



# Victoria Government Gazette

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**No. G 9 Thursday 28 February 2008**

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**GENERAL**

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As from 28 February 2008

The last Special Gazette was No. 52 dated 27 February 2008.

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

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

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)  
LABOUR DAY WEEK 2008 (Monday 10 March 2008)**

**Please Note:**

The Victoria Government Gazette for Labour Day week (G11/08) will be published on **Thursday 13 March 2008**.

**Copy deadlines:**

Private Advertisements **9.30 am on Friday 7 March 2008**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 11 March 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

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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)  
EASTER HOLIDAYS 2008**

**Please Note:**

The Victoria Government Gazette published immediately after Easter (G13/08) will be published on **Thursday 27 March 2008**.

**Copy deadlines:**

Private Advertisements **9.30 am on Thursday 20 March 2008**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Tuesday 25 March 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

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**VICTORIA GOVERNMENT GAZETTE**

**Subscribers and Advertisers**

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JENNY NOAKES  
Government Gazette Officer

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**PRIVATE ADVERTISEMENTS****Land Act 1958**

Notice is hereby given that Bold Diving & Marine Pty Ltd has applied for leases pursuant to section 134 of the **Land Act 1958** for a term of 21 years with 10 year option in respect of Allotments 2031 and 2034, Parish of Bellarine, containing 6 hectares located in the Clifton Springs Aquaculture Fisheries Reserve and Allotments 2031 and 2042, Parish of Murcain, containing .82 hectares in the Kirk Point-Werribee Aquaculture Fisheries Reserve, as sites for the purpose of aquaculture.

Ref No.: NP/16/0197

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Re: JEAN MURIEL CRAWLEY, late of 48 Sackville Street, Kew, Victoria, but formerly of 526 South Road, Moorabbin, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 October 2007, are required by the trustees, Loch Neish Adams and Zenon Starnawski, both of 42 Station Street, Moorabbin, Victoria, Australian legal practitioners, to send particulars to the trustees within 60 days from the date of publication, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

ADAMS & GARDE, legal practitioners,  
42 Station Street, Moorabbin 3189.

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Re: Estate of STEWART GEORGE BRADLEY, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of STEWART GEORGE BRADLEY, late of 64 Price Avenue, Mount Waverley, in the State of Victoria, electrical engineer, who died on 29 November 2007, are required by Jennifer Leigh Walker and Neil William Morris, the executors of the Will of the deceased, to send particulars of their claim to Andrew McMullan & Co., solicitors, 64 Kingsway, Glen Waverley, in the said State, solicitors for the executors of the said estate, within 90 days from the date of this advertisement, after which time the executors may convey or distribute the assets, having regard only to claims of which they then have notice.

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

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MARIE THERESE McCARTHY, late of Unit 12, 74 Warrandyte Road, Ringwood, Victoria, home duties.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 5 September 2007, are required by the executor, Michael Alphonsus McCarthy, to send particulars thereof to him, care of the office of Messrs Aughtersons, 267 Maroondah Highway, Ringwood, within two calendar months from the date of publication of this notice after which the executor will distribute the estate, having regard only to the claims of which he has notice.

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

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Creditors, next-of-kin and others having claim in respect of the estate of MARGARET EMMA SULLIVAN, late of 37 Hodgson Street, Rosanna, deceased, who died on 30 September 2007, are required by the executor, Philip John Sullivan, to send particulars of their claim to him, care of the undermentioned solicitor, by 7 May 2008, after which date the said executor will distribute the assets of the deceased, having regard only to the claims of which he then shall have notice.

B. J. WILLIAMS LL.B., solicitor,  
106 Lower Plenty Road, Rosanna 3084.

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Creditors, next-of-kin and others having claims in respect of the estate of FAYLORRAINE PROWSE, late of 13 Norman Road, Croydon, Victoria, retired teacher, deceased, who died on 14 September 2007, are to send particulars of their claims to the executor, Peter Eric Prowse, care of the undermentioned solicitors by 30 April 2008, after which date the executor will convey or distribute the assets, having regard only to the claims of which he then has notice.

BRENDAN H. HARDIMAN & ASSOCIATES,  
solicitors,  
108 Railway Avenue, Ringwood East 3135.

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Re: AUBREY FRANCIS JARROTT of Hawthorn Village Aged Care Hostel, Cobden Street, Bright 3741.

Creditors, next-of-kin and others having claims in respect of the estate of AUBREY FRANCIS JARROTT, late of Hawthorn Village Aged Care Hostel, Cobden Street, Bright in the State of Victoria, retired farmer, deceased, who died on 23 June 2006, are required by the executors to send particulars of their claims to the undermentioned solicitors, within two months of this notice, after which date the executors will distribute the assets to the persons entitled, having regard only to the claims of which they then have notice.

CAMPAGNA GRAY & MALLINDER,  
solicitors,  
11 Chisholm Street, Wangaratta 3677.

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WENDY ALICE RYDER, late of 46 Willow Grove, Kew, Victoria, psychologist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 June 2007, are required by the executor, Daniel Rechtman, care of Henty Stamfords, 4/84 William Street, Melbourne, Victoria, to send particulars to him by 1 May 2008, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

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Re: LINDSAY STEWART BORTHWICK, deceased.

Creditors, next-of-kin and other persons having claims against the estate of LINDSAY STEWART BORTHWICK, late of 35 O'Connor Road, Knoxfield, pensioner, who died on 27 October 2007, are required by the trustees, Ronda Lilian Bartlett of 46 Rathmullen Road, Boronia, Victoria, home duties, described in the Will as Ronda Lillian Bartlett, and Lesley Anne Stielow of 42 Kleinert Road, Boronia, Victoria, home duties, the executors named in the Will, to send particulars of their claims to them, care of the undermentioned solicitors, by 28 April 2008, after which date they may convey or distribute the estate, having regard only to the claims of which they then have notice.

DE KEVER SPAULDING, lawyers,  
173 Boronia Road, Boronia 3155.

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Re: GEOFFREY SHADBOLT, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 July 2007, are required by the trustee, Jennifer Margaret Shadbolt, to send particulars to her, care of the undersigned, by

29 April 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.

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Re: MARY ANNE FLORENCE MOORE, late of 23 Miller Street, Thornbury, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 5 September 2007, are required by the trustee, Equity Trustees Limited of Level 2, 575 Bourke Street, Melbourne, to send particulars to the trustee by 14 May 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

GRAY & GRAY, solicitors,  
188 High Street, Northcote 3070.

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Re: MARY BARBARA BAIN, late of Yarralee Residential Aged Care, 48 Sackville Street, Kew, Victoria 3101, but formerly of 24 Alfred Street, Kew, Victoria 3101, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 November 2007, are required by the trustee, Perpetual Trustees Victoria Limited, of Level 28, 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by 28 April 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: BEATRICE ELIZABETH GORDON ELDRIDGE, late of Park Hill Gardens Nursing Home, 160 Tyabb Road, Mornington, Victoria 3931, gentlewoman, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 October 2007, are required by the trustee, Perpetual Trustees Australia Limited, of Level 28, 360 Collins Street, Melbourne, Victoria, to send particulars to the trustee by

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

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: ALICE MAY WRIGHT, late of Tullamore Mercy Nursing Home, 991 Mount Dandenong Tourist Road, Montrose, Victoria, but formerly of 9 Jewell Crescent, West Brunswick, Victoria 3055, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 October 2007, are required by the trustee, Perpetual Trustees Consolidated Limited, in the Will called National Trustees Executors and Agency Company of Australasia Limited, of Level 28, 360 Collins Street Melbourne, Victoria 3000, to send particulars to the trustee by 28 April 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: ARTHUR EDWARD GRIFFITHS, late of 13 Willow Court, Donald, Victoria, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 25 June 2003, are required by the trustees, Arthur Andrew Griffiths and William Gerard Griffiths, care of the undermentioned solicitors, to send particulars to the trustees by 30 April 2008, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

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Re: DAVID PETER COOK, late of 2205 Bullumwaal Road, Bullumwaal, Victoria, but formerly of 100 Roberts Road, Mornington, company director, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 August 2007, are required by the trustee, Gregory Buchanan, to send particulars of such claims to him, in care of the undermentioned solicitors, by 29 April 2008, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustees has notice.

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

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Re: RUSSELL JOHN HELLYAR, late of 'Abbots Trace', 36 Noel Street, Apollo Bay, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 21 February 2007, are required by the deceased's personal representatives, Geoffrey William Coffey, Rodney Peter Shepherd and Gordon David Proctor, to send particulars to the personal representatives, care of the undermentioned solicitors, by 28 April 2008, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SEWELLS LARKINS MCCARTHY, lawyers,  
119 Murray Street, Colac 3250.

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AMY GWENDOLINE CARLOS, also known as Gwendoline Carlos, late of Somercare Nursing Home, Graf Road, Somerville, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 December 2007, are required by the executor, Rhys Carleton-Carlos of 25 Island View Drive, Tyabb, Victoria, to send particulars to him, care of Stidston & Williams Weblaw, by 1 May 2008, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

STIDSTON & WILLIAMS WEBLAW, lawyers,  
Suite 1, 10 Blamey Place, Mornington 3931.

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HENRY REGINALD CLIVE PRATT, deceased.

Creditors, next-of-kin and others having claims against the estate of HENRY REGINALD CLIVE PRATT, late of Unit 6, Mayflower Retirement Community, 7 Centre Road, Brighton

East, Victoria, chemical engineer, deceased, who died on 12 July 2007, are required to send particulars of their claims to the executor, care of the undermentioned solicitor by 5 May 2008, after which date the executor will proceed to distribute the assets, having regard only to the claims of which he shall then have had notice.

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

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Re: DIONE MEGAN TOWNSEND, late of Unit 4, 5 Stawell Street, Romsey, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 10 December 2007, are required to send particulars of their claims to the executor, care of GPO Box 1946, Melbourne, Victoria 3001, by 27 May 2008, after which date the executor may convey or distribute the assets, having regard only to the claims of which he may then have notice.

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

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**PROCLAMATIONS**

**Transport Legislation Amendment Act 2007**

PROCLAMATION OF COMMENCEMENT

I, David de Kretser, Governor of Victoria, with the advice of the Executive Council and under section 2(12) of the **Transport Legislation Amendment Act 2007** –

- (a) fix 15 March 2008 as the day on which section 65 of that Act comes into operation; and
- (b) fix 31 March 2008 as the day on which sections 10, 12, and 21 of that Act come into operation; and
- (c) fix 1 July 2008 as the day on which sections 54(3) and 57 of that Act come into operation.

Given under my hand and the seal of Victoria on 26th February 2008.

(L.S.)                      DAVID DE KRETSER

Governor

By His Excellency's Command

LYNNE KOSKY

Minister for Public Transport

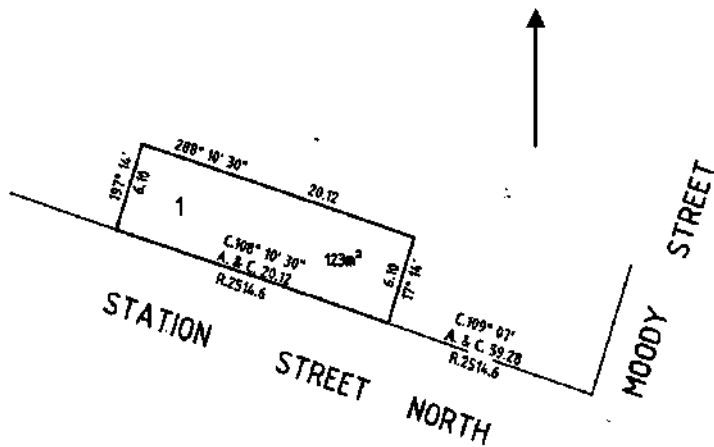
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**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**



Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Cardinia Shire Council, at its ordinary meeting held on 19 November 2007, formed the opinion that the 'road' as shown on the plan below is not reasonably required as a road for public use and as such Council resolved to discontinue the road and to sell the land from the road to the adjoining owner.

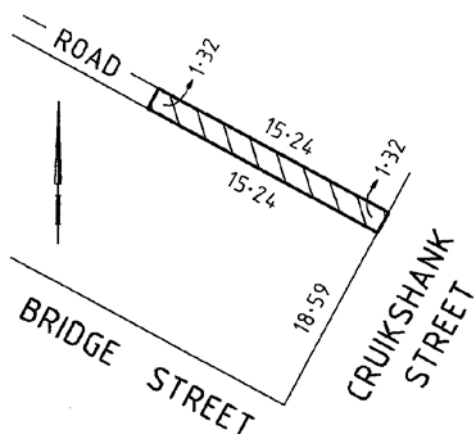


GARRY McQUILLAN  
Chief Executive Officer



**Discontinuance of Road**

Notice is hereby given that the Port Phillip City Council, at its ordinary meeting on 30 July 2007, formed the opinion that the sections of road, shown hatched on the plan below, are not reasonably required as a road for public use and resolved to discontinue the road, and having advertised and served notices regarding the proposed discontinuance and hearing submissions under section 223 of the **Local Government Act 1989**, orders that the road at the rear 24 Bridge Street and abutting 87 Cruikshank Street, Port Melbourne, be discontinued pursuant to section 206 and schedule 10, clause 3 of the said Act, and the land of the discontinued road be sold by private treaty to the owners of the land abutting the road.



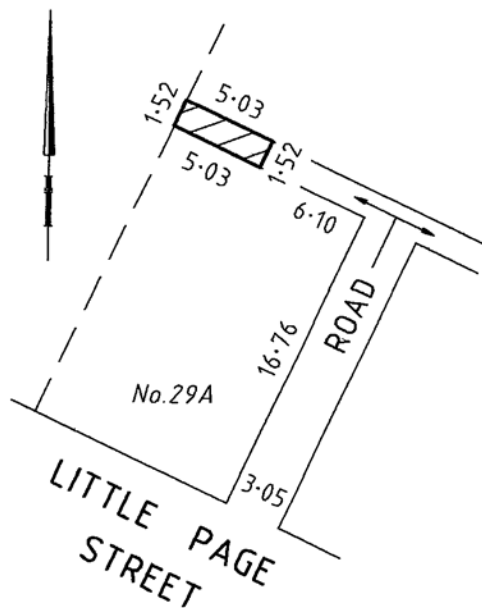
DAVID SPOKES  
Chief Executive Officer



**Discontinuance of Road**

Notice is hereby given that the Port Phillip City Council, at its ordinary meeting on 17 December 2007, formed the opinion that the sections of road, shown hatched on the plan below, are not reasonably required as a road for public use and resolved to discontinue the road, and having advertised and served

notices regarding the proposed discontinuance and hearing submissions under section 223 of the **Local Government Act 1989**, orders that the road at the rear 52 Page Street, Albert Park, be discontinued pursuant to section 206 and schedule 10, clause 3 of the said Act, and the land of the discontinued road be sold by private treaty to the owners of the land abutting the road.



DAVID SPOKES  
Chief Executive Officer



**Hobsons Bay**  
CITY COUNCIL

**Bayside Festival and Williamstown Festival Restrictions Relating to Alcoholic Beverages**

In accordance with clause 85 of its Community Local Law ('the Local Law'), the Hobsons Bay City Council ('Council') has designated the following areas in which no person may consume any alcoholic beverage or have in his or her possession any alcoholic beverage.

**Bayside Festival**

The designation applies between 10.00 am on Saturday 8 March 2008 through to 6.00 pm on Sunday 9 March 2008 as follows:

All areas within J. K. Grant Reserve, bounded by Fresno Street, Sugargum Drive and Civic Parade, Altona, excluding the two 30 metre areas to the north and south of the existing sports pavilion and social room buildings, together with any premises already licensed to sell and serve alcohol within the boundaries of J. K. Grant Reserve, as signposted.

Any queries should be directed to the Bayside Festival Committee on 9315 9413.

#### Williamstown Festival

The designation applies between 5.00 pm on Friday 11 April 2008 through to 10.00 pm on Sunday 13 April 2008 as follows:

- Nelson Place footpath and roadway area extending from Pasco Street to Syme Street (excluding any businesses which may already be permitted to serve on the footpath and roadway area outside their restaurant/ cafe, etc.);
- Cole Street and Parker Street roadways and footpaths from Nelson Place intersection to Aitken Street intersections (excluding existing permits as above); and
- Commonwealth Reserve (excluding the designated gourmet food and wine tent).

Any queries should be directed to Williamstown Festival Ltd on 9397 1352.

In accordance with section 224A of the **Local Government Act 1989**, any member of the Victoria Police is authorised to enforce clause 85 of the Local Law in the designated area.

PETER HUNT  
Acting Chief Executive Officer



#### Public Holidays Act 1993

##### 2008 MOE CUP

In accordance with section 7 of the **Public Holidays Act 1993** Latrobe City Council has appointed Thursday 16 October 2008 a half-day Public Holiday. This public holiday commences at 12 noon and is for the declared town and rural districts of: Moe, Newborough, Yallourn, Moe South, Hernes Oak, Tanjil South and Yallourn

North shown on the relevant plan available for viewing on the Latrobe City Council Web Page, <http://www.latrobe.vic.gov.au/> > Media Room > Public Notices.

The purpose of this half-day public holiday is in recognition of the 2008 Moe Cup Race Meeting.

PAUL BUCKLEY  
Chief Executive Officer

#### MACEDON RANGES SHIRE COUNCIL

Amendment to Roads and Places around  
Macedon Ranges Shire Council (Round 9)

Unnamed Government Road off  
Cobb & Co. Road, Carlsruhe  
Gazettal Date 10 January 2008

I refer to the abovementioned Road Gazettal. The unnamed government road off Cobb & Co. Road, Carlsruhe, was gazetted as Farmer Road. This road name is incorrect and is to be named Farmer Lane

All Council documents and signage has been amended to reflect this change.



#### MANSFIELD SHIRE

Community Local Law 2004

Adopted by Council on 21 December 2004

Revised and adopted by Council on 19  
February 2008

Pursuant to section 119(2) of the **Local Government Act 1989**, it is advised that Mansfield Shire Council, at its meeting on Tuesday 19 February 2008, adopted its revised 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

This Local Law replaces Local Law No. 1 2004 adopted by Council on 21 December 2004.

### 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 –

- a) there has been a breach of the conditions of the permit; or
- b) a notice to comply has been issued, but not complied with within seven days after the time specified in the notice for compliance; or
- c) there was a significant error or misrepresentation in the application for the permit; or
- d) 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 –

- a) an unintentional error or an omission; or
- b) 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 –

- a) comply with this Local Law;
- b) within a specified time stop the conduct constituting the breach of the Local Law;
- c) deliver to a specified person or location any item or property constituting the breach of this Local Law;
- d) carry out specified works within a specified time; or
- e) 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 –

- a) 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
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

DAVID ROFF  
Chief Executive Officer

**Planning and Environment Act 1987**

## BAYSIDE PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C63

## Authorisation A0940

The Bayside City Council has prepared Amendment C63 to the Bayside Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Bayside City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is 417 New Street, Brighton.

The Amendment proposes to delete 417 New Street, Brighton as an individual property from the Schedule to the Heritage Overlay and include the property in the North Road Precinct (HO662). Currently 417 New Street, Brighton has the mapping designation HO281. Amendment C63 proposes to include 417 New Street, Brighton as part of the North Road Heritage Precinct which has the mapping designation HO662. In the amended citation for this precinct reference will be made to the dwelling 'Colombo' at 417 New Street, Brighton as a Contributory Building.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: at the office of the planning authority, Bayside City Council, Corporate Centre, 76 Royal Avenue, Sandringham; at all Bayside City Council Public Libraries: Brighton Library, 14 Wilson Street, Brighton; Sandringham Library, 2-8 Waltham Road, Sandringham; Beaumaris Library, 96 Reserve Road, Beaumaris; Hampton Library, 1D Service Street, Hampton; and at the Department of Planning and Community Development website [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

The closing date for submissions is 31 March 2008. A submission must be sent to the Chief Executive Officer, Bayside City Council, PO Box 27, Sandringham, Victoria 3191.

CATHERINE DALE  
Chief Executive Officer

**Planning and Environment Act 1987**

## BOROONDARA PLANNING SCHEME

## Notice of Preparation of Amendment

## Amendment C73

## Authorisation A0845

The City of Boroondara Council has prepared Amendment C73 to the Boroondara Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the 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 Amendment will affect land at 3 and 5 Radnor Street, Camberwell; 1 Hull Street, Hawthorn; 38 Johnson Street, Hawthorn and 286 High Street, Ashburton.

The Amendment proposes to correct zoning anomalies affecting the above addresses. Currently, two properties used as dwellings (38 Johnson Street and 3 Radnor Street) are incorrectly zoned Public Park and Recreation, while two Council owned parks (1 Hull Street and 5 Radnor Street) are incorrectly zoned Residential 1. In addition, 286 High Street, Ashburton is incorrectly zoned Public Park and Recreation as it is used as an aged care facility. Zoning changes will be made to properly reflect current land use.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: at the office of the planning authority, during office hours, City of Boroondara Council, Planning Counter, 1st Floor, 8 Inglesby Road, Camberwell 3124; and at the Department of Planning and Community Development website [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

The closing date for submissions is Wednesday 2 April 2008. Submissions must be sent to: Strategic Planning Department, City of Boroondara, Private Bag 1, Camberwell, Victoria 3124.

JOHANN RAJARATNAM  
Manager Strategic Planning





**Planning and Environment Act 1987**

**BRIMBANK PLANNING SCHEME**

Notice of Preparation of Amendment

Amendment C107

Authorisation A0928

The Brimbank City Council has prepared Amendment C107 to the Brimbank Planning Scheme.

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

The land affected by the Amendment is 609 Ballarat Road, Albion.

The Amendment proposes to rezone the land from Special Use Zone (Schedule 2) to a Residential 1 Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours at the office of the planning authority, Brimbank City Council, Keilor Office, Old Calder Highway, Keilor, or the Sunshine Harvester Customer Service Centre, 301 Hampshire Road, Sunshine; and at the Department of Planning and Community Development website: [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

The closing date for submissions is 1 April 2008. A submission must be sent to the Brimbank City Council, Keilor Office, Old Calder Highway, Keilor 3036.

NICHOLAS FOA  
Chief Executive

**Planning and Environment Act 1987**

**LATROBE PLANNING SCHEME**

Notice of Preparation of Amendment

Amendment C53

Authorisation A0798

The Latrobe City Council has prepared Amendment C53 to the Latrobe Planning Scheme.

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

The land affected by the Amendment fronts Lawless Road, Churchill, and is described as land contained in Plan of Consolidation 357023K.

The Amendment proposes to rezone the land from Farming Zone (FZ) to Public Use Zone Schedule 2 – Education (PUZ2).

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Latrobe City Council, 141 Commercial Road, Morwell, Victoria 3840; and at the Department of Planning and Community Development website [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

Any person who may be affected by the Amendment may make a submission to the planning authority. The closing date for submissions is Friday 28 March 2008. A submission must be sent to the Latrobe City Council, 141 Commercial Road, Morwell, Victoria 3840.

PAUL BUCKLEY  
Chief Executive Officer

**Planning and Environment Act 1987**

**MELTON PLANNING SCHEME**

Notice of Preparation of Amendment

Amendment C74

Authorisation A0887

The Melton Shire Council has prepared Amendment C74 to the Melton Planning Scheme.

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

The Amendment proposes to:

- rezone approximately 0.35 ha of land at the corner of Gourlay Road and Hume Drive (Lot 3004 PS607036), Caroline Springs, from Residential 1 Zone to Business 2 Zone;
- add a new Business 2 Zone (B2Z) as Clause 32.02 in the Melton Planning Scheme; and
- introduce a new schedule to the Business 2 Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, Melton Shire Council, 232 High Street, Melton; and the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

The closing date for submissions is Friday 28 March 2008. A submission must be sent to the Melton Shire Council, PO Box 21, Melton.

NEVILLE SMITH  
Chief Executive

## **Planning and Environment Act 1987**

### **MITCHELL PLANNING SCHEME**

#### Notice of Amendment

#### Amendment C39

Mitchell Shire Council has prepared Amendment C39 to the Mitchell Planning Scheme.

The Amendment proposes to refine the areas and controls of natural resource overlays that apply in various areas of Mitchell Shire. Overlays proposed to be amended are the Environmental Significance Overlay, Vegetation Protection Overlay, Significant Landscape Overlay and Erosion Management Overlay.

The Amendment will:

- reduce the areas affected by the overlays to ensure that each overlay now applies to the areas most directly affected by the natural resource issue relevant to the overlay and correct errors in current overlay mapping; and

- reduce the need for planning permits for minor buildings and works in the overlay areas as this level of permit control is not required and places an unnecessary burden and costs on landowners wishing to undertake these minor works.

The most major change proposed by the Amendment will be a reduction of the current over application of the Erosion Management Overlay to better reflect critical erosion prone areas on private land identified in the land capability study for the municipality, Land Capability of the Shire of Mitchell, Centre for Land Protection Research, July 1996.

Overall, the Amendment will:

- refine and reduce areas covered by the Erosion Management Overlay to more accurately reflect land that has a higher level of erosion potential and remove areas with lower levels of erosion potential;
- streamline planning decision making by reducing the need for planning permits for minor buildings and works in areas affected by natural resource overlays;
- will not affect environmental resources or constraints and will have positive social and economic effects;
- provide greater guidance and certainty for landowners;
- reduce costs and timelines for landowners, Mitchell Shire Council and referral authorities; and
- implement Victorian Government initiatives to streamline the planning system and reduce unnecessary workload of municipalities and agencies.

A copy of the Amendment, supporting documents and explanatory report can be inspected, free of charge, during office hours, at: Mitchell Shire Council, 113 High Street, Broadford; Seymour and Kilmore Libraries; and Department of Sustainability and Environment North Eastern Region, 35 Sydney Road, Benalla.

A copy of the Amendment, supporting documents and explanatory report can be viewed at the website of the Department of Planning and Community Development at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

Any person who may be affected by the Amendment may make a submission to the planning authority. The closing date for submissions is 10 April 2008. Submissions about the Amendment must be received by Mr B. Braithwaite, Chief Executive Officer, Mitchell Shire Council, 113 High Street, Broadford 3658 by 10 April 2008.

B. BRAITHWAITE  
Chief Executive Officer  
Mitchell Shire Council

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

Notice of Preparation of Amendment

Amendment C55

Authorisation A896

The Warrnambool City Council has prepared Amendment C55 to the Warrnambool Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Warrnambool City Council as planning authority to prepare the Amendment.

The land affected by the Amendment is:

- Ca 28, Section A, Parish of Wangoom, Wangoom Road, Warrnambool
- Ca 29, Section A, Parish of Wangoom, 172–200 Mortlake Road, Warrnambool.

The Amendment proposes to rezone the land to Residential 1 Zone and apply the Design and Development Overlay Schedule 4 and Development Plan Overlay Schedule.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Warrnambool City Council, Civic Centre, 25 Liebig Street, Warrnambool, Victoria 3280; and at the Department of Planning and Community Development website [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

The closing date for submissions is 3 March 2008. A submission must be sent to: Matt Kirby, Manager Planning Services, Warrnambool City Council, PO Box 198, Warrnambool, Victoria 3280.

BRUCE ANSON  
Chief Executive

**Planning and Environment Act 1987**  
WEST WIMMERA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C15

Authorisation A934

The West Wimmera Shire Council has prepared Amendment C15 to the West Wimmera Planning Scheme.

In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the West Wimmera Shire Council as planning authority to prepare the Amendment.

The land affected by the Amendment is land in Kaniva known as Crown Allotments 35, 36, 37, 38, 39, Section A, Parish of Kaniva.

The Amendment proposes to rezone the subject land from the Township Zone and the Farming Zone to the Industrial 1 Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: at the office of the planning authority, West Wimmera Shire Office, 49 Elizabeth Street, Edenhope 3318; and at the Department of Planning and Community Development website [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

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

The closing date for submissions is 25 March 2008. A submission must be sent to the West Wimmera Shire Council, 49 Elizabeth Street, Edenhope 3318.

COLIN MIBUS  
Director Municipal Services  
West Wimmera Shire Council

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 29 April 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.

BURBIDGE, Joyce, late of Warrawee Community Nursing Home, 854A Centre Road, Bentleigh East, Victoria 3165, labourer and who died on 30 July 2007.

CASTLE, Joan, formerly of 7/40 Welshpool Road, Toora, Victoria 3142, but late of Toora Nursing Home, 25 Welshpool Road, Toora, Victoria 3142, pensioner and who died on 24 January 2008.

GUDKOV, Ariss, late of Amity Aged Care, 74 Devonshire Road, Sunshine, Victoria 3020, who died on 14 September 2007.

McLAVERTY, Victor George, late of 359 Blackburn Road, Mount Waverley, Victoria 3149, who died on 25 July 2007.

MIFSUD, Paul, formerly of 10 Walker Street, Coburg, Victoria 3058, but late of Unit 2/614 Moreland Road, Brunswick, Victoria 3056, who died on 26 August 2007.

NUTTER, Irene Elizabeth, late of 2 Malcolm Street, Boronia, Victoria 3155, retired and who died on 16 September 2007.

Dated 19 February 2008

MARY AMERENA  
Manager  
Executor and Trustee Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited, ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 1 May 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.

BROWN, Elizabeth Mary, formerly of 6 Palm Street, Fairfield, Victoria 3078, but late of Aberdeen Aged Care Facility, 1 Aberdeen Street, Reservoir, Victoria 3073, retired and who died on 22 December 2007.

CLARK, Leslie Stewart, late of 742 High Street, Reservoir, Victoria 3073, retired and who died on 26 July 2007.

COOKE, Marjorie, late of 26 The Wallaby Run, Chirnside Park, Victoria 3116, pensioner and who died on 22 October 2007.

CRANSTON, James, late of Colton Close 1-19 York Street, Glenroy, Victoria 3046, pensioner and who died on 8 October 2007.

LUCACEVICH, Maria Jacoba, late of Room 10, Princess Margariet Lodge (Dutchcare), 736 Mount Dandenong Road, Kilsyth, Victoria 3137, and who died on 1 September 2007.

RIPPER, Ronald Edward, late of 30 Strathmerton Street, Reservoir, Victoria 3073, who died on 19 September 2007.

SZANTO, Rozalia Judith, late of 24 Streeeton Court, Mill Park, Victoria 3082, pensioner and who died on 19 May 2007.

TUCKER, Bruce Halliday, late of 716 Waverley Road, Malvern East, Victoria 3145, retired and who died on 22 October 2007.

Dated 21 February 2008

MARY AMERENA  
Manager  
Executor and Trustee Services

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

BENNETT, Frances, also known as Frances Smollett Beryl Bennett, late of Peter James Centre, 321 Mahoneys Road, Brunswick East, Victoria 3057, who died on 19 December 2007.

CZERTOK, Wolf, late of George Vowell Aged Care, corner Cobb Road and Nepean Highway, Mount Eliza, Victoria 3930, pensioner and who died on 29 September 2007.

DALBRUN, Lilian Matilda, late of Bridgewater Aged Care Facility, 3 Wedgewood Road, Roxburgh Park, Victoria 3064, pensioner and who died on 16 December 2007.

PARRISH, Henry Walter Joseph, late of 1 Beauchamp Street, Preston, Victoria 3072, retired clothing cutter and who died on 1 November 1980.

RIPPON, Douglas Murray, late of Colac Area Health – Otway Pioneer House, 2–28 Connor Street, Colac, Victoria 3250, retired farmer and who died on 11 September 2007.

SMITH, Gary John Gabriel Peter, late of Whittlesea Lodge Private Nursing Home, 30–32 Fir Street, Whittlesea, Victoria 3757, pensioner and who died on 26 October 2007.

THOMAS, Irene, late of Terry Barker Nursing Home, Broadford Crescent, Macleod, Victoria 3085, who died on 18 July 2007.

Dated 22 February 2008

MARY AMERENA  
Manager  
Executor and Trustee Services

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Unit 1 on Strata Plan 012703 and an undivided share in the common property, Parish of Dandenong, being the land contained in Certificates of Title Volume 9298 Folio 464 and Volume 9298 Folio 465:

Memet Memeti Pty Ltd, ACN 088 112 010 (as Registered Proprietor); and

Body Corporate RP12703, care of Melbourne Body Corporate Management, 160 South Gippsland Highway, Dandenong South, Victoria 3164.

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Units 6 and 7 on Strata Plan 012703 and an undivided share in the common property, Parish of Dandenong, being the land contained in Certificate of Title Volume 9861 Folios 372 and 373:

Nicholas Polites (as Registered Proprietor); and  
Body Corporate RP12703, care of Melbourne Body Corporate Management, 160 South Gippsland Highway, Dandenong South, Victoria 3164.

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Unit 4 on Strata Plan 012703 and an undivided share in the common property, Parish of Dandenong, being the land contained in Certificate of Title Volume 9298 Folio 467:

Mastos Nominees Pty Ltd, ACN 005 184 761 (as Registered Proprietor); and

Body Corporate RP12703, care of Melbourne Body Corporate Management, 160 South Gippsland Highway, Dandenong South, Victoria 3164.

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**FORM 7 S. 21  
Reg. 16

## Notice of Acquisition

## Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Unit 5 on Strata Plan 012703 and an undivided share in the common property, Parish of Dandenong, being the land contained in Certificate of Title Volume 9298 Folio 468:

Lonetti Constructions Pty Ltd, ACN 005 705 206 (as Registered Proprietor); and

Brayburg Pty Ltd, ACN 079 009 108 (as Registered Proprietor); and

Body Corporate RP12703, care of Melbourne Body Corporate Management, 160 South Gippsland Highway, Dandenong South, Victoria 3164.

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

**Land Acquisition and Compensation Act 1986**FORM 7 S. 21  
Reg. 16

## Notice of Acquisition

## Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lots 1 and 2 on Title Plan 099685T, Parish of Dandenong, being the land contained in Certificate of Title Volume 9622 Folio 755:

Crocards Pty Ltd, ACN 006 102 567 (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

**Land Acquisition and Compensation Act 1986**FORM 7 S. 21  
Reg. 16

## Notice of Acquisition

## Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 1 on Plan of Subdivision 115629, Parish of Dandenong, being the land contained in Certificate of Title Volume 9113 Folio 287:

Osmond Alexander Pty Ltd, ACN 006 088 759 (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

**Land Acquisition and Compensation Act 1986**FORM 7 S. 21  
Reg. 16

## Notice of Acquisition

## Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 2 on Plan of Subdivision 115629, Parish of Dandenong, being the land contained in Certificate of Title Volume 9113 Folio 288:

Ronam Nominees Pty Ltd, ACN 004 958 696 (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

**Land Acquisition and Compensation Act 1986**FORM 7 S. 21  
Reg. 16

## Notice of Acquisition

## Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 1 on Plan of Subdivision 110818, Parish of Dandenong, being the land contained in Certificate of Title Volume 9035 Folio 036:

Ronald Ming Louey (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 1 on Plan of Subdivision 079227, Parish of Dandenong, being the land contained in Certificate of Title Volume 8705 Folio 208:

K. J. & E. I. Nominees Pty Ltd, ACN 005 594 598 (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 2 on Plan of Subdivision 110818, Parish of Dandenong, being the land contained in Certificate of Title Volume 9035 Folio 037:

Credanar Pty Ltd, ACN 006 454 799 (as Registered Proprietor); and

Flantrap Pty Ltd, ACN 006 483 307 (as Registered Proprietor); and

Gregory Nicolaci (as Purchaser).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 2 on Plan of Subdivision 079227, Parish of Dandenong, being the land contained in Certificate of Title Volume 8705 Folio 209:

Degan Nominees Pty Ltd, ACN 004 962 083 (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lots 2 and 3 on Plan of Subdivision 001144, Parish of Dandenong, being the land contained in Certificate of Title Volume 8243 Folio 638:

Valma Leber (as Registered Proprietor).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

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**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Victorian Urban Development Authority (VicUrban) declares that by this notice it acquires the following interest in the land described as Lot 1 on Title Plan 422027N, Parish of Dandenong, being the land contained in Certificate of Title Volume 3792 Folio 346:

Paris Lunquist and Rachael Leigh Jackson (as Lessees).

Published with the authority of VicUrban.

Dated 28 February 2008

For and on behalf of VicUrban  
JOHN WARK  
Development Manager  
Urban Revitalisation

### **Livestock Disease Control Act 1994**

#### NOTICE OF CONTINUATION

Order Prohibiting the Entry or  
Importation into Victoria of  
Livestock and Livestock Products

I, Andrew Cameron, as delegate of the Minister for Agriculture, give notice that the Order made under section 32 of the **Livestock Disease Control Act 1994** on 24 January 2008, notice of which was published in the Government Gazette G5 on Thursday 31 January 2008 and in the Age newspaper on Thursday 31 January 2008 prohibiting the entry or importation into Victoria of livestock and livestock products, from New South Wales or Queensland to prevent the entry into Victoria of the exotic disease Equine Influenza is continued in effect until 31 March 2008 unless revoked sooner.

A copy of the Order may be obtained by calling the office of the Chief Veterinary Officer on (03) 9217 4246 between 8.30 am and 5.00 pm Monday to Friday or the DPI Call Centre on 136 186 between 8.00 am and 8.00 pm Monday to Friday or from the following web address: <http://www.dpi.vic.gov.au>

Dated 25 February 2008

ANDREW CAMERON  
Deputy Chief Veterinary Officer

### **Nurses Act 1993**

#### NURSES BOARD OF VICTORIA

Re: Shelly Catherine Kemmer

Identification Number 1809834

Registered in Division 1

Following a formal hearing into the professional conduct of Shelly Catherine Kemmer, a Panel appointed by the Nurses Board of Victoria found, on 15 February 2008, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

- 1 under section 48(2)(e), i.e. as a condition of registration, Ms Kemmer is required to work under the direct supervision of a

registered division 1 nurse (with additional qualifications in psychiatric nursing) or a division 3 nurse while she is completing the Postgraduate Diploma in Nursing Practice – Mental Health Stream; and

- 2 under section 48(2)(e), as a condition upon registration, Ms Kemmer is required to undergo clinical supervision by a supervisor approved by the Board for a period of two (2) years and is required to provide reports satisfactory to the Board at 12 month intervals. Ms Kemmer must notify the Board of the name of her supervisor.

LOUISE MILNE-ROCH  
Registrar

### **Nurses Act 1993**

#### NURSES BOARD OF VICTORIA

Re: Brent Anthony Hayward

Identification Number 1941940

Registered in Division 1

Following a formal hearing into the professional conduct of Brent Anthony Hayward, a Panel appointed by the Nurses Board of Victoria found, on 15 February 2008, that the nurse had engaged in unprofessional conduct of a serious nature.

The Panel therefore determined that:

- 1 under section 48(2)(e) of the Act, i.e. as a condition upon registration, Mr Hayward is required to undergo clinical supervision by a supervisor approved by the Board for a period of two (2) years and is required to provide reports satisfactory to the Board at twelve month intervals. Mr Hayward must notify the Board of the name of his supervisor.

LOUISE MILNE-ROCH  
Registrar

### **Retirement Villages Act 1986**

#### SECTION 48

#### Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. X501989B, pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 28 May 2001 on Certificate of Title Volume 10681 Folio 324 under the **Transfer of Land Act 1958**, is cancelled.

Dated 16 February 2008

DR DAVID COUSINS  
Director  
Consumer Affairs Victoria



**Retirement Villages Act 1986**

## SECTION 47

## Extinguishment of Retirement Village Charge

I hereby declare that the charge, pursuant to section 29 of the **Retirement Villages Act 1986**, on Certificate of Title Volume 10681 Folio 324 under the **Transfer of Land Act 1958**, is extinguished.

Dated 16 February 2008

DR DAVID COUSINS  
Director  
Consumer Affairs Victoria

**Retirement Villages Act 1986**

## SECTION 39

## Cancellation of Retirement Village Notice

I hereby declare that the Retirement Village Notice No. AE671889T, pursuant to section 9 of the **Retirement Villages Act 1986**, registered on 17 October 2006 on Certificate of Title Volume 11029 Folio 324 under the **Transfer of Land Act 1958**, is cancelled.

Dated 16 February 2008

DR DAVID COUSINS  
Director  
Consumer Affairs Victoria

**Retirement Villages Act 1986**

## SECTION 32

## Extinguishment of Retirement Village Charge

I hereby declare that the Retirement Village Charge No. AE671837P, pursuant to section 29 of the **Retirement Villages Act 1986**, registered on 17 October 2006 on Certificate of Title Volume 11029 Folio 324 under the **Transfer of Land Act 1958**, is extinguished.

Dated 16 February 2008

DR DAVID COUSINS  
Director  
Consumer Affairs Victoria

**Subordinate Legislation Act 1994**

LIQUOR CONTROL REFORM  
(PRESCRIBED CLASS OF PREMISES)  
REGULATIONS 2008

## Notice of Decision

I, Tony Robinson, Minister for Consumer Affairs, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to recommend to the Governor in

Council that the proposed Liquor Control Reform (Prescribed Class of Premises) Regulations 2008 be made.

A Regulatory Impact Statement for the proposed Regulations was released for public comment on 15 November 2007 until 17 December 2007. The submissions received did not contain any suggested changes to the proposed Regulations, and therefore they are to be made as initially proposed without any change.

After the proposed Regulations are made, copies will be available from Information Victoria, 505 Little Collins Street, Melbourne 3000, telephone 1300 366 356 or [www.information.vic.gov.au](http://www.information.vic.gov.au)

Dated 26 February 2008

HON TONY ROBINSON MP  
Minister for Consumer Affairs

**Water Act 1989**

EXTENSION OF THE  
LOWER MURRAY URBAN AND  
RURAL WATER CORPORATION  
SUNRAYSIA URBAN DISTRICT

In accordance with section 122P of the **Water Act 1989**, the Lower Murray Urban and Rural Water Corporation is proposing to extend the Sunraysia Urban District.

Further information can be obtained from the Lower Murray Water Offices at 741–759 Fourteenth Street, Mildura. A copy of the draft plan is also available for inspection at these Offices.

Submissions on the proposal are invited and should set out the grounds of any objections to the proposed extension of the Sunraysia Urban District and must be received by the Corporation by 29 March 2008, being one month after the publication in the Government Gazette. Submissions will be received at the Corporation's Mildura Office, 741–759 Fourteenth Street, Mildura, or by mail to PO Box 1438, Mildura, Victoria 3502.

RON LEAMON  
Managing Director

**Fisheries Act 1995**  
 AMENDMENT OF  
 MINISTERIAL DIRECTION SPECIFYING ELIGIBILITY CRITERIA FOR THE ISSUE,  
 TRANSFER AND RENEWAL OF AQUACULTURE LICENCES

I, Peter Appleford, Executive Director Fisheries Victoria, Department of Primary Industries, as delegate of the Minister for Agriculture, under section 61(3) of the **Fisheries Act 1995**, make the following amendment to the Ministerial direction specifying eligibility criteria for the issue, transfer and renewal of aquaculture licences made on 8 June 2006.

Dated 13 February 2008

PETER APPLEFORD  
 Executive Director Fisheries Victoria

For clause 3(1)(c)(ii) of the Ministerial direction specifying eligibility criteria for the issue, transfer and renewal of aquaculture licences made on 8 June 2006 and published in Government Gazette No. G27 on 6 July 2006, substitute –

“(ii) is to have an expiry date that is more than three years after the declaration of a management plan for the relevant aquaculture fisheries reserve made under section 28 of the Act.”.

**Fisheries Act 1995**  
 FISHERIES NOTICE NO. 3/2008

I, Dr Peter Appleford, Executive Director Fisheries Victoria, as delegate of the Minister for Agriculture, make the following Fisheries Notice:

Dated 13 February 2008

DR PETER APPLEFORD  
 Executive Director Fisheries Victoria

FISHERIES (GLENELG SPINY FRESHWATER CRAYFISH) NOTICE NO. 3/2008

1. **Title**  
 This Notice may be cited as the Fisheries (Glenelg Spiny Freshwater Crayfish) Notice No. 3/2008.
2. **Objectives**  
 The objective of this Notice is to provide interim protection of the Glenelg Spiny Freshwater Crayfish from recreational fishing pressure by prohibiting the taking of this species.
3. **Authorising provision**  
 This Notice is made under sections 67 and 152 of the **Fisheries Act 1995** (‘the Act’).
4. **Commencement**  
 This Notice comes into operation on 1 March 2008.
5. **Prohibitions**  
 For the purpose of section 67(1)(b) of the Act, the taking or possession of Glenelg Spiny Freshwater Crayfish is prohibited.  
 This prohibition does not apply to a person authorised by the Secretary to take or possess Glenelg Spiny Freshwater Crayfish.  
 Note: Section 67(3) of the Act provides that a person who contravenes this prohibition is guilty of an offence and subject to a penalty not exceeding 100 penalty units or 6 months imprisonment or both.
6. **Revocation**  
 Unless sooner revoked, this Fisheries Notice will be automatically revoked 12 months after the day on which it comes into operation.

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

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

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

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

<i>Full Name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Name of Firm or Corporation</i>	<i>Address for Registration</i>	<i>Type of Licence</i>
Lucas C. Jones	M. L. & C. Collections P/L	140 William Street, Melbourne, Vic. 3000	Commercial Sub-Agent's Licence
Janice B. Matthews	Australian Receivables Ltd	363 King Street, Melbourne, Vic. 3000	Commercial Sub-Agent's Licence
Mary Sulemani	Australian Receivables Ltd	363 King Street, Melbourne, Vic. 3000	Commercial Sub-Agent's Licence

Dated at Melbourne 22 February 2008

TREVOR RIPPER  
Registrar  
Magistrates' Court of Victoria

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

I, the undersigned, being the Registrar of the Magistrates' Court at Frankston 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>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing of Application</i>
Barry Hazeldene	PO Box 127, Frankston 3199	Commercial Sub-Agent	18/03/08

Dated at Frankston 25 February 2008

STUART POPE  
Registrar  
Magistrates' Court of Victoria

**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 applications, as under, have been lodged for hearing by the said Court on the date specified.

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

- (a) lodge with me a notice in the prescribed form of his/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>
Lance Young	10 Currawong Court, Upper Ferntree Gully	Commercial Sub- Agent's Licence	26/03/08

Dated at Ringwood 21 February 2008

BRUCE HAMILTON  
 Deputy Registrar  
 Magistrates' Court of Victoria

**Public Records Act 1973**

## DECLARATION OF RECORDS NOT AVAILABLE FOR PUBLIC INSPECTION

Whereas section 10AA of the **Public Records Act 1973** provides, inter alia, that:

The Minister by notice published in the Government Gazette may declare that any specified records or records of a class transferred or to be transferred from a public office to the Public Record Office shall not be available for public inspection for a period specified in the declaration, being an initial period of 50 years, after the date of their transfer to the Public Record Office.

I, the Honourable Lynne Kosky, Minister for Arts, do now by this notice declare that the records listed in the schedule below shall not be available for public inspection prior to the years specified therein.

Dated 13 February 2008

THE HONOURABLE LYNNE KOSKY, MP  
Minister for Arts

## SCHEDULE

Series	Series Title	Available for public access:
VPRS 15687/P4	General Subject Files, Alpha-numeric System [VEOs, 1996–2006]	Year 2058
VPRS 15687/P8	General Subject Files, Alpha-numeric System [Old Files 'OF' sequence, 1996–2006]	Year 2058
VPRS 15687/P12	General Subject Files, Alpha-numeric System [Hardcopy Files 'HF' sequence, 1996–2006].	Year 2058

**Electricity Industry Act 2000****BUYBACK OF ELECTRICITY PURCHASE AGREEMENT BETWEEN  
VICTORIA ELECTRICITY PTY LTD (ABN 69 100 528 327) AND  
SMALL-GRID INTERACTIVE RENEWABLE ENERGY GENERATOR (SGIREG)****Terms and Conditions**

You have installed at the Premises and connected to the distribution network ('Network') a Small-Grid Interactive Renewable Energy Generator ('SGIREG') and request us to Buyback electricity produced by the SGIREG (Generation from wind, solar, hydro or biomass).

The conditions below, together with the signing page attached, make up this Agreement. In this Agreement, 'you' and 'your' refer to the Supplier, and 'we', 'us' and 'our' refer to VE as the Purchaser.

**A CONDITIONS:****1. Sale and Purchase Obligations**

1.1 You agree to sell and we agree to purchase electricity generated by the SGIREG and exported from the Premises to the Electricity Network at the price and terms set out in this Agreement.

1.2 You acknowledge that:

- (a) As an electricity retailer (and, pursuant to this Agreement, purchaser), we do not operate or physically control the Electricity Network and, accordingly we cannot and do not guarantee or make any representations to you concerning:
  - (i) the quality or the frequency of electricity produced by or supplied to you;
  - (ii) interruptions to the flow of electricity;
  - (iii) the occurrence of any power surges or power dips; or
  - (iv) the ability of the Network to accept exported electricity;
- (b) we are not responsible for the acts or omissions of any third party (including where applicable your electricity distributor);
- (c) we do not give any express or implied warranty to you about the adequacy, safety or other characteristics of your own SGIREG, electrical installation or equipment; and
- (d) you are solely responsible for any electricity produced by the SGIREG which is not exported to the Electricity Network or which was exported to the Electricity Network by you in breach of your connection agreement with the electricity distributor or not in compliance with all legal and regulatory requirements.

1.3 Our obligations under this Agreement will not commence in relation to the Premises until appropriate metering equipment has been installed, you are registered as our customer for that Premises (in accordance with legal and regulatory requirements) and you have satisfied any other pre-conditions notified to you by us or your distributor.

**2. Connection and Services**

2.1 You must arrange or have arranged for connection of the SGIREG to the Electricity Network in compliance with all legal and regulatory requirements.

2.2 Where, in VE's view (acting reasonably), equipment which is appropriate to measure, record and display the amount of electricity exported from the Premises to the Electricity Network ('Metering Equipment') has not been installed at the date of execution of this Agreement, we will arrange for the installation at the Premises of such equipment. The recording on the Metering Equipment will be prima facie evidence of the amount of electricity that is exported from the Premises to the Network. The Metering Equipment remains the property of the distributor or relevant metering provider.

3. Supplier's Obligations
  - 3.1 At all times, you must ensure that you comply with your connection agreement with the distributor and meet all applicable legal and regulatory requirements, guidelines and Australian standards as may be in force from time to time.
  - 3.2 You must not increase the output capacity of the SGIREG without our prior written consent.
  - 3.3 You must provide us and our agents with safe access to the SGIREG, Premises and Metering Equipment for inspection purposes at all reasonable times and on reasonable notice, and agree to notify us as to any safety hazard which could pose a risk to the health or safety of our representatives. You must provide clear and safe access to our representatives and their equipment that have the right to install, examine, read and repair the Metering Equipment in accordance with all legal and regulatory requirements.
  - 3.4 If you vacate the Premises, you must give us 7 days' written notification of your alternative address for delivery of payments and service of notices.
4. Payment of the Buyback Price and Charges
  - 4.1 We will pay you the Buyback Price (as set out in the signing page and amended from time to time by VE in its absolute discretion and notified to you) on a quarterly basis (based on an actual meter reading) or other agreed period. To avoid doubt, the amount we are required to pay to you will be calculated by multiplying the Buyback Price by the amount of electricity exported from the Premises to the Electricity Network during the relevant period. We will pay you in accordance with the Payment for Electricity schedule item and this rate shall not be less than the rate that you pay VE to buy electricity from VE.
  - 4.2 You agree to pay to us the Metering Charge (if any) in respect of the Metering Equipment within 7 days of your receipt of our invoice.
  - 4.3 Where we have arranged for the inspection of Metering Equipment and you have not paid a charge for such an inspection, you must pay to us the Inspection Charge (as set out in the signing page) within 7 days of your receipt of our invoice.
  - 4.4 You must pay to us the Administration Charge (if any) within 7 days of your receipt of our invoice.
5. Assignment of Green Credits
  - 5.1 You hereby assign to us all rights and interests associated with the electricity generated by the SGIREG including any renewable energy credits and any other emissions or environmental credits, certificates or benefit.
  - 5.2 Where you notified us in writing prior to our commitment to and execution of this Agreement that you have assigned the benefit of a particular type of credit, certificate or benefit to a third party, clause 5.1 is not applicable in relation to the specified type of credit, certificate or benefit.
6. GST
  - 6.1 All amounts payable or the value of other consideration provided in respect of supplies made in relation to this Agreement are exclusive of GST (if any). If a GST is levied or imposed on any supply made (or deemed to have been made) under or in accordance with this Agreement, the amounts payable or the value of the consideration provided for that supply (or deemed supply) ('Payment') shall be increased by such amount as is necessary to ensure that the amount of the Payment net of GST is the same as it would have been prior to the imposition of GST.
  - 6.2 Where any amount is payable as a reimbursement, indemnification or similar payment calculated by reference to a loss, cost, expense or other amount incurred, then that amount must be reduced by any input tax credit available to that party and, if a taxable supply, must be increased by the GST payable in relation to the supply and a tax invoice will be provided by the party being reimbursed or indemnified.



- 6.3 All GST payable shall be payable at the time any payment to which it relates is payable. Where any GST payable is not referable to an actual payment then it shall be payable within 10 days of a tax invoice being issued by the party making the supply.
- 6.4 Where in relation to this Agreement a party makes a taxable supply, that party shall provide a tax invoice in respect of that supply before the GST payable in respect of that supply becomes due.
- 6.5 Terms defined in **A New Tax System (Goods and Services Tax) Act 1999** of Australia have the same meaning when used in this clause.
7. Limitation of Liability
- 7.1 So far as the law allows and subject to clause 7.2, the liability of a party (Party X) to the other party (Party Y) arising out of or in connection with this Agreement is limited to loss, damages, costs, charges and expenses directly sustained or incurred by Party Y as a result of:
- (a) personal injury to Party Y or its employees or agents; or
  - (b) damage to the property of Party Y or its employees or agents;
- caused by Party X's breach of this Agreement or negligent act or omission, up to a maximum of \$200,000 per event.
- 7.2 So far as the law allows, neither party will be liable to the other in contract, in tort, in equity, by operation of statute or otherwise for any kind of:
- (a) indirect or consequential loss or damage;
  - (b) loss of opportunity, revenue, profit or anticipated profit; or
  - (c) loss arising from business interruption;
  - (d) suffered or incurred by the other party, or any other person and arising out of or in connection with this Agreement.
- 7.3 This clause 7 survives termination of this Agreement.
8. Termination
- 8.1 Either party may terminate this Agreement with 20 Business Days written notice to the other party ('Termination Notice').
- 8.2 If we provide a termination notice to you in accordance with clause 8.1, we may elect to include in that termination notice an offer to purchase the exported electricity on the terms and conditions set out in the Termination Notice.
- 8.3 We may terminate this Agreement forthwith in writing upon:
- (a) an insolvency event in respect of you;
  - (b) a failure by you to comply with your obligations under this Agreement within 14 days of receiving a notice from us to do so; or
  - (c) the Premises ceasing to be occupied by you.
- 8.4 On or as soon as practicable after the date of termination, we will conduct a final reading of the Metering Equipment and, within 12 business days of that reading, will make an adjustment as between the charges for supply and export of the electricity.
- 8.5 At any time on or after the date of termination, we may direct the distributor to disconnect the SGIREG from the Network.

## 9. General

### 9.1 Exercise of Rights

A party may exercise its right, power or remedy under this Agreement at its discretion, and separately or concurrently with another right, power or remedy. A single or partial exercise of a right, power or remedy by a party does not prevent a further exercise of that or of any other right, power or remedy. Failure by a party to exercise or delay in exercising a right, power or remedy does not prevent its exercise.

### 9.2 Waiver and Variation

- (a) Subject to clause 9.2(b), a provision of, or a right created under this Agreement may not be either waived except in writing signed by the party granting the waiver, or varied except in writing signed by the parties.
- (b) We may, by notice in writing to you, vary a provision of this Agreement to reflect changes to any legal or regulatory requirement.

### 9.3 Survival

The warranties, undertakings and indemnities in this Agreement survive termination of this Agreement.

### 9.4 No Representations or Warranties

You acknowledge that in entering into this Agreement you have not relied on any representations or warranties about the subject matter except as provided in this Agreement.

### 9.5 Governing Law

This Agreement shall be interpreted in relation to each Premise, in accordance with the law in force in the State in which the Premises are located, and the parties submit to the jurisdiction of the courts of the relevant State.

### 9.6 Assignment and Novation

You agree that we may assign or novate our rights and obligations under the Agreement to any related body corporate (within the meaning of the Corporations Act) which is permitted under legal and regulatory requirements to purchase electricity in accordance with this Agreement.

### 9.7 Use of Information

- (a) You consent to us seeking and using information concerning you, your Premises, the SGIREG, your electricity production, metering, billing data and history (and any related or similar information) for the purpose of complying with our obligations under this Agreement or any relevant law, or for any other lawful purpose we reasonably consider necessary.
- (b) Unless prevented by law, we or our related bodies corporate (as defined in the Corporations Act) can use this information to offer to sell you products and services. You may notify us at any time if you do not wish us to use this information in this manner.

### 9.8 Confidentiality of Agreement

- (a) Both parties must ensure that the terms of this Agreement and all commercially sensitive information exchanged between the parties remain confidential.
- (b) Either party may disclose such information:
  - (i) with the consent of the other party (including that given under clause 9.7);
  - (ii) if permitted or required by any law or stock exchange rules; or
  - (iii) to its officers, employees and advisers for any purpose which is connected to this Agreement.

## 9.9 Notices

- (a) A notice to us must be in writing and sent to the relevant address or fax number set out in the signing page (unless we notify you to the contrary).
- (b) A notice to you must be in writing and sent to the address or fax number set out the signing page (unless you notify us to the contrary).
- (c) A notice or bill is taken to be received:
  - (i) if sent by mail, on the third day after mailing; and
  - (ii) if sent by fax, on production of a transmission report by the machine from which the fax was sent, which indicates that the fax was sent in its entirety to the fax number of the recipient.

## 9.10 Legal Costs

Subject to any express provision in this Agreement to the contrary, each party shall bear its own legal and other costs and expenses relating directly or indirectly to the preparation of, and performance of its obligations under, this Agreement.

## 10. Interpretation

In this Agreement unless the contrary intention appears:

- (a) a reference to this Agreement or another instrument includes any variation or replacement of them;
- (b) the singular includes the plural and vice versa;
- (c) the word person includes a firm, a body corporate, an unincorporated association or an authority;
- (d) a reference to one gender includes all genders;
- (e) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation) and assigns;
- (f) an agreement, representation or warranty on the part of or in favour of two or more persons binds or is for the benefit of them jointly and severally;
- (g) if a period of time is specified and dates from a given day or the day of an act or event, it is to be calculated exclusive of that day;
- (h) headings are inserted for convenience and do not affect the interpretation of this document;
- (i) terms used in this document will unless otherwise defined have the same meaning as given to relevant terms in legal and regulatory requirements;
- (j) a reference to a statute, ordinance, code, guideline or other law includes regulations and other instruments under, and consolidations, amendments, re-enactments, extensions or replacements of that statute, ordinance, guideline or law; and
- (k) a reference to legal and regulatory requirements means all legal and other instruments, including statutes, regulations, guidelines and industry codes and standards regulating the supply and sale of electricity in the state in which the Premises are situated.

**B. ADDITIONAL ENERGY RETAIL CODE OBLIGATIONS ON PURCHASER (Victoria Electricity Pty Ltd) and SUPPLIER (Small Grid Interactive Renewable Energy Generator).**

The Supplier provides explicit informed consent for the Purchaser to –

1. Provide the additional costs that relate to Clause 4 of the Contract Terms and Conditions upon request of the Supplier before the Supplier enters into the Agreement.
2. Make a request to the relevant distributor, upon request of the Supplier, to connect the Supplier's small renewable energy generation facility to the distributor's electricity network.

3. Base a Feed-In Tariff Payment on a quarterly cycle and based on an actual meter reading by the distributor.
4. Use best endeavours to ensure that that the Supplier's meter is read at least once every 12 months.
5. Use a distributor's estimates of the generation by the Supplier if the distributor cannot provide an actual meter reading to the Purchaser.
6. Review the Feed-In Tariff payment to be made to the Supplier upon the Supplier's request and in accordance with the Energy Retail Code.
7. Bill the Supplier for an overcharge or an undercharge for energy provided by the Supplier in accordance with the Energy Retail Code.
8. Credit the amount of an undercharge or overcharge for electricity provided by the Supplier on the Supplier's next electricity invoice.
9. Vary the tariff and terms and conditions of the Feed-In Contract only by agreement in writing between the Supplier and Purchaser.
10. Give the Supplier notice of any variation to the Purchaser's Feed-In tariffs that affects the Feed-In Contract with the Supplier as soon as practicable but no later than the next billing and payment cycle.
11. Provide the Supplier with any reasonable information about the Purchaser's Feed-In tariffs that may be offered to the Supplier. This information shall be given within 10 business days of request, and if required, in writing.
12. Retain a Supplier's historical feed-in payment or crediting data for at least two years, even though a contract agreement may have been terminated in accordance with the Energy Retail Code.
13. Handle a Supplier's complaint as specified in Clause 28.2 of the Energy Retail Code.
14. Agree with the Supplier to a commencement date with the Supplier for the feed-in contract, but the contract will not commence until the Supplier has given explicit informed consent.
15. Protect the Supplier's personal and private information in accordance with the National Privacy Principles and the Privacy Act.

The Supplier shall –

1. Provide all documentation required under the **Electricity Safety Act 1998** to the Purchaser to enable safe connection to the distributor's electricity network.
2. Confirm that it has signed a Network Connection Agreement with the electricity distributor and the distributor has consented to the connection of the generator to its network.
3. Maintain the generation facility in a safe manner and ensure that only registered electrical contractors are used to service and operate equipment on the site.
4. Agree for the Purchaser to arrange a disconnection of the Feed-In generation facility if the Purchaser breaches the Purchase Agreement.
5. Inform the Purchaser as soon as possible of any relevant change to contact details.
6. Consider terminating a feed-in contract with the Purchaser without notice and if the feed-in contract is a fixed term contract or an evergreen contract, agree to the Purchaser imposing an early termination fee as specified in Clause 24.1(d) of the Energy Retail Code.

**C BUY BACK OFFER ADMINISTRATION DETAILS**

Victoria Electricity Buy Back Offer Core Details			
<b>1</b>	<b>GENERATION UNIT (SGIREG)</b>		
1.1	CAPACITY OF SYSTEM (kW)		
1.2	INSTALLATION DATE (if known)		
1.3	SYSTEM BRAND / MODEL		
1.4	SYSTEM INSTALLER		
1.5	METER TYPE	GROSS METERING ONLY	
<b>2</b>	<b>BUY BACK OF ELECTRICITY PURCHASE AGREEMENT (Wind,solar,hydro, bio-mass)</b>		
2.1	ELECTRICITY BUYBACK PRICE	CENTS PER kWh (EX-GST) as per attached Pricing Schedule	
2.2	METERING & INSPECTION CHARGES	APPLIED TO YOUR FIRST ELECTRICITY ACCOUNT. CHARGES ADVISED BY VE NEW CONNECTIONS.	
2.3	PAYMENT FOR ELECTRICITY	CREDIT TO YOUR ELECTRICITY ACCOUNT	
2.4	TERM / TERMINATION	SEE CLAUSE 8 OF THE ATTACHED CONDITIONS	
<b>3</b>	<b>ADDRESS DETAILS</b>	<b>SITE ADDRESS</b>	<b>MAILING ADDRESS</b>
	ATTENTION:	«Title» «First_Name» «Surname»	«Title» «First_Name» «Surname»
	ADDRESS	«Address_1» «City» «State» «Postcode»	«Address_1» «City» «State» «Postcode»
	CONTACT [PHONE]		
	EMAIL		

By signing below, you agree to be bound by the Terms and Conditions of the Buy Back of Energy Purchase Agreement.

The conditions above, together with this signing page and Schedule 1 (attached) make up this Agreement. In this Agreement, 'you' and 'your' refer to the Supplier, and 'we', 'us' and 'our' refer to VE as the Purchaser.

SIGNED by you as the authorised person

Date: \_\_ / \_\_ / \_\_\_\_

Signature	Name: Please Print
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In the presence of a Witness

Date: \_\_ / \_\_ / \_\_\_\_

Signature	Name: Please Print
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SIGNED for and on behalf of VE by its authorised representative

Date: \_\_ / \_\_ / \_\_\_\_

Signature	Name:
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**D. ELECTRICITY BUY BACK ELECTRICITY PRICES & TARIFFS**

Schedule 1 Victoria Electricity Pty Ltd Electricity Buy Back Prices & Tariffs for Residential and Business Customers.

**SCHEDULE 1**

Victoria Electricity Pty Ltd

Feed-In Prices &amp; Tariffs

Residential and Business Customers

<b>Distribution Area</b>	<b>Feed-in Customer Type</b>	<b>Tariff</b>	<b>GST Exclusive</b>	<b>Units</b>
AGL (North)	Residential	GD	15.61	c/kWh
AGL (North)	Business	E	15.35	c/kWh
AGL (South)	Residential	GD	15.42	c/kWh
AGL (South)	Business	E	16.47	c/kWh
TRUenergy (SP Ausnet)	Residential	GD	14.46	c/kWh
TRUenergy (SP Ausnet)	Business	E	16.04	c/kWh
Origin (CitiPower)	Residential	GD	14.17	c/kWh
Origin (CitiPower)	Business	E	14.35	c/kWh
Origin (Powercor)	Residential	GD	16.58	c/kWh
Origin (Powercor)	Business	E	15.88	c/kWh

**Planning and Environment Act 1987**

## CASEY PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C95

The Minister for Planning has approved Amendment C95 to the Casey Planning Scheme.

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

The Amendment:

- removes part of the Public Acquisition Overlay (PAO1) from the eastern side of Belgrave–Hallam Road, just south of Hallam North Road;
- removes part of the Public Acquisition Overlay (PAO1) from the northern side of the Monash Freeway, just west of Belgrave–Hallam Road;
- removes part of the Public Acquisition Overlay (PAO1) from the eastern side of Belgrave–Hallam Road between the Monash Freeway and Princes Highway;
- places Road Zone Category 1 (RDZ1) along the western side of Hallam North Road, from the northern boundary of No. 111–119 Belgrave–Hallam Road to Heatherton Road, to replace Urban Floodway Zone (UFZ), Residential 1 Zone (R1Z) and Low Density Residential Zone (LDRZ);
- places Road Zone Category 1 (RDZ1) along the eastern side of Belgrave–Hallam Road, just south of Hallam North Road, to replace Residential 1 Zone (R1Z);
- places Road Zone Category 2 (RDZ2) to replace Road Zone Category 1 (RDZ1) along Belgrave–Hallam Road, at the intersection of Hallam North Road, to correspond with the declaration boundary;
- places Road Zone Category 1 (RDZ1) on a section of the Monash Freeway to replace Urban Floodway Zone (UFZ);
- places Low Density Residential Zone (LDRZ) to replace Road Zone Category 1 (RDZ1) where the road zone has encroached onto private property;
- places Road Zone Category 1 (RDZ1) on a section of the Monash Freeway to replace Low Density Residential Zone (LDRZ); and
- places Road Zone Category 1 (RDZ1) on the eastern side of Belgrave–Hallam Road between the Monash Freeway and the Princes Highway, to replace Residential 1 Zone (R1Z).

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Casey City Council, Magid Drive, Narre Warren.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://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**

## FRANKSTON PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C47

The Minister for Planning has approved Amendment C47 to the Frankston Planning Scheme.

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

The Amendment removes the part of the Public Acquisition Overlay (PAO1 and PAO2) along Cranbourne–Frankston Road, Langwarrin. It also places Road Zone Category 1 (RDZ1) on sections of Cranbourne–Frankston Road and McClelland Drive, which replaces Public Use Zone Services and Utility (PUZ1), Public Park and Recreation Zone (PPRZ) and Residential 1 Zone (R1Z). The roads are constructed and have been declared under the **Road Management Act 2004**.

The Amendment is available for public inspection, free of charge, during office hours at the following place: City of Frankston, Civic Centre, Davey Street, Frankston, Victoria 3199.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://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 C96

The Greater Bendigo City Council approved Amendment C96 to the Greater Bendigo Planning Scheme on 27 November 2007.

The Amendment applies to the whole of the Greater Bendigo Planning Scheme and Greater Bendigo municipality. The Amendment:

- references the 'City of Greater Bendigo Domestic Wastewater Management Plan Final Report', RMCG, August 2006 and accompanying assessment tool, the 'City of Greater Bendigo Land Capability Mapping and Assessment Tools for Wastewater Management', RMCG, March 2006, as reference documents to the Greater Bendigo Planning Scheme; and
- amends strategies for environment and infrastructure to reference the use of the plan and assessment tool to guide domestic wastewater disposal and management in the municipality.

The Amendment was approved by the Greater Bendigo City Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 29 June 2007. The authorisation has not been withdrawn.

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, 1 Taylor Street, Epsom, and at the offices of the Greater Bendigo City Council, Planning Department, 15 Hopetoun Street, Bendigo.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://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 DANDENONG

## PLANNING SCHEME

## Notice of Approval of Amendment

## Amendment C89

The Minister for Planning has approved Amendment C89 to the Greater Dandenong Planning Scheme.

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

The Amendment places Road Zone Category 1 (RDZ1) on sections of Greens Road and Hutton Road and places Road Zone Category 2 (RDZ2) on sections of Chapel Road, Perry Road and Hammond Road. The Amendment also places the Green Wedge Zone (GWZ) on a section of Chapel Road to replace the RDZ1. The new road alignments result from the duplication of Greens Road and Hutton Road between Springvale Road and Hammond Road.

The Amendment is available for public inspection, free of charge, during office hours at the following place: City of Greater Dandenong, Council offices, 39 Clow Street, Dandenong, Victoria 3175.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://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 C78

The Greater Geelong City Council approved Amendment C78 to the Greater Geelong Planning Scheme on 6 February 2008.

The Amendment corrects a number of mapping and ordinance anomalies and errors that have come to light since the adoption of the New Format Planning Scheme.



The Amendment was approved by the Greater Geelong City Council in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 15 June 2007. The authorisation has not been withdrawn.

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 free of charge at the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

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**Planning and Environment Act 1987**

**GREATER GEELONG PLANNING SCHEME**

Notice of Approval of Amendment  
Amendment C134

The Minister for Planning has approved Amendment C134 to the Greater Geelong Planning Scheme.

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

The Amendment rezones 60–82 Smythe Street and 161–293 Tower Road, Portarlington, from Low Density Residential and Rural Living Zones to Residential 1 Zone and applies the Design and Development Overlay (DDO14) and Development Plan Overlay (DPO11).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection) and at the offices of the Greater Geelong City Council, 131 Myers Street, Geelong.

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

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**Planning and Environment Act 1987**

**INDIGO PLANNING SCHEME**

Notice of Approval of Amendment  
Amendment C41

The Minister for Planning has approved Amendment C41 to the Indigo Planning Scheme.

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

The Amendment introduces a Development Plan Overlay over the site of the Old Beechworth Gaol.

A copy of the Amendment can be inspected at the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection) and free of charge, during office hours, at the Department of Planning and Community Development's Hume Regional Office, 89 Sydney Road, Benalla, and at the offices of the Indigo Shire Council, Ford Street, Beechworth.

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

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**Planning and Environment Act 1987**

**KNOX PLANNING SCHEME**

Notice of Approval of Amendment  
Amendment C69

The Minister for Planning has approved Amendment C69 to the Knox Planning Scheme.

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

The Amendment removes part of the Public Acquisition Overlay (PAO1) from High Street. The Amendment also places the Road Zone Category 1 (RDZ1) on High Street at the intersection of Nortons Lane and on Kelletts Road near the intersections of Henderson Road and Taylors Lane. The new road alignments result from the duplication of High Street and Kelletts Road. The roads are constructed and have been declared under the **Road Management Act 2004**.

The Amendment is available for public inspection, free of charge, during office hours at the following place: Knox City Council, 511 Burwood Highway, Wantirna South 3152.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

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

Notice of Approval of Amendment  
Amendment C68

The City of Manningham approved Amendment C68 to the Manningham Planning Scheme on 11 February 2008.

The Amendment relates to two heritage places currently included within the Heritage Overlay being HO121 House – 34 Octantis Street, Doncaster East and HO155 House – 45 Smiths Road, Templestowe. It corrects mapping and typographical errors in relation to these sites that have been identified through the day-to-day operation of the scheme.

The Amendment was approved by the City of Manningham in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 21 September 2007. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster and free of charge at the Department of Planning and Community Development website at [www.dpcd.vic.gov.au/planning/publicinspection](http://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**

MORNINGTON PENINSULA  
PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C97

The Minister for Planning has approved Amendment C97 to the Mornington Peninsula Planning Scheme.

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

The Amendment places Road Zone Category 1 (RDZ1) at the intersection of Bittern–Dromana Road and Coolart Road to replace Green Wedge Zone 2 (GWZ2). The new road alignments result from road works at this intersection. The roads are constructed and have been declared under the **Road Management Act 2004**.

The Amendment is available for public inspection, free of charge, during office hours at the following places: Mornington Peninsula Shire Council, Mornington Office – Queen Street, Mornington; Rosebud Office – Besgrove Street, Rosebud; and the Hastings Office – Marine Parade, Hastings.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

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**Planning and Environment Act 1987**

WHITEHORSE PLANNING SCHEME

Notice of Approval of Amendment  
Amendment C79

The Minister for Planning has approved Amendment C79 to the Whitehorse Planning Scheme.

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

The Amendment removes the Public Acquisition Overlay (PAO5) and part of the Heritage Overlay (HO106) from Burwood

Highway and places Road Zone Category 1 on Burwood Highway to replace the Residential 1 Zone and Business 2 Zone. The new road alignments result from road works along Burwood Highway that were done in conjunction with the construction of the Vermont South Tram Extension. The roads are constructed and have been declared under the **Road Management Act 2004**.

The Amendment is available for public inspection, free of charge, during office hours at the following place: City of Whitehorse, 379–397 Whitehorse Road, Nunawading, Victoria 3110.

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

The Amendment is also available on the Department of Planning and Community Development website at: [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

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

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

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

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

##### **Amendment C68**

The Minister for Planning has approved Amendment C68 to the Yarra Ranges Planning Scheme.

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

The Amendment removes the Public Acquisition Overlay (PAO14) and places Road Zone Category 1 on Swansea Road between Lilydale and Montrose to replace the Public Park and Recreation Zone, Rural Living Zone, Low Density Residential Zone, Public Conservation Zone and Public Use Zone – Service and Utility. The new road alignments result from road construction works along Swansea Road. The roads are constructed and have been declared under the **Road Management Act 2004**.

The Amendment is available for public inspection, free of charge, during office hours at the following place: Shire of Yarra Ranges, Anderson Street, Lilydale, Victoria 3140.

**ORDERS IN COUNCIL**

**Local Government Act 1989**

ALTERATION OF  
ELECTORAL STRUCTURE OF THE  
GANNAWARRA SHIRE COUNCIL

Order in Council

The Governor in Council under sections 220Q(k), 220Q(l), 220Q(m) and 220Q(n) of the **Local Government Act 1989** alters the boundaries, number and names of wards and alters the number of councillors assigned to wards of the Gannawarra Shire Council as described in plan LEGL./07-331 lodged in the Central Plan Office.

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

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

Dated 26 February 2008

Responsible Minister

RICHARD WYNNE MP

Minister for Local Government

RYAN HEATH

Clerk of the Executive Council

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

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

10. *Statutory Rule:* Adoption Regulations 2008  
*Authorising Act:* Adoption Act 1984  
*Date of making:* 26 February 2008

**SUBORDINATE LEGISLATION ACT 1994  
NOTICE THAT STATUTORY RULES ARE  
OBTAINABLE**

Notice is hereby given under Section 17(3) of the **Subordinate Legislation Act 1994** that the following Statutory Rules were first obtainable from Information Victoria, 505 Little Collins Street, Melbourne on the date specified:

7. *Statutory Rule:* Veterinary Practice Regulations 2008  
*Authorising Act:* Veterinary Practice Act 1997  
*Date first obtainable:* 28 February 2008  
*Code A*
8. *Statutory Rule:* Subdivision (Registrar's Fees) (Amendment) Regulations 2008  
*Authorising Acts:* Subdivision Act 1988  
 Transfer of Land Act 1958  
*Date first obtainable:* 28 February 2008  
*Code B*
9. *Statutory Rule:* Rail Safety (Amendment) Regulations 2008  
*Authorising Act:* Rail Safety Act 2006  
*Date first obtainable:* 28 February 2008  
*Code A*

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