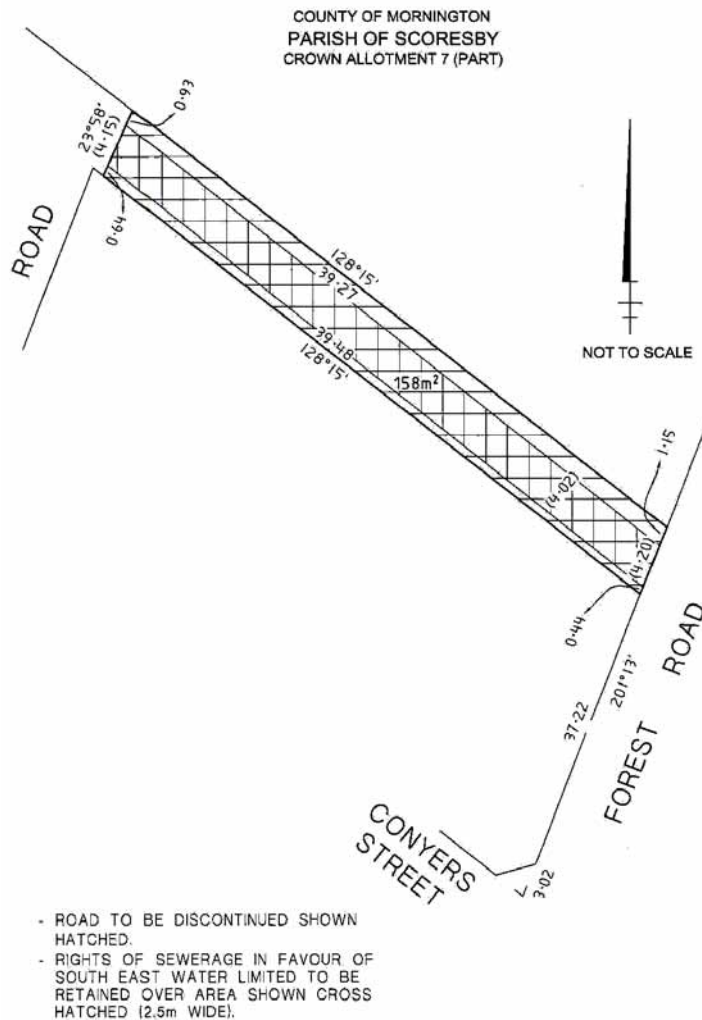


Knox City Council
Working for People in Knox

Discontinuance of Road abutting 395 Forest Road, The Basin

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, Knox City Council at its meeting held on 25 September 2007, formed the opinion that the road abutting 395 Forest Road, The Basin, as shown hatched on the plan below, is not reasonably required for public use.

Council has resolved to discontinue the road and sell the land to the adjoining property owner by private treaty subject to any right, power or interest held by South East Water with respect to, or in conjunction with, any pipes laid or erected under the control of this authority in or near this land.

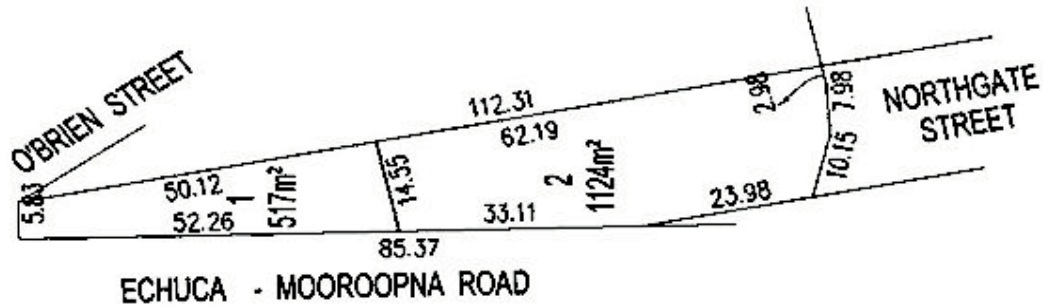


GRAEME EMONSON
 Chief Executive Officer

GREATER SHEPPARTON CITY COUNCIL

Partial Road Discontinuance – Northgate Street, Mooroopna

At its meeting on 11 February 1991 the former Shire of Rodney, acting under clause 2 of schedule 10 of the **Local Government Act 1989**, resolved to discontinue part of Northgate Street, Mooroopna, as shown as lot 1 and lot 2 on the attached plan. The land is to vest in the Greater Shepparton City Council.



BOB LAING
Chief Executive Officer

MORELAND CITY COUNCIL

Public Notice

Amendment Environmental and Civic Assets Local Law

Council, at its meeting of 12 September 2007, resolved to amend the Environmental and Civic Assets Local Law 2006 as follows:

- amend the definition of ‘minor building work’;
- provide a definition of an ‘owner’;
- amend the timing for a person to make a comment on a proposed alteration to a permit;
- replace the ‘Notice to Comply’;
- replace the ‘Application for Asset Protection Permit’ form.

Any person affected by the proposed amendments to the local law may make a submission to Council. Submissions must be received no later than the close of business on Friday 9 November 2007. Submissions should be marked ‘Comments – Proposed Amendments to the Environmental and Civic Assets Local Law’ and be addressed to Manager Building Services, Moreland City Council, Locked Bag 10, Moreland, Victoria 3058.

Submissions may also be delivered to the Council Offices at 90 Bell Street, Coburg.

Submissions received by 2 November 2007 will be considered in accordance with section 223 of the **Local Government Act 1989**. Any person who makes a written submission in respect of the proposed local law may also request to be given the opportunity to make representation in person, in support of their written submission, at the Council’s Urban Planning Committee Meeting to be held on Wednesday 28 November 2007 at 6.00 pm. This meeting will be held at the Moreland Civic Centre, 90 Bell Street, Coburg. Such representation can be made personally or by a person acting on behalf of the person making the submission.

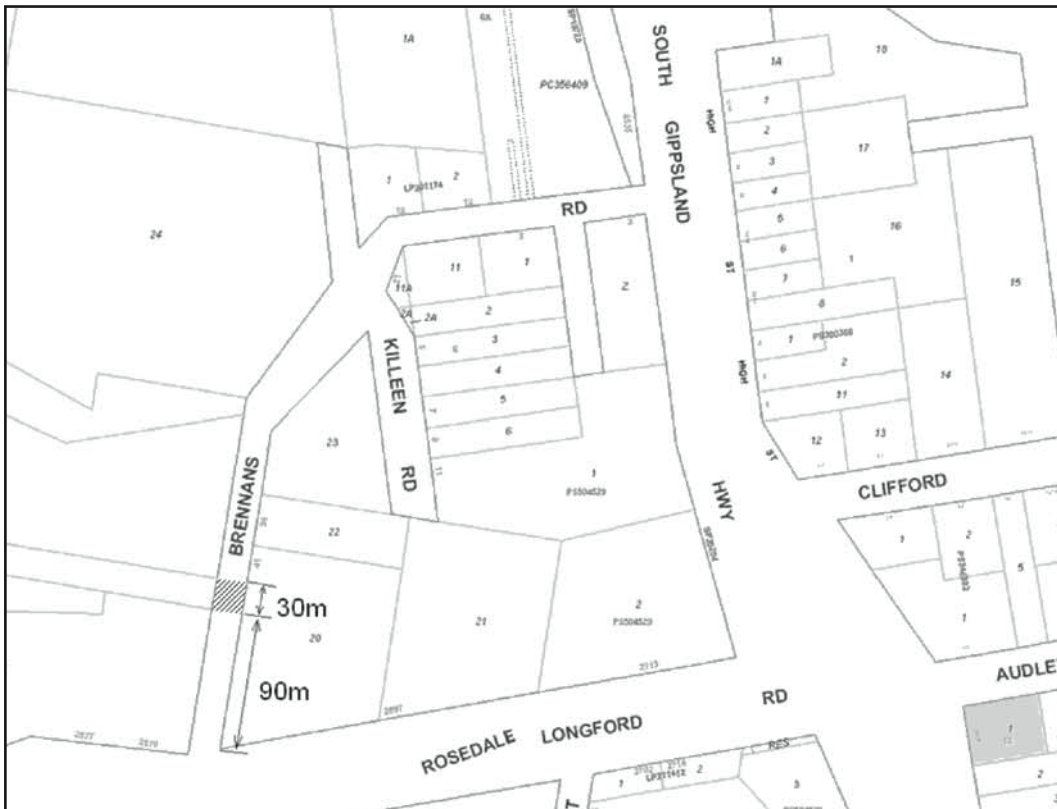
Telephone enquiries concerning the proposed local law can be directed to Mr Warren Jensen, Manager Building Services, on 9240 1276.

WELLINGTON SHIRE COUNCIL

Closure of (Part) Brennans Road, Longford

Pursuant to clause 207 of the **Local Government Act 1989** including schedule 11, the Wellington Shire Council, after consultation with affected property owners abutting onto Brennans Road, Longford, advertising its intention as well as receiving a report from VicRoads on the part closure, resolved at its meeting on Tuesday 16 October 2007 as follows:-

that the section of Brennans Road, Longford, commencing 90 metres north of the Rosedale Longford Road and extending north for a distance of 30 metres as shown hatched on the plan hereunder, shall be closed to public traffic upon publication of this resolution in the Government Gazette.



SECTION OF BRENNANS ROAD TO BE CLOSED

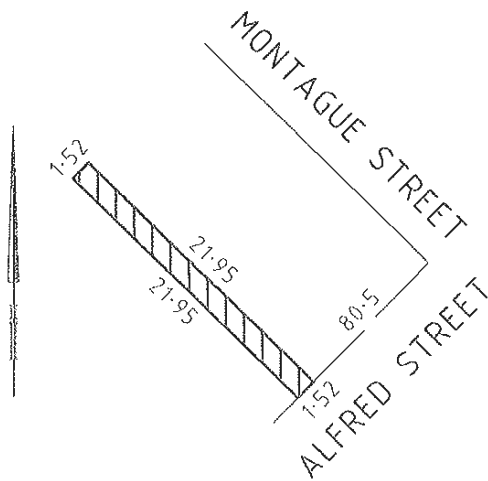
Dated 22 October 2007

LYNDON WEBB
Chief Executive Officer



Discontinuance of Road

Notice is hereby given that the Port Phillip City Council, at its ordinary meeting on 23 July 2007, formed the opinion that the sections of road shown hatched on the plan below are not reasonably required as a road for public use and resolved to discontinue the road, and having advertised and served notices regarding the proposed discontinuance and hearing submissions under section 223 of the **Local Government Act 1989**, orders that the road at the abutting 28 Alfred Street, South Melbourne, be discontinued pursuant to section 206 and schedule 10, clause 3 of the said Act, and the land of the discontinued road be sold by private treaty to the owners of the land abutting the road.



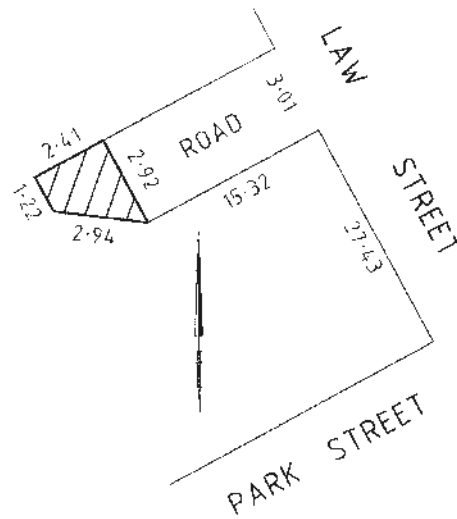
DAVID SPOKES
Chief Executive Officer



Discontinuance of Road

Notice is hereby given that the Port Phillip City Council, at its ordinary meeting on 23 April 2007, formed the opinion that the sections of road shown hatched on the plan

below are not reasonably required as a road for public use and resolved to discontinue the road, and having advertised and served notices regarding the proposed discontinuance and hearing submissions under section 223 of the **Local Government Act 1989**, orders that the road at the rear 75–85 Eastern Road, South Melbourne, be discontinued pursuant to section 206 and schedule 10, clause 3 of the said Act, and the land of the discontinued road be sold by private treaty to the owners of the land abutting the road.



DAVID SPOKES
Chief Executive Officer



Southern Grampians
Shire Council

Domestic (Feral & Nuisance) Animals Act 1994

Dog and Cat Registration

Notice is hereby given that under the provisions of section 10 D(3) of the **Domestic (Feral & Nuisance) Animals Act 1994** ('the Act') the class of dogs and cats ten years and older be exempted from the requirement under section 10 C(1)(a) of 'the Act' to be implanted with a permanent identification device prior to registration by Southern Grampians Shire Council, effective from 1 November 2007.

GRAHAM N. MOSTYN
Chief Executive Officer

Planning and Environment Act 1987
MAROONDAH PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C58

Authorisation A0779

The Maroondah City Council has prepared Amendment C58 to the Maroondah Planning Scheme.

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

The land affected by the Amendment is all land within the Ringwood Transit City (extending from the Eastlink tollway in the west, the Ringwood Bypass Road/Mullum Mullum Creek to the north, Ringwood Lake to the east and the Belgrave/Lilydale Railway lines and Station Street to the south).

The Amendment proposes to introduce a planning and design framework into the Maroondah Planning Scheme that reflects the strategic objectives and recommendations of the Ringwood Transit City Urban Design Masterplan 2004.

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, Maroondah City Council at the following locations: City Offices Service Centre, Braeside Avenue, Ringwood; Eastland Service Centre, Level 2, Shop G104, Eastland Shopping Centre, Ringwood; Civic Square Services Centre, Civic Square, Croydon; the Croydon Library, Civic Square, Croydon; the Ringwood Library, Ringwood Plaza, Ringwood; and at the Department of Planning & Community Development, 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 26 November 2007. Submissions must be sent to Mr Trevor Welsh, Director City Development, Maroondah City Council, PO Box 156, Ringwood 3134.

TREVOR WELSH
 Director City Development

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 28 December 2007, 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.

ESNOUF, Kenneth James, late of 50 Andrew Street, Melton South, Victoria 3338, pensioner and who died on 19 July 2007.

GARCIA, Eloisa, late of 17 The Parade, Ascot Vale, Victoria 3032, home duties and who died on 7 September 2007.

GLOVER, Dorothy, late of Unit 10, 1-5 D'Arcy Street, Doncaster, Victoria 3108, who died on 23 June 2007.

HOPGOOD, Glenn Howard, late of 44 Cherylnne Crescent, Kilsyth, Victoria 3137, who died on 25 June 2007.

MILLER, Florence McLeod, late of Lorikeet Lodge, 24 Moorooduc Road, Frankston South, Victoria 3199, pensioner and who died on 29 July 2007.

MOURITZ, Kathleen, late of Jack Lonsdale Lodge, 232 Spencer Street, Sebastopol, Victoria 3356, pensioner and who died on 8 October 2007.

REHER, Mary, late of Spurway Nursing Home 87-91 Murrumbeena Road, Murrumbeena, Victoria 3163, who died on 9 October 2004.

WALDEN, George Norman, late of 5 Lernes Street, Forest Hill, Victoria 3131, retired and who died on 2 October 2007.

Dated 19 October 2007

MARY AMERENA
 Manager
 Executor and Trustee Services

EXEMPTION

Application No. A255/2007

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by Peninsula Hot Springs (the applicant). The application for exemption is to allow the applicant for a period of two years from the date of this exemption to restrict entry to its bathing facilities and day spa for those 4 years of age or younger.

Upon reading the material submitted in support of the application and hearing Mr Norm Cleland's evidence on oath at the hearing of the application, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 42 and 195 of the Act to allow the applicant for a period of two years from the date of this exemption to restrict entry to its bathing facilities and day spa for those 4 years of age or younger.

In granting this exemption the Tribunal noted that :

- Peninsula Hot Springs was opened in May 2005, combining public hot springs and a private spa.
- The hot springs have attracted family groups including very young children who are naturally boisterous and noisy in a way that is currently incompatible with the operation of the private spa facility.
- It is intended that a new public bathing facility which will accommodate people of all ages will be opened and operating at the earliest by December 2008, such that an exemption will no longer be needed.
- This application was advertised in the press, in accordance with orders of the Tribunal, seeking submissions for or against the application. No submissions were received.
- In accordance with orders of the Tribunal the Victorian Human Rights & Equal Opportunity Commission was notified of the application and the hearing date and made no application to be heard, nor any submission.
- The new facilities will have special family areas, with shallower and safer pool depth for very young children as well as special surfaces to help prevent young children from slipping over.
- There is considerable support from clientele for the restricted access described.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 42 and 195 of the Act to allow the applicant for a period of two years from the date of this exemption to restrict entry to its bathing facilities and day spa for those 4 years of age or younger.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 19 October 2009.

Dated 15 October 2007

MRS A. COGHLAN
Deputy President

EXEMPTION

Application No. A304/2007

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Women's Housing Limited. The application for exemption is to enable the applicant to employ the following as Women only Employees (the exempt conduct):-

1. Housing Information and Referral Officer (2 positions);
2. Corrections Housing Pathway Initiative Officer (1 position);
3. Tenancy Administration Officer (2 positions);
4. Administrator (1 position);
5. Operations Manager (1 position);
6. Receptionist (1 position);
7. Chief Operating Officer (1 position).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this Exemption the Tribunal noted:

- Women's Housing Ltd is funded by the Department of Human Services as the only statewide specialist Transitional Housing Manager (THM) catering for women only.
- Women's Housing Ltd and its funding body (DHS) consider it inappropriate for male workers to be employed by this organisation.
- Women's Housing Ltd is a gender specific service providing crises and transitional housing to homeless women.

- Women's Housing Ltd provides for women escaping domestic violence, women leaving prison, single mothers, and women with disabilities.

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

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 October 2010.

Dated 19 October 2007

HER HONOUR JUDGE HARBISON
Vice President

EXEMPTION

Application No. A263/2007

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by National Management Plus Pty Ltd for exemption from sections 42, 100 and 195 of that Act. The application for exemption is to enable the applicant to conduct a social venue for male homosexual patrons only called 'the Circuit Bar' at 103–105 Smith Street, Fitzroy and to advertise that fact.

Upon reading the material submitted in support of the application and upon hearing submissions from Ms Ellyard of Counsel and for the Reasons for Decision given by the Tribunal on 18 October 2007, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 42, 100 and 195 of the Act to enable the applicant to conduct a social venue for male homosexual patrons only, called 'the Circuit Bar' at 103–105 Smith Street, Fitzroy, and to advertise that fact.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to conduct a social venue for male homosexual patrons only called 'the Circuit Bar' at 103–105 Smith Street, Fitzroy and to advertise that fact.

This exemption does not apply to the venue on Sundays from 3.00 pm onwards, when the venue will be open to all patrons.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 24 October 2010.

Dated 18 October 2007

C. McKENZIE
Deputy President

EXEMPTION

Application No. A268/2007

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by the University of Ballarat. The application for exemption is to enable the applicant to advertise for and provide to international students two 'Study of Melbourne – University of Ballarat' scholarships, and 'University of Ballarat International Student Excellence' scholarships. 'International Student' is a student who is not an Australian citizen, and not a New Zealand citizen, and not the holder of a permanent Visa to live in Australia.

In this exemption this conduct is called 'the specified conduct'.

Upon reading the material submitted in support of the application and on hearing submissions from Ms Kelly and Mr White the Tribunal is satisfied that it is appropriate to grant an exemption from sections 37, 100 and 195 of the Act to enable the applicant to engage in the specified conduct.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 37, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 24 October 2010.

Dated 18 October 2007

C. McKENZIE
Deputy President

EXEMPTION

Application No. A311/2007

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Yarra Valley Community Health Service. The application for exemption is to enable the applicant to advertise for and employ Aboriginal or Torres Strait Islanders as Home

and Community Care Workers (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The YVCHS Indigenous Health Service purpose is to provide a culturally appropriate quality health service to improve the cultural, spiritual, physical, social and emotional well being of the Indigenous community members in order to enhance life potential and opportunities.
- It is to provide a health service to the Indigenous community within the Shire of the Yarra Ranges.
- The particular health needs of Aboriginal or Torres Strait male clients are best served by a Aboriginal or Torres Strait male health worker.

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

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 October 2010.

Dated 17 October 2007

HER HONOUR JUDGE HARBISON
Vice President

Associations Incorporation Act 1981

SUB-SECTION 36E(5)

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

Persian Carpet Dealers Association of Australia Inc.; Rebels Tennis Club, Ararat Inc.; Glenelg Community Technology Inc.; Kerrie Centre Playgroup Inc.; International Adoptive Parents Association Inc.; United Nations Youth Association Inc.; Boomaroo Yacht Club Inc.; Youth Assist Inc.; Calvary Fellowship Inc.;

The Royal Life Saving Society-Aust, Vic Branch Inc.; The Rotary Club of Northcote Inc.; Shadow Council of Port Phillip Inc.; The Chinmaya Mission South Inc.; Whittlesea Dog Obedience Club Inc.; Whitehorse Carers' Companionship Club Inc.; T.O.F.S.S. (The Over Forty Social Singles) Inc.; Gippsland Nudist Group Inc.; Kilsyth Youth Club Inc.; Swan Hill Secondary ASSPA Committee Inc.; Sunshine Bowling Club Inc.; Friends of the UNTL Library, Victorian Group Inc.; Alpine Valleys Summer Fruits Growers Association Inc.; Touching God Inc.; Gippsland Self-Help Inc.; Mitiamo Country Music Club Inc.; Australian Machine Tool Export Cluster Association Inc.; Riviera Junior Tennis Development Inc.; Serbien Radio Program "The Voice of Republica Serpska" Inc.; Katamatite Shooting Complex Inc.; Bendigo and District Occupational Health and Safety Forum Inc.; Romany Mandolins Inc.

Dated 25 October 2007

MELANIE SABA
Deputy Registrar of Incorporated Associations

Chinese Medicine Registration Act 2000 Health Professions Registration Act 2005

Following a formal hearing into the professional conduct of Mr Reza Gholamreza Ghaffurian Kermanipour, registration number Ah/566, registered in the division of acupuncturists and Chinese herbal medicine practitioners, a panel appointed by the Chinese Medicine Registration Board of Victoria, found that Mr Ghaffurian had engaged in unprofessional conduct within the meaning of sections 3(a) and (b) of the Act and that he engaged in unprofessional conduct of a 'serious' and also 'not of a serious' nature.

The Panel determined that sanctions be imposed in accordance with sections 48(2)(b) and (f) of the **Chinese Medicine Registration Act 2000** and that the registration of Mr Ghaffurian as a Chinese medicine practitioner should have conditions imposed per section 48(2)(e). It made this determination effective immediately. The details are available from the Chinese Medicine Registration Board on 03 9499 3800 or at <http://www.cmrb.vic.gov.au/board/board.html>

DEBRA GILLICK
Registrar

Education and Training Reform Act 2006NOTIFICATION OF CONDITIONS
IMPOSED ON REGISTRATION OF A
TEACHER

Pursuant to section 2.6.46 of the **Education and Training Reform Act 2006**, the Victorian Institute of Teaching may find a teacher has engaged in serious misconduct, has been seriously incompetent and/or is not fit to teach, and may make a determination pursuant to subsection 2.6.46 (2) including impose conditions on the registration of a teacher.

On 17 September 2007, Kenneth Mills, born 18 April 1975, was found guilty of serious misconduct and was considered fit to teach with conditions imposed.

On 17 September 2007, the Panel determined that Kenneth Mills remain registered as a teacher in Victoria and imposed the following conditions on the registration of Kenneth Mills:

1. That Mr Mills attend on-going counselling with psychologist, Dr Janet Mason, between 17 September 2007 and 31 March 2008.
2. That by 7 April 2008 Mr Mills submit to the Institute a detailed report from Dr Mason addressing Mr Mills' further progress in the following areas:
 - insight into, and ability to determine and implement, the professional boundaries of a teacher;
 - identifying and expressing his feelings in a way that is appropriate to the occasion; and
 - ability to recognise and deal appropriately with personal stressors.

SUSAN HALLIDAY
Chairperson
Disciplinary Proceedings Committee
Victorian Institute of Teaching

**Emergency Services Superannuation
Act 1986**ELECTION OF THREE (3) CONTRIBUTOR
MEMBERS AND THREE (3) DEPUTY
CONTRIBUTOR MEMBERS TO
THE EMERGENCY SERVICES
SUPERANNUATION BOARD

In accordance with the Emergency Services Superannuation Scheme Procedure for the 2007 Board Elections, I hereby declare the following candidates elected for appointment to the Emergency Services Superannuation Board:

Contributor Member of the Board to represent Police Members and Members of the Police Association under section 7 (1) (A):

- Graeme Larkin.

Contributor Member of the Board to represent MFB and CFA Members under section 7 (1) (B):

- Philip Jones.

Contributor Member of the Board to represent Ambulance Members, Emergency Services Superannuation Scheme Staff, Members of the Department of Sustainability and Environment, Department of Primary Industries and any other members not represented by the two elected member representatives under section 7 (1) (C):

- Michael Stephenson.

Deputy Contributor Members of the Board under section 7 (1) (C):

- Phil Wilson.
- Russell Walsh.
- John Taplin.

PHILLIPPA HESKETT
Returning Officer

Gas Industry Act 2001MOMENTUM ENERGY PTY LTD
(ABN 42 100 569 159)

Notice of Grant of Licence

The Essential Services Commission gives notice under section 39 of the **Gas Industry Act 2001** (GI Act) that it has, pursuant to section 26 of the GI Act, granted a licence to Momentum Energy Pty Ltd, ABN 42 100 569 159, to sell (retail) gas in Victoria. This licence takes effect from 10 October 2007.

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

Dated 10 October 2007

GREG WILSON
Chairperson

Magistrates' Court Act 1989

Pursuant to section 5A of the **Magistrates' Court Act 1989**, I nominate the Moorabbin Justice Centre venue of the Magistrates' Court of Victoria as a mention court.

Dated 25 October 2007

IAN L. GRAY
Chief Magistrate

Magistrates' Court Act 1989

Pursuant to section 5(3) of the **Magistrates' Court Act 1989**, I direct the Moorabbin Justice Centre venue of the Magistrates' Court of Victoria to sit daily between the hours of 10 o'clock in the morning and 4 o'clock in the afternoon.

Dated 25 October 2007

IAN L. GRAY
Chief Magistrate

Medical Practice Act 1994

MEDICAL PRACTITIONERS BOARD OF
VICTORIA

Notice

Re: Dr Cindy Yau Fung Lee Wong

A Panel of the Medical Practitioners Board of Victoria on 17 October 2007 concluded a Formal Hearing into the professional conduct of Dr Cindy Yau Fung Lee Wong, a registered medical practitioner.

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

The Panel made the following determinations:

- pursuant to section 45A(2)(h) of the Act, Dr Wong's registration is cancelled effective from 17 October 2007; and
- pursuant to section 45A(2)(i) of the Act, Dr Wong is disqualified from applying for registration for a period of three (3) years from the date of her suspension by the Board on 9 March 2007, that is not before 9 March 2010.

Dated 19 October 2007

LINDA DAWSON
Compliance Co-ordinator

Nurses Act 1993

NURSES BOARD OF VICTORIA

Re: Jean Frances Rose

Identification Number 70412

Registered in Division 1

Following a formal hearing into the professional conduct of Jean Frances Rose, a Panel appointed by the Nurses Board of Victoria found, on 16 October 2007, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

1. Ms Rose is required:
 - 1.1 under section 48(2)(e), to provide employer reports that are satisfactory to the Board at three, six and 12 months, from 16 October 2007, as a condition of her registration; and
 - 1.2 under section 48(2)(e), is restricted from working night duty for six months.

LOUISE MILNE-ROCH
Chief Executive Officer

**Water Act 1989**

NORTH EAST REGION WATER
CORPORATION (NORTH EAST WATER)

Water Conservation By-Law 02/2004

North East Water is in the process of repealing its Water Conservation By-Law 02/2004 and replacing it with a Permanent Water Savings Plan (PWSP) to

- incorporate waterMAP;
- include additional information and definitions relating to prohibitions surrounding water use;
- stipulate various areas impacted and covered under a PWSP; and
- state the specific water districts under North East Water control, impacted by the PWSP.

To assist us in this process, we are inviting public comment on the document.

This will allow us to take account of the community's issues and concerns as we move towards the adoption of this new Permanent Water Savings Plan.

The document is available for viewing on our website at www.nerwa.vic.gov.au (follow the link from the home page), or you can pick up a copy from our office at Level 1, Hovell Street, Wodonga.

Written submissions close on Thursday 22 November 2007 and should be addressed to John Morris, Executive Manager Business Services, North East Water, PO Box 863, Wodonga 3689.

For more information, contact John Morris (02) 6022 0560.

Thank you for your participation in this process.

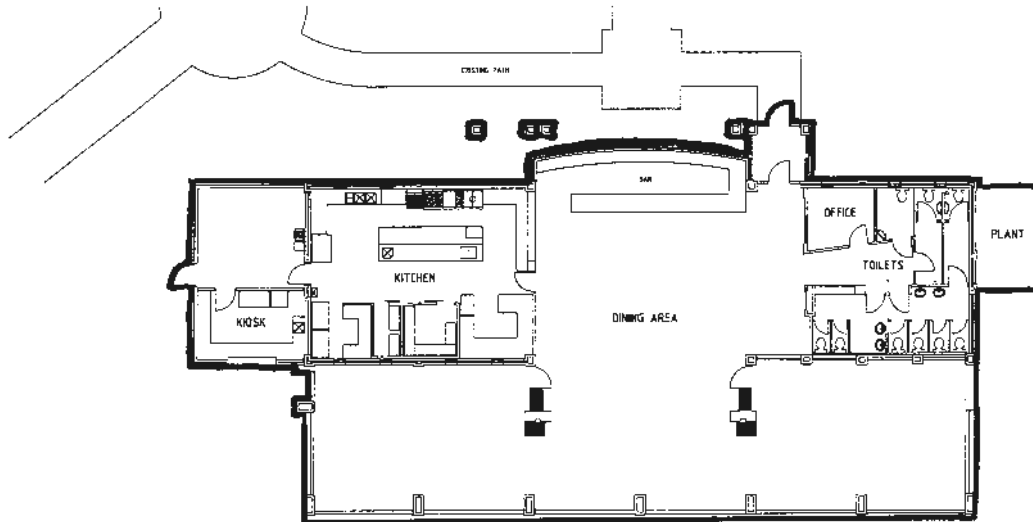
Crown Land (Reserves) Act 1978**ORDER GIVING APPROVAL TO GRANT A LEASE UNDER SECTIONS 17D AND 17DA**

Under sections 17D and 17DA of the **Crown Land (Reserves) Act 1978** I, Gavin Jennings MLC, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by the Kingston City Council for the purpose of a restaurant and kiosk and ancillary uses associated with the permitted uses over part of the Mordialloc–Mentone Beach Park described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

- (a) there are special reasons which make granting a lease reasonable and appropriate in the particular circumstances; and
- (b) to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**.

SCHEDULE

The area of land shown on the following plan, being part of the land permanently reserved for Public Purposes and Public Park by Order in Council of 24 March 1891 (vide Government Gazette 26 March 1891, page 1388).

**333 BEACH ROAD, MORDIALLOC**

1204211

Dated 5 October 2007

GAVIN JENNINGS, MLC
Minister for Environment and Climate Change

Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 12th day of October 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION ('Commission')

and

SUSTAINABILITY VICTORIA ('Sustainability Victoria')

BACKGROUND:

- A. The Sustainable Energy Authority of Victoria is a prescribed agency for the purposes of section 15 of the **Essential Services Commission Act 2001** ('ESC Act').
- B. In 2003 the Commission entered into a Memorandum of Understanding with the agency referred to in Recital A pursuant to section 15 of the ESC Act.
- C. In 2005 the Sustainable Energy Authority of Victoria and Eco Recycle Victoria merged to become Sustainability Victoria pursuant to the **Sustainability Victoria Act 2005**.
- D. This Memorandum of Understanding replaced the Memorandum of Understanding dated 8 December 2003.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the background:

'**Chairperson**' means the Chairperson of the Essential Services Commission;

'**Chief Executive Officer**' means the Chief Executive Officer of Sustainability Victoria;

'**ESC Act**' means the **Essential Services Commission Act 2001**;

'**prescribed agency**' has the same meaning as in the ESC Act;

'**regulated industry**' has the same meaning as in the ESC Act;

'**SV Act**' means the **Sustainability Victoria Act 2005**.

2. Objectives and purpose of this memorandum

This memorandum seeks to:

- (a) ensure that the regulatory and decision making processes of the parties in relation to regulated industries are closely integrated and better informed;
- (b) avoid overlap or conflict between regulatory schemes (either existing or proposed) affecting regulated industries;
- (c) provide for sharing information between the parties in the context of their respective roles in relation to regulated industries;
- (d) promote the adoption of a best practice approach to regulation; and
- (e) assist in ensuring that the Commission is in a position to have regard to relevant environmental legislation and regulatory practice in its decision making in relation to regulated industries.

3. The role of the Commission

3.1 The Commission currently has functions relating to the economic regulation of the electricity, gas, ports, grain handling, freight rail, taxi, hire car, tow truck, statutory insurance and water industries. Its specific functions are:

- (a) to perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
- (b) to advise the relevant Minister on matters relating to the economic regulation of regulated industries, including reliability issues;

- (c) when requested by the Minister to do so, to conduct an inquiry into any systemic reliability of supply issues related to a regulated industry or other essential service specified by the Minister in the request;
 - (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;
 - (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry;
 - (g) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.

4. The role of Sustainability Victoria

The objective of Sustainability Victoria is to facilitate and promote environmental sustainability in the use of resources in Victoria. The specific functions of Sustainability Victoria are set out in section 7 of the SV Act.

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with Sustainability Victoria:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.
- 5.2 Sustainability Victoria will, if requested in writing by the Commission to do so, consult with the Commission:
- (a) in relation to any matter specified by the Commission which is relevant to its objectives or functions; and
 - (b) in respect of a matter specified by the Commission which may impact on a regulated industry.

- 5.3 Each party having regard to their respective roles in relation to each regulated industry will:
- (a) consult with and involve the other in the performance of any function that has or is likely to have material implications for the other;
 - (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory or decision making processes;
 - (c) on request, provide the other with timely advice on regulatory matters for which it is responsible;
 - (d) provide the other with timely relevant information on industries or industry issues for which both parties have some responsibility;
 - (e) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
 - (f) exchange details of annual work programs to the extent that they are relevant to the role of the other;
 - (g) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;
 - (h) identify opportunities to coordinate strategic planning and undertake knowledge sharing initiatives to optimise material understanding of roles and strategic directions;
 - (i) identify relevant project officers to allow for the coordination of particular regulatory projects; and
 - (j) publish this memorandum on its website.

6. How the parties will manage their relationship and resolve disputes

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- At the date of this memorandum, the contact officer for the Commission is Ms Wendy Heath, and the contact officer for Sustainability Victoria is Ms Jan Trehwella, General Manager Strategy & Knowledge.
- 6.2 Each party will give notice in writing of any change to its contact officer to the other, promptly after the change is made.
- 6.3 Each party will ensure that its contact officer:
- (a) makes themselves (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;
 - (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
 - (c) arranges (in conjunction with the other's contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of the Chairperson and the Chief Executive Officer no less frequently than annually.
- 6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other's contact officer. If, however, a contact officer gives notice to the other party's contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party's contact officer must promptly:

- (a) brief the Chairperson or Chief Executive Officer (or a nominee of the party's Chairperson or Chief Executive Officer) of details of the relevant dispute; and
- (b) arrange with the other's contact officer for a meeting of the Chairperson and the Chief Executive Officer (or their respective nominees), with the objective of settling the dispute amicably.

7. Use and disclosure of information

- 7.1 The capacity of a party to use or disclose information, or take information into account, is or may be (depending on the nature or source of the information) restricted by law.
- 7.2 If a party discloses information to the other party under this memorandum, the disclosing party may place restrictions on the recipient's use or disclosure of that information, being restrictions it believes in good faith are necessary for compliance with binding restrictions on disclosure. A party receiving information will observe any such restriction noting, however, that this requirement does not limit:
 - (a) any other legal obligation of a party relating to the disclosure or use of information; and
 - (b) any right of a party concerning information obtained otherwise than under this memorandum.

EXECUTED AS A MEMORANDUM:

THE COMMON SEAL of the)
 ESSENTIAL SERVICES COMMISSION)
 was affixed pursuant to the authority of the)
 Commission on the 12th day of October 2007)

GREG WILSON
Chairperson

THE COMMON SEAL of)
 SUSTAINABILITY VICTORIA)
 was duly affixed on the)
 12th day of October 2007)

GEOFF MABBETT
Chief Executive Officer

Essential Services Commission Act 2001

THIS MEMORANDUM is made on the 18th day of October 2007

PARTIES:

ESSENTIAL SERVICES COMMISSION ('Commission')

and

DIRECTOR OF CONSUMER AFFAIRS ('CAV')

BACKGROUND:

- A. The Commission is an independent statutory authority established by the ESC Act.
- B. CAV is a prescribed agency for the purposes of the ESC Act.
- C. The parties have entered into a memorandum of understanding to provide for consultation between the Commission and CAV and the integration and co-ordination of their regulatory and other activities, in accordance with sections 15 and 16 of the ESC Act.
- D. This memorandum is intended to replace the memorandum of understanding dated 14 March 2004.

OPERATIVE PROVISIONS:**1. Definitions**

In this memorandum, including the background:

'**Chairperson**' means the Chairperson of the Essential Services Commission;

'**Director**' means the Director of Consumer Affairs;

'**FTA**' means the **Fair Trading Act 1999** (Victoria);

'**ESC Act**' means the **Essential Services Commission Act 2001**;

'**prescribed agency**' has the same meaning as in the ESC Act;

'**regulated industry**' has the same meaning as in the ESC Act.

2. Objectives and purpose of this memorandum

This memorandum seeks to:

- (a) ensure that the regulatory and decision making processes of the parties in relation to regulated industries are closely integrated and better informed;
- (b) avoid overlap or conflict between regulatory schemes (either existing or proposed) affecting regulated industries;
- (c) provide for sharing information between the parties in the context of their respective roles in relation to regulated industries; and
- (d) promote the adoption of a best practice approach to regulation.

3. The role of the Commission

3.1 The Commission currently has functions relating to the economic regulation of the electricity, gas, ports, grain handling, freight rail, taxi, hire car, tow truck, statutory insurance and water industries. Its specific functions are:

- (a) to perform such functions as are conferred by the ESC Act and the relevant legislation under which a regulated industry operates;
- (b) to advise the Minister for Finance on matters relating to the economic regulation of regulated industries, including reliability issues;
- (c) when requested by the Minister for Finance to do so, to conduct an inquiry into any systemic reliability of supply issues related to a regulated industry or other essential service specified by the Minister in the request;
- (d) to conduct inquiries and report under the ESC Act on matters relating to regulated industries;

- (e) to make determinations in accordance with the ESC Act;
 - (f) to make recommendations to the Minister for Finance as to whether an industry which provides an essential service should become a regulated industry or whether a regulated industry should continue to be a regulated industry;
 - (g) to conduct public education programs for the purpose of promoting its objectives under the ESC Act and the relevant legislation and in relation to significant changes in the regulation of a regulated industry; and
 - (h) to administer the ESC Act.
- 3.2 The Commission's primary objective in performing those functions is to protect the long-term interests of Victorian consumers with regard to the price, quality and reliability of essential services. In seeking to achieve that primary objective, the Commission must have regard to the following facilitating objectives:
- (a) to facilitate efficiency in regulated industries and the incentive for efficient long-term investment;
 - (b) to facilitate the financial viability of regulated industries;
 - (c) to ensure that the misuse of monopoly or non-transitory market power is prevented;
 - (d) to facilitate effective competition and promote competitive market conduct;
 - (e) to ensure that regulatory decision making has regard to the relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (f) to ensure that users and consumers (including low-income or vulnerable customers) benefit from the gains from competition and efficiency; and
 - (g) to promote consistency in regulation between States and on a national basis.
- 3.3 The Commission must also perform its functions and exercise its powers in such a manner as the Commission considers best achieves any objectives specified in the relevant legislation under which a regulated industry operates.
- 3.4 The Commission's objectives, functions and particular responsibilities under regulatory instruments are the basis of its concern with market conduct of energy retailers. Its concern is predominantly about systematic misconduct or systemic issues, particularly where it is suggestive of misuse of market power or the absence of effective competition.
- 4. The role of Consumer Affairs Victoria**
- 4.1 CAV is responsible for maintaining an effective framework for consumer protection services in Victoria and for providing an effective business licensing and registration function. The role of CAV is:
- (a) protect and promote the interests of consumers;
 - (b) ensure markets work in the interests of consumers and the broad community; and
 - (c) improve access to consumer protections services, particularly for vulnerable consumers.
- 4.2 CAV administers over 40 statutes. For the purposes of this Memorandum, the FTA is the most relevant. The functions and powers of the Director under the FTA include:
- (a) to advise persons of their rights and obligations under the FTA or related consumer legislation;
 - (b) to receive complaints from persons and to deal with them in accordance with the FTA;

- (c) to investigate breaches of the FTA;
- (d) to prosecute breaches of the FTA;
- (e) to institute and defend proceedings in accordance with the FTA;
- (f) to encourage the preparation and use of codes of practice and guidelines in safeguarding and promoting the interests of suppliers and purchasers of goods or services and to prepare and submit to the Minister for Consumer Affairs codes of practice for the purposes of the codes and guidelines being prescribed in regulations;
- (g) in respect of matters affecting the interests of purchasers and suppliers:
 - (i) to investigate those matters; and
 - (ii) to conduct research; and
 - (iii) to collect and collate information.
- (h) to report to the Minister on any matter in relation to fair trading which CAV has investigated, either on CAV's own motion or at the request of the Minister;
- (i) to educate and inform people on fair trading issues;
- (j) any other function conferred on CAV under the FTA or any other Act.

4.3 CAV's role and functions are the basis of its concern with the market conduct of energy retailers. Its concern is predominantly about breaches of the FTA, having regard to the impact of the breach, whether further consumer detriment can be avoided, and whether the retailer has been the subject of previous enforcement actions.

While CAV is most concerned about serious breaches of the FTA, a broader understanding of breaches of the FTA by a trader is important to inform CAV of the most appropriate compliance and enforcement action to take against a trader.

5. How the parties will consult

- 5.1 Where relevant, the Commission will, as early as practicable, consult with CAV:
- (a) in the making of a determination;
 - (b) in the conduct of an inquiry or investigation, after first consulting with the Minister; and
 - (c) in preparing and reviewing the Commission's Charter of Consultation and Regulatory Practice.
- 5.2 CAV will, if requested in writing by the Commission to do so, consult with the Commission:
- (a) in relation to any matter specified by the Commission which is relevant to its objectives or functions; and
 - (b) in respect of a matter specified by the Commission which may impact on a regulated industry.
- 5.3 Each party will notify the other of market conduct complaints by energy consumers and will act in relation to them as set out in the Appendix.
- 5.4 Each party having regard to their respective roles in relation to each regulated industry will:
- (a) consult with the other in the performance of any function that has or is likely to have material implications for the other;
 - (b) ensure that such consultation occurs as early as practicable in the parties' regulatory, advisory or decision making processes;
 - (c) on request, provide the other with timely advice on regulatory matters for which it is responsible;

- (d) provide the other with timely relevant information on industries or industry issues for which both parties have some responsibility;
- (e) promptly inform the other of any material changes to its role or to the regulatory arrangements it administers;
- (f) exchange details of annual work programs to the extent that they are relevant to the role of the other;
- (g) provide the other with advance notice of its intention to undertake a major review or activity that will or may have material implications for the other;
- (h) identify opportunities to coordinate strategic planning and undertake knowledge sharing initiatives to optimise mutual understanding of roles and strategic directions;
- (i) identify relevant project officers to allow for the coordination of particular regulatory projects; and
- (j) publish this memorandum on its website.

6. How the parties will manage their relationship and resolve disputes

- 6.1 Each party will ensure that, at all times while this memorandum is in force, one of its staff members is designated and known to the other as its contact officer for the purposes of this memorandum.
- 6.2 At the date of this memorandum, the contact officer for the Commission is the Senior Regulatory Manager, Customer Protection and Compliance, and the contact officer for CAV is the General Manager, Compliance. Each party will give notice of any change to its contact officer in writing to the other, promptly after the change is made.
- 6.3 Each party will ensure that its contact officer:
 - (a) makes themselves (or an alternate) available at all relevant times to address any questions, concerns or disputes arising out of the operation of this memorandum which are raised by either party;
 - (b) instigates periodic (and in any event not less than three yearly) reviews of this memorandum directed, in particular, to the potential for improvement in its terms or operation and to the effect (if any) of regulatory change on its terms, operation or utility; and
 - (c) arranges (in conjunction with the other's contact officer) such meetings of appropriate staff of the parties as and when necessary or desirable to facilitate the efficient and effective operation of this memorandum and including, in any event, a meeting of the Chairperson and the Director no less frequently than annually.
- 6.4 If there is a dispute between the parties as to the terms or operation of this memorandum, each party will ensure that its contact officer endeavours in good faith to resolve that dispute with the other's contact officer. If, however, a contact officer gives notice to the other party's contact officer of the view that the dispute is unlikely to be resolved by discussions between the contact officers, then each party's contact officer must promptly:
 - (a) brief the Chairperson or Director (or a nominee of the party's Chairperson or Director) of details of the relevant dispute; and
 - (b) arrange with the other's contact officer for a meeting of the Chairperson and the Director (or their respective nominees), with the objective of settling the dispute amicably.

7. Use and disclosure of information

- 7.1 The capacity of a party to use or disclose information, or take information into account, is or may be (depending on the nature or source of the information) restricted by law.
- 7.2 If a party discloses information to the other party under this memorandum, the disclosing party may place restrictions on the recipient's use or disclosure of that information, being restrictions it believes in good faith are necessary for compliance with binding restrictions on disclosure. A party receiving information will observe any such restriction noting, however, that this requirement does not limit:
- (a) any other legal obligation of a party relating to the disclosure or use of information; and
 - (b) any right of a party concerning information obtained otherwise than under this memorandum.

EXECUTED AS A MEMORANDUM:

THE COMMON SEAL of the
 ESSENTIAL SERVICES COMMISSION)
 was affixed pursuant to the authority of the)
 Commission on the 18th day of October 2007)

GREG WILSON
 Chairperson

SIGNED BY THE DIRECTOR OF)
 CONSUMER AFFAIRS VICTORIA)
 on the 18th day of October 2007)

DR DAVID COUSINS

APPENDIX

MARKET CONDUCT COMPLAINTS IN ENERGY MARKETS – NOTIFICATION AND
 INVESTIGATION PROTOCOL BETWEEN THE COMMISSION AND CAV

1. Background

- 1.1 The appendix details the agreed procedures between the Commission and CAV for market conduct complaints from energy consumers.
- 1.2 It constitutes a protocol between the Commission and CAV for investigation of market conduct complaints against licensed Victorian energy retailers (licensed retailers) for possible contraventions of their statutory obligations.
- 1.3 The protocol should be read in conjunction with any protocol agreed to between the Commission, CAV and the Energy and Water Ombudsman Victoria ('EWOV').

2. Assessment of complaints

- 2.1 While, generally, consumers who contact CAV or the Commission about a licensed electricity or gas retailer will be referred to the EWOV, enquiries or complaints received by CAV which relate to the **Fair Trading Act 1999** and are of significance will be retained and managed by CAV. CAV will also accept enquiries and may conciliate complaints where the trader is an independent intermediary, for example an energy broker.

3. Ongoing Communications

- 3.1 CAV to Commission – CAV will promptly notify the Commission about:
- (a) any proposed enforcement action against a licensed retailer;
 - (b) any other material matter which CAV believes is relevant to the Commission in the context of the objectives and purposes of this memorandum.

- 3.2 Commission to CAV – The Commission will promptly notify CAV about:
- (a) any matter that may warrant immediate investigation or enforcement action under the FTA;
 - (b) any other matter which the Commission believes is relevant to the CAV's objectives and involves market conduct issues extending beyond energy industries.

3.3 Regular meetings

To assist in the efficient regulation of the sector, the Commission and CAV will meet regularly to enable:

- the Commission to share with CAV the trader-specific issues it has investigated in the previous period, to inform CAV of systemic and trader-specific conduct relevant to CAV's focus on market conduct in regard to the FTA;
- CAV to share with the Commission compliance and enforcement activities underway with traders in the sector, and completed in the previous period.

The timing of these regular meetings will be based on the receipt of regular reports from EWOV to the Commission and CAV.

4. Co-ordination of investigation and enforcement action

- 4.1 Where both CAV and the Commission have been notified about market conduct of licensed retailers which involves potential contraventions of the FTA and Commission-administered legislation, CAV and the Commission will confer to enable a coordinated course of action in investigating that conduct, where applicable.

In deciding upon a co-ordinated course of action the parties will be guided by the following objectives:

- to achieve the best outcome for the affected customers;
- to ensure that the licensed retailers comply with and respect applicable laws;
- to achieve the most timely, cost efficient and sustainable outcome possible; and
- to avoid duplication of investigatory process and effort.

- 4.2 If appropriate in the circumstances, CAV and the Commission will co-operate in joint investigations. If requested, the parties will provide advice on their respective statutory and regulatory frameworks to assist others in any investigation being undertaken.

- 4.3 The parties will keep each other informed of the progress, proposed actions or concluded actions of or arising from an investigation, into alleged market misconduct by licensed retailers.
-

Private Agents Act 1966NOTICE OF RECEIPT OF APPLICATIONS FOR LICENCES
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966 – 7494**

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

Any person desiring to object to any of such applicants must –

- (a) lodge with me a notice in the prescribed form of his/her 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>
Damien Justin Morrow	Lyndon Peak P/L	6 McGlone Street, Mitcham, Vic.	Commercial Sub-Agents
Andrew K. Ball	Cannon Collections	Level 15, 535 Bourke Street, Melbourne, Vic. 3000.	Commercial Agents
Hetty Chidziva	Collection House Ltd.	Level 7, 477 Collins Street, Melbourne, Vic. 3000.	Commercial Sub-Agents
Daiana Bell	Collection House Ltd.	Level 7, 477 Collins Street, Melbourne, Vic. 3000.	Commercial Sub-Agents
Andrew L. Righetti	E Collect Com Au P/L.	585 Little Collins Street, Melbourne, Vic. 3000.	Commercial Sub-Agents

Dated at Melbourne 16 October 2007

T. RIPPER
Registrar
Magistrates' Court of Victoria

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

Notice of Approval of Amendment

Amendment C113

The Minister for Planning has approved Amendment C113 to the Ballarat Planning Scheme.

The Amendment removes the Environmental Audit Overlay from Lot 3, PS346969S, Vale Street, Alfredton.

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

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the Department of Planning and Community Development, Grampians Region, 402–406 Mair Street, Ballarat; and at the offices of the Ballarat City Council, Sturt Street, Ballarat.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

- changes the schedule to clause 52.03 to provide an exemption to the need to obtain a permit for the use of land in the Public Conservation and Resource Zone and the Public Use Zone 4 Transport for a minor utility installation provided the works are in accordance with the approved Environmental Management Plan; and
- changes the schedule to clause 81.01 to include the Wimmera Mallee Pipeline Project Supply System 5 Murray/Culgoa, August 2007 in the Buloke Planning Scheme as an incorporated document.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the North West Regional Office, corner of Midland Highway and Taylor Street, Epsom; and at the offices of the Buloke Shire Council, Municipal Offices, 367 Broadway, Wycheproof.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

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

Notice of Approval of Amendment

Amendment C15

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

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

The Amendment:

- changes schedule 1 to the Vegetation Protection Overlay and the schedule to clause 52.17 to exempt the Wimmera Mallee Pipeline Project, Supply System 5 Murray/Culgoa from the need to obtain a permit for the removal of vegetation provided the works are in accordance with the approved Environmental Management Plan;

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

Notice of Approval of Amendment

Amendment C98

The Minister for Planning has approved Amendment C98 to the Casey Planning Scheme.

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

The Amendment includes part of 585 Berwick–Cranbourne Road and part of 1790 Thompsons Road, Clyde North, in the Public Acquisition Overlay Schedule 1, to facilitate the acquisition of land for the Berwick Cranbourne Road duplication project.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community

Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne and at the offices of the Casey City Council, Magid Drive, Narre Warren.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

corner of Midland Highway and Taylor Street, Epsom; and at the offices of the Gannawarra Shire Council, Municipal Offices, Patchell Plaza, 47 Victoria Street, Kerang.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987
GANNAWARRA PLANNING SCHEME
Notice of Approval of Amendment
Amendment C18

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

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

The Amendment:

- changes schedule 3 to the Environmental Significance Overlay, schedules 1 and 2 to the Vegetation Protection Overlay and the schedule to 52.17 to exempt the Wimmera Mallee Water Pipeline Project, Supply System 5 Murray/Culgoa from the need to obtain a permit for the removal of vegetation, provided the works are undertaken in accordance with the approved Environmental Management Plan;
- changes the schedule to clause 52.03 to provide an exemption to the need to obtain a permit for the use of land in the Public Conservation and Resource Zone and Public Use Zone 4, Transport for a minor utility installation provided the works are in accordance with the approved Environmental Management Plan; and
- changes the schedule to clause 81.01 to include the Wimmera Mallee Pipeline Project Supply System 5 Murray/Culgoa, August 2007 in the Gannawarra Planning Scheme as an incorporated document.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the North West Regional Office,

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

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

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

The Amendment rezones land at 275 Blampied–Kooroocheang Road, Blampied, from a Farming Zone to a Public Use Zone 1 – Service and Utility and deletes the Public Acquisition Overlay over the land; deletes clause 45.05 and its schedule, and replaces clause 61.03 to facilitate the Goldfields Superpipe Project.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the Department of Planning and Community Development, Loddon Mallee Office, 1 Taylor Street, Epsom; and at the offices of Hepburn Shire Council, 76 Vincent Street, Daylesford.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987
MORNINGTON PENINSULA PLANNING
SCHEME

Notice of Approval of Amendment
Amendment C78

The Minister for Planning has approved Amendment C78 to the Mornington Peninsula Planning Scheme.

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

The Amendment applies the Development Plan Overlay and its associated schedule (DPO15) to land at 1889–1897 Point Nepean Road, Tootgarook, enabling the consideration of an application for planning permit for residential and commercial development and use at 1889 Point Nepean Road and infill residential development of no more than six dwellings on land at 1895–1897 Point Nepean Road.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; and at the offices of the Mornington Peninsula Shire Council: Rosebud Office, Besgrove Street, Rosebud; Mornington Office, Queen Street, Mornington; and Hastings Office, Marine Parade, Hastings.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987

**MOUNT ALEXANDER PLANNING
SCHEME**

Notice of Approval of Amendment
Amendment C42

The Minister for Planning has approved Amendment C42 to the Mount Alexander Planning Scheme.

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

The Amendment rezones part of the land at Yandoit–Weron Road, Franklindford from a Farming Zone to a Public Use Zone 1 – Service and Utility and deletes the Public Acquisition Overlay over the land; amends the schedule to clause 45.01 to remove reference to PAO3; and replaces clause 61.03 to facilitate the Goldfields Superpipe Project.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community

Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the Department of Planning and Community Development, Loddon Mallee Office, 1 Taylor Street, Epsom; and at the offices of Mount Alexander Shire Council, 25 Lyttleton Street, Castlemaine.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

Notice of Approval of Amendment
Amendment C25

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

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

The Amendment rezones land located at Bromley Road, Robinvale (Crown Allotment 2005, Parish of Bumbang); from Public Park and Recreation Zone to Public Use Zone 7 (other public use) for the use and development of a Country Fire Authority fire station.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the Loddon Mallee Regional Office of the Department of Planning and Community Development, corner Midland Highway and Taylor Street, Epsom; and at the offices of the Swan Hill Rural City Council, 45 Splatt Street, Swan Hill.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

Notice of Approval of Amendment
Amendment C28

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

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

The Amendment:

- changes the schedule to clause 52.03 to provide an exemption to the need to obtain a permit for the use of land in the Public Conservation and Resource Zone and the Public Use Zone 4, Transport for a minor utility installation to facilitate the construction of the Wimmera Mallee Pipeline Project, Supply System 5 Murray/Culgoa provided the works are in accordance with the approved Environmental Management Plan;
- changes the schedule to clause 52.17 to exempt the project from the need to obtain a permit for the removal, destruction and lopping of native vegetation provided the works are in accordance with the approved Environmental Management Plan; and
- changes the schedule to clause 81.01 to include the Wimmera Mallee Pipeline Project, Supply System 5 Murray/Culgoa, August 2007 in the Swan Hill Planning Scheme as an incorporated document.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the North West Regional Office, corner of Midland Highway and Taylor Street, Epsom; and at the offices of the Swan Hill Rural City Council, 45 Splatt Street, Swan Hill.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987
WELLINGTON PLANNING SCHEME
Notice of Approval of Amendment
Amendment C49

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

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

The Amendment:

- introduces a revised Strategy Plan for Yarram township into the Municipal Strategic Statement;
- introduces a new Strategy Plan for the Buckleys Island Road Area, Devon North into the Municipal Strategic Statement; and
- introduces a new reference document 'Healthy by Design: A planners' guide to environments for active living' into the Planning Scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; Gippsland Regional Office, 71 Hotham Street, Traralgon; and at the offices of the Wellington Shire Council, 70 Foster Street, Sale.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987
WHITEHORSE PLANNING SCHEME
Notice of Approval of Amendment
Amendment C67

The Minister for Planning has approved Amendment C67 to the Whitehorse Planning Scheme.

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

The Amendment introduces an interim Design and Development Overlay to apply a 9 metre building height limit over the Mitcham Neighbourhood Activity Centre.

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

Ground Floor, 8 Nicholson Street, East Melbourne and at the offices of the Whitehorse City Council, Planning Office, 379–397 Whitehorse Road, Nunawading.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

Planning and Environment Act 1987

YAARIAMBIACK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C11

The Minister for Planning has approved Amendment C11 to the Yarriambiack Planning Scheme.

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

The Amendment:

- amends schedule 3 to the Environmental Significance Overlay to exempt the Wimmera Mallee Pipeline Project, Supply System 5 Murray/Culgoa from the need to obtain a permit for the removal of any vegetation provided the works are undertaken in accordance with the approved Environmental Management Plan; and
- amends the schedule to clause 52.17 to exempt the project from the need to obtain a permit for the removal of native vegetation provided the works are undertaken in accordance with the approved Environmental Management Plan.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne; the North West Regional Office, corner of Midland Highway and Taylor Street, Epsom; and at the offices of the Yarriambiack Shire Council, 34 Lyle Street, Warracknabeal.

GENEVIEVE OVERELL
General Manager
Planning, Heritage and Urban Design
Department of Planning
and Community Development

ORDERS IN COUNCIL

Control of Weapons Act 1990

REVOCATION OF A GOVERNOR IN COUNCIL EXEMPTION MADE UNDER SECTION 8B OF THE **CONTROL OF WEAPONS ACT 1990**

Order in Council

The Governor in Council, under section 8B of the **Control of Weapons Act 1990**, revokes the Order in Council made on 18 May 1999 in favour of Troy Damon Holmes, effective from the day notification of the making of this Order appears in the Government Gazette.

Dated 2 October 2007

Responsible Minister
BOB CAMERON, MP
Minister for Police & Emergency Services

RUTH LEACH
Clerk of the Executive Council

Local Government Act 1989

ALTERATION OF ELECTORAL STRUCTURE OF THE COLAC–OTWAY SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(j) of the **Local Government Act 1989** re-constitutes the municipal district of the Colac–Otway Shire Council as an unsubdivided municipal district as described in plan LEGL./07–314 lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989** this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of the Colac–Otway Shire Council, and shall continue to have effect from the election day for that election.

Dated 23 October 2007

Responsible Minister
RICHARD WYNNE, MP
Minister for Local Government

CHRISTINE TRAN
Acting Clerk of the Executive Council

Local Government Act 1989

ALTERATION OF ELECTORAL STRUCTURE OF THE GOLDEN PLAINS SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(j) and 220Q(n) of the **Local Government Act 1989** re-constitutes the municipal district of the Golden Plains Shire Council as an unsubdivided municipal district and alters the number of councillors assigned to the council as described in plan LEGL./07–315 lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989** this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of the Golden Plains Shire Council, and shall continue to have effect from the election day for that election.

Dated 23 October 2007

Responsible Minister
RICHARD WYNNE, MP
Minister for Local Government

CHRISTINE TRAN
Acting Clerk of the Executive Council

Local Government Act 1989

ALTERATION OF ELECTORAL STRUCTURE OF THE MOYNE SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(j) and 220Q(n) of the **Local Government Act 1989** re-constitutes the municipal district of the Moyne Shire Council as an unsubdivided municipal district and alters the number of councillors assigned to the council as described in plan LEGL./07–316 lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989** this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of the Moyne Shire Council, and shall continue to have effect from the election day for that election.

Dated 23 October 2007

Responsible Minister

RICHARD WYNNE, MP

Minister for Local Government

CHRISTINE TRAN

Acting Clerk of the Executive Council

Local Government Act 1989

ALTERATION OF ELECTORAL
STRUCTURE OF THE
NORTHERN GRAMPPIANS SHIRE COUNCIL

Order in Council

The Governor in Council under section 220Q(k), 220Q(l), 220Q(m) and 220Q(n) of the **Local Government Act 1989** alters the boundaries and number of the wards, gives names to the wards and alters the number of councillors assigned to each ward of the Northern Grampians Shire Council as described in plan LEGL./07-317 lodged in the Central Plan Office.

Under section 220S(1)(a) of the **Local Government Act 1989** this Order comes into operation on the date it is published in the Government Gazette.

The changes are to have effect for the purposes of the next general election of the Northern Grampians Shire Council, and shall continue to have effect from the election day for that election.

Dated 23 October 2007

Responsible Minister

RICHARD WYNNE, MP

Minister for Local Government

CHRISTINE TRAN

Acting Clerk of the Executive Council

LATE NOTICES

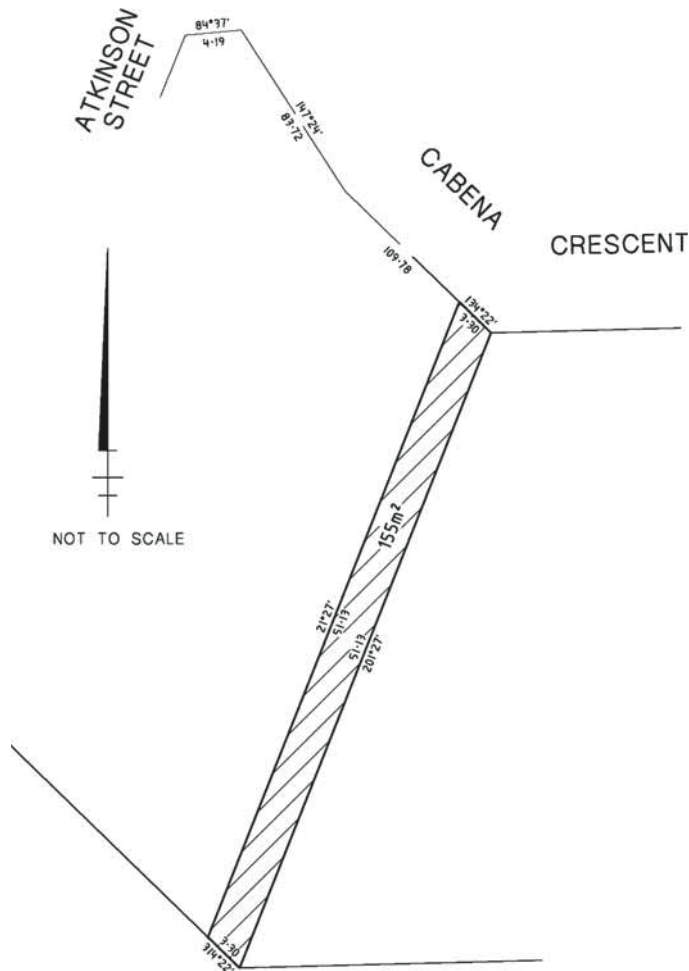
MONASH CITY COUNCIL

Road Discontinuance

At its meeting on 9 October 2007 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Monash City Council ('Council'):

1. formed the opinion that the road abutting the eastern boundary of 18 Cabena Crescent, Chadstone, shown hatched on the plan below and being part of the land comprised in Certificate of Title Volume 4959, Folio 693 ('the Road') is not reasonably required as a road for public use; and
2. resolved to discontinue the road and either retain or sell the land from the road.

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



DAVID CONRAN
Chief Executive Officer

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**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, 505 Little Collins Street, Melbourne on the date specified:

104. *Statutory Rule:* Supreme Court (Chapter V Amendment No. 4) Rules 2007
Authorising Act: Supreme Court Act 1986 Corporations (Ancillary Provisions) Act 2001
Date first obtainable: 8 October 2007
Code A
105. *Statutory Rule:* Infringements (General) (Amendment) Regulations 2007
Authorising Act: Infringements Act 2006
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Authorising Act: Second-Hand Dealers and Prawnbrokers Act 1989
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Authorising Act: Transfer of Land Act 1958
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