



Victoria Government Gazette

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As from 1 October 2009

The last Special Gazette was No. 339 dated 30 September 2009.

The last Periodical Gazette was No. 1 dated 3 June 2009.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 8523 4601
between 8.30 am and 5.30 pm Monday to Friday
-

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

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

VICTORIA GOVERNMENT GAZETTE

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Land Act 1958

Notice is hereby given that Toora Bowling Club Incorporated has applied for a lease pursuant to section 134 of the **Land Act 1958**, for a term of 21 years in respect of Crown Allotment 2004, Parish of Toora, County of Buln Buln, containing 8032 square metres as a site for amusement and recreation and social activities connected therewith (Bowls Club).

Ref No: 15L106553 (Traralgon).

Re: TERRENCE LESLIE MATHER, late of 30 North Street, Ardeer, Victoria, retired despatch clerk, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 June 2009, are required by the trustees, Leslie George Mather and Glenise Lillian Lukey, to send particulars to the trustees, care of the undermentioned solicitors, within sixty days from the publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: Estate of JOHN WILLIAM DENIS FOUNTAIN.

Creditors, next-of-kin and others having claims in respect of the estate of JOHN WILLIAM DENIS FOUNTAIN, late of 50 Naretha Street, Swan Hill, Victoria, retired farmer, deceased, who died on 9 July 2009, are to send particulars of their claim to the executor, care of the undermentioned legal practitioners, by 30 November 2009, after which the executor will distribute the assets, having regard only to the claims of which she then has notice.

DWYER MAHON & ROBERTSON,
legal practitioners,
Beveridge Dome, 194–208 Beveridge Street,
Swan Hill 3585.

DAVID JOHN HORNE, late of 9 Moore Street, Warrnambool, Victoria, retired bank officer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 June 2009, are required by the executors, Daryl Lawrence Love and Stuart Dean Poyner, to send particulars of their claims to them, care of the undermentioned legal practitioner, by 30 November 2009, after which date the executors will distribute the assets, having regard only to the claims of which they then have notice.

DWYER ROBINSON PTY LTD, lawyers,
95 Kepler Street, Warrnambool 3280.

Creditors, next-of-kin and others having claims in respect of the estate of PIETERNELLA CORNELIA JONKER, late of 504 Police Road, Dandenong North, Victoria, deceased, who died on 8 July 2009, are required to send particulars of their claims to Equity Trustees Limited, ACN 004 031 298, of 575 Bourke Street, Melbourne, Victoria, the executor of the Will of the deceased, by 1 December 2009, after which date the executor may distribute the assets, having regard only to the claims of which it then has notice.

EQUITY TRUSTEES LIMITED
ACN 004 031 298
Level 2, 575 Bourke Street,
Melbourne, Victoria 3000.

CONCETTA CORSETTI, late of 11 Beckwith Street, Coburg 3058, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 July 2009, are required by Carmelina Corsetti and John Fausto Corsetti, the executors of the said estate, to send particulars by 7 December 2009 to their solicitors, Gullaci & Gullaci of 158 Bell Street, Coburg, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 23 September 2009
GULLACI & GULLACI, solicitors,
158 Bell Street, Coburg, Victoria 3058.

Re: Estate GREG LLOYD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 February 2009, are required by the administrator, Jill Scherman, to send particulars to the administrator, care of the undermentioned solicitors, by 1 December 2009, after which date the administrator may convey or distribute the assets, having regard only to the claims of which the administrator has notice.

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

Re: NOEL LILLIAS ALLEN, late of 9 Carson Crescent, Hawthorn, Victoria, retired ballet dancer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 October 2008, are required by Benjamin Alan Morgan and Gita Denise Lisa Brigham, the executors of the estate of the deceased, to send particulars of their claims to them, care of the undermentioned lawyers, by 10 December 2009, by which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

M. JOHNSON & CO., lawyers,
Level 1, 2D Prospect Hill Road, Camberwell,
Victoria 3124.

Re: OLIVE ELAINE MYERS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 July 2009, are required by the trustee, Equity Trustees Limited, of Level 2, 575 Bourke Street, Melbourne, Victoria, trustee company, to send particulars to the trustee by 6 December 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MOORES LEGAL, lawyers,
9 Prospect Street, Box Hill 3128.

Re: BONITA KATHRENE YULL, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 May 2009, are required by the trustee, Equity Trustees Limited, ACN 004 031 298, of Level 2, 575 Bourke Street, Melbourne, Victoria, trustee company, to send particulars to the trustee, by 30 November 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MOORES LEGAL, lawyers,
9 Prospect Street, Box Hill 3128.

Re: MARIA VARRASSO, late of Regis Inala Lodge, 220 Middleborough Road, Blackburn South, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 22 June 2009, are required by Domenica Mihelcic, the trustee of the estate of the deceased, to send particulars of their claims to her, care of the undermentioned lawyers, by 29 November 2009, by which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

RUSSO PELLICANO CARLEI, lawyers,
43 Atherton Road, Oakleigh, Vic. 3166.

Re: KENNETH HASTINGS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 May 2007, are required by the trustee, Denis Alfred Lupton, the trustee of the estate of the deceased, to send particulars of their claims to him, care of the undermentioned solicitors, by 10 December 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

SEPTIMUS JONES & LEE, solicitors,
Level 5/99 William Street, Melbourne 3000.

RUTH MARGARET HUNTER, late of Darlingford Nursing Home, 5 High Street, Eildon, Victoria 3713, deceased.

Creditors, next-of-kin and others having claims in respect of the Will/estate of the abovenamed deceased, who died on 8 June 2009, are required by the executors, William Duncan Seaton, and Robin Alison MacInnis, to send particulars of their claims to Tehan, George & Co., lawyers, of 35 Binney Street, Euroa, Victoria 3666, by 31 December 2009, after which date the executors may convey or distribute the assets and distribute the estate, having regard only to the claims of which they then have notice. Probate was granted in Victoria on 28 August 2009.

Dated 24 September 2009

TEHAN GEORGE & CO., lawyers,
35 Binney Street, Euroa, Vic. 3666.
PO Box 176, Euroa 3666. DX 66801 Euroa.
Ph: (03) 5795 2101 Fax: (03) 5795 2739.
MHT: RLW: 25030 E
Contact: Michael H. Tehan

ROBERT LEWIS, late of RMB 1630, Euroa, Victoria 3666, farmer, deceased.

Creditors, next-of-kin and others having claims in respect of the Will of the abovenamed deceased, who died on 11 January 2006, are required by the trustees, Albert Ernest Gough and Ambrose Mervyn Gough, to send particulars of their claims to them, care of the undermentioned lawyers, by 26 November 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

TEHAN GEORGE & CO., lawyers,
35 Binney Street, Euroa, Victoria 3666.
Tel: 5795 2101, Fax: 5795 2739

Re: MIRIAM CLARE THOMAS, late of 2/1251 Burke Road, Kew, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 27 September 2008, are required by the administrator, Graham Ernest Thomas, to send particulars to him, care of the undersigned solicitors, by 10 December 2009, after which

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

WILLIS SIMMONDS LAWYERS,
legal practitioners,
6/1 North Concourse, Beaumaris 3193.

Re: PHYLLIS MARGARET BROWN, late of 22 Graff Road, Somerville, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 June 2009, are required to send particulars of their claims to the executor, care of GPO Box 1946, Melbourne, Victoria 3001, by 11 December 2009, 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.

Re: DORIS MARY LEONARD, late of Unit 23, 562–584 Burwood Highway, Vermont South, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 June 2009, are required to send particulars of their claims to Equity Trustees Limited of GPO Box 2307, Melbourne 3001, by 11 December 2009, after which date the executor may convey or distribute the assets, having regard only to the claims of which they may then have notice.

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

Re: PETER SHELDON MOSS, late of Unit 3, 152 Bridport Street, Albert Park, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 14 February 2008, are required to send particulars of their claims to Equity Trustees Limited of GPO Box 2307, Melbourne 3001, by 11 December 2009, after which date the administrator may convey or distribute the assets, having regard only to the claims of which they may then have notice.

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

PROCLAMATIONS

Sheriff Act 2009

PROCLAMATION OF COMMENCEMENT

I, Marilyn Warren, Lieutenant-Governor of Victoria, as the Governor's Deputy, with the advice of the Executive Council and under section 2(1) of the **Sheriff Act 2009**, fix 1 October 2009 as the day on which that Act comes into operation.

Given under my hand and the seal of Victoria on 29 September 2009.

(L.S.)

MARILYN WARREN
Lieutenant-Governor,
as the Governor's Deputy
By His Excellency's Command
ROB HULLS
Attorney-General

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**



Road Management Act 2004

Proposed Amendment of
Road Management Plan

In accordance with section 54(6) of the **Road Management Act 2004** (Act), Baw Baw Shire Council (Council) gives notice that it intends to amend its road management plan.

The purpose and general purport of the proposed amendment is to update the format of the road management plan and to amend selected standards relating to the inspection, maintenance and repair of roads.

The proposed amendment will apply to all of the roads and classes of roads to which the road management plan applies.

A copy of the proposed amendment may be inspected at or obtained from the Council's Municipal Offices, Civic Place, Warragul between 8.30 am and 5.00 pm, Monday to Friday, or accessed online by viewing the Council's website, www.bawbawshire.vic.gov.au, and following the links.

Any person who is aggrieved by the proposed amendment may make a submission on the proposed amendment addressed to the Chief Executive Officer, Baw Baw Shire Council, PO Box 304, Warragul, Victoria 3820 by 4 November 2009.

A person who has made a submission and requested that they be heard in support of their submission is entitled to appear in person or by a person acting on their behalf before a meeting of the Council, the day, time and place of which will be advised.

Any enquiries about the proposed amendment can be directed to Teck Ting on (03) 5624 2482.

BAYSIDE CITY COUNCIL

Governance Local Law

In accordance with section 119 of the **Local Government Act 1989** (the Act), notice is hereby given that Bayside City Council (the Council) proposes to repeal Local Law No. 1/2006 Meeting Procedures Local Law and replace it by making a new Local Law No. 1/2009, known as Governance Local Law under sections 91 and 111 of the Act for the purposes of:

- (a) providing for the election of the Mayor;
- (b) regulating the use of the common seal;
- (c) prohibiting unauthorised use of the common seal or any device resembling the common seal;
- (d) providing for the procedures governing the conduct of Council meetings and Special Committee meetings, Advisory Committee meetings and Councillor Briefings;
- (e) setting the rules of behaviour for those participating in or present at Council meetings and Special Committee meetings, Advisory Committee meetings and Councillor Briefings; and
- (f) providing for the role of the Mayor and any Deputy Mayor.

The general purport of the Local Law No. 1/2009 is to provide for:

- (a) the manner in which the Mayor, Deputy Mayor are elected;
- (b) the quorum for an Ordinary Meeting and Special Meeting of Council;
- (c) the procedure with requests to be heard at the meeting;
- (d) the meeting procedures and administration;
- (e) the procedures for motions and debates;
- (f) the manner in which the standards of conduct will be regulated; and
- (g) the procedures for and restriction of the use of the common seal of the Council and the prohibition of unauthorised use of any device resembling the common seal.

A copy of the proposed Local Law may be inspected at or obtained from the Corporate Centre, 76 Royal Avenue, Sandringham, or viewed on Council's website, www.bayside.vic.gov.au

Any person affected by the proposed Local Law may make a submission to the Council. Submissions received by the Council within 28 days of the date of this notice will be considered in accordance with section 223 of the Act. Any person requesting that he or she be heard in support of a written submission is entitled to appear before a meeting of a Special committee of Council, either personally or by a person acting on his or her behalf at 6.30 pm on Monday 9 November 2009, in the Council Chambers, Boxshall Street, Brighton. Copies of all submissions received will be made available to the public as part of the Council agenda.

Submissions clearly marked 'Governance Local Law Submission' should be addressed to the Chief Executive Officer, PO Box 27, Sandringham 3191 by 4.00 pm Monday 2 November 2009. Telephone enquiries concerning this matter should be directed to Mr Terry Callant on 9599 4327.

ADRIAN ROBB
Chief Executive Officer



Local Law No. 3 of 2009 Meeting Procedure

Notice is hereby given pursuant to section 119 of the **Local Government Act 1989** (as amended) that the Indigo Shire Council, at its Ordinary Meeting held on Tuesday 8 September 2009, has resolved to make Local Law No. 3 of 2009 – Meeting Procedure.

The purpose and general purport of the Local Law is to:

- (a) regulate the use of the Common Seal;
- (b) prohibit unauthorised use of the Common Seal or any device resembled the Common Seal; and
- (c) regulate the proceeding at Council Meetings, Special Committee Meetings, Advisory Committee Meetings, and other Meetings conducted by or on behalf of Council where Council has resolved that the provisions of the Local Law are to apply.

A copy of the Local Law can be obtained from any of the Council offices at Beechworth, Chiltern, Rutherglen and Yackandandah during normal office hours.

BRENDAN McGRATH
Chief Executive Officer

MOIRA SHIRE COUNCIL

Notice of Making a Local Law

Notice is hereby given that the Moira Shire Council, at its ordinary meeting held on Monday 21 September 2009, resolved to adopt and make a local law titled Recreation Reserves Local Law 2009 (No. 2 of 2009).

The purpose (objectives) of the local law are to provide for the:

- (a) care, protection and management of the reserves;
- (b) preservation of good order and decency in the reserves;
- (c) safety of persons in or occupying or using the reserves or any part thereof; and
- (d) general peace, order and good government of the Municipal district.

This local law also provides for, and fixes penalties for, the breach of the provisions.

A copy of the local law may be inspected at or obtained from the Moira Shire Council Service Centre at 44 Station Street, Cobram.

GARY ARNOLD
Chief Executive Officer

SWAN HILL RURAL CITY COUNCIL PUBLIC NOTICE

Annual Report

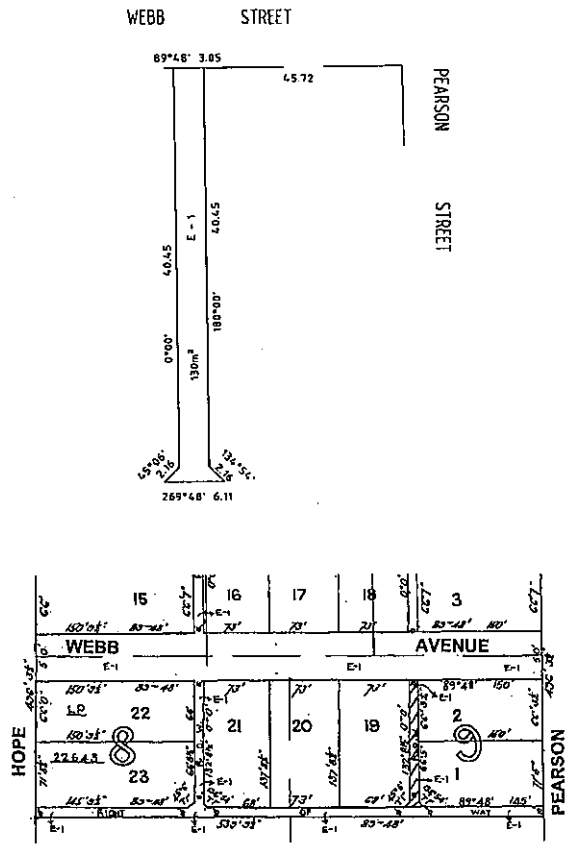
In accordance with sections 131(10), 131(11) and 131(12) of the **Local Government Act 1989**, Swan Hill Rural City Council advises its Annual Report, incorporating the reports from Council's Auditor, has been prepared and is available for inspection during normal office hours at the Council offices, located at 45 Splatt Street, Swan Hill or 68-72 Herbert Street, Robinvale.

BRUCE MYERS
Acting Chief Executive Officer



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 21 July 2008, formed the opinion that the right of way adjacent to Lots 19, 2 and 1 on Lodged Plan 8263, 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 of Lot 19.

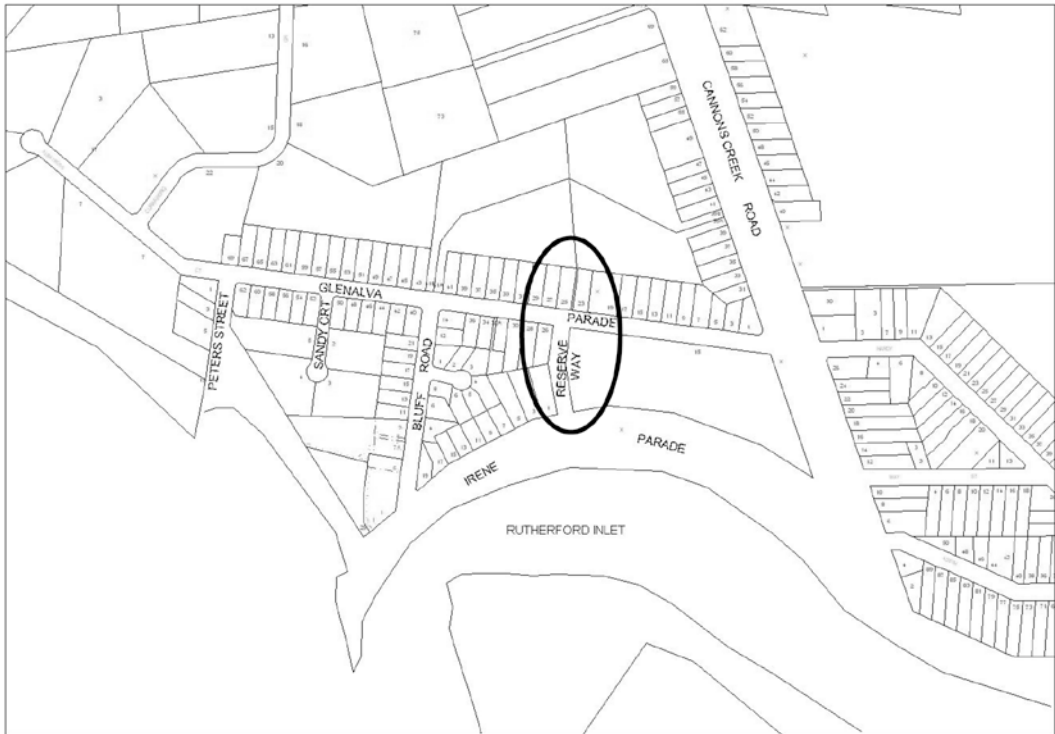


GARRY McQUILLAN
Chief Executive Officer

CITY OF CASEY

Road Closure

Notice is hereby given that pursuant to section 206 of the **Local Government Act 1989**, the Council, having advertised its intention in a local circulating paper and considered submissions received pursuant to section 223 of the **Local Government Act 1989**, has resolved to close Reserve Way, Cannons Creek, to through traffic as shown on plan below.



STEVE DALTON
Acting Chief Executive Officer

Whitehorse City Council

Notice of Proposed Local Law No. 14
 Local Law No. 14 – Meeting Procedures
 and Common Seal

Notice is hereby given that Council, at its meeting on 21 September 2009, resolved to give public notice of its proposed Local Law No. 14 – Meeting Procedures and Common Seal.

The purpose and general purport of the proposed Local Law is to:

- regulate proceedings for the election of the Mayor;
- regulate proceedings of Ordinary and Special Meetings of Council;
- regulate proceedings of Special Committees;
- promote and encourage community participation in the system of local government by providing mechanisms within the meeting arrangements for the Council to ascertain the community's views and expectations;
- regulate and control the use of Council's Common Seal; and
- revoke Local Law No. 12 – Meeting Procedures and Common Seal.

A copy of the proposed Local Law is available from the Council Offices, Whitehorse Civic Centre, 379 to 397 Whitehorse Road, Nunawading or from Council's website at www.whitehorse.vic.gov.au

Any person affected by the proposed Local Law may make a submission under the provisions of section 223 of the **Local Government Act 1989**. Submissions must be in writing and addressed to the Chief Executive Officer, Whitehorse City Council, Locked Bag 2, Nunawading Delivery Centre 3131, and be received by the close of business on Wednesday 28 October 2009. A person making a written submission and requesting that they be heard in support of their submission is entitled to appear in person or by a person acting on their behalf before the Special Committee of Council on Monday 9 November 2009 at 8.00 pm at the Whitehorse Civic Centre, Council Chambers, 379 to 397 Whitehorse Road, Nunawading.

For further enquiries, please contact Council's Manager Civic Services, A. (Tony) De Fazio, on 9262 6339.

TERRY WILKINSON
 Acting Chief Executive Officer
 Whitehorse City Council

Planning and Environment Act 1987

GLENELG PLANNING SCHEME
 Notice of Preparation of Amendment
 Amendment C48
 Authorisation A1432

The Glenelg Shire Council has prepared Amendment C48 to the Glenelg Shire Planning Scheme.

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

The land affected by the Amendment is at Allotment 3B, section 12, township of Casterton, 52 Jackson Street, Casterton, and CA 58A, township of Casterton, 42 Shiels Terrace, Casterton.

The Amendment proposes to apply an Environmental Audit Overlay to all subject land.

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, Glenelg Shire Council Office, Cliff Street, Portland and Casterton Customer Service Centre, 67 Henty Street, Casterton; and at the Department of Planning and Community Development website, 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 November 2009. A submission must be sent to the Glenelg Shire Council, PO Box 152, Portland, Victoria 3305.

SYD DEAM
 Group Manager
 Planning and Economic Development
 Glenelg Shire

Planning and Environment Act 1987

GLEN EIRA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C68

Authorisation A01429

The Glen Eira City Council has prepared Amendment C68 to the Glen Eira Planning Scheme.

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

The land affected by the Amendment is 115–159 Poath Road, Murrumbeena.

The Amendment proposes to:

- rezone the land at 115–127 Poath Road, Murrumbeena, from a Business 3 Zone to a Business 1 Zone;
- rezone the land at 131–159 Poath Road, Murrumbeena, from a Business 3 Zone to a Mixed Use Zone; and
- apply an Environmental Audit Overlay over all of the subject sites.

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, Glen Eira City Council, corner Glen Eira and Hawthorn Roads, Caulfield, Victoria; view online www.gleneira.vic.gov.au; and at the Department of Planning and Community Development website, 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 Monday 2 November 2009.

A submission must be sent to Glen Eira City Council, PO Box 42, Caulfield South 3161.

RON TORRES
Manager Planning

Planning and Environment Act 1987

MITCHELL PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C45

Authorisation A01360

Mitchell Shire Council has prepared Amendment C45 to the Mitchell Planning Scheme.

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

The land affected by the Amendment includes parcels of land within a 926 metre radius of the Emergency Medical Service helipad at the Kilmore and Seymour District Hospitals. The Kilmore District Hospital helipad is a concrete helipad on the southern side of the hospital site. The Seymour District Hospital helipad is a concrete helipad adjacent to the northern boundary of the hospital site.

The Amendment proposes to insert three new schedules into the Design and Development Overlay (DDO) of the Mitchell Planning Scheme, with two accompanying new Planning Scheme DDO maps, for the purpose of designating a helicopter flight path protection area for EMS helicopters operating at the Kilmore and Seymour District Hospitals.

The Amendment provides protection for the flight paths used by EMS helicopters servicing Kilmore and Seymour District Hospitals against encroachment by future developments that could prejudice the safety or efficiency of the Kilmore and Seymour District Hospitals helipads.

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, Mitchell Shire Council: Broadford Library and Customer Service Centre, 113 High Street, Broadford; Seymour Customer Service Centre, 28 High Street, Seymour; Wallan Library, Wellington Square, Wallan; Kilmore Library, 12 Sydney Street, Kilmore; and at the Department of Planning and Community Development website, 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 2 November 2009. No late submission will be received by Council officers. A submission must be sent to the Chief Executive Officer, Mr Bill Braithwaite, Mitchell Shire Council, 113 High Street, Broadford, Victoria 3850.

PETER HALTON
Acting Chief Executive Officer

Planning and Environment Act 1987

MITCHELL PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C66

Authorisation A01376

Mitchell Shire Council has prepared Amendment C66 to the Mitchell Planning Scheme.

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

The land affected by the Amendment is within Bremmer Place, No. 50 Broadford–Kilmore Road, Clark Street (east of Northern Highway), Burgess Street, Flynn Court, George Street (north of Clarke Street), Lowell Court, Kellys Lane, Rida Park Drive, Trainer's Drive, and the east side of the Northern Highway (between Clarke Street and Broadford–Kilmore Road) in the township of Kilmore.

The Amendment proposes to introduce Clause 43.02 (Design and Development Overlay) into the Mitchell Planning Scheme for the first time, and place Design and Development Overlay Schedule 5 on the land to govern the future development of horse stables, horse wash down areas, buildings for accommodation, domestic swimming pools and subdivision on land classified as Rural Living Zone in the north-eastern area of Kilmore.

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, Mitchell Shire Council: Mitchell Shire Council, 113 High Street, Broadford; Wallan Library, Wellington Square, Wallan; Kilmore Library, 12 Sydney Street, Kilmore; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

Submissions will be referred to a pre-booked planning panel which has been appointed by Planning Panels Victoria. The Direction Hearing is scheduled to be held on Tuesday 8 December 2009 with the Panel Hearing scheduled for the week of 27 January 2010.

The closing date for submissions is Monday 2 November 2009. Late submissions will not be received by Council officers. A submission must be sent to Mitchell Shire Council, Broadford Library and Customer Centre, 113 High Street, Broadford 3658.

PETER HALTON
Acting Chief Executive Officer

Planning and Environment Act 1987

NORTHERN GRAMPAINS PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C34

Authorisation A A01321

The Northern Grampians Shire Council has prepared Amendment C34 to the Northern Grampians Planning Scheme.

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

The land affected by the Amendment is at 4300 Ararat–Halls Gap Road, Halls Gap, being Reserve No. 1 on Plan of Subdivision 405541H, and is held in Certificate of Title Volume 10333 Folio 343.

The Amendment proposes to rezone the land from a Rural Living Zone (RLZ4) to a Public Use Zone – Schedule 6 (Local Government) (PUZ6).

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, Northern Grampians Shire Council, Town Hall, Main Street, Stawell; during office hours, at the Halls Gap Visitor Information Centre, 117–119 Grampians Road, Halls Gap; and at the Department of Planning and Community Development website, 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 November 2009. A submission must be sent to the Northern Grampians Shire Council, PO Box 580, Stawell, Vic. 3380.

GLEN DAVIS
Chief Executive Officer

Planning and Environment Act 1987
WELLINGTON PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C58
Authorisation A01331

The Wellington Shire Council has prepared Amendment C58 to the Wellington Planning Scheme.

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

The land affected by the Amendment is Crown Allotment 114, Section 1 Parish of Sale as shown on TP524481V, located on the western side of the Princes Highway and immediately south of the main Sale Irrigation Channel.

The Amendment proposes to:

- rezone the land currently zoned Farming Zone (FZ) to Residential 1 Zone (R1Z);
- introduce Schedule 4 to the Development Plan Overlay (DPO4) into the Wellington Planning Scheme (WPS) and to subsequently apply it to the subject land;

- amend the Sale Strategy Plan (contained within Clause 21.04 of the WPS) to remove the residential ‘possible long term expansion’ notation from the subject land and to recognise it as a ‘future housing area’ instead; and
- rescale the Sale Strategy Plan (within Clause 21.04 of the WPS) to 1:60,000 to correct an existing administrative error.

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, Wellington Shire Council, 70 Foster Street, Sale; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection, from 1 October 2009.

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

The closing date for submissions is 3 November 2009. A submission must be sent to: Attention: Ahsan Yousuf, Planning Project Officer, Wellington Shire Council, PO Box 506, Sale, Vic. 3850.

AHSAN YOUSUF
Planning Project Officer

Planning and Environment Act 1987
WELLINGTON PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C59
Authorisation A01330

The Wellington Shire Council has prepared Amendment C59 to the Wellington Planning Scheme.

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

The land affected by the Amendment is part of Lot 2 on Plan of Subdivision 607826P, located on the eastern side of the Princes Highway and on the northern side of Cobains Road, Sale (between the Australian Technical College and the existing Business 4 Zone). The total area of land proposed for residential rezoning is approximately 20.5 hectares.

The Amendment proposes to:

- rezone the land from the current Farming Zone (FZ) to Residential 1 Zone (R1Z);
- introduce Schedule 4 to the Development Plan Overlay (DPO4) into the Wellington Planning Scheme (WPS) and to subsequently apply it to the subject land;
- amend the Sale Strategy Plan (contained within Clause 21.04 of the WPS) to recognise it as a 'future housing area' instead; and
- rescale the Sale Strategy Plan (within Clause 21.04 of the WPS) to 1:60,000 to correct an existing administrative error.

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, Wellington Shire Council, 70 Foster Street, Sale; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection, from 1 October 2009.

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

The closing date for submissions is 3 November 2009. A submission must be sent to: Attention: Ahsan Yousuf, Planning Project Officer, Wellington Shire Council, PO Box 506, Sale, Vic. 3850.

AHSAN YOUSUF
Planning Project Officer

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 December 2009, after which date State Trustees Limited may convey or distribute the assets having regard only to the claims of which State Trustees Limited then has notice.

BELL, Lyle Selwyn, late of 42 Somerville Street, Doncaster, Victoria 3108, retired, who died on 29 April 2009.

CHARNLEY, Mary, late of Shoreham Aged Care Facility, 3905 Frankston-Flinders Road, Shoreham, Victoria 3916, social worker, who died on 11 April 2009.

FORSYTH, Doris Julia, late of 27 Munro Avenue, Mount Waverley, Victoria 3149, retired, who died on 18 July 2009.

GULLOCK, Gwenneth Ellen, late of Armitage House, Baillieu Street, Wonthaggi, Victoria 3995, pensioner, who died on 10 June 2009.

JONES, Francis John, late of 37 Dean Street, Ararat, Victoria 3377, who died on 19 September 2008.

LEE, Marilyn Bernadette, late of Room 21, Bodalla Aged Care Services, 32 Walpole Street, Kew, Victoria 3101, who died on 11 September 2009.

MARKHAM, Wayne, late of Quamby House, Richs Lane, Albury, NSW 2640, pensioner, who died on 4 June 2009.

PAYNE, Herbert Edgar, late of Percy Baxter Lodge, 45-95 Ballarat Road, North Geelong, Victoria 3215, who died on 17 July 2009.

PUSCHMANN, Bernhard Erich, late of 278 Mount Riddell Road, Healesville, Victoria 3777, retired, who died on 4 July 2001.

SHARE, Stanley James, also known as Pat Share, late of Waldreas Village, 211 Wantirna Road, Ringwood, Victoria 3134, technician, who died on 17 July 2009.

Dated 23 September 2009

ROD SKILBECK
Manager
Executor and Trustee Services

EXEMPTION

Application No. A224/2009

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** ('the Act') by Maroondah Hospital (the Applicant). The application for exemption is to enable the applicant to advertise for and employ Aboriginal hospital liaison officers.

Upon reading the material submitted in support of the application, including the affidavit of Penelope Vye, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 100 and 195 of the Act to enable the Applicant to advertise for and employ Aboriginal hospital liaison officers.

In granting this exemption the Tribunal noted:

- Maroondah Hospital has a commitment to care for Aboriginal and Torres Strait Islander (ATSI) patients.
- The objectives of the position are:
 - to assist in improving access and availability of appropriate health services and preventative care for ATSI people, through effective discharge planning into primary care services;
 - to increase the sensitivity of health care services and providers to ATSI health issues, through education and training; and
 - to inform the hospital about effective strategies to meet the objectives of the Improving Care of Aboriginal and Torres Strait Islanders program, a combined program of the Victorian Aboriginal Community Controlled Health Organisation at the Department of Human Services.
- The officer will be responsible for the development and implementation of strategies and programs to enhance the delivery of providing appropriate care to ATSI patients.
- Key selection criteria for the position include a sound knowledge and understanding of Aboriginal culture, kinship and society; an ability to communicate with and engage with and to be accepted by the Aboriginal community; and the ability to provide safety for Aboriginal patients in enabling direct contact with Aboriginal staff in the health service.
- An Aboriginal person will have the cultural awareness and understanding necessary for desired objectives to be met.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 100 and 195 of the Act to enable the applicant to advertise and employ Aboriginal hospital liaison officers.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 October 2012.

Dated 25 September 2009

MRS A. COGHLAN
Deputy President

EXEMPTION

Application No. A225/2009

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83(3) of the **Equal Opportunity Act 1995** ('the Act') by Cestui Que Vie Pty Ltd t/as Entre Nous ('the Applicant'). The application is for renewal of an exemption to enable the applicant to –

- (a) refuse to provide its services to any person who is married and not separated from their spouse;
- (b) obtain information from members and potential members of its service for the purpose of matching those members and potential members, including information about their attributes within the meaning of the Act;
- (c) advise potential members that because of their attributes and the attributes preferred by members of the service, it will be difficult to find a match for them where this advice is based on information in the possession of Entre Nous;
- (d) provide a range of membership programs with corresponding membership fees/prices, which vary depending on the potential member's age;
- (e) advertise and hold social functions restricted to particular age groups of members and potential members, with a discounted price for those functions based on the sex and age of the member or potential member;
- (f) advertise on behalf of members for potential partners, where such advertisements may include information about the potential partners desired attributes within the meaning of the Act, and to offer one or more free introductions to potential members based on attributes within the meaning of the Act.

In this exemption the conduct referred to in paragraphs (a) to (f) is called the 'specified conduct'.

Upon reading the material submitted in support of the application, including an affidavit sworn by Ms Rosalind Baker, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 42, 100 and 195 of the Act to enable the Applicant to engage in the specified conduct.

In granting this exemption the Tribunal noted: an exemption in similar terms was granted in September 2006 and is to expire on 4 October 2009.

The Tribunal hereby renews the exemption to the applicant exempting it from the operation of sections 42, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the specified conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 1 October 2012.

Dated 25 September 2009

MRS A. COGHLAN
Deputy President

Department of Treasury and Finance
SALE OF CROWN LAND
BY PUBLIC AUCTION

On 23 October 2009 at 1.00 pm on site

Reference: 09/200.

Address of Property: 23 Patrick Street, Stawell.

Crown Description: Crown Allotment 2032, Parish of Stawell.

Terms of Sale: Deposit 10%, Balance 60 Days.

Area: 1.629 m².

Officer Co-ordinating Sale: Brian Dee, Senior Project Manager, Land and Property Group, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Vic. 3002.

Selling Agent: Monaghan's Real Estate, 189 Main Street, Stawell Vic. 3380.

TIM HOLDING MP
Minister for Finance, WorkCover
and the Transport Accident Commission

Accident Towing Services Act 2007

ROADS CORPORATION

Tow Truck Application

Notice is hereby given that the following application will be considered by the Roads Corporation after 3 November 2009.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Vehicle Management and Safety, Locked Bag 9000, Kew, Vic. 3101, not later than 29 October 2009.

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

Norman Franklin Allan. Application for variation of conditions of tow truck licence number TOW232, which authorises the licensed vehicle to be managed, controlled and operated from depot situated at Factory 4, Ballarat Road, Hamilton 3300, to change the depot address to 86 Mollison Street, Kyneton, Vic. 3444.

Note: This Licence is under consideration for transfer to Sunbury Regional Towing Services Pty Ltd.

Dated 1 October 2009

DON HOGBEN
Director
Vehicle Management and Safety
Road Safety and Network Access
Roads Corporation

Corrections Act 1986

Notice of an award of damages to a prisoner

In accordance with section 104Y of the **Corrections Act 1986**, notice is given that an award of damages has been made to the prisoner Anthony Douglas Walters in a claim against the State. The award money, excluding legal costs and medical expenses, has been paid into the Prisoner Compensation Quarantine Fund, where it will be held for a period of 12 months from 1 October 2009.

Creditors and victims in relation to criminal acts of Anthony Douglas Walters are invited to seek further information from the Secretary of the Department of Justice. To do so, please contact the Victims Register Coordinator on 1800 819 817, or for interstate callers, (03) 8684 6700.

Dated 28 September 2009.

Crown Land (Reserves) Act 1978

ORDER GIVING APPROVAL TO GRANT OF A LEASE UNDER SECTION 17D AND 17DA

Under section 17D and 17DA of the **Crown Land (Reserves) Act 1978**, I, Gavin Jennings, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a lease reasonable and appropriate in the particular circumstances

and to do this will not be substantially detrimental to the use and enjoyment of any adjacent land reserved under the **Crown Land (Reserves) Act 1978**, approve the granting of a lease by the City of Greater Shepparton over part of the Shepparton Public Garden Reserve described in the Schedule below for Shepparton Brass Band activities and other community purposes, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

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

SCHEDULE

The land shown by orange colour on the image plan as attached to Department of Sustainability and Environment File No. RS4942, being part of the land temporarily reserved as a Public Garden by Orders in Council of 10 September 1883, page 2124, and 11 November 1884, page 3129.

Rs4942

Dated 17 September 2009

GAVIN JENNINGS MLC
Minister for Environment and Climate Change

Education and Training Reform Act 2006

NOTICE OF MAKING OF ORDER UNDER SECTION 2.3.2

An Order of the Minister for Education was made on 26 September 2009 under sections 2.3.2(1), 2.3.2(6) and 2.3.2(7) of the **Education and Training Reform Act 2006** dissolving Oakwood Park Primary School Council and Yarraman Park Primary School Council and constituting a school council for a Government school at Liege Avenue, Noble Park, named Yarraman Oaks Primary School.

BRONWYN PIKE, MP
Minister for Education

Education and Training Reform Act 2006

NOTICE OF MAKING OF ORDER UNDER SECTION 2.3.2

An Order of the Minister for Education was made on 26 September 2009 under sections 2.3.2(1), 2.3.2(6) and 2.3.2(7) of the **Education and Training Reform Act 2006**, dissolving Woodglen Primary School Council and Lindenow Primary School Council and constituting a school council for a Government school at Henry Street, Lindenow, and Woodglen Road, Woodglen named Lindenow Primary School.

BRONWYN PIKE, MP
Minister for Education

CORRIGENDUM

Gambling Regulation Act 2003

SECTION 3.2.4

Determination by the Victorian Commission for Gambling Regulation of the Maximum Permissible Number of Gaming Machines Available for Gaming in Municipal Districts

In Government Gazette S334 dated 25 September 2009 on page 1, the entry for Brimbank City should have been accompanied by an asterisk, meaning that the maximum permissible number of gaming machines only applies to the part of Brimbank City not covered by a Regional Cap.

PETER COHEN
Executive Commissioner

Gambling Regulation Act 2003

SECTION 5.3.19

Amendment of the Category 2 Public Lottery Licence

Notice is given that, in accordance with section 5.3.19 of the **Gambling Regulation Act 2003**, I have amended the Category 2 Public Lottery Licence awarded to Intralot Australia Pty Ltd on 24 October 2007.

Annexure A of the Category 2 Public Lottery Licence has been amended to include 'Internet' as an Approved Distribution Approach/Point of Sale for the authorised lottery Keno 10/20/70, effective 25 September 2009.

Copies of the amendment are available from the Victorian Commission for Gambling Regulation website at www.vcgr.vic.gov.au

Dated 24 September 2009

HON TONY ROBINSON MP
Minister for Gaming

Grain Handling and Storage Act 1995

NOTICE OF DETERMINATION OF THE MINISTER OF FINANCE OF VICTORIA UNDER SECTION 24

Pursuant to section 24 of the **Grain Handling and Storage Act 1995** ('the Act'), I, Tim Holding MP, Minister for Finance, WorkCover and the Transport Accident Commission for the State of Victoria, having considered the recommendation of the Essential Services Commission in the Review of Victorian Grain Handling and Storage Access Regime Final Report May 2009, hereby determine that the grain handling and storage facilities at the Port of Melbourne, the Port of Geelong and the Port of Portland will cease to be significant infrastructure facilities on 1 October 2009.

Dated 28 September 2009

TIM HOLDING MP
Minister for Finance, WorkCover
and the Transport Accident Commission

Land Acquisition and Compensation Act 1986

FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of Lot 1 on Plan of Subdivision 314054B, Parish of Burgoyne, comprising 3353 square metres and being part of the land described in Certificate of Title Volume 10590 Folio 821, shown as E1 on Plan 137_10590_821.

Interest Acquired: That of Norman Patrick Hargreaves and Shirley Maureen Dare and all other interests.

Published with the authority of Melbourne Water Corporation.

Dated 1 October 2009

For and on behalf of Melbourne Water
ROB SKINNER
Managing Director
Melbourne Water

Land Acquisition and Compensation Act 1986

FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of Lot 1 and 2 on Plan of Subdivision 604590J, Parish of Killingworth, comprising 1.2146 hectares and being part of the land described in Certificates of Title Volume 11124 Folio 693 and Volume 11124 Folio 694, shown as E1 on Plan 14_2_11124_693 and 14_11124_694.

Interest Acquired: That of Raymond Arthur Hipwell and all other interests.

Published with the authority of Melbourne Water Corporation.

Dated 1 October 2009

For and on behalf of Melbourne Water
ROB SKINNER
Managing Director
Melbourne Water

Land Acquisition and Compensation Act 1986

FORM 7

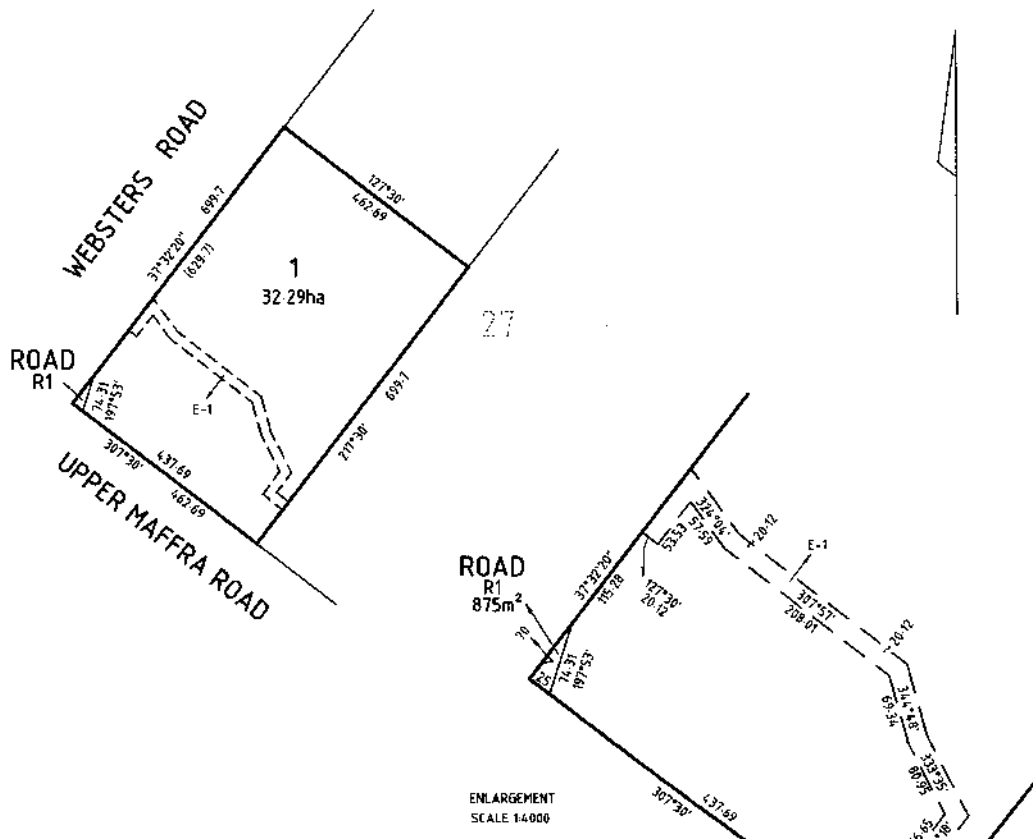
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Wellington Shire Council declares that by this Notice it acquires part of the land contained in Certificate of Title Volume 4621 Folio 031 and marked R1 on the attached plan.

Interest acquired: That of Trevor Graham Coster and Thelma May Coster and all and any interests.



Published with the authority of the Wellington Shire Council, 70 Foster Street, Sale 3850.
Dated 24 September 2009

JOHN HIRT
For and on behalf of the
Wellington Shire Council

Land Acquisition and Compensation Act 1986

FORM 7

S. 21
Reg. 16

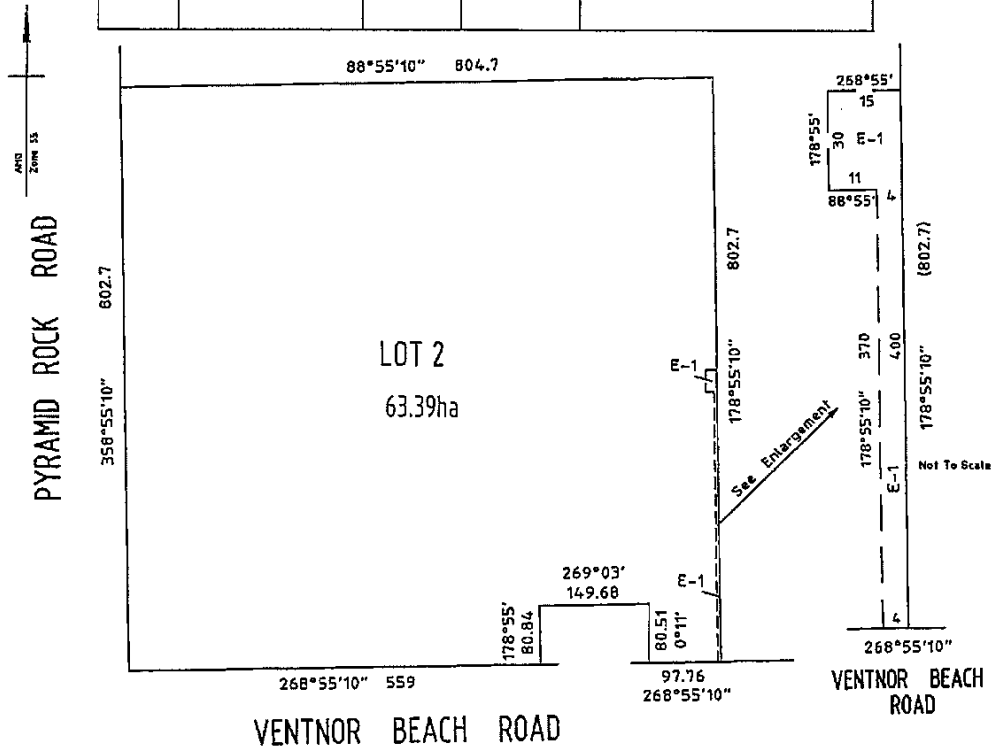
Notice Of Acquisition

Compulsory Acquisition Of Interest In Land

Westernport Region Water Corporation declares that by this notice it acquires the following interest in the part of the land described as 143 Pyramid Rock Road, Ventnor, Victoria 3922, being part of the land in Certificate of Title Volume 10401 Folio 107:

An easement of sewerage and carriageway over the part of the land described above which is shown marked E-1 on the plan below.

| A - Appurtenant Easement | | E - Encumbering Easement | | R - Encumbering Easement (Road) | |
|--------------------------|--------------------------|--------------------------|-----------|--------------------------------------|--|
| Easement Ref: | Purpose | Width (metres) | Origin | Land Benefited / In Favour Of | |
| E - 1 | Sewerage and Carriageway | See Plan | This Plan | Westernport Region Water Corporation | |



Published with the authority of Westernport Region Water Corporation.
Dated 1 October 2009

For and on behalf of the
Westernport Region Water Corporation

Occupational Health and Safety Act 2004NOTICE OF PROPOSAL
TO MAKE GUIDELINES

Section 13

Pursuant to section 13 of the **Occupational Health and Safety Act 2004** (OHS Act), notice is given of a proposal to make two guidelines under section 12 of the OHS Act. A guideline is called a 'WorkSafe Position' and states the way in which, in the opinion of WorkSafe Victoria (the trading name of the Victorian WorkCover Authority), the OHS Act or the regulations made under the OHS Act apply.

WorkSafe Positions are intended to provide certainty to dutyholders. They apply to any person who has duties to ensure health and safety under Part 3 of the OHS Act.

The WorkSafe Positions being proposed are:

How WorkSafe applies the law in relation to discrimination on health and safety grounds

This WorkSafe Position sets out WorkSafe's view on the application of section 76 of the OHS Act which prohibits discrimination by an employer against an employee or prospective employee on grounds that relate to health and safety.

How WorkSafe applies the law in relation to the requirement to answer questions

This WorkSafe position sets out WorkSafe's view on the application of section 100(1)(c) of the OHS Act which requires a person at a place to answer questions put to them by a WorkSafe inspector.

Public comment

Comment from the public is invited on the two WorkSafe Positions. Copies of the documents can be obtained by contacting the WorkSafe Advisory Service on 1800 136 089, visiting the WorkSafe website, worksafe.vic.gov.au, or emailing publications@worksafe.vic.gov.au

The public comment period is from 2 October to 30 October 2009.

Written submissions or comments on the proposed guidelines may be made to WorkSafe up to close of business on 30 October 2009. Submissions forwarded or postmarked beyond that date may not be considered. All submissions and comments will be treated as public documents unless specifically and clearly identified as being confidential.

Submissions can be emailed to worksafepositions@worksafe.vic.gov.au or mailed to:

Public Comment
Manager, Information and Guidance Branch
WorkSafe Victoria
GPO Box 4306
Melbourne, Victoria 3001

Enquiries about the WorkSafe Positions should be directed to the WorkSafe Advisory Service on 1800 136 089 during office hours (8.30 am to 5.00 pm).

GREG TWEEDLY
Chief Executive
Victorian WorkCover Authority

Road Safety Act 1986

MT BULLER SPRINT 2009

Under section 68(3) of the **Road Safety Act 1986**, I declare that sub-sections (1) and (2) of section 68 of the Act shall not apply with respect to the event known as the Mt Buller Sprint 2009, on the Mt Buller Road between Mirimbah and Mt Buller Village, from 4 December 2009 to 6 December 2009.

Dated 24 September 2009

GRAHAM FREESTONE
Regional Director
VicRoads – North Eastern Victoria
Delegate of the Minister for Roads and Ports

INTERIM CREDITING RATE FOR
STATE SUPERANNUATION FUND FROM
21 SEPTEMBER 2009

For the purposes of the sub-sections 46(1) and 58(1) of the **State Superannuation Act 1988**, sub-section 35(1) of the **Transport Superannuation Act 1988** and sub-section 37(1) of the **State Employees Retirement Benefits Act 1979**, the Emergency Services Superannuation Board has determined an annual rate of 0.00% to be applied as an interim crediting rate on exits on or after 21 September 2009.

MICHAEL DUNDON
CEO

Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Forests (Licences and Permits) Regulations 2009

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the Forests (Licences and Permits) Regulations 2009.

The objectives of the proposed Forests (Licences and Permits) Regulations 2009 are to prescribe certain offences in reserved forests, and to set appropriate terms and conditions for licences and permits that are issued under section 52 of the **Forests Act 1958**.

The proposed Regulations are largely a remaking of the existing Forests (Licences and Permits) Regulations 1999, with the inclusion of the offences contained in the Forests (Miscellaneous) Regulations 2000. The intent of the remaking is to simplify and modernise the Regulations, while keeping their general intent.

The RIS discusses potential options to achieve the desired outcomes in relation to the sustainable management of forests. The analysis concludes that the proposed Regulations impose the greatest direct or financial costs on the relevant small businesses, however the burden is small and is justifiable and necessary to ensure the appropriate management of forests.

Copies of the RIS and the proposed regulations may be obtained by contacting the Department of Sustainability and Environment on telephone (03) 9637 9762 between 9.00 am and 5.00 pm weekdays. The RIS is also available on DSE's website at www.dse.vic.gov.au/forests

Public comments are invited on the RIS and accompanying regulations. All comments must be in writing and must be received by no later than 5.00 pm on 28 October 2009. All submissions will be treated as public documents.

The preferred method of submission is by email to licence.regulations@dse.vic.gov.au. Submissions can also be mailed to:

Forest Regulations Review
Forests and Parks Division
Department of Sustainability and Environment
Level 3, 8 Nicholson Street
East Melbourne, Victoria 3002

Dated 26 September 2009

GAVIN JENNINGS MLC
Minister for Environment and Climate Change

Treasury Corporation of Victoria Act 1992NOTICE OF DETERMINATION OF THE TREASURER OF VICTORIA
UNDER SECTION 8(1)(K)

To: Treasury Corporation of Victoria, Level 12, 1 Collins Street, Melbourne, Victoria 3000.

Pursuant to section 8(1)(k) of the **Treasury Corporation of Victoria Act 1992**, I, John Lenders, Treasurer of Victoria, hereby give notice to Treasury Corporation of Victoria (TCV) of my determination that the functions of TCV include to carry out such functions or provide such financial or other services for the State of Victoria (State) in relation to the State's liabilities or financial assets in relation to the Victorian Desalination Project (Project) by way of:

- (a) the provision of the following facilities (TCV Facilities) to AquaSure Finance Pty Ltd (Borrower) in connection with the Project:
 - (i) a Credit Guarantee Facility;
 - (ii) a Co-Funding Facility;
 - (iii) a SFP Refinancing Guarantee Facility (Refinancing Guarantee Facility); and
 - (iv) a SFP Syndication Guarantee Facility (Syndication Guarantee Facility);
 - (v) a SFP HVAC Financing Facility; and
 - (vi) a SFP HVAC Guarantee Facility (HVAC Guarantee Facility); and
- (b) the giving of a guarantee of, and indemnity in relation to, the obligations of:
 - (i) the Borrower, AquaSure Finance Hold Co. Pty Ltd, AquaSure Finance No. 2 Pty Ltd (Finance Co. No. 2), AquaSure Holdings Pty Ltd and AquaSure Pty Ltd in favour of certain beneficiaries pursuant to the Refinancing Guarantee Facility;
 - (ii) Finance Co. No. 2 in favour of certain beneficiaries pursuant to the Syndication Guarantee Facility; and
 - (iii) Finance Co. No. 2 in favour of certain beneficiaries pursuant to the HVAC Guarantee Facility,(collectively, TCV Guarantees and together with the TCV Facilities, the Relevant Arrangements);
- (c) doing all other things necessary or convenient to be done for or in connection with, or as incidental to, the performance of TCV's obligations in relation to the Relevant Arrangements and the transactions contemplated by the Relevant Arrangements to ensure the performance of TCV's function of providing financial or other services to the State in relation to the State's liabilities or financial assets in connection with the Project.

Dated 31 August 2009

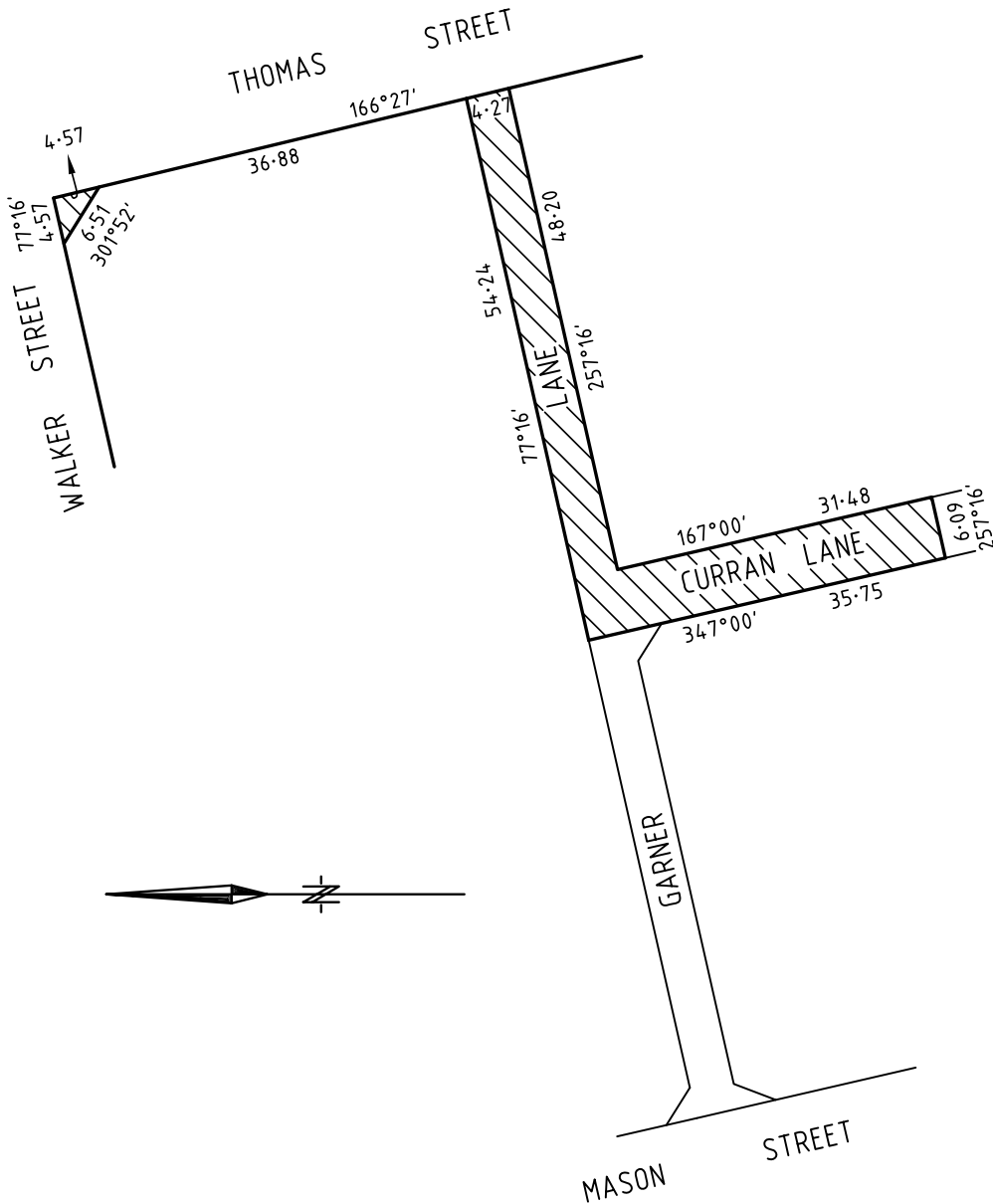
JOHN LENDERS
Treasurer

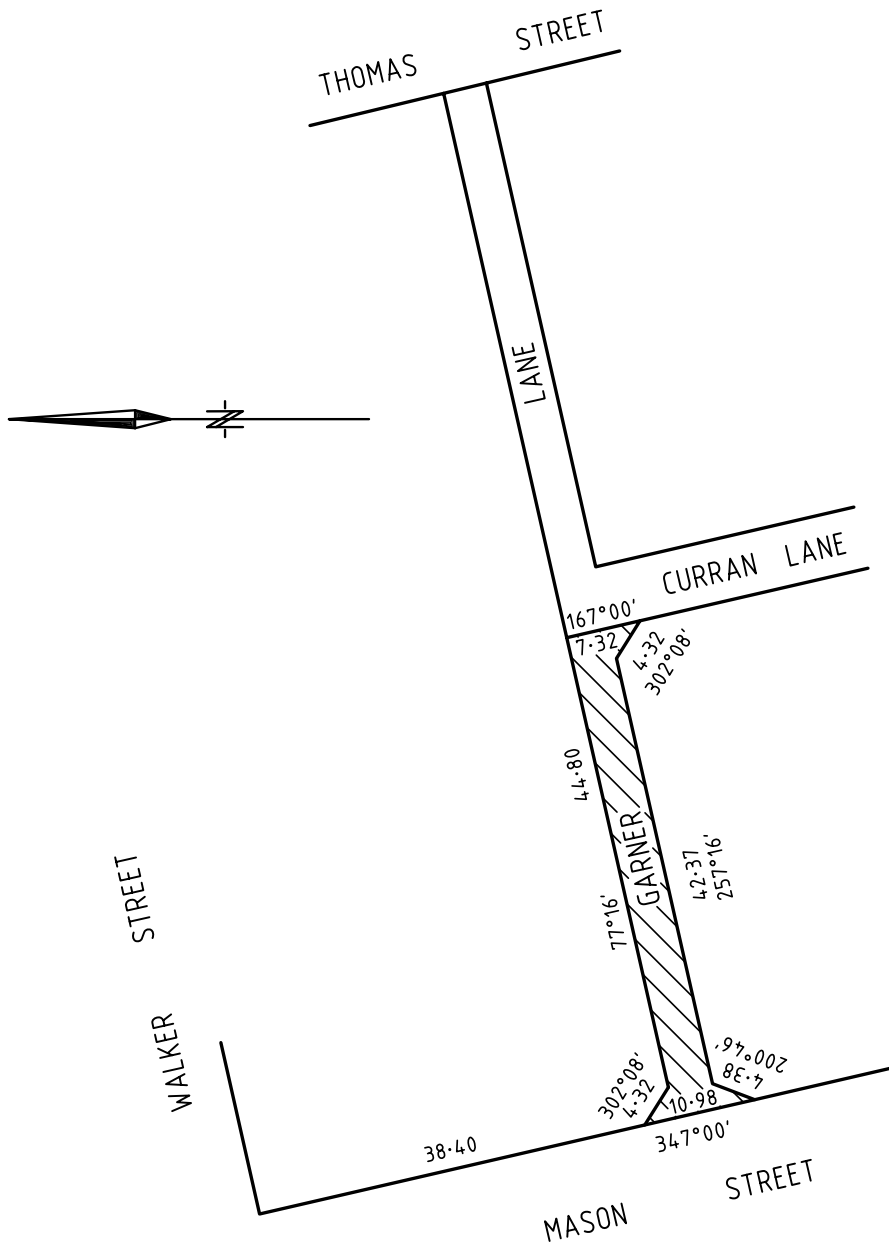
Victorian Urban Development Authority Act 2003
REVITALISING CENTRAL DANDENONG ROAD CLOSURES

Section 54 of the **Victorian Urban Development Authority Act 2003** requires the Authority to publish information about road closures required for redevelopment in central Dandenong.

The following roads will be closed from the date of the publication:

- Garner Lane between Curran Lane and Thomas Street;
- Curran Lane (part) from Garner Lane to the rear of 135 Thomas Street;
- Triangle of land at the south-west corner of Walker and Thomas Streets;
- Garner Lane between Mason Street and Curran Lane.





If you require access to the associate road closure plans, contact the Revitalising Central Dandenong One-Stop-Shop on 03 8317 3566 for more information. www.revitalisingcentraldandenong.com

Water Act 1989**ORDER FOR AMENDMENT OF TRADING RULES FOR DECLARED WATER SYSTEMS
(INCLUSION OF SECTION 33AO IN 4% LIMIT)**

I, Tim Holding, Minister for Water, in accordance with section 33AZ(2) of the **Water Act 1989**, make the following Order to amend the Trading Rules for Declared Water Systems:

1. For Rule 25, substitute –

‘25. (1) An application to revoke the association of a water share of a certain reliability class with land in any of the irrigation areas set out in Schedule 5, whether as a dealing by itself or as part of a transfer of the water share, may be refused, if the approval of the revocation or the transfer would result in –

- (a) the total volume of water shares of that reliability class that had been associated, or would have been associated but for the operation of section 33AO, with land in the irrigation area
 - (i) becoming disassociated during any water season by an application under this sub-rule, or
 - (ii) being transferred during any water season by an application under Rule 25(2) –

minus –

- (b) the total volume of water shares of that reliability class that had become associated with land in the irrigation area during the same water season – exceeding four per cent of the total volume of water shares of that reliability class that were associated, or would have been associated but for the operation of section 33AO, with land in that irrigation area at the beginning of that water season,

unless an exemption under Rule 25A is applicable.

(2) An application to transfer a water share of a certain reliability class which has become disassociated under section 33AO from land in any of the irrigation areas set out in Schedule 5 may be refused, if the approval of the transfer would result in –

- (a) the total volume of water shares of that reliability class that had been associated, or would have been associated but for the operation of section 33AO, with land in the irrigation area
 - (i) becoming disassociated during any water season by an application under Rule 25(1), or
 - (ii) being transferred during any water season by an application under this sub-rule –

minus –

- (b) the total volume of water shares of that reliability class that had become associated with land in the irrigation area during the same water season – exceeding four per cent of the total volume of water shares of that reliability class that were associated, or would have been associated but for the operation of section 33AO, with land in that irrigation area at the beginning of that water season,

unless an exemption under Rule 25A is applicable.’

2. After Rule 25A, insert –

- ‘25B. An application to transfer a water share must not be approved if, after the transfer, it would be associated with land with which it could not have become associated through an application under section 33AQ of the Act.
- 25C. An application to change the land with which a water share is associated must not be approved unless both an application to revoke association with the original land and an application to associate with the new land would be approved.’

This Order comes into effect on the date it is published in the Government Gazette.

Dated 25 September 2009

TIM HOLDING MP
Minister for Water

VICTORIAN WORKCOVER AUTHORITY

Exemption

On 28 September, under Regulation 7.2.2 of the Occupational Health and Safety Regulations 2007, SCA Hygiene Australia at Ailsa Street, Box Hill were granted an exemption from Regulation 3.6.2(a) of the Occupational Health and Safety Regulations 2007.

This exemption shall only apply for the period commencing 30 October 2009, or unless revoked by the Victorian Workcover Authority (VWA) in writing.

This exemption is issued with the following conditions:

1. This exemption is granted to SCA Hygiene Australia, and this exemption shall only apply to employees operating bridge and gantry cranes in Areas PM3, CW114, CW117 of the plant.
 2. In order for these employees to operate bridge and gantry cranes under this exemption, the following conditions shall be met;
 - a. Each bridge and gantry crane operator is required to be trained against the TLILIC308A – Licence to operate a bridge and gantry crane of the National Training Package.
 - b. That the competent trainer holds a current licence to perform high risk work for bridge and gantry cranes, licence code CB.
 - c. That SCA Hygiene Australia undertake six monthly in house training/re-assessment of employees in Areas PM3, CW114, CW117 who operate bridge and gantry cranes, and record that training/re-assessment evidence on their personnel file.
-

Planning and Environment Act 1987

VICTORIA PLANNING PROVISIONS

Notice of Approval of Amendment

Amendment VC58

The Minister for Planning has approved Amendment VC58 to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.

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

The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria by amending Clause 56.05–2 Residential Subdivision, Public Open Space to be consistent with the Precinct Structure Plan Guidelines. Changes to Clause 56.05–2 include new and amended public open space objectives, distribution and standards for active open space, local parks, open space links and linear parks.

The Amendment is available for public inspection on the Department of Planning and Community Development (DPCD) website, www.dpcd.vic.gov.au/planning/publicinspection

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning

and Community Development

Planning and Environment Act 1987

BASS COAST PLANNING SCHEME

Notice of Approval of Amendment

Amendment C95

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

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

The Amendment is a combined planning scheme Amendment and permit application. The Amendment rezones land at Ventnor and Justice Roads, Cowes, from Low Density Residential Zone to Residential 1 Zone and applies a Development Plan Overlay – Schedule 19. It facilitates the development and use of the site for the purpose of 195 retirement units and associated nursing home as well as conventional residential lots.

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

Permit No. 060459.

Description of land: Lot B on Plan of Subdivision 334750 and Crown Allotment 19, Parish of Phillip Island, Ventnor Road, Cowes.

The Ventnor Road Reserve adjacent to Crown Allotment 19, Parish of Phillip Island, Cowes.

A copy of the Amendment and permit can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the office of the Bass Coast Shire Council, 76 McBride Avenue, Wonthaggi.

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning

and Community Development

Planning and Environment Act 1987

BOROONDARA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C64

The Minister for Planning has approved Amendment C64 to the Boroondara Planning Scheme.

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

The Amendment updates the Schedule to the Heritage Overlay at Clause 43.01 to introduce one hundred and ninety six (196) additional heritage places.

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 and free of charge, during office hours, at the offices of the Boroondara City Council, 8 Inglesby Road, Camberwell.

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning

and Community Development

Planning and Environment Act 1987
BOROONDARA PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C104

The Minister for Planning has approved Amendment C104 to the Boroondara Planning Scheme.

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

The Amendment extends the expiration date of Schedule 8 to the Design and Development Overlay (DDO8), where it applies to Burwood Village, and Schedule 9 (DDO9), where it applies to Ashburton and Hartwell, by three months to 31 December 2009.

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 and free of charge, during office hours, at the offices of the City of Boroondara, 8 Inglesby Road, Camberwell.

PETER ALLEN
 Executive Director
 Statutory Planning Systems Reform
 Department of Planning
 and Community Development

Planning and Environment Act 1987
CARDINIA PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C136

The Minister for Planning has approved Amendment C136 to the Cardinia Planning Scheme.

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

The Amendment extends the interim controls of Clause 42.02 Schedule 3 – Interim Vegetation Control for Emerald Town Centre to 30 September 2010.

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 and

free of charge, during office hours, at the offices of the Cardinia Shire Council, Municipal Offices, Henty Way, Pakenham.

PETER ALLEN
 Executive Director
 Statutory Planning Systems Reform
 Department of Planning
 and Community Development

Planning and Environment Act 1987
KNOX PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C100

The Minister for Planning has approved Amendment C100 to the Knox Planning Scheme.

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

The Amendment rezones land at 1 and 10A Burwood Highway, Ferntree Gully, from a Public Use Zone 2 – Education, to a Residential 1 Zone, and amends the schedule to the Heritage Overlay (HO21) to identify specific buildings and that tree controls apply to the site.

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 and free of charge, during office hours, at the offices of the Knox City Council, 511 Burwood Highway, Wantirna South.

PETER ALLEN
 Executive Director
 Statutory Planning Systems Reform
 Department of Planning
 and Community Development

Planning and Environment Act 1987
MARIBYRNONG PLANNING SCHEME
 Notice of Approval of Amendment
 Amendment C80

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

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

The Amendment:

- rezones a number of parcels of land within the Footscray Station Precinct, as well as the Market site and adjacent ‘triangle site’, to Priority Development Zone (PDZ1);
- rezones a small section of road east of the ‘triangle site’ between Irving and Hopkins Streets to a Road Zone Category 2 (RDZ2);
- replaces the existing schedule to the Priority Development Zone (PDZ1) which currently applies to the land covered by the Footscray Station Precinct Development Plan (2004) with a new Schedule;
- applies the Environmental Audit Overlay to various parts of the Footscray Station Precinct and the ‘triangle site’; and
- amends the schedule to clause 61.01 to make the Minister for Planning the responsible authority for the purposes of approving a development plan and any amendments to a development plan required by clause 37.06 and prepared pursuant to Schedule 1 to the Priority Development Zone.

The land affected is known as the Footscray Station Precinct and the adjacent Market and ‘triangle’ sites. The Footscray Station Precinct includes the land covered by the Footscray Station Planning and Urban Design Framework (2009), an area bounded by Napier, Hyde, Hopkins, Irving and Nicholson Streets, Footscray. The Market and triangle sites are located to the north of Station Precinct, to the west of the intersection of Irving, Hopkins and Moore Streets.

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 and free of charge, during office hours, at the offices of the Maribyrnong City Council, Town Hall, corner Hyde and Napier Streets, Footscray.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning
and Community Development

Planning and Environment Act 1987

MONASH PLANNING SCHEME

Notice of Approval of Amendment

Amendment C87

The Minister for Planning has approved Amendment C87 to the Monash Planning Scheme.

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

The Amendment:

- rezones land at 346, 348–350 Warrigal Road and 1041–1049 Centre Road, Oakleigh South, from Industrial 1 to Business 3;
- modifies the schedule to the Business 3 Zone to limit the total floor area of office to 20,000 square metres, require restricted retail premises to have a minimum floor area of 1,000 square metres and to require a lighting shop to have a minimum floor area of 500 square metres;
- modifies the Design and Development Overlay Schedule 1 (DDO1) to require a six metre landscape buffer adjacent to the northern boundary of the site; and
- modifies Clause 22.02 to exclude the subject site from the Monash Technology Precinct Policy.

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 and free of charge, during office hours, at the offices of the Monash City Council, 293 Springvale Road, Glen Waverley.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning
and Community Development

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

Notice of Approval of Amendment

Amendment C92

The Minister for Planning has approved Amendment C92 to the Whitehorse Planning Scheme.

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

The Amendment applies to the Burwood Heights Major Activity Centre and the Former Brickworks Site at 78 Middleborough Road, Burwood East, and:

- replaces the interim local planning policies for the Burwood Heights Major Activity Centre (Clause 22.13) and the Former Brickworks Site (Clause 22.14) with updated permanent policies consistent with the findings of the adopted Burwood Heights Activity Centre Structure Plan June 2006;
- updates Schedule 1 to the Priority Development Zone (Clause 37.06) to update the controls in light of the adopted Structure Plan, the approved Development Plan and the advice of the Priority Development Panel;
- modifies the local policy Residential Development (Clause 22.03) to nominate land within and on the periphery of the Burwood Heights Major Activity Centre as appropriate for substantial change and to reduce the amount of land south-west of the intersection of Middleborough Road and Burwood Highway currently nominated for substantial change;
- updates the Schedule to the Gaming provisions (Clause 52.28–3) to correct an anomaly in the naming of the Burwood Heights Shopping Centre, Burwood East, and to prohibit gaming machines in the Burwood Square shopping complex; and
- makes consequential changes to the Municipal Strategic Statement (Clauses 21.04, 21.06, 21.07, 21.09) and the Local Planning Policy Framework (Clause 22.06).

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 and free of charge, during office hours, at the offices of the Whitehorse City Council, 379–397 Whitehorse Road, Nunawading.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning
and Community Development

Planning and Environment Act 1987

WYNDHAM PLANNING SCHEME

Notice of Approval of Amendment

Amendment C129

The Minister for Planning has approved Amendment C129 to the Wyndham Planning Scheme.

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

The Amendment modifies the Schedule to the Business 1 Zone, rezones part of the land at 225 Derrimut Road, Hoppers Crossing, from Residential 1 Zone to Business 1 Zone, applies the Development Plan Overlay Schedule 17, amends the Schedule to Clause 52.28–3 (Gaming) and updates the Schedule to Clause 81.01.

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 and free of charge, during office hours, at the offices of the Wyndham City Council, 45 Princes Highway, Werribee.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning
and Community Development

Planning and Environment Act 1987

YARRA RANGES PLANNING SCHEME

Notice of Approval of Amendment

Amendment C82

The Minister for Planning has approved Amendment C82 to the Yarra Ranges Planning Scheme.

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

The Amendment:

- rezones the subject site from a Green Wedge Zone to a Special Use Zone;
- introduces a new schedule 8 to the Special Use Zone to implement a master plan that provides for the staged future development of the school;

- includes the school in the schedule to clause 57; and
- includes the master plan as an incorporated document.

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 and free of charge, during office hours, at the offices of the Yarra Ranges Shire Council, Anderson Street, Lilydale.

PETER ALLEN
Executive Director
Statutory Planning Systems Reform
Department of Planning
and Community Development

ORDERS IN COUNCIL

County Court Act 1958

ORDER UNDER SECTION 28 REVOKING COUNTY COURT (BAILIFF'S FEES) DIRECTION 2009

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, under section 28 of the **County Court Act 1958**, revokes the County Court (Bailiff's Fees) Direction 2009, dated 23 June 2009. This Order is effective from 1 October 2009.

Dated 29 September 2009

Responsible Minister

ROB HULLS MP

Attorney-General

MATTHEW McBEATH
Acting Clerk of the Executive Council

Parish of Nunawading; Crown Allotment 2063, Parish of Ringwood; and Crown Allotments 2071, 2072, 2074, 2075, 2076 and 2079, Parish of Warrandyte as shown coloured pink and green on Plan No. LEGL./09-227 lodged in the Central Plan Office of the Department of Sustainability and Environment.

File Ref: 2018205/1

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

Dated 29 September 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and

Climate Change

MATTHEW McBEATH
Acting Clerk of the Executive Council

Crown Land (Reserves) Act 1978

RESERVATION OF LAND – ADDITION TO MULLUM MULLUM PARK

Order in Council

The Lieutenant-Governor as the Governor's deputy, with the advice of the Executive Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which in his opinion is required for the purpose mentioned:

NUNAWADING – Protection of Natural Features, total area 8.7 hectares, more or less, being Crown Allotments 2058, 2085, and 2086, Parish of Nunawading as shown coloured pink and green on Plan No. LEGL./09-225 lodged in the Central Plan Office of the Department of Sustainability and Environment;

NUNAWADING and WARRANDYTE – Protection of Natural Features, total area 3.3 hectares, more or less, being Crown Allotments 2060, 2064, and 2087, Parish of Nunawading; and Crown Allotments 2070, 2098 and 2099, Parish of Warrandyte as shown coloured pink and green on Plan No. LEGL./09-226 lodged in the Central Plan Office of the Department of Sustainability and Environment; and

NUNAWADING, RINGWOOD and WARRANDYTE – Protection of Natural Features, total area 3.9 hectares, more or less, being Crown Allotments 2065, 2066, and 2067,

Project Development and Construction Management Act 1994

ORDER UNDER SECTION 18 REQUIRING A PUBLIC BODY TO SURRENDER LAND

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, in accordance with section 18(1) of the **Project Development and Construction Management Act 1994** ('the Act'), on the recommendation of the Minister for Roads and Ports and the Minister for Water, given in accordance with section 18(6) of the Act, requires that the Melbourne Water Corporation surrender all of the land contained in Certificates of Title Volume 10169 Folio 380 and Volume 9498 Folio 338 and the land contained in parcels 7 and 8 on Survey Plan 21766, parcel 42 on Survey Plan 21768, parcels 102, 103 and 104 on Survey Plan 21771, parcel 2 on Survey Plan 21815, parcel 12 on Survey Plan 21816 and parcels 880A and 880B on Survey Plan 21824A to the Crown.

Dated 29 September 2009

Responsible Minister

TIM PALLAS MP

Minister for Roads and Ports

MATTHEW McBEATH
Acting Clerk of the Executive Council

Rail Corporations Act 1996
ORDER UNDER SECTION 38D

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, acting under section 38D of the **Rail Corporations Act 1996** (the Act), orders that Metro Trains Melbourne Pty Ltd (ACN 136 429 948) (Metro) is, on and from the date of this Order, declared to be an access provider within the meaning given to that term in Part 2A of the Act.

Dated 29 September 2009

Responsible Minister

LYNNE KOSKY MP

Minister for Public Transport

MATTHEW McBEATH

Acting Clerk of the Executive Council

3. Under section 2(2D) of the Act, that KDR Victoria Pty Ltd (ACN 138 066 074) (Yarra Trams) is, on and from the date of this Order, declared to be a tram operator for the purposes of section 9 of the Act.

Dated 29 September 2009

Responsible Minister

LYNNE KOSKY MP

Minister for Public Transport

MATTHEW McBEATH

Acting Clerk of the Executive Council

Transport Act 1983

ORDERS UNDER SECTIONS 2(2A), 2(2C)
AND 2(2D)

Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council, acting under the sections of the **Transport Act 1983** (the Act) specified below, makes the following Orders:

1. Under section 2(2A) of the Act, that each of the following bodies corporate is, on and from the date of this Order, declared to be a passenger transport company for the purposes of the Act:
 - (a) Metro Trains Melbourne Pty Ltd (ACN 136 429 948) (Metro); and
 - (b) KDR Victoria Pty Ltd (ACN 138 066 074) (Yarra Trams).
2. Under section 2(2C) of the Act, that Metro Trains Melbourne Pty Ltd (ACN 136 429 948) (Metro) is, on and from the date of this Order, declared to be a train operator for the purposes of sections 9, 10 and 12 of the Act.

Education and Training Reform Act 2006
APPOINTMENT OF ACTING CHAIRPERSON OF THE
VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY
Order in Council

The Lieutenant-Governor, as the Governor's Deputy, with the advice of the Executive Council under section 2.5.6(2) of the **Education and Training Reform Act 2006**, appoints Mr John Maddock as Chairperson of the Victorian Curriculum and Assessment Authority.

The terms and conditions of the appointment are contained in the attached Schedule.

Dated 29 September 2009

Responsible Minister

HON BRONWYN PIKE MP

Minister For Education

MATTHEW McBEATH
Acting Clerk of the Executive Council

Education and Training Reform Act 2006
APPOINTMENT OF ACTING CHAIRPERSON OF THE
VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY
Schedule to the Order in Council

1. Appointment Arrangements

Under section 2.5.6(4) of the **Education and Training Reform Act 2006** (the Act), the appointment is on a part-time basis.

2. Period of Appointment

The appointment is for three months from the date of this Order (both dates inclusive).

3. Duties and responsibilities of the position

The functions of the Authority are contained in section 2.5.3 of the Act and are, in summary, to develop policies, criteria and standards for curriculum, assessments and courses for school students, including courses leading to recognised qualifications.

4. Termination Arrangements

Section 2.5.6(5) of the Act states that a member may resign from office by delivering to the Governor in Council a signed letter of resignation. Section 2.5.6(6) states that the Governor in Council may at any time remove a member from office.

5. Payment Provisions

Schedule 2, item 3(1) of the Act states that a member or acting member of an authority, other than a member who holds a full-time Government office, or a full-time position in the public service, teaching service or with a statutory authority (other than a university) is entitled to receive the remuneration and fees that are fixed in the member's instrument of appointment or are fixed from time to time by the Governor in Council for that member. Mr Maddock, a full-time EO of a statutory body, is not eligible for remuneration.

6. Superannuation Obligations

Not applicable.

7. Travel and Personal Expenses arrangements

Schedule 2, item 3(2) of the Act states that each member or acting member of an authority is entitled to receive the personal and travelling expenses that are fixed in the member's instrument of appointment or are fixed from time to time by the Governor in Council. Expenses will be paid in accordance with public service guidelines.

8. Leave Arrangements

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

9. Prior Service

Not applicable.

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

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

| | |
|-------------------------------|---|
| 107. <i>Statutory Rule:</i> | Guardianship and Administration (Fees) Amendment Regulations 2009 |
| <i>Authorising Act:</i> | Guardianship and Administration Act 1986 |
| <i>Date first obtainable:</i> | 29 September 2009 |
| <i>Code A</i> | |
| 108. <i>Statutory Rule:</i> | Gambling Regulation Amendment (Fees) Regulations 2009 |
| <i>Authorising Act:</i> | Gambling Regulation Act 2003 |
| <i>Date first obtainable:</i> | 29 September 2009 |
| <i>Code A</i> | |
| 109. <i>Statutory Rule:</i> | Supreme Court (Chapter I Amendment No. 15) Rules 2009 |
| <i>Authorising Act:</i> | Supreme Court Act 1986 Coroners Act 2008 |
| <i>Date first obtainable:</i> | 1 October 2009 |
| <i>Code A</i> | |

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