



Victoria Government Gazette

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No. G 3 Thursday 17 January 2008

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GENERAL

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As from 17 January 2008

The last Special Gazette was No. 9 dated 14 January 2008.

The last Periodical Gazette was No. 2 dated 26 October 2007.

How To Submit Copy

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

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
AUSTRALIA DAY WEEK 2008 (Thursday 31 January 2008)**

Please Note:

The Victoria Government Gazette for Australia Day week (G5/08) will be published on **Thursday 31 January 2008**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 25 January 2008**

Government and Outer
Budget Sector Agencies Notices **9.30 am on Tuesday 29 January 2008**

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

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Re: ELSIE JEAN FARRELLY, late of Unit 2, 11 Cambridge Street, Creswick, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 April 2007, are required by the trustee, Raymond John Farrelly, in the Will called Ray Farrelly, to send particulars of their claim to the trustee, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date he may convey or distribute the assets, having regard only to the claims of which he has notice.

A. B. NATOLI PTY, solicitors,
24 Cotham Road, Kew 3101.

Re: LILIAN STERN, formerly of Unit 1, 295 Balaclava Road, Caulfield, Victoria and late of 619 St Kilda Road, Melbourne, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 29 July 2007, are required by the personal representative, Harold Simon Wise of 2 Aliyat Hanoar Ramot Bet Jerusalem 97234 Israel or care of B. Gershov, lawyer, Unit 2, Level 7, 221 Queen Street, Melbourne, Victoria, to send particulars to either of them by 18 March 2008, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

B. GERSHOV, lawyer,
Level 7, 221 Queen Street, Melbourne 3000.

Re: LEON STERN, formerly of Unit 1, 295 Balaclava Road, Caulfield, Victoria and late of 68 Union Street, East Brighton, Victoria, retired businessman, deceased.

Creditors, next-of-kin and others having claims against the estate of the deceased, who died on 11 July 2007, are required by the personal representative, Harold Simon Wise of 2 Aliyat Hanoar Ramot Bet Jerusalem 97234 Israel or care of B. Gershov, lawyer, Unit 2, Level 7, 221 Queen Street, Melbourne, Victoria, to send particulars to either of them by 18 March 2008, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

B. GERSHOV, lawyer,
Level 7, 221 Queen Street, Melbourne 3000.

Re: PATRICIA MARY McVICKAR, late of Yarralee Nursing Home, Sackville Street, Kew, in the State of Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 September 2007, are required by the trustee, Richard Gregson Coward, to send particulars to the trustee, care of Burke & Associates, lawyers of 1127 High Street, Armadale, by 13 March 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has noted.

BURKE & ASSOCIATES, lawyers,
1127 High Street, Armadale 3143.

Re: ANGELA LOESCHENKOHL, late of 135 Duff Street, Cranbourne, cook.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 12 November 2007, are required by the executors, Gertraud Maria Schmidt and Angelika Tregga, to send particulars of their claim to them, care of the undermentioned solicitors, by 18 March 2008, after which date the said executors may distribute the assets, having regard only to the claims of which they then have notice.

COLLINS HOUSE LEGAL, solicitors,
Level 34, 360 Collins Street, Melbourne 3000.

YVONNE MAY BOOTH, late of 2 Valentine Grove, Armadale, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 November 2007, are required by the personal representative, Stuart Strickland, to send particulars to him, care of the undermentioned solicitors, by 31 March 2008, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ELLINGHAUS WEILL, solicitors,
79-81 Franklin Street, Melbourne 3000.

Re: ELVA LESLEY CARTER, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of Elva Lesley Carter, late of Unit 14, 37-41 Glen Park Road, Bayswater North, Victoria, widow, deceased, who died on 3 October 2007, are to send particulars of their claims to the executors, care of the

undermentioned solicitors, by 11 June 2008, after which date the executors will distribute the assets having regard only to the claims of which they then have notice.

E. P. JOHNSON AND DAVIES,
52 Collins Street, Melbourne, 3000

Re: COLIN JAMES DAGGE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 September 2007, are required by the trustee, Yvonne Deneice Dage, to send particulars to her, care of the undersigned, by 18 March 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

Re: ALEXANDER DONALD MARTIN, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 October 2007, are required by the trustees, Graeme Donald Martin and Pamela Joy James, to send particulars to them, care of the undersigned, by 18 March 2008, 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: LESLIE JAMES McCOY, deceased.

Creditors, next-of-kin and others having claims in respect of the deceased, who died on 19 September 2007, are required by the trustees, Marjorie Joan Marshall, Pamela Christine Canny and Suzanne Rose Mills, to send particulars to them, care of the undersigned, by 18 March 2008, 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: EDNA HARVEY, late of 5 Nursery Avenue, Frankston, Victoria, retired, 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 trustee, Marion Jones, to send particulars to her care of the undermentioned solicitors, by 18

March 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Creditors, next-of-kin and others having claims in respect of the estate of DORIS RICE, late of 21 Murray Road, Croydon, widow, deceased, who died on 6 October 2007, are to send particulars of their claim to the executors of the estate, Elizabeth Joy Spicer and Kevin John Spicer, care of the undersigned, by 17 March 2008, after which date they will distribute the assets of the estate, having regard only to the claims of which they then have notice.

LOBB & KERR, solicitors,
262 Stephenson Road, Mount Waverley 3149.

LAWRENCE VICTOR CAMM, also known as Laurence Victor Camm, late of 4 McGregor Court, Dingley, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 12 September 2007, are required by the executor, Diane Lillian Hughes, to send particulars to her, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

SHIRLEY DAWN ARGYLE, late of Marina Aged Care, 385 Blackshaws Road, North Altona, Victoria, 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 executor, Jake Argyll, to send particulars to her, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

JESSIE EVELYN BOUCH, late of Siesta Nursing Home, 11 Sheppard Street, Moorabbin, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 September 2007, are required by the executors, Helen Innes Bouch and Ian Robert Bouch, to send particulars to them, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

Re: EVAN HUGH MACPHERSON, late of 20 Clarence Street, Loch, but formerly of 17 Elizabeth Avenue, Dromana, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 July 2007, are required by the trustee, Nicholas John Roberts, to send particulars of such claims to the trustee, in care of the undermentioned solicitors, by 18 March 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

ROBERTS BECKWITH PARTNERS, lawyers,
16 Blamey Place, Mornington 3931.

Re: MURIEL JEAN STEEDMAN, late of Bentleys Aged Care, 47 Harpin Street, East Bendigo, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 October 2007, are required by the trustee, Sandhurst Trustees Limited, ACN 16 004 030 737, of 18 View Street, Bendigo, Victoria, the executor, to send particulars to the trustee two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SANDHURST TRUSTEES LIMITED,
18 View Street, Bendigo 3550.

NEVILLE O'NEAL, late of Matthew John Nursing Home, 361 Terrigal Drive, Erina, New South Wales, publican, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 10 June 2007, are required to send particulars of their claims to the executor, Roderick John O'Neal, care of the undermentioned lawyers, by 18 March 2008, 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.

Re: JEAN WILFRAN MILLER, late of 17 Corby Street, North Balwyn, Victoria, married woman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 25 September 2007, are required by the executors, Edward Lee Miller, and Ian Andrew Ness, to send particulars to them, care of Wisewoulds of 419–425 Collins Street, Melbourne, by 19 March 2008, after which date the executors intend to convey or distribute the assets of the estate, having regard only to the claims of which the executors may have notice.

WISEWOULDS, solicitors,
419–425 Collins Street, Melbourne 3000.

Re: JAMES GEORGE WATSON, late of 304 Hawthorn Road, Caulfield, Victoria, retired, deceased.

Creditors, next of kin and others having claims in respect of the estate of the abovenamed deceased, who died on 21 August 2007, are required by the executor, Judith Watson, to send particulars to her, care of Wisewoulds of 419–425 Collins Street, Melbourne, by 19 April 2008, after which date the executor intends to convey or distribute the assets of the estate, having regard only to the claims of which the executor may have notice.

WISEWOULDS, solicitors,
419–425 Collins Street, Melbourne 3000.

Re: JUNE MAIRA VICTOR LETT, late of Regis Grange Nursing Home, 1 Wyuna Street, Rosebud West, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 August 2007, are required by the trustees, Helen Anne Fellowes, in the Will called Helen Anne Fellows and Dorothy Ann Nolan, to send particulars to the trustees, care of the undernamed solicitors, by 31 March 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

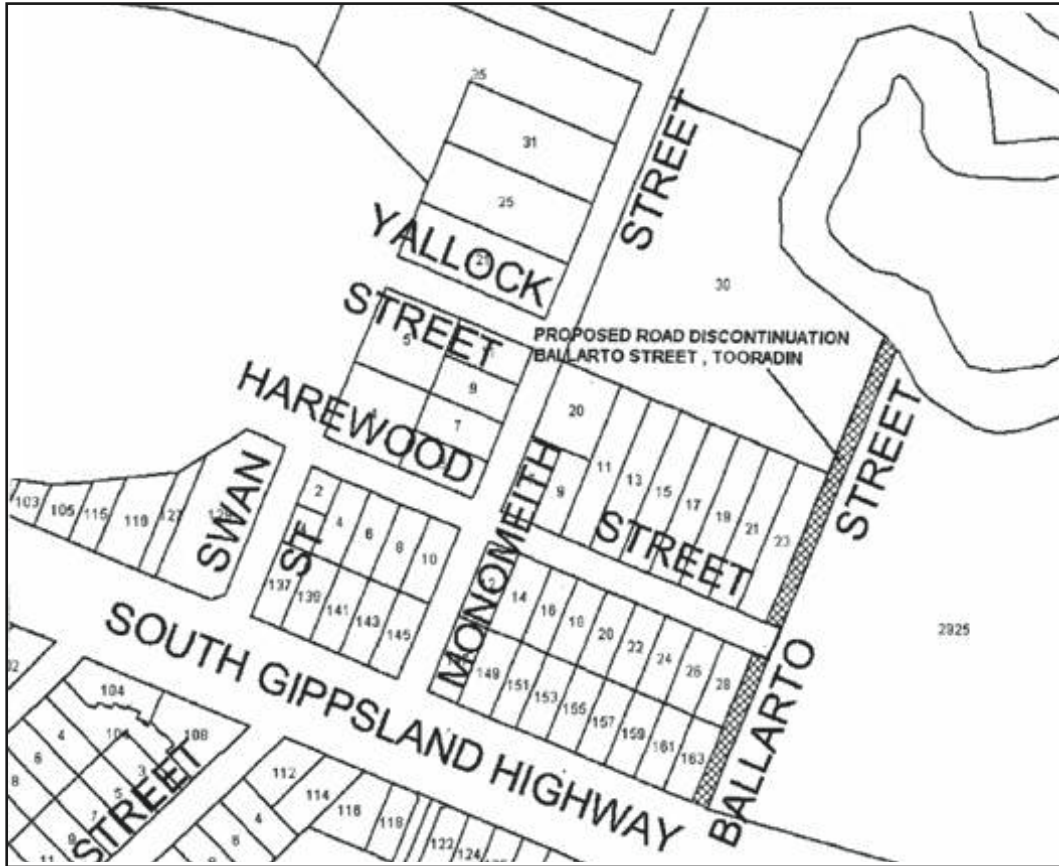
WRIGHT SMITHS, solicitors,
2 Seventh Avenue, Rosebud 3939.

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



Discontinue Road at Ballarto Street, Tooradin

At its meeting on 4 December 2007 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Casey City Council ('Council') resolved to discontinue that part of Ballarto Street as shown hatched on the plan and sell to adjoining properties.



MIKE TYLER
Chief Executive Officer



Declaration of Public Highway – Wanda Road, Cranbourne South

Casey City Council, pursuant to section 204(1) of the **Local Government Act 1989**, has declared the section of Wanda Road between Surrey Road and Woodlands Road, Cranbourne South which is shown hatched on the plan below, at its meeting held on 18 December 2007, being a road in the Council's Municipal district, to be a Public Highway.

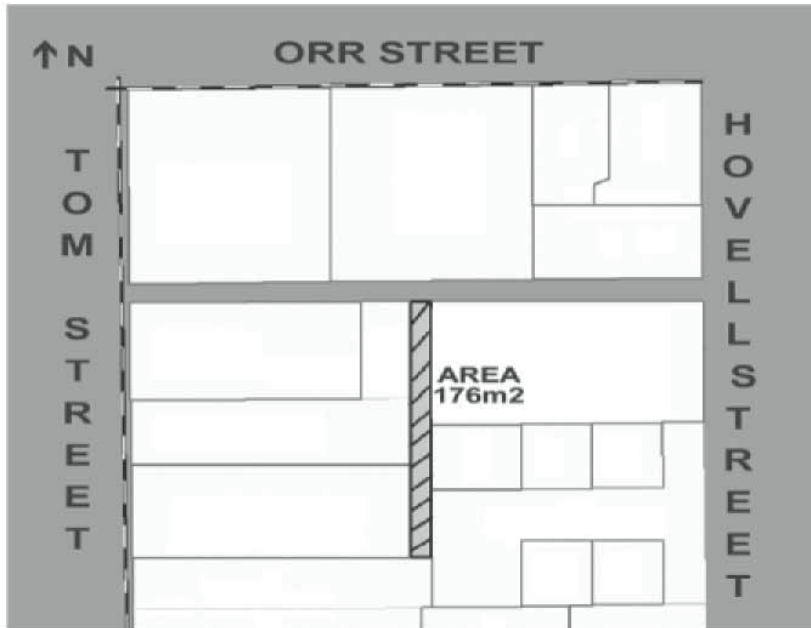


MIKE TYLER
Chief Executive Officer

MOIRA SHIRE COUNCIL

Road Discontinuance – rear Tom Street, Yarrowonga

At its meeting on 17 December 2007, Moira Shire Council, acting under section 206, clause 3 of schedule 10 of the **Local Government Act 1989**, resolved to discontinue road reserve behind properties fronting Tom Street, Yarrowonga, as shown hatched on the attached plan. The land is to be sold to the adjoining land owners.



GAVIN CATOR
Chief Executive Officer

MOIRA SHIRE COUNCIL

Partial Road Discontinuance – Williams Street, Bundalong

At its meeting on 17 December 2007, Moira Shire Council, acting under section 206, clause 3 of schedule 10 of the **Local Government Act 1989**, resolved to discontinue part road reserve in front of 13 William Street, Bundalong as shown hatched on the attached plan. The land is to be sold to the adjoining land owner.



GAVIN CATOR
Chief Executive Officer



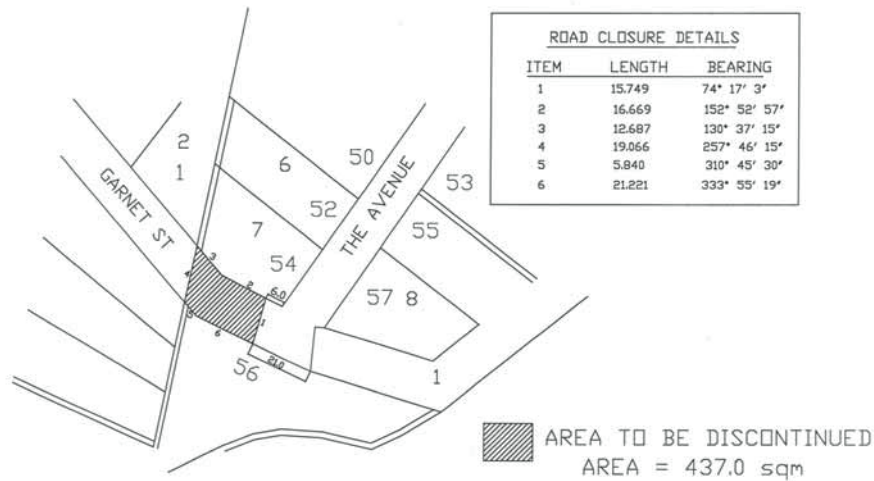
Knox City Council
Securing the People of Knox

Part Closure of Garnet Street, Ferntree Gully

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, Knox City Council at its meeting held on 18 December 2007, formed the opinion that a part of Garnet Street, Ferntree Gully, as shown hatched on the plan below, is not reasonably required for public use.

Council has resolved to discontinue this part of Garnet Street, Ferntree Gully and retain it for municipal purposes.

AREA OF GARNET STREET TO BE DISCONTINUED
AND RETAINED FOR MUNICIPAL PURPOSES.

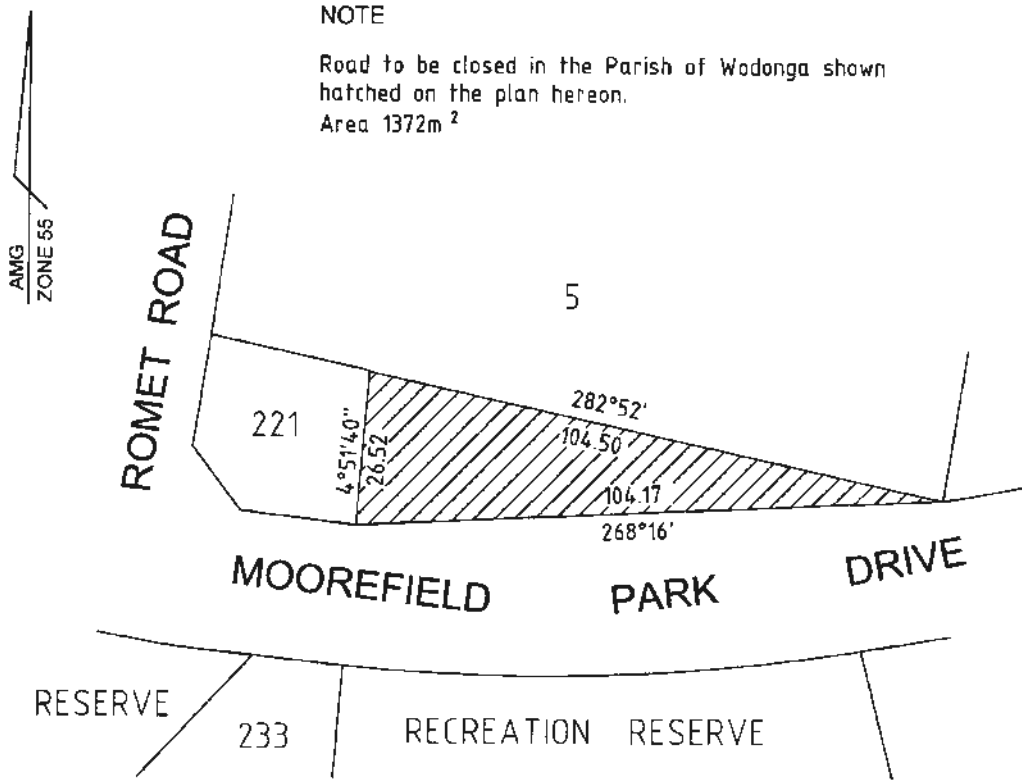


GRAEME EMONSON
 Chief Executive Officer

CITY OF WODONGA

Notice of Road Discontinuance – Moorefield Park Drive

Council, at its meeting of 16 August 2004 resolved, pursuant to the provisions of section 206 and clause 3 of schedule 10 of the **Local Government Act 1989**, to discontinue that section of road shown hatched on the plan below.



PETER MARSHALL
Chief Executive Officer



**CITY OF GREATER
BENDIGO**
Public Holidays Act 1993
APPOINTMENT OF
LOCAL PUBLIC HOLIDAY

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

Notice is given that the Greater Bendigo City Council has appointed Wednesday 12 November 2008, being Bendigo Cup, as a public holiday in lieu of Melbourne Cup Day throughout the City of Greater Bendigo, except for the Heathcote District.

Notice is also given that the Greater Bendigo City Council has appointed Tuesday 4 November 2008, being Heathcote Show Day, in the Heathcote District of the City of Greater Bendigo.

CRAIG NIEMANN
Chief Executive



LODDON
SHIRE CO. VIC.

LODDON SHIRE COUNCIL
Notice under the **Domestic (Feral & Nuisance)
Animals Act 1994**

Notice is hereby given that at the Council Meeting of the Loddon Shire Council held on 22 October 2007, the Council resolved to make the following Order pursuant to section 10D(3) of the **Domestic (Feral & Nuisance) Animals Act 1994**:

1. Dogs and cats once impounded will not be released until the owner has paid the usual release fees.
2. Effective 1 January 2008 Council's pound release fee will include the cost of microchipping.
3. Prior to release the owner agrees to have the animal microchipped within 14 days of release.
4. Council exempts farm working dogs from the requirement for microchipping pursuant to section 10D (3) of the **Domestic (Feral & Nuisance) Animals Act 1994**.

JOHN McLINDEN
Chief Executive Officer

MORELAND CITY COUNCIL

Notice of Making of a Local Law

Notice is given pursuant to section 119 of the **Local Government Act 1989** (as amended) that, at its meeting held on 12 December 2007, Moreland City Council ('the Council') resolved to make a new Local Law ('the Local Law').

The title of the Local Law is 'Moreland City Council General Local Law 2007'.

The purposes of the Local Law are to provide for all of the following:

- (a) the peace, order and good government of the municipal district;
- (b) a safe and healthy environment for the community of the municipal district;
- (c) the protection and enhancement of the amenity of the municipal district;
- (d) the safe, fair and reasonable use and enjoyment of public places and all premises within the municipal district;
- (e) the protection and enhancement of municipal buildings, public assets and assets of Council within the municipal district; and
- (f) uniform and fair administration of the Local Law.

The commencement date of the Local Law is 1 February 2008.

Subject to saving provisions and transitional arrangements contained within the Local Law, the following local laws of the Council are revoked, effective from the commencement date:

- Animals Local Legislation 2001;
- Administration Local Legislation 1998;
- Private Land Local Legislation 2001;
- Public Places Local Legislation 2001; and
- Specified Parking Infringements Local Legislation 2000.

The general purport of the Local Law is as follows:

- (a) to preserve the amenity of private premises by ensuring that they are properly identified and maintained and are not unsightly or dangerous, by regulating camping activities and the use of recreation and heavy vehicles, by ensuring that buildings are not dilapidated, and that the growth of vegetation and the retention of rubbish is not excessive, and by prohibiting discharges, situations and other activities on and from private premises which are a nuisance or potentially dangerous to health and safety;

-
- (b) to preserve the amenity of public places and public assets by regulating and controlling the placing of obstructions and objects and the undertaking of activities and works in public places and the entry to municipal buildings, and the use and possession of shopping trolleys and liquor, by prohibiting specified activities which may cause damage to places and assets or to the safety and enjoyment of them by persons and by controlling and regulating reinstatement works;
 - (c) to provide for the control of animals and their protection by regulating the type and number of animals to be kept on premises and controlling the manner in which they are kept and maintained;
 - (d) to control the presence and use of vehicles in public places including prohibiting their abandonment or sale;
 - (e) to regulate and control the handling, storage, management, disposal and collection of green, hard, recyclable, household or trade waste and rubbish including the use by, and storage and washing of, appropriate receptacles for each type of waste by owners or occupiers of residential, commercial or industrial premises and also the manner of waste collection and handling;
 - (f) to regulate the handling of asbestos, and to control mosquito breeding, and the level and type of noise in public places, from premises and vehicles, and associated with works;
 - (g) to regulate and control the use and maintenance of vehicle crossings;
 - (h) to regulate and control permits including the manner and content of any applications, and if issued, their conditions, duration, and form;
 - (i) to provide for administration by regulating adoption of Council policies, setting of fees and charges and delegation of powers; and
 - (j) to provide for enforcement by regulating and controlling the powers of the Council to act in urgent situations, the content, service and review of notices to comply and the options for prosecution and relief.

The Local Law applies to the whole of the municipal district of the Council.

A copy of the Local Law can be obtained from the Council offices at: Moreland, Civic Centre, 90 Bell Street, Coburg; Brunswick Town Hall, 233 Sydney Road, Brunswick; and 796N Pascoe Vale Road, Glenroy.

Office hours are 8.30 am to 5.00 pm Monday to Friday except public holidays.

PETER BROWN
Chief Executive Officer

MANSFIELD SHIRE COUNCIL

Community Local Law 2004

Adopted by Council on 21 December 2004

Reviewed by Council on 11 December 2007

Pursuant to section 119(2) of the **Local Government Act 1989**, it is advised that Mansfield Shire Council, at its meeting on Tuesday 11 December 2007, resolved to give notice of its intention to review Community Local Law Number One 2004.

PART 1 – PRELIMINARY

1.1 Local Law

This Community Local Law is a local law made under Part 5 of the **Local Government Act 1989** and Part 3 of the **Domestic (Feral and Nuisance) Animals Act 1994**.

1.2 Objectives

The objectives of this Local Law are to provide for:–

- a) the peace, order and good government of the municipality;
- b) a safe and healthy environment so that the community within the municipality can enjoy a quality of life that meets its expectations;
- c) the safe and fair use and enjoyment of public places;
- d) the protection and enhancement of the amenity and environment of the municipality;
- e) a fair and reasonable use and enjoyment of private land; and
- f) a uniform and fair administration of this Local Law.

1.3 Commencement

This Local Law will commence on a date to be determined by the Council.

1.4 Revocation of Local Law

On the commencement of this Local Law, the following Local Laws made by Delatite Shire Council will be revoked within the municipal boundaries of Council;

Environment Local Law 1 – 97

Streets and Roads Local Law 3 – 97

Municipal Places Local Law 4 – 97

Livestock Local Laws 5 – 97.

1.5 Application of Local Law

1.5.1 This Local Law applies throughout the municipality.

1.5.2 This Local Law does not apply where any act or thing is authorised by any Act, Rule, Regulation or Planning Scheme.

1.5.3 The provisions of this Local Law do not apply to Council contractors, agents or employees to the extent that the proper discharge of their obligations constitute a breach of this Local Law.

1.6 Definitions

In this Local Law –

‘**authorised officer**’ means a person appointed by Council under section 224 of the **Local Government Act 1989**;

‘**Council**’ means the Mansfield Shire Council;

‘**dangerous dog**’ has the same meaning as in the **Domestic (Feral and Nuisance) Animals Act 1994**;

‘**designated area**’ means an area designated as a consumption of liquor free zone, and includes the Mansfield Aquatic Centre;

‘dwelling’ means place of residence;

‘high country’ means Crown land in North East Victoria on which livestock are seasonally grazed in accordance with a lease or licence;

‘liquor’ means a beverage, or other prescribed substance, intended for human consumption with an alcoholic content greater than 0.5% by volume at a temperature of 20 degrees Celsius;

‘livestock’ has the same meaning as in the **Impounding of Livestock Act 1994**;

‘movement of livestock’ means individual or regular movement of livestock from one area within the municipality to another area within the municipality, where the areas concerned are owned or occupied by the same person and the movement is part of the one farming enterprise undertaken within one day;

‘municipality’ means the municipal district of the Council;

‘occupied building’ means a building used for business or storage but excludes a dwelling;

‘penalty unit’ has the same meaning ascribed to it by section 110 (2) of the **Sentencing Act 1991**;

‘private land’ means any land other than a public place or Crown land;

‘public place’ means –

- a) a road; or
- b) a road related area; or
- c) land which is owned, occupied or managed by Council;

‘restricted breed dogs’ has the same meaning as in the **Domestic (Feral and Nuisance) Animals Act 1994**;

‘road’ includes –

- a) a street;
- b) a right of way;
- c) any land reserved or proclaimed as a street or road under the **Crown Land (Reserves) Act 1978** or the **Land Act 1958**;
- d) a passage;
- e) a cul de sac;
- f) a by-pass;
- g) a bridge or ford;
- h) a footpath, bicycle path or nature strip; and
- i) any culvert or kerbing or other land or works forming part of the road;

‘road related area’ has the same meaning as in Road Rules Victoria; and

‘Waste Collection Conditions of Service’ means the document of that name adopted by Council;

‘Skateboard’ means a short piece of wood or plastic on roller-skate wheels, ridden usually standing up;

‘Scooter’ means a child’s vehicle consisting of a low footboard mounted between two small wheels with a handlebar. It is propelled by pushing one foot against the ground.

PART 2 – ANIMALS

2.1 Keeping of Animals on Non-Rural Land

Without a permit, an owner or occupier of land, except for land designated Farming Zone or Rural Living Zone under the Mansfield Planning Scheme, must not keep or allow to be kept on that land –

- a) more than 4 different types of animals;
 - b) more than the following number of animals –
 - 1) 2 dogs;
 - 2) 4 cats;
 - 3) 10 chickens;
 - 4) 2 ducks, geese, pheasants, turkeys or pigeons;
 - 5) 10 rabbits;
 - 6) 10 guinea pigs;
 - 7) 4 ferrets; or
 - c) any sheep, goats, horses or cattle except if the land is more than 0.5 hectares, in which case the number that may be kept without a permit is 2; or
 - d) a beehive in a residential area or on land of less than 1 hectare; or
 - e) any pigs or roosters.
- 2.2 Restricted Breed Dogs and Dangerous Dogs
Owners of restricted breed dogs or dangerous dogs or a combination of the two are restricted to 2 dogs in total on any land.
- 2.3 Keeping of Dogs and Cats on Rural Land
Without a permit, an owner or occupier of a dwelling on land designated Farming Zone or Rural Living Zone under the Mansfield Planning Scheme must not keep or allow to be kept on that land more than –
- a) 5 working dogs and/ or 4 dogs; and
 - b) 5 cats.
- 2.4 Dogs on Leads
A person in charge of a dog on any road or in any public place must ensure that the dog is secured by a chain, cord or leash in any area zoned under the Mansfield Planning Scheme as Township, Residential (including low density residential) or Business or Industrial, unless it is an off leash area designated and signposted for the purpose.
- 2.5 Unleashed Dogs
A person may unleash a dog in an area designated by Council and sign posted for the purpose except that:
- a) a person who unleashes a dog must keep the dog under effective control; and
 - b) the provisions of this clause do not apply to greyhounds, dangerous dogs or restricted breed dogs.
- 2.6 Dog Excrement
A person in charge of a dog must –
- a) not allow any part of the dog's excrement to remain on any road or road related area or in any public place; and
 - b) carry a facility for the effective removal of excrement that may be deposited by the dog when accompanied by the dog on any road, or road related area or in any public place.
- 2.7 Wasp nests
An owner or occupier of land who is aware that there is a wasp nest on the land must:
- a) take steps to cause it to be removed; or
 - b) treat the wasp nest to the satisfaction of an authorised officer.

2.8 Fencing

An owner or occupier of land on which livestock is kept must ensure that the land is adequately fenced so as to prevent the livestock's escape from the land.

2.9 Droving

Without a permit a person must not drive any livestock on a road.

2.10 Regular Movement of Livestock

Without a permit, a person must not move livestock on a road.

2.11 Roadside Grazing

Without a permit a person must not allow livestock onto a road or road related area for the purposes of grazing.

PART 3 – ENVIRONMENT

3.1 Waste Disposal

Each owner and occupier of land must comply with Council's Waste Collection Conditions of Service.

3.2 Dilapidated Premises

- a) An owner or occupier of land on which there is a building must not allow or permit the building to be dilapidated.
- b) Where a building is dilapidated, Council may serve a Notice to Comply on the owner or occupier of the land specifying the works required to correct the dilapidated state, or that the building be removed or demolished.

3.3 Dangerous and Unsightly Land

An owner or occupier of land must not allow or permit the land to be dangerous, unsightly or detrimental to the amenity of the neighbourhood, and must not allow or permit:

- a) undergrowth or other material to grow or accumulate on the land so as to constitute a hazard;
- b) excavation or waste material to accumulate on the land which has not been suitably contained, fenced, screened or landscaped; or
- c) unconstrained rubbish to be present on the land.

Where the land has become dangerous, unsightly or detrimental to the amenity of the neighbourhood, Council may serve a Notice to Comply on the owner or occupier of the land specifying the works to correct the dangerous, unsightly or detrimental condition of the land.

3.4 Machinery, materials, goods or vehicles on land.

Unless permitted under the Planning Scheme, a person must not, without a permit, use any land for the;

- a) storage or use of shipping containers, temporary buildings, or other similar structures;
- b) assembly or dismantling of machinery, materials, or goods unless for personal or recreational use of the owner or occupier of the land and not for financial gain;
- c) storage of unregistered vehicles or parts of vehicles;
- d) storage of caravans and trailers in a dilapidated condition;
- e) storage, assembly or dismantling of machinery or vehicles;
- f) storage of building materials; or
- g) storage of buildings in the process of being re-located, including removable houses.

3.5 Camping

Without a permit a person must not establish or make use of a campsite either on Council or public land in a caravan, tent, motor home or any other temporary or makeshift structure unless all of the following conditions are met:

- a) no Council or other official signs are displayed in the general area or at an approach road or access road prohibiting camping;
- b) the site and proposed use complies with any Council or other official signs in the areas regulating standards for such use;
- c) the site is not within a residential area;
- d) sufficient space exists at the proposed location to allow for the following:
 - 1) the primary purpose of the area not being restricted or inconvenienced in any way;
 - 2) a minimum setback of 30 metres existing from the near bank of any river, stream, lake or other water course to the camp site;
 - 3) where public toilet facilities are not provided, the camp occupier providing his or her own toilet system which is designed to hold wastes and be sealed closed for transportation to another place for proper disposal;
 - 4) where public toilet facilities are not provided and on site disposal is proposed for toilet wastes, a distance of not less than 100 metres being available from the near bank or any river, stream, lake high water mark or other water source for such parcel of land occupied by the camp site (not being divided by any road, fence, or other physical structure) and being suitable in all respects for nightsoil disposal; and
 - 5) adequate space being available for the disposal of all other waste water so as not to cause any detriment to the environment.

Notwithstanding the above the location of any camp site shall be as directed by an authorised officer or other public authority controlling the land and may be subject to the payment of a camping fee.

The occupier of a camp site shall:

- a) keep the camp site in a clean, sanitary and tidy condition and upon vacating the site shall remove all refuse, litter and garbage therefrom;
- b) observe proper standards of hygiene; and
- c) ensure that the standards specified in sub clause 3.5 (d) are observed.

3.6 Camping on private land

3.6.1 Storage

Without a permit, a person must not store on private land any caravan, mobile home or tent unless there is a dwelling on the land; and

- a) the caravan, mobile home, or tent is not set up for the ready use of an occupant for overnight accommodation; and
- b) an annex is not attached to a caravan or mobile home; and
- c) the caravan, mobile home, or tent is not within six metres of the front of the property or is stored in a carport or garage.

3.6.2 Accommodation

Without a permit, a person must not place for accommodation on any private land any caravan, mobile home or tent unless:

- a) there is a dwelling on the land;
- b) the occupation does not exceed 28 days in any calendar year,

- c) no rent, licence fee or charge is paid by any person in respect of the occupation;
- d) the toilet, bathing and laundry facilities provided in the dwelling are made available without charge to the occupant/s of the caravan, mobile home or tent;
- e) waste water disposal from the caravan, mobile home or tent do not cause a nuisance or an offensive condition;
- f) the caravan, mobile home or tent is not within a distance of 6 metres of the frontage of the property or within 1.2 metres of any other boundary of the property and not more than 20 metres from the dwelling, and no closer than 30 metres to a watercourse and does not have a rigid annex attached.

3.7 Recreational Vehicles

- a) Without a permit a person must not use a recreational vehicle on any Council land or reserve, or private land zoned under the Mansfield Planning Scheme as Township, Residential (including low density residential), Business or Industrial.
- b) A person must not use a recreational vehicle on any other land so as to cause detriment to the amenity of the neighbourhood, whether by the emission of dust or constant noise or otherwise.
- c) A person must not use a recreational vehicle on a day of Total Fire Ban.

3.8 Open Air Burning

Without a permit an owner or occupier of land must not light a fire in the open air, including in an incinerator, in any area zoned under the Mansfield Planning Scheme as Township, Residential (including Low Density Residential), Business or Industrial, unless the fire is lit for purpose of cooking food or for heating when contained in a fire drum.

3.9 Filling or Excavation of Land

Without a permit a person must not –

- a) place earth or other fill material on land; or
- b) excavate material from land to a greater depth than 200 millimetres except where such filling or excavation is approved by a building permit issued under the **Building Act 1993**.

A planning permit may be required for any land within the environment significance overlay or significant landscape overlay under the Mansfield Planning Scheme.

3.10 Building Sites

- a) A person undertaking building works on a building site must provide on the building site:
 - 1) adequate toilet facilities for the use of site workers; and
 - 2) suitable receptacles for the containment of litter from the building site.
- b) A person undertaking building works must not store materials on any road or road related area without a permit; and
- c) must prevent the depositing of soils, mud, clay, litter or debris on any road or road related area, generated as a result of the building works.

In this clause 'person' includes a person managing or carrying out any building works on a building site.

3.11 Protection of Roads and Public Infrastructure

An owner or occupier of land on which construction or other works are being carried out must ensure that no damage occurs within roads, road related areas and public places adjoining or near the land as a result of or in connection with the construction or works.

3.12 Works on Council Roads or Land

- a) Without a permit a person must not undertake any works that may cause an impact on traffic or pedestrian flow or a safety hazard on a road;
- b) an owner of private property must ensure that works on roads including driveways, the placement of culverts and similar cross-overs are undertaken and maintained in a good state of repair at a level of safety to the satisfaction of Council.

PART 4 – PUBLIC PLACES – GENERAL

4.1 Behaviour

A person must not behave in a public place:

- a) Using language or behaving in a manner which is indecent, offensive or abusive and which annoys, disturbs, interferes or obstructs any person's enjoyment of that public place
- b) endanger or be likely to endanger health, life or property
- c) acting contrary to any conditions or signs that contain conditions that apply to the use of the Council land
- d) Destroy, damage or interfere with any building, fence, property improvements, sign, structure, chattel, tree, shrub or plant, garden bed, bird or animal or bird/animal habitat thereon
- e) Enter on any area, road or track that is specifically designed for land or vegetation establishment and for which entry is prohibited
- f) A person must not urinate or defecate in a public place other than a toilet facility constructed for that purpose
- g) Act contrary to any direction of any authorised officer.

4.2 Council Signs

A person must comply with any sign erected in a public place by Council.

4.3 Consumption of Liquor

Without a permit a person must not carry in an open container or consume any liquor

- i. at any time on a road or road related area; or
- ii. at any time in a designated area; or
- iii. in any other public place between 11 pm and 6 am.

4.4 Trees on Roads

Without a permit a person must not cut down, remove or damage live or standing dead trees on a road.

4.5 Prohibition of Animals in a Public Place

Council may place restrictions or prohibitions on all animals, or class of animals from any public place during public events or any other time deemed appropriate by Council.

4.6 Prohibition of Skateboards and Scooters in a Public Place

- a) No person shall use or ride any skateboard or scooter on any footway or Council land which has been resolved by Council and designated by Council signage to be a footway or land on which such activity is prohibited.
- b) An authorised officer may impound any skateboard or scooter if any person using a skateboard or scooter contrary to clause 4.6 (a) fails to cease the practice when directed to do so.

PART 5 – PUBLIC PLACES – PERMIT REQUIRED

- 5.1 Noise from Business or Industrial Premises
Without a permit an owner or occupier of premises in a Business or Industrial zone under the Mansfield Planning Scheme must not –
- a) emit or allow to be emitted from the premises any amplified speech, music or other similar sounds; or
 - b) spruik or call out from the premises for the purpose of attracting customers to the premises from a road.
- 5.2 Noise in a public place
Without a permit a person must not in a public place –
- a) sing or play a musical instrument or perform any other kind of entertainment for the public;
 - b) deliver a public address; or
 - c) use any sound amplification equipment.
- 5.3 Itinerant Traders
Without a permit a person must not sell or offer for sale goods or services from a temporary location, from place to place, or from a vehicle.
- 5.4 Advertising Signs, Displays and Sale of Goods
Without a permit a person must not place on a road –
- a) any advertising sign; or
 - b) any goods for display or sale.
- 5.5 Roadside Trading
Without a permit a person must not –
- a) place any structure on a road for the purpose of selling goods or services; or
 - b) sell any goods or services from private land or a public place adjacent to a road to any person on that road or in that public place.
- 5.6 Outdoor Eating Facilities
Without a permit a person must not place on a road any tables or chairs, or any associated equipment, for the purpose of allowing food and drink to be consumed by customers.
- 5.7 Street Collections
Without a permit a person must not solicit or collect any gifts of money in any public place.
- 5.8 Handbills
Without a permit a person must not distribute any handbills or other printed material, or any goods, gifts or advertising material in a public place.
- 5.9 Use of Roads and Reserves
Without a permit a person must not use any road or public place for a public meeting or event.

PART 6 – ADMINISTRATION

- 6.1 Permit
- 6.1.1 An application for a permit under this Local Law must be in a form approved by Council or in the form of Schedule 1 and be accompanied by the appropriate fee prescribed by Council.
 - 6.1.2 Council may require an applicant to supply additional information or to give public notice of the application.

- 6.1.3 Permit applications should be made a minimum of 28 days prior to the commencement of the activity or thing which is the subject or matter of the application.
- 6.1.4 In considering whether to issue a permit and the conditions, to which the permit shall be subject, the Council or its authorised officer shall give regard to any adopted policy which is relevant to the matter being considered.
- 6.1.5 Council may cancel a permit if it considers that:
- there has been a breach of the conditions of the permit; or
 - a notice to comply has been issued, but not complied with within seven days after the time specified in the notice for compliance; or
 - there was a significant error or misrepresentation in the application for the permit; or
 - in the circumstances, the permit should be cancelled.
- Before it cancels a permit, the Council must provide to the permit holder an opportunity to make comment on the proposed cancellation.
- 6.1.6 The Council may correct a permit in relation to:
- an unintentional error or an omission; or
 - an evident material miscalculation or an evident material mistake of description of a person, thing or property.
- The Council must notify the permit holder in writing of any correction.
- 6.1.7 The Council may by written notice exempt any person or class of persons from the requirement to have a permit, either generally or at a specified time.
- An exemption may be granted subject to conditions and a person must comply with the conditions of the exemption.
- An exemption may be cancelled or corrected as if it were a permit.
- 6.1.8 A person who makes a false representation or declaration, or who intentionally omits relevant information in an application for a permit or exemption is guilty of an offence.
- 6.2 Direction of an Authorised Officer
- An authorised officer may, either as an alternative or in addition to an infringement notice, serve a Notice to Comply on an owner or occupier of land or other person responsible for a breach of this Local Law to direct such owner, occupier or other person to:
- comply with this Local Law;
 - within a specified time stop the conduct constituting the breach of the Local Law;
 - deliver to a specified person or location any item or property constituting the breach of this Local Law;
 - carry out specified works within a specified time; or
 - comply with any lawful and reasonable direction of an authorised officer.
- A Notice to Comply must be in writing and state the time and the date by which the thing must be remedied and generally accord with Schedule 2.
- A person served with a Notice to Comply must comply with the Notice to Comply.
- 6.3 Power of Authorised Officer – Urgent Circumstances
- An authorised officer may act to remedy any circumstance which threatens a person's life, health or property, or an animal, without serving a Notice to Comply, provided that—
- the circumstance arises out of a person's use of a public place or failure to comply with a provision of this Local Law;

- b) the action taken is no more than the minimum reasonably necessary to remedy the urgent circumstance; and
 - c) the person on whom a Notice to Comply would have otherwise been served is as soon as possible notified of the urgent circumstance and the action taken to remedy it.
- 6.4 Impounding
- 6.4.1 Council may –
- a) impound any item that encroaches or obstructs the free use of a public place; road or road related area;
 - b) release the item to its owner on payment of a fee determined by Council, which is not to exceed an amount that reasonably represents the cost to Council of impounding, keeping and releasing the item; and
 - c) sell, destroy, dispose of or give away the impounded item if the owner of the item has not paid the fee within 14 days of service of the notice under clause 6.4.2 or having complied with clause 6.4.3.
- 6.4.2 If Council impounds an item under clause 6.4.1 it must serve on the owner a notice in a form approved by Council as soon as possible after the impoundment.
- 6.4.3 If the identity or whereabouts of the owner of an item impounded under clause 6.4.1 are unknown, Council must take reasonable steps to ascertain the owner's identity and or whereabouts prior to exercising its powers under clause 6.4.1.
- 6.4.4 Council is entitled to retain out of the proceeds of sale of any impounded item its reasonable costs incurred in impounding, keeping and selling the item.
- 6.5 Rural road/street numbers
- 6.5.1 For each property that has been allocated a rural road or street number under this Local Law, the owner or occupier must clearly mark the property with the numbers allocated.
- 6.5.2 A property is marked with a number in a clear manner if the number:
- a) is of sufficient size (with a minimum height of 75 mm);
 - b) is displayed accurately and completely;
 - c) is in good repair;
 - d) is distinct from its background;
 - e) is free from obstruction; and
 - f) can be clearly read under all normal lighting conditions from the road immediately adjacent to the front boundary.
- 6.5.3 Council may make changes to rural road or street numbers.

PART 7 – ENFORCEMENT

7.1 Offences

A person is guilty of an offence if the person –

- a) does something which a provision of this Local Law prohibits to be done;
- b) fails to do something which a provision of this Local Law requires to be done;
- c) engages in activity without a current permit where a provision of this Local Law requires that person to obtain a permit before engaging in that activity;
- d) breaches or fails to comply with a condition of a permit issued under this Local Law; or
- e) fails to comply with a Notice to Comply under clause 6.2.

7.2 Infringement Notice

7.2.1 Where an authorised officer reasonably believes that a person has committed an offence against this Local Law, the authorised officer may issue to that person an infringement notice, in a form approved by Council or in a form which generally complies with Schedule 3, as an alternative to a prosecution for the offence.

7.2.2 A person to whom an infringement notice has been issued may pay to Council the amount specified in the infringement notice within 28 days.

7.2.3 The amount to be paid under an infringement notice is set out in Schedule 4.

7.2.4 If the amount specified in the infringement notice is paid within 28 days, the authorised officer must ensure that there is no prosecution for the offence.

7.3 Penalties

A person guilty of an offence under this Local Law is subject to the following penalties:

- a) first offence – 10 penalty units; and
- b) second offence – 20 penalty units; and
- c) in the case of a continuing offence is liable to a penalty not exceeding 2 Penalty Units for each day after conviction for an offence during which the contravention continues.

7.4 Appeals

7.4.1 A person may appeal to Council or a Council delegate for a review of an order, direction or notice made in relation to her or him under this Local Law within 14 days of the order, direction or notice being made.

7.4.2 Where an appeal is to be heard under this clause the person appealing must do all that is necessary to cooperate in the prompt and speedy hearing of the appeal.

7.5 Evidentiary Provisions

In any proceedings for an offence against this Local Law, proof is not required as to any of the following matter until evidence is given to the contrary –

- a) the appointment and authority of any delegate to Council to perform any act or
- b) make any decision pursuant to this Local Law; and
- c) the authority and appointment of members of the police force or any person or member of the staff of the Council to perform any act or make any decision
- d) pursuant to this Local Law.

Mansfield Shire Council
Community Local Law 2004
Schedule 4

PENALTIES FIXED FOR INFRINGEMENT NOTICE PURPOSES

Code	Description	Penalty	Act
3000	2.1 Keeping of Animals on Non-Rural Land without a permit	1.5 PU	LL
3001	2.2 Restricted Breed Dogs and Dangerous Dogs	4 PU	LL
3002	2.3 Keeping of Dogs and Cats on Rural Land	1.5 PU	LL
3004	2.4 Dogs on leads	2 PU	LL
3005	2.6 Dog Excrement	1 PU	LL
3006	2.7 Wasps Nest	1 PU	LL
3007	2.8 Fencing of land containing livestock	4 PU	LL
3008	2.9 Droving of Livestock	3 PU	LL
3009	2.10 Regular movement of livestock	3 PU	LL

Code	Description	Penalty	Act
3011	2.11 Roadside Grazing	3 PU	LL
3012	3.1 Waste Disposal	3 PU	LL
3014	3.2 Dilapidated Premises allowed to remain on land	4 PU	LL
3015	3.3 Allow land to become Dangerous or Unsightly	2 PU	LL
3016	3.4 Storage of Machinery, Materials, Goods or Vehicles on land	1.5 PU	LL
3017	3.5 Camping on Public Land	2 PU	LL
3018	3.6 Camping on Private Land	2 PU	LL
3019	3.7 Recreational Vehicles	3 PU	LL
3020	3.8 Open Air Burning	2 PU	LL
3021	3.9 Filling or Excavation of Land	3 PU	LL
3022	3.10 Building Sites	3 PU	LL
3023	3.11 Protection of Roads and Public Infrastructure	3 PU	LL
3024	3.12 Works on Council Roads or Land	3 PU	LL
3025	4.1 Behaviour in a Public Place	2.5 PU	LL
3026	4.2 Failure to comply with a Council Sign	2.5 PU	LL
3027	4.3 Consumption of Liquor	2.5 PU	LL
3028	4.4 Trees on Roads	4 PU	LL
3029	4.5 Prohibition of Animals in a Public Place	1.5 PU	LL
3038	4.6 Prohibition of Skateboards in a Public Place	1.5 PU	LL
3030	5.1 Noise from Business or Industrial Premises	3 PU	LL
3031	5.2 Noise in public place	2 PU	LL
3032	5.3 Itinerant Traders	3 PU	LL
3033	5.4 Advertising signs, displays and sale of goods	2 PU	LL
3034	5.5 Roadside Trading	2 PU	LL
3035	5.6 Outdoor Eating Facilities	2 PU	LL
3036	5.7 Street Collections	2 PU	LL
3037	5.8 Handbills	2 PU	LL
3500	5.9 Use of Roads and Reserves	2 PU	LL
3501	6.1 Permit	2 PU	LL
3502	6.5 Rural Road or Street Number	1 PU	LL

A copy of the proposed Mansfield Shire Council reviewed Community Local Law Number One 2004 may be obtained at the Mansfield municipal office, 33 Highett Street, Mansfield, during office hours.

Any person may make a submission to Council relating to the proposed Local Law. Submissions received by the close of business on Friday 1 February 2008 will be considered by Council in accordance with section 223 of the **Local Government Act 1989**. Any person indicating that they would like to speak in support of their submission will be heard by Council at its meeting commencing 6.00 pm on Tuesday 19 February 2008, in the Council Chambers, 33 Highett Street, Mansfield.

Submissions regarding the proposal should be marked 'Local Law Submission' and directed to the Chief Executive Officer, Mansfield Shire Council, Private Bag 1000, Mansfield, Vic. 3724.

DAVID ROFF
Chief Executive Officer

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C88

Authorisation A0894

Moreland Council has prepared Amendment C88 to the Moreland Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised Moreland City Council as the planning authority to prepare the Amendment. The Minister has also authorised Moreland City Council to approve the Amendment under section 35B of the Act.

The Amendment affects properties at 187, 189, 191, 193 and 195 Edward Street, Brunswick.

The Amendment proposes to:

1. amend the Schedule to the Heritage Overlay by changing the address for HO74 from 191–193 Edward Street, Brunswick to 189–191 Edward Street, Brunswick;
2. amend Map 15HO by deleting HO74 from 193 Edward Street, Brunswick and apply HO74 to 189 Edward Street, Brunswick;
3. amend Schedule 1 to the Design and Development Overlay (Heritage Protection) so that in column 1 ‘189 Edward Street’ and ‘195–197 Edward Street’ are deleted and replaced with ‘187 and 193 Edward Street’; in column 2 replace ‘191–193 Edward Street’ with ‘189–191 Edward Street’; and
4. amend Map 15DDO by deleting DDO1 from 189 and 195 Edward Street, Brunswick and applying the DDO1 to 187 and 193 Edward Street, Brunswick.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Department of Planning and Community Development, <http://www.dpcd.vic.gov.au/>; Moreland City Council, Moreland Citizens Service Centre, 90 Bell Street, Coburg or www.moreland.vic.gov.au; and Brunswick Citizens Service Centre, 233 Sydney Road, Brunswick.

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 18 February 2008.

A submission must be made in writing and sent to: Moreland City Council, Strategic Planning Unit, Submission to Amendment C88, Locked Bag 10, Moreland, Vic. 3058.

Panel Hearing

A submission which seeks to change the Amendment and is not accepted by the planning authority will be referred to an independent Panel appointed by the Minister under Part 8 of the **Planning and Environment Act 1987**.

If a submission is referred to a Panel, a Directions Hearing and Panel Hearing are proposed to be heard on the following dates:

Directions Hearing: 2 April 2008

Panel Hearing: 21 April 2008

Anyone who has made a submission that has been referred to a Panel has an opportunity to be heard. All submitters will be formally advised in writing of any Directions or Panel Hearing and the date.

PHILLIP PRIEST

Acting Director City Development

Planning and Environment Act 1987

WYNDHAM PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C108

Authorisation A0864

Wyndham City Council has prepared Amendment C108 to the Wyndham Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Wyndham City Council as planning authority to prepare the Amendment. The Minister also authorised the Council to approve the Amendment under section 35B of the Act.

The land affected by the Amendment is land abutting the northern and southern boundaries of Dohertys Road, Laverton North, between Hume Road and the Princes Freeway.

The Amendment proposes to introduce the Public Acquisition Overlay (PAO2) to private land required by VicRoads for the implementation of the proposed duplication of Dohertys Road between Hume Road and the Princes Freeway in Laverton North.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: www.dpcd.vic.gov.au/planning; and Wyndham City Council, Civic Centre, 45 Princes Highway, Werribee 3030.

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 18 February 2008. Written submissions must be sent to Ben Lomas, Town Planner, Wyndham City Council, 45 Princes Highway, Werribee 3030 or email: ben.lomas@wyndham.vic.gov.au.

PETER McKINNON
Planning & Projects Co-ordinator

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 20 March 2008, 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.

BELL, Margery, late of Carnsworth Nursing Home, 10 A'Beckett Street, Kew, Vic. 3101, who died on 21 September 2007.

CRAIN, Gregory Paul, late of Flat 6, 101 St David Street, Thornbury, Vic. 3071, retired, who died on 5 November 2007.

MIDGLEY, Fred, late of 6 Morphett Avenue, Ascot Vale, Vic. 3032, retired, who died on 27 March 1987.

MINNS, Dorothy May, late of 5 Kimber Close, Ferntree Gully, Vic. 3166, who died on 10 August 2007.

MULGREW, George James, late of 14 Lillian Street, Glen Iris, Vic. 3146, who died on 7 August 2007.

TAYLOR, George Raymond, late of 69 Centre Road, Cheltenham, Vic. 3192, retired and who died on 1 September 2007.

Dated 10 January 2008

MARY AMERENA
Manager
Executor and Trustee Services

EXEMPTION

Application No. A361/2007

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Connections Child Youth and Family Services (Connections) an agency of Uniting Care – Starting Out Program. The application for exemption is to enable the applicant to advertise and employ 4 females aged 25 years or younger as peer support workers for Connections (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:

- Connections Child Youth and Family Services (Connections) is an agency of Uniting Care, which provides support services to infants, children, young people and families.
- 'Starting Out' is a specialised subgroup support service to meet the needs of pregnant and parenting adolescents. 'Starting Out' targets young women 25 years and younger with priority given to those between 13–19 years.
- The 'Starting Out' program provides for the training and employment for the 4 female part-time peer support workers.

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 January 2011.

Dated 9 January 2008

HER HONOUR JUDGE HARBISON
Vice President

Cemeteries and Crematoria Act 2003

SECTION 41(1)

Notice of Approval of
Cemetery Trust Fees and Charges

I, Pauline Ireland as Delegate of the Secretary to the Department of Human Services for the purposes of section 40(2) of the **Cemeteries and Crematoria Act 2003**, give notice that I have approved the scales of fees and charges fixed by the public cemetery trusts listed in this notice. The approved scales of fees and charges will take effect from the date of publication in Government Gazette and will be published on the internet.

The Meredith Cemetery Trust

The Toongabbie Cemetery Trust

PAULINE IRELAND
Assistant Director

Food Safety and Regulatory Activities

Children, Youth and Families Act 2005

APPOINTMENT OF HONORARY
YOUTH JUSTICE OFFICERS

I, Valerie Callister, Regional Director of Gippsland Region of the Department of Human Services, under section 543 (4) of the **Children, Youth and Families Act 2005**, appoint the undermentioned persons as Honorary Youth Justice Officers for the Children's Court in the State of Victoria for the period ending 31 December 2010.

Desmond Sinnott

Jennifer Broughton

Mike Smith

David McLaughlin

Greg Pinnock

Athalie Mason

Michael O'Conner

John Bell

Derek Mason

John Ireland

Graham Perkins

Jennifer Perkins

Tamworth McGee

Peter Oats

Ron Petch

Malcolm Urquhart

Bob Quigg

Barry Smith

Tanya Louise Jones

Sandie Livingstone

Dated 21 December 2007

VALERIE CALLISTER

Regional Director

Gippsland Region

Department of Human Services

Chinese Medicine Registration Act 2000

Following a formal hearing into the professional conduct of Mr Jirong Zhang, registration number AH/872, registered in the division of acupuncturists and the division of Chinese herbal medicine practitioners, a panel appointed by the Chinese Medicine Registration Board of Victoria found that Mr Zhang had engaged in unprofessional conduct within the meaning of sections 3(a) and (b) and (e) and professional misconduct per section 3(c), of the Act and that he engaged in unprofessional conduct of a 'serious' nature.

The Panel determined that sanctions be imposed in accordance with sections 48(2), (c), (d) and (f) of the Act and that the registration of Mr Zhang as a Chinese medicine practitioner should have conditions imposed per section 48 (2) (e) and that his registration be suspended from 1 February 2008 to 31 May 2008 per section 48 (2) (g). 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

Human Tissue Act 1982VARIATION OF AUTHORISATION OF A
SCHOOL OF ANATOMY UNDER
SECTION 35(4) – DEAKIN UNIVERSITY

I, Daniel Andrews, Minister for Health, under section 35(4) of the **Human Tissue Act 1982** and under section 27 of the **Interpretation of Legislation Act 1984**, vary the authorisation published in Government Gazette G6 on 8 February 2007, to authorise the carrying out of anatomical examinations and the teaching and study of anatomy at Deakin University at its –

- School of Scientific and Developmental Studies, School of Health Sciences and School of Life and Environmental Sciences, 221 Burwood Highway, Burwood 3125;
- School of Health Sciences, Waterfront Campus, 1 Gheringap Street, Geelong 3217; and
- School of Medicine, Waurn Ponds Campus, Pigdons Road, Geelong.

This variation will commence operation on the date this notice is published in the Victoria Government Gazette.

Dated 9 January 2008

HON DANIEL ANDREWS, MP
Minister for Health

MEDICAL PRACTITIONERS BOARD
OF VICTORIA

Notice

Re: Dr Neil Selwyn Williams

Further to my notice dated 20 December 2007, I advise that:

- Dr Williams has filed an application with the Victorian Civil and Administrative Tribunal (VCAT) for review of the decision of the formal hearing panel on 11 December 2007; and
- the Medical Practitioners Board of Victoria has consented to a stay of the operation of the determination pending the finalisation of the application for review.

Dated 8 January 2008

LINDA DAWSON
Compliance Coordinator

**Sports Event Ticketing
(Fair Access) Act 2002**

DECLARATION OF AN EVENT

In pursuance of the powers conferred by Part 2 of the **Sports Event Ticketing (Fair Access) Act 2002**, I, James Merlino, Minister for Sport, Recreation and Youth Affairs, after having given notice of intent, hereby declare the 2008 Australian Football League Grand Final as a declared event. This declaration only applies for the holding of the event in 2008.

JAMES MERLINO
Minister for Sport, Recreation
and Youth Affairs

**Marine Act 1988**

SECTION 15 NOTICE

I, the Acting Director of Marine Safety, on the recommendation of Stuart Ord, Regional Manager, City and Bays, Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988** that from 9.00 pm on 26 January 2008 until 10.30 pm on 26 January 2008, bathing and the operation of vessels (including anchoring, mooring or allowing a vessel to lie), excluding vessels associated with the fireworks event and vessels owned and operated by Parks Victoria, are prohibited within a 200 meter radius of a fireworks barge located at a point 200 metres from the east side from Rye Pier and 240 metres seaward from the Rye foreshore.

Reference No. 288/2008

Dated 9 January 2008

TONY MILNE
Acting Director of Marine Safety

**Marine Act 1988**

SECTION 15 NOTICE

I, the Acting Director of Marine Safety, on the recommendation of Stuart Ord, Regional Manager, City and Bays, Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988** that from 9.00 pm on Saturday 26 January 2008 until 10.30 pm on Saturday

26 January 2008, bathing and the operation of vessels (including anchoring, mooring or allowing a vessel to lie), excluding vessels associated with the fireworks event and vessels owned and operated by Parks Victoria, are prohibited within 250 metres of the fireworks barge located approximately 250 metres off the Mornington Pier.

Reference No. 289/2008

Dated 9 January 2008

TONY MILNE
Acting Director of Marine Safety



Marine Act 1988

SECTION 15 NOTICE

I, the Acting Director of Marine Safety, on the recommendation of Paul Schleiger, Acting Regional Manager, City and Bays, Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988** that from 8.30 pm on Saturday 19 January 2008 until 10.15 pm on Saturday 19 January 2008, bathing and the operation of vessels (including anchoring, mooring or allowing a vessel to lie), excluding vessels associated with the fireworks event and vessels owned and operated by Parks Victoria, are prohibited within 200 metres of the fireworks barge located at a point located approximately 200 metres on the north of the Frankston Pier and 280 metres from the Frankston foreshore extending seaward.

Reference No. 290/2008

Dated 9 January 2008

TONY MILNE
Acting Director of Marine Safety



Marine Act 1988

SECTION 15 NOTICE

I, the Acting Director of Marine Safety, on the recommendation of Stuart Ord, Regional Manager City and Bays, Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988** that from 2.45 pm on Saturday

9 February 2008 until 3.30 pm on Saturday 9 February 2008, bathing and the operation of vessels (including anchoring, mooring or allowing a vessel to lie), excluding vessels operated by Parks Victoria and Life Saving Victoria associated with the San Remo Channel Challenge ocean swim event, are prohibited on the following waters of Western Port Bay:

The waters which lie between –

- (a) a line joining the northernmost point of the San Remo Jetty to the most south-western point of the San Remo and Phillip Island road bridge, and
- (b) a line directly below the overhead electricity power cables running approximately east and west over The Narrows between the township of San Remo and Newhaven.

Reference No. 291/2008

Dated 9 January 2008

TONY MILNE
Acting Director of Marine Safety



Marine Act 1988

SECTION 15 NOTICE

I, the Director of Marine Safety, on the recommendation of Paul Holton, Manager Arts and Leisure, Latrobe City Council, hereby give notice under subsection 15(1) of the **Marine Act 1988** that the normal operating rules for Lake Narracan are now back in operation due to the rise in water levels.

Reference No. 293/2008

Dated 14 January 2008

BRIAN RICHES
Director of Marine Safety



Marine Act 1988
SECTION 15 NOTICE

I, the Acting Director of Marine Safety, on the recommendation of Stuart Ord, Regional Manager, City and Bays, Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988** that for the periods and locations outlined below, bathing and the operation of vessels (including anchoring, mooring or allowing a vessel to lie), excluding those vessels involved with the 2008 Chinese New Year Dragon Boat Regatta, are prohibited on the following waters of the Yarra River:

- (a) The waters of Victoria Harbour within the area detailed in Table 1 from 8.00 am on 2 February 2008 until 5.30 pm on 2 February 2008.

Table 1: Victoria Harbour Exclusion Zone

The waters bounded by:	
(a)	a line extending from a marker buoy located in approximate position 37°49' 4.517328 S 144° 56' 32.55144 E to a marker buoy located in approximate position 37° 49' 1.674408 S 144° 56' 39.984 E;
(b)	a line extending from a marker buoy located in approximate position 37° 49' 1.674408 S 144° 56' 39.984 E to a marker buoy in approximate position 37° 49' 3.717228 S 144° 56' 41.3412 E;
(c)	a line extending from a marker buoy located in approximate position 37° 49' 3.717228 S 144° 56' 41.3412 E to a marker buoy in approximate position 37° 49' 6.613752 S 144° 56' 33.76608 E;
(d)	a line extending from a marker buoy located in approximate position 37° 49' 6.613752 S 144° 56' 33.76608 E to a marker buoy in approximate position 37°49' 4.517328 S 144° 56' 32.55144 E.
Projection: GDA 94	

Reference No. 287/2008

Dated 9 January 2008

TONY MILNE
Acting Director of Marine Safety

Land Acquisition and Compensation Act 1986

FORM 7

S. 21
Reg. 16

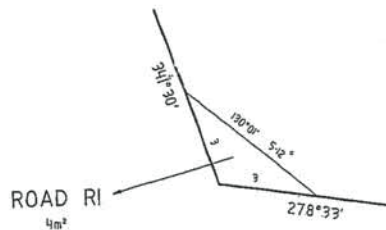
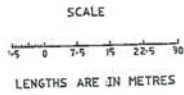
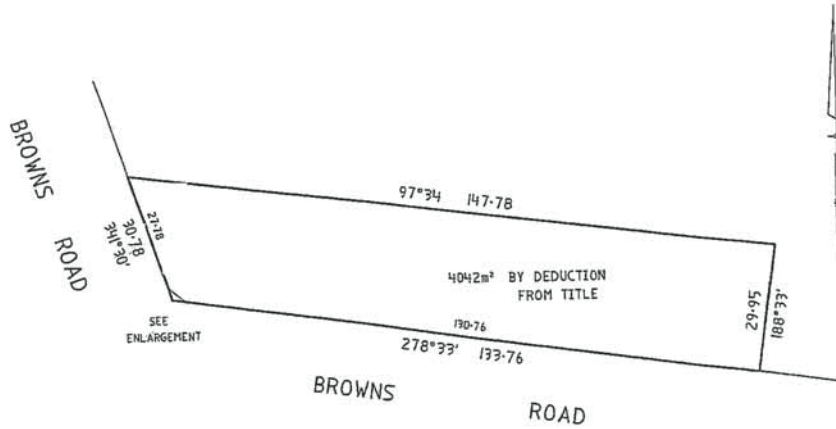
Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Casey City Council declares that by this notice it acquires an interest in fee simple in part of the land known as 171 Browns Road, Cranbourne South and contained within Certificate of Title Volume 8206 Folio 264 (Land). The land being acquired is a 4 square metre parcel of land identified as 'Road R1' on the plan below.

Interest Acquired: William Arthur Upston and Maureen Upston; the Commissioners of the State Savings Bank of Victoria; and all or any other interests in the land.

Published with the authority of the Casey City Council.



Dated 17 January 2008

For and on behalf of
Casey City Council
MIKE TYLER
Chief Executive Officer

Land Acquisition and Compensation Act 1986

FORM 7

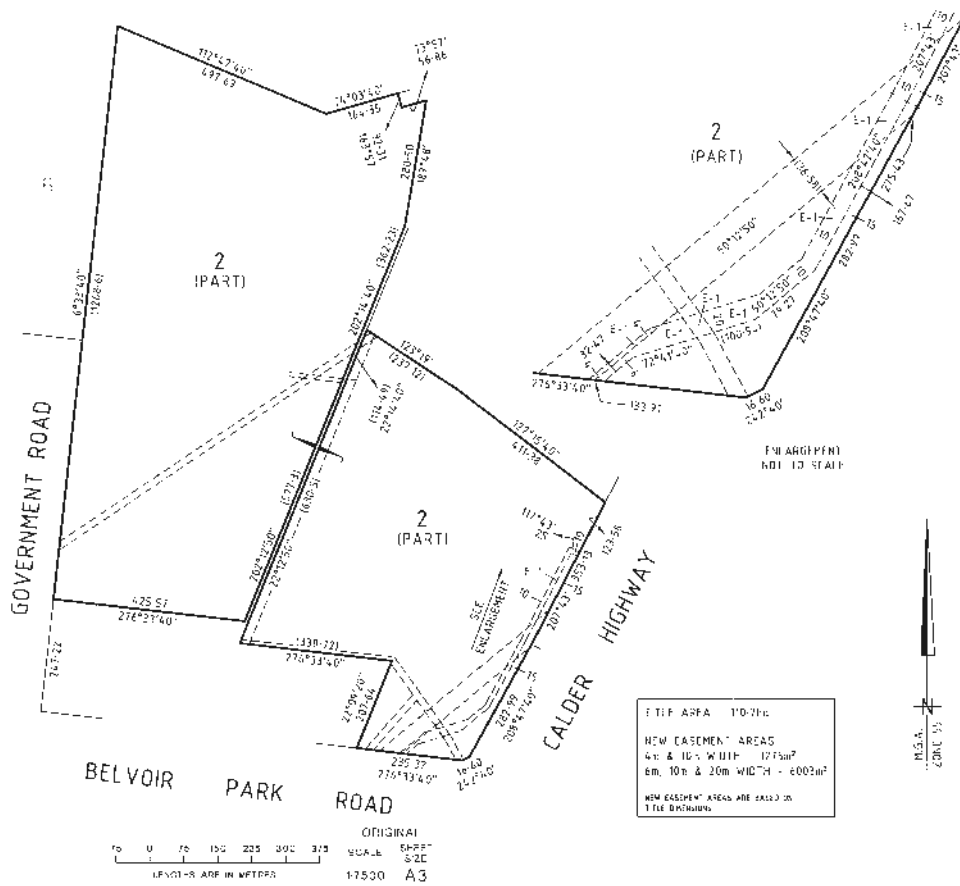
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Corporation, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Victoria 3353, declares that by this notice it acquires the following interest in the land described in Certificate of Title Volume 10969 Folio 381 ('Land'):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked 'E-1' on the attached plan.



Published with the authority of Central Highlands Region Water Corporation.
Dated 17 January 2008

For and on behalf of
Central Highlands Region Water Corporation
PETER DARVENIZA
CHW Project Director
Goldfields Superpipe

Land Acquisition and Compensation Act 1986

FORM 7

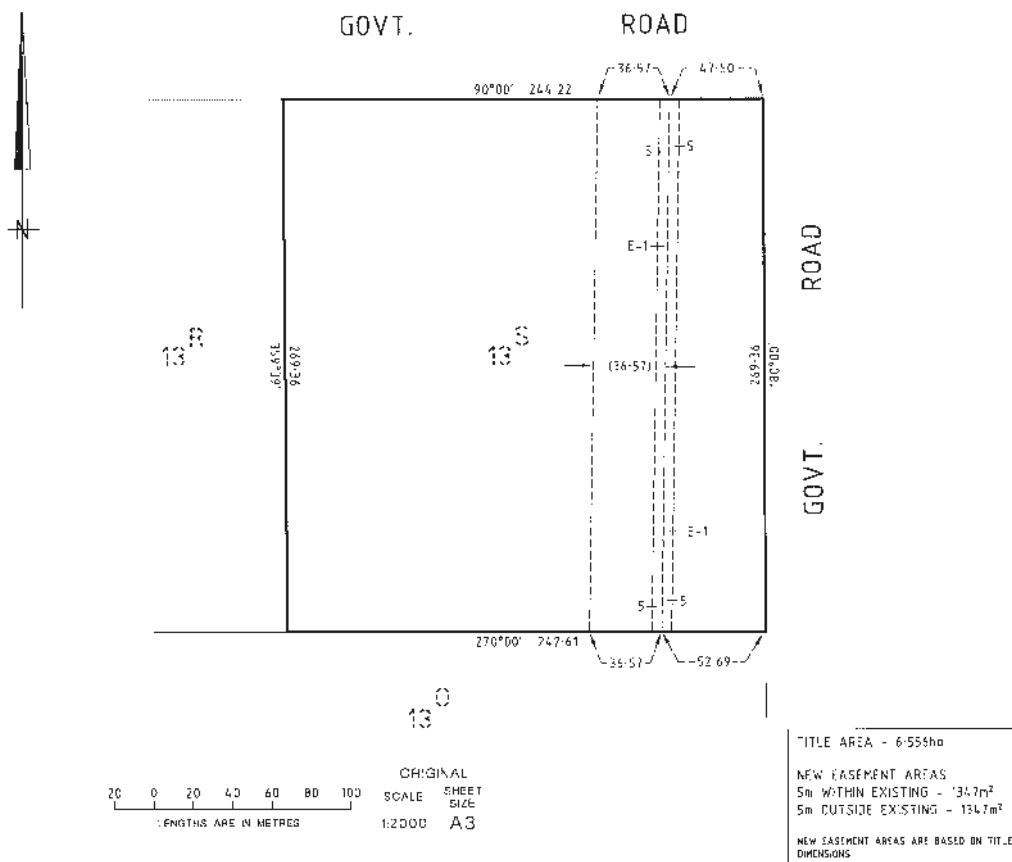
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Central Highlands Region Water Corporation, ABN 75 224 340 348, of 7 Learmonth Road, Ballarat, Victoria 3353, declares that by this notice it acquires the following interest in the land described in Certificates of Title Volume 05643 Folio 472 and Volume 00735 Folio 992 ('Land'):

An Easement for the purposes of a pipeline for water over part of the Land being the area marked 'E-1' on the attached plans.



Education and Training Reform Act 2006FIXING OF FEES FOR 2008 ADMINISTERED BY
THE VICTORIAN REGISTRATION AND QUALIFICATIONS AUTHORITY

The Minister for Education and the Minister for Skills and Workforce Participation make the following Order:

Purpose

This Order specifies fees for 2008 set by the Minister for Education and Minister for Skills and Workforce Participation for some of the regulatory functions to be undertaken by the Victorian Registration and Qualifications Authority.

Authorising provision

This Order is made under provisions of the **Education and Training Reform Act 2006**:

Part 5.2.13 Minister's powers to fix fees

- (1) The Minister, by Order, may fix any fees that are required, permitted or authorised to be fixed by the Minister under this Act.
- (2) The Minister's powers to fix fees may be exercised by fixing different fees for different classes of applications or investigations.

Fees payable in 2008 relate to the following provisions of the **Education and Training Reform Act 2006**: Section 4.3.1(4), 4.3.10(3), 4.3.19(2)(a), 4.3.30(8), 4.3.33(6), 4.4.1(6), 4.5.1(4), 4.5.2(2).

Period of Effect

This Order takes effect from 1 January 2008 and expires on 31 December 2008.

Definitions

In this Order:

'accredited' means – in relation to a vocational education and training or further education course, registered on the State Register and National Register;

in relation to any other course, registered as accredited on the State Register as being suitable for the purposes of a qualification;

'Authority' means the Victorian Registration and Qualifications Authority established under Chapter 4 of the **Education and Training Reform Act 2006**;

'course' means –

- (a) a course normally undertaken in, or designed to be undertaken in, year 11 or 12 of the school years; or
- (b) a course leading to the issue of the VCE or VCAL; or
- (c) a vocational education and training course, subject, unit of competency or module; or
- (d) a further education course; or
- (e) a course leading to a higher education award –
and includes –
 - (f) a program of study or training leading to the award or issue of a particular qualification; and
 - (g) a subject or other part of a program, unit of competence or module of study or training leading to the award or issue of a particular qualification; and
 - (h) any other study or training notified by the Minister in the Government Gazette to be a course for the purposes of the Act;

'higher education award' means a qualification described as a higher education award in the Australian Qualifications Framework but does not include a graduate certificate if the course of study relating to that certificate is included in the State Register;

‘overseas student’ means a person holding a visa under the **Migration Act 1958** of the Commonwealth which allows the person, whether expressly or otherwise, to study in Victoria;

‘registered education and training organisation’ means a person or body registered under Part 4.3 of the **Education and Training Reform Act 2006** to deliver an accredited course or award or issue a registered qualification;

‘registered qualification’ means a qualification that is registered on the State Register;

‘registered school’ means a school that is registered under Part 4.3 of the **Education and Training Reform Act 2006**;

‘school’ means a place at or from which education is provided to children of compulsory school age during normal school hours, but does not include –

- (a) a place at which registered home schooling takes place;
- (b) a University;
- (c) a TAFE Institute;
- (d) an education service exempted by Ministerial Order;
- (e) any other body exempted by the regulations;

‘self accrediting’ means a University established by an Act of Parliament of Victoria or the Australian Catholic University Limited;

‘technical and further education’ means postsecondary education wherever provided or offered which is not directed towards –

- (a) the award of a degree or diploma at an autonomous college or university; or
- (b) a higher education award;

‘vocational education and training’ means –

- (a) the education and training and qualifications and statements of attainment under the vocational education and training provisions under the Australian Qualifications Training Framework; and
- (b) that part of education and training which is directed towards the development of skills and knowledge in relation to work when it is provided by an adult education institution or a community based organisation which is not a TAFE institute, a commercial provider or industry provider.

Victorian Registration and Qualifications Authority Fees for 2008

The following sets out the provisions within the **Education and Training Reform Act 2006** that are covered by this Order and the associated fees to be collected by the Victorian Registration and Qualifications Authority for 2008.

Fees are to be paid to the Victorian Registration and Qualifications Authority where they will be deposited into the Victorian Registration and Qualifications Authority Fund.

S4.3.1(4)	Application to register a school	\$1600
S4.3.10(3)	Application to register a school to offer any senior secondary course or any other accredited course or award any registered qualification; (Note: This fee does not apply where an application under S4.3.1 is made at the same time)	\$1600
S4.3.10(3)	Application by a registered school to offer any senior secondary course or any other accredited course or award any registered qualification	\$800

S4.3.10(3)	Application for registration to deliver and or issue recognised qualifications in;		
	– a vocational education and training course, subject, unit of competency or module; and or	\$89 per hour up to a maximum of \$1598	
	– a further education course		
S4.3.19 (2)(a)	Application from a registered training organisation for extension to existing scope of registration		
	– for the first additional course	\$89 per hour up to a maximum of \$427	
	– for each additional course applied for at the same time as the first	\$89 per hour up to a maximum of \$320	
4.3.30(8)	Application for approval to operate as a university		\$40,000
4.3.33(6)	Application for authorisation to conduct higher education courses		
	– Diploma		\$3250
	– Advanced Diploma		\$3250
	– Associate degree		\$3900
	– Bachelor degree		\$6900
	– Masters degree		\$6900
	– Graduate/Post Graduate Diploma		\$3900
	– Graduate/Post Graduate Certificate		\$3900
	– Doctorate		\$6900
4.4.1(6)	Application to accredit a course (excluding a higher education course)		\$1064
4.4.1(6)	Application for accreditation of higher education courses		Fee for additional courses in the same detailed field of study
	– Diploma	Fee \$3990	\$975
	– Advanced Diploma	\$3390	\$975
	– Associate degree	\$3990	\$975
	– Bachelor degree	\$5000	\$1240
	– Masters degree	\$6250	\$1560
	– Graduate/Post Graduate Diploma	\$3900	\$975
	– Graduate/Post Graduate Certificate	\$3900	\$975
	– Doctorate	\$6250	\$1560

4.5.1(4) & **Approval to provide courses for overseas students**
4.5.2(2)

Registered Schools \$800

Registered Training Organisations

In the case of a course the curriculum for which relates only to the learning of the English language and which requires at least 25 hours face to face teacher contact each week for the duration of the course

(a) Application \$89 per hour to a maximum of \$1598

or
National ELT
Accreditation Scheme
(NEAS) approval

(b) Annual fee \$532

In the case of any other course or any other course and or course in category (a) above

(a) Application \$89 per hour to a maximum of \$1598

(b) Annual fee \$1064

University or Higher Education Institutions	Non-self accrediting	Self- accrediting
- Diploma	\$1325	\$45
- Advanced Diploma	\$1325	\$45
- Associate degree	\$1500	\$45
- Bachelor degree	\$1500	\$45
- Masters degree	\$1600	\$45
- Graduate/Post Graduate Diploma	\$1600	\$45
- Graduate/Post Graduate Certificate	\$1500	\$45
- Doctorate	\$1600	\$45
For self-accrediting higher education institutions who submit applications electronically (for each batch of up to 20 courses)		\$34

Dated 13 December 2007
HON BRONWYN PIKE MP
Minister For Education

Dated 17 December 2007
HON JACINTA ALLAN MP
Minister for Skills and Workforce Participation

Flora and Fauna Guarantee Act 1988

The **Flora and Fauna Guarantee Act 1988** is the main biodiversity legislation in Victoria. The Act enables members of the public to nominate species, ecological communities and potentially threatening processes for listing. Nominations under the Act are considered by an independent Scientific Advisory Committee, which makes recommendations to the Minister.

The Committee has made a number of final and preliminary recommendations. A Recommendation Report has been prepared for each final and preliminary recommendation. Copies of the reports can be obtained from the Head Office (<http://www.dse.vic.gov.au>) and major country offices of the Department of Sustainability and Environment (DSE). The **Flora and Fauna Guarantee Act 1988** and the **Flora and Fauna Guarantee Regulations 2001** can be viewed at these offices.

FINAL RECOMMENDATIONS OF THE SCIENTIFIC ADVISORY COMMITTEE

The Scientific Advisory Committee has made final recommendations on the evidence available, in accordance with section 15 of the Act, that the nomination for listing of the following item be supported in accordance with section 11 of the **Flora and Fauna Guarantee Act 1988**.

Item supported for listing

Criteria satisfied

790 <i>Maireana cheelii</i>	Chariot Wheels	1.2.1, 1.2.2, 1.2.3
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The reason that the nomination is supported is that the item satisfies at least one primary criterion of the set of criteria maintained under section 11 of the Act and stated in Schedule 1 of the **Flora and Fauna Guarantee Regulations 2001**.

Items not supported for listing

The Scientific Advisory Committee has made final recommendations on the evidence available, in accordance with section 14 of the Act, that the nominations for listing of the following items be rejected in accordance with section 11 of the **Flora and Fauna Guarantee Act 1988**.

759	The deaths of members of threatened and endangered species and the degradation of the gene pool of threatened and endangered species resulting from broad scale baiting with Sodium monofluoroacetate (Compound 1080) poison (potentially threatening process)	Rejected
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762	1080 poison baiting used for the control of vertebrate 'pest' animals (potentially threatening process)	Rejected
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The reason that the nominations for listing are not supported is that they do not adequately satisfy any of the set of criteria prepared and maintained under section 11 of the **Flora and Fauna Guarantee Act 1988**, and stated in Schedule 1 of the **Flora and Fauna Guarantee Regulations 2001**.

PRELIMINARY RECOMMENDATIONS OF THE SCIENTIFIC ADVISORY COMMITTEE

The Scientific Advisory Committee has made a preliminary recommendation on the evidence available, in accordance with section 14 of the Act, that the nomination for listing of the following item be supported in accordance with section 11 of the **Flora and Fauna Guarantee Act 1988**.

Item supported for listing

Criteria satisfied

792	Loss of biodiversity in native ant populations and potential ecosystem integrity following invasion by Argentine Ants (<i>Linepithema humile</i>) (potentially threatening process)	5.1.1, 5.1.2
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The reason that the nomination is supported is that the item satisfies at least one primary criterion of the set of criteria maintained under section 11 of the Act and stated in Schedule 1 of the **Flora and Fauna Guarantee Regulations 2001**.

SUBMISSIONS INVITED ON PRELIMINARY RECOMMENDATIONS OF THE
SCIENTIFIC ADVISORY COMMITTEE

Electronic (by email) or written submissions (in envelopes marked CONFIDENTIAL) supplying evidence that supports or contradicts the preliminary recommendations will be accepted until 29 February 2008. Submissions must be signed and provide a full postal address and daytime telephone number of the person or group making the submission. Emailed submissions should include a postal address so that those making a submission can be advised of developments by letter. Please note that the Scientific Advisory Committee considers only nature conservation issues. There is no public comment period for final recommendations.

Submissions should be sent to: Martin O'Brien, Executive Officer, Scientific Advisory Committee, c/o Dept Sustainability and Environment, 2/8 Nicholson Street (PO Box 500), East Melbourne 3002. Email: martin.o'brien@dse.vic.gov.au

For inquiries regarding the **Flora and Fauna Guarantee Act 1988** please contact Martin O'Brien (03) 9637 9869. For information on specific items please contact flora and fauna staff at DSE offices.

MARTIN O'BRIEN
Executive Officer
Scientific Advisory Committee, January 2008

The Scientific Advisory Committee is committed to protecting information provided in accordance with the principles of the **Information Privacy Act 2000**. Information contained in any submissions, nominations or other correspondence is stored and used by the Committee for the purpose of advising the Minister for Environment and Climate Change on nature conservation matters related to the **Flora and Fauna Guarantee Act 1988**. This information may be disclosed to other relevant government agencies, or if required by law. Those people making submissions can access their contact details held by the Committee by contacting the Executive Officer at the address above.

PREPARATION OF ACTION STATEMENTS

Under section 19 of the **Flora and Fauna Guarantee Act 1988**, the Secretary to the Department of Sustainability and Environment is required to prepare an Action Statement (or management plan) for each listed item. Action Statements set out what has been done and what is intended to be done to conserve or manage that item.

Groups or individuals wishing to comment on a particular action statement at the draft stage, if and when the above items are listed by the Governor in Council on the recommendation of the Minister, should express their interest to: Kimberley Dripps, Executive Director, Biodiversity and Ecosystem Services Division, Dept Sustainability and Environment, PO Box 500, East Melbourne 3002.

Private Agents Act 1966

NOTICE OF RECEIPT OF APPLICATIONS FOR
COMMERCIAL SUB-AGENT'S LICENCE
UNDER THE PROVISIONS OF THE **PRIVATE AGENTS ACT 1966**

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

Any person desiring to object to any of such applications 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>Place of Abode of Applicant or Nominee</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Paressa Efthimiou	Suite 2, Level 2, 991 Whitehorse Road, Box Hill	Commercial Sub- Agent's Licence	07/02/08

Dated at Ringwood 9 January 2008

BRUCE HAMILTON
Deputy Registrar
Magistrates' Court of Victoria

Planning and Environment Act 1987**BASS COAST PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C80

The Minister for Planning has approved Amendment C80 to the Bass Coast Planning Scheme.

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

The Amendment includes land in the vicinity of the intersection of Mouth of Powlett Road and Lower Powlett Road, Wonthaggi in a Public Acquisition Overlay; amends the Schedule to clause 45.01 to establish the Secretary to the Department of Sustainability and Environment as the acquisition authority for the land for the purpose of the Desalination Project; amends the Schedule to clause 52.03 to identify the land as land which may be used and developed in accordance with the document titled 'Desalination Project Incorporated Document, January 2008'; and provides that the Minister for Planning is responsible for enabling the preliminary works to occur as of right, subject to an EMP to the satisfaction of the Minister for Planning.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Gippsland Regional Office, 71 Hotham Street, Traralgon; the offices of the Bass Coast Shire Council, 76 McBride Avenue, Wonthaggi; and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

GENEVIEVE OVERELL
General Manager

Planning, Heritage and Urban Design
Department of Planning and
Community Development

Planning and Environment Act 1987**CENTRAL GOLDFIELDS
PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C15

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

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

The Amendment rezones land being 12–22 Nolan Street, 59–63 and 65 Victoria Street, 88–89 Burke Street, 19–35 Palmerston Street, 65–71 Inkerman Street, and 60–62 Gillies Street, Maryborough from Business 4 Zone, Mixed Use Zone, Public Use 2 Zone (Education) and Residential 1 Zone to Public Use 6 Zone (Local Government) since the land is in council ownership.

A copy of the Amendment can be inspected, free of charge, during office hours at Department of Planning and Community Development, Loddon Mallee Region Office, 1 Taylor Street, Epsom; at the offices of the Central Goldfields Shire Council, 2 Neill Street, Maryborough; and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

GENEVIEVE OVERELL
General Manager

Planning, Heritage and Urban Design
Department of Planning and
Community Development

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

Notice of Approval of Amendment

Amendment C35

The Minister for Planning has approved Amendment C35 to the Horsham Planning Scheme.

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

The Amendment introduces an Incorporated Document to the Schedule to clause 52.03 of the Planning Scheme. The effect of incorporating this document is to remove the need for the WMPP to require planning permits for use for minor utility installation in various zones, and to remove the need for planning permits for the removal of vegetation that may be required by the planning scheme.

The Incorporated Document triggers these exemptions once an Environmental Management Plan (EMP) for individual stages of the project is signed by the Secretary of the Department of

Planning and Community Development.

Clause 81.01 of the Planning Scheme is also amended to include the Wimmera Mallee Pipeline Project Horsham Planning Scheme Incorporated Document 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, Grampians Regional office, 402–406 Mair Street, Ballarat; at the offices of the Horsham Rural City Council, Civic Centre, Roberts Avenue, Horsham; and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

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

Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME
Notice of Approval of Amendment
Amendment C99

The Minister for Planning has approved Amendment C99 to the Greater Bendigo Planning Scheme.

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

The Amendment:

- rezones part of 14 Rosemundy Road, Epsom from Farming Zone to Residential 1 Zone;
- rezones the balance of 14 Rosemundy Road, Epsom from Farming Zone to Urban Floodway Zone;
- applies a Development Plan Overlay over 14 Rosemundy Road, Epsom to facilitate the orderly development of the land;
- applies the Land Subject to Inundation Overlay to land identified as subject to inundation; and
- rezones land on the west side of Botheras Court, Epsom (Nos. 1–8 Botheras Court) from part Residential 1 Zone and part Farming Zone to Residential 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the Department of Planning and Community Development, Loddon Mallee Regional Office, corner of Midland Highway and Taylor Street, Epsom; at the office of the City of Greater Bendigo, Statutory Planning Unit, 15 Hopetoun Street, Bendigo; and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

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

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of Approval of Amendment
Amendment C157

The Minister for Planning has approved Amendment C157 to the Greater Geelong Planning Scheme.

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

The Amendment implements the Heales Road Industrial Estate Framework Plan by amending clauses 21.22 and 22.15 of the Local Planning Policy Framework; introducing Design and Development Overlay Schedule 18 and applying it to land in the Heales Road Industrial Estate; and rezoning land located at the south of the estate from Industrial 2 Zone to Industrial 1 Zone.

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Greater Geelong City Council, 131 Myers Street, Geelong and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

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

Planning and Environment Act 1987

MONASH PLANNING SCHEME

Notice of Approval of Amendment

Amendment C72

The Minister for Planning has approved Amendment C72 to the Monash Planning Scheme.

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

The Amendment rezones land at 4 Henry Street, Oakleigh from a Residential 1 Zone to an Industrial 1 Zone and adds a Design and Development Overlay to enable the use and development of the land for a car park ancillary to the adjoining car sales and motor repairs use at 190–192 Atherton Road, Oakleigh.

The Minister has granted the following permit(s) under Division 5 Part 4 of the Act: Permit No. TPA/ 34896.

Description of land: 4 Henry Street, Oakleigh.

A copy of the Amendment and permit/s can be inspected, free of charge, during office hours, at the Monash City Council, 293 Springvale Road, Glen Waverley and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

GENEVIEVE OVERELL
General Manager

Planning, Heritage and Urban Design
Department of Planning and
Community Development

Planning and Environment Act 1987

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment

Amendment C67

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

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

The Amendment applies a Heritage Overlay (HO439) to the Nightingale Street Precinct (Balaclava) on an interim basis. Affected properties are 31–5 Marlborough Street, 24–58 Rosamond Street, 27–57 Rosamond Street,

32–58 Nightingale Street, 19–47 Nightingale Street, 19 and 21 Woodstock Street, 1–17 Gibbs Street, and 2–20 Gibbs Street, Balaclava.

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Port Phillip City Council, 208–220 Bank Street, South Melbourne and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

GENEVIEVE OVERELL
General Manager

Planning, Heritage and Urban Design
Department of Planning and
Community Development

Planning and Environment Act 1987

YARRIAMBIACK PLANNING SCHEME

Notice of Approval of Amendment

Amendment C14

The Minister for Planning has approved Amendment C14 to the Yarriambiack Planning Scheme.

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

The Amendment introduces an Incorporated Document to the Schedule to clause 52.03 of the Planning Scheme. The effect of incorporating this document is to remove the need for the WMPP to require planning permits for use and development of a minor utility installation in various zones, and to remove the need for planning permits for the removal of vegetation that may be required by the planning scheme.

The Incorporated Document triggers these exemptions once an Environmental Management Plan (EMP) for individual stages of the project is signed by the Secretary of the Department of Planning and Community Development.

Clause 81.01 of the Planning Scheme is also amended to include the Wimmera Mallee Pipeline Project Yarriambiack Planning Scheme Incorporated Document 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, Grampians Regional office 402–

406 Mair Street, Ballarat; at the offices of the Yarriambiack Shire Council, 34 Lyle Street, Warracknabeal; and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

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

Planning and Environment Act 1987

YARRA RANGES PLANNING SCHEME

Notice of Approval of Amendment
Amendment C56

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

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

The Amendment applies a Design and Development Overlay to the Mt Evelyn town centre area. The overlay specifies design principles and other development requirements that must be considered in the assessment of planning permit applications for new development within that area. The overlay does not increase the range of matters that currently require a permit under the planning scheme.

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Yarra Ranges Shire Council, Anderson Street, Lilydale and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

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

Planning and Environment Act 1987

YARRA PLANNING SCHEME

Notice of Approval of Amendment
Amendment C120

The Minister for Planning has approved Amendment C120 to the Yarra Planning Scheme.

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

The Amendment:

- introduces Schedule 7 to the Design and Development Overlay;
- applies the Design and Development Overlay and Environmental Audit Overlay to land known as the Burnley Street West Precinct;
- amends the Schedule to clause 52.03 to apply to 520 Victoria Street and 2A Burnley Street, Richmond (Lot 12 LP10638, Lot 1 TP225657, Lot 2 TP225657, Lot 1 TP629670 and Lot 2 TP629670) to allow office use on all levels; and
- amends the Schedule to clause 81 to include the '520 Victoria Street and 2A Burnley Street, Richmond, Burnley Street West Precinct, August 2007' in the list of Incorporated Documents.

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Yarra City Council, Richmond Town Hall, 333 Bridge Road, Richmond and at Department of Planning and Community Development's website, www.dpcd.vic.gov.au/planning/publicinspection

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

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Lapsing of Amendment
Amendment C63 Part 2

Pursuant to section 30(1)(a) of the **Planning and Environment Act 1987**, Amendment C63 Part 2 to the Greater Bendigo Planning Scheme has lapsed.

The Amendment proposed to:

- delete Heritage Overlay 678 (HO678) from Planning Scheme Map No. 19HO and replace Heritage Overlay 32 (HO32) with a new Heritage Overlay 32 (HO32) that consolidates the individual tree citations and reduces the general control for the cemetery to those areas of historic significance only;

- amend the schedule to the Heritage Overlay to introduce the White Hills Cemetery Heritage Management Plan; and
- amend the schedule to Clause 81.01 to incorporate the White Hills Cemetery Heritage Management Plan.

The Amendment lapsed on 14 October 2006.

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

Planning and Environment Act 1987

GREATER BENDIGO PLANNING SCHEME

Notice of Lapsing of Amendment

Amendment C79

The Greater Bendigo City Council has resolved to abandon Amendment C79 to the Greater Bendigo Planning Scheme.

The Amendment proposed to:

- rezone part of 123–131 High Street, Bendigo from a Business 4 Zone to a Special Use Zone, Schedule 1 Educational or Religious Institutions; and
- apply an Environmental Audit Overlay to the land.

The Amendment lapsed on 23 November 2007.

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

ORDERS IN COUNCIL

University of Ballarat Act 1993

APPOINTMENT OF A MEMBER TO THE UNIVERSITY OF BALLARAT COUNCIL

Order in Council

The Governor in Council under sections 7(2)(g) and 14(1) of the **University of Ballarat Act 1993** appoints Dr Paul Hemming as a member of the University of Ballarat Council.

The terms and conditions of this appointment are set out in the attached Schedule.

Dated 10 September 2007

Responsible Minister

JACINTA ALLAN, MP

Minister for Skills and Workforce Participation

RUTH LEACH

Clerk of the Executive Council

University of Ballarat Act 1993

APPOINTMENT OF A MEMBER TO THE UNIVERSITY OF BALLARAT COUNCIL

SCHEDULE TO THE ORDER IN COUNCIL

1. **Appointment Arrangements**
This appointment is part-time.
2. **Period of Appointment**
Under section 14(1) of the **University of Ballarat Act 1993** (the Act), in the event of a casual vacancy, a person must be appointed, or elected as prescribed, to fill the vacancy and to hold office for the remainder of the term.
Dr Hemming's appointment is from the date of the Order to 31 December 2008 (inclusive).
3. **Duties and Responsibilities of the position**
Under section 7(1) of the Act, the Council is the governing body of the university and has the entire direction and superintendence of the University. Its primary responsibilities include appointing and monitoring the performance of the Vice-Chancellor; approving the mission and strategic direction; overseeing and reviewing management; overseeing and monitoring academic activities; and approving any significant commercial activities.
4. **Termination Arrangements**
Under section 9(1) of the Act, a member of the Council appointed by the Governor in Council may, at any time, be removed by the Governor in Council.
5. **Payment Provisions**
Under section 8(4) of the Act, an elected or appointed member of the Council, other than a member who holds a full-time office on the staff of the University, a full-time office under the Crown in any of its capacities or a full-time office in a statutory authority, at the discretion of the Council may be paid the remuneration and fees that are fixed from time to time by the Minister for that member. Dr Hemming, as a member of the Council, is eligible to receive \$9,000 per annum.
6. **Superannuation Obligations**
Not applicable.
7. **Travel and Personal Expenses Arrangements**
All members of the Council are eligible for reimbursement of reasonable out-of-pocket expenses in accordance with the policy of the Council.
8. **Leave Arrangements**
There are no leave provisions for these part-time statutory positions.
9. **Prior Service**
Not applicable.

Education and Training Reform Act 2006

APPOINTMENT OF CHAIRPERSON TO THE VICTORIAN SKILLS COMMISSION

Order in Council

The Governor in Council, under section 3.1.7(1)(a) and clause 2(1) to Schedule 2 of the **Education and Training Reform Act 2006**, appoints Mr Peter Thomas as Chairperson of the Victorian Skills Commission.

The terms and conditions of this appointment are set out in the attached Schedule.

Dated 7 November 2007

Responsible Minister

JACINTA ALLAN, MP

Minister for Skills and Workforce Participation

CHRISTINE TRAN
Acting Clerk of the Executive Council

Education and Training Reform Act 2006

APPOINTMENT OF CHAIRPERSON TO THE VICTORIAN SKILLS COMMISSION

SCHEDULE TO THE ORDER IN COUNCIL

- 1. Appointment Arrangements**
This appointment is part-time.
- 2. Period of Appointment**
The appointment of Mr Thomas is from the date of this Order to 1 June 2008 (inclusive).
- 3. Duties and Responsibilities of the position**
The functions of the Commission are set out in section 3.1.2 of the Act. The Commission advises the Minister and the Government on post compulsory education and training. It is the State Training Agency and executes responsibility for the State training system within the context of its broader role. The Commission has a lead role in monitoring the outcomes of post compulsory education and training policy to ensure that those programs meet the needs of government, industry and individuals.
- 4. Termination Arrangements**
Clause 2(3) to Schedule 2 of the Act provides for the termination arrangements for the Chairperson and members of the board.
- 5. Payment Provisions**
Mr Thomas, as Chairperson of the Commission, is eligible to receive \$35,640 per annum.
- 6. Superannuation Obligations**
Superannuation is being paid at the recommended rate of 9 percent.
- 7. Travel and Personal Expenses Arrangements**
All members of the Commission are eligible for reimbursement of reasonable out-of-pocket expenses in accordance with the policy of the Commission.
- 8. Leave Arrangements**
There are no leave provisions for these part-time statutory positions.
- 9. Prior Service**
Not applicable.

Education and Training Reform Act 2006

APPOINTMENT OF A MEMBER TO THE VICTORIAN SKILLS COMMISSION

Order in Council

The Governor in Council, under section 3.1.7(1)(e) and clause 2(1) to Schedule 2 of the **Education and Training Reform Act 2006**, appoints Mr John Sharkey as a member of the Victorian Skills Commission.

The terms and conditions of this appointment are set out in the attached Schedule.

Dated 18 December 2007

Responsible Minister

JACINTA ALLAN, MP

Minister for Skills and Workforce Participation

MELISSA VAN ROSSUM

Acting Clerk of the Executive Council

Education and Training Reform Act 2006

APPOINTMENT OF A MEMBER TO THE VICTORIAN SKILLS COMMISSION

SCHEDULE TO THE ORDER IN COUNCIL

1. Appointment Arrangements

This appointment is part-time.

2. Period of Appointment

The appointment of Mr Sharkey is from the date of this Order to 30 June 2010 (inclusive).

3. Duties and Responsibilities of the position

The functions of the Commission are set out in section 3.1.2 of the Act. The Commission advises the Minister and the Government on post compulsory education and training. It is the State Training Agency and executes responsibility for the State training system within the context of its broader role. The Commission has a lead role in monitoring the outcomes of post compulsory education and training policy to ensure that those programs meet the needs of government, industry and individuals.

4. Termination Arrangements

Clause 2(3) to Schedule 2 of the Act, states that a position may be come vacant if a member becomes bankrupt; or if a member is found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence; or the member is absent from 3 consecutive meetings of Authority without the leave of the chairperson, or in the case of the chairperson without the Minister's leave.

5. Payment Provisions

Mr John Sharkey as a member of the Commission is eligible to receive \$14,270 per annum.

6. Superannuation Obligations

Superannuation will be paid in accordance with the Commonwealth's **Superannuation Guarantee (Administration Act) 1992**.

7. Travel and Personal Expenses Arrangements

All members of the Commission are eligible for reimbursement of reasonable out-of-pocket expenses in accordance with the policy of the Commission.

8. Leave Arrangements

There are no leave provisions for these part-time statutory positions.

9. Prior Service

Not applicable.

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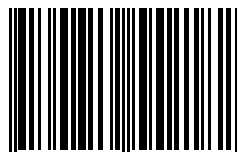
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