

# Victoria Government Gazette

By Authority of Victorian Government Printer

**No. G 46 Thursday 12 November 2009**

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**GENERAL**

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As from 12 November 2009

The last Special Gazette was No. 409 dated 10 November 2009.

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

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**How To Submit Copy**

- See our webpage [www.gazette.vic.gov.au](http://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)
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**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)  
CHRISTMAS PERIOD 2009**

**PLEASE NOTE:**

**A General Gazette will NOT be published on Thursday 31 December 2009.**

**Where urgent gazettal is required from Monday 28 December 2009 through to Thursday 31 December 2009, a Special Gazette can be published.**

The final Victoria Government Gazette (General) for 2009 (G52/09) will be published on **Thursday 24 December 2009.**

**Copy deadlines:**

Private Advertisements **9.30 am on Friday 18 December 2009**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Monday 21 December 2009**

**Office Hours:**

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

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)  
NEW YEAR WEEK 2010**

**Please Note:**

The Victoria Government Gazette (General) for New Year week (G1/10) will be published on **Thursday 7 January 2010.**

**Copy deadlines:**

Private Advertisements **9.30 am on Monday 4 January 2010**

Government and Outer

Budget Sector Agencies Notices **9.30 am on Monday 4 January 2010**

**Office Hours:**

The Victoria Government Gazette Office is open during normal office hours over the holiday period, i.e. 8.30 am to 5.30 pm Monday to Friday, excluding public holidays.

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**

**Our contact details are as follows:**

Victoria Government Gazette Office  
Level 5, 460 Bourke Street  
Melbourne, Victoria 3000

PO Box 1957  
Melbourne, Victoria 3001

DX 106 Melbourne

Telephone: (03) 8523 4601  
Fax: (03) 9600 0478  
Mobile (after hours): 0419 327 321

Email: [gazette@bspvg.com.au](mailto:gazette@bspvg.com.au)  
Website: [www.gazette.vic.gov.au](http://www.gazette.vic.gov.au)

JENNY NOAKES  
Government Gazette Officer

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## PRIVATE ADVERTISEMENTS

### DISSOLUTION OF PARTNERSHIP

The partnership of Bronwyn Jane Arnold and Christine Louise Moran, trading as Homestyle Divas, will be dissolved as of 31 December 2009.

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WALTER HAROLD LARSEN, late of Barwidgee Lodge, O'Donnell Avenue, Myrtleford in the State of Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 September 2009, are required to send particulars thereof to the executors, care of the undermentioned solicitors, on or before 15 January 2010, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

BECKWITH CLEVERDON REES, solicitors,  
294 Collins Street, Melbourne 3000.

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Re: Estate of WAYNE ALFRED CARRA, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of WAYNE ALFRED CARRA, late of 1366 Rosebery–Rainbow Road, Beulah, Victoria, farmer, deceased, who died on 5 August 2009, are to send particulars of their claim to the executrix, care of the undermentioned legal practitioners, by 11 January 2010, after which the executrix 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.

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Re: EDO SERGIO LUIGI TRAVAGLIA, also known as Edo Travaglia, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 August 2009, are required by the trustee, Kristina Robbyn Blake, care of Featherbys Lawyers, 14 Ninth Avenue, Rosebud, Victoria, home duties, to send particulars to the

trustee by 12 January 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

FEATHERBYS, lawyers,  
14 Ninth Avenue, Rosebud 3939.

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IMMACOLATA D'AGOSTINO, late of 187 Bell Street, Coburg 3058, in the State of Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 11 September 2009, are required by Bruno D'Agostino, the executor of the said estate, to send particulars by 20 January 2010, to his solicitors Gullaci & Gullaci, of 158 Bell Street, Coburg, Victoria 3058, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated 2 November 2009

GULLACI & GULLACI, solicitors,  
158 Bell Street, Coburg, Victoria 3058.

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Re: QUENTIN MARIE BLEW, late of Unit 10, 199 Auburn Road, Hawthorn, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 14 September 2009, are required by the executor, Beverley Mary Jessop, to send particulars of their claims to the personal representative, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the personal representative will distribute the assets, having regard only to those claims of which she then has notice.

JESSOP & KOMESAROFF PTY, solicitors,  
6 Ormond Road, Elwood 3184.

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Re: OLIVER JANES PETELINC, late of Unit 7, 651 Princes Highway, Sutherland, New South Wales 2232, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 September 2009, are required

by the trustees, Karen Knebel-Petelinc and Anuschka Karenina Toal to send particulars to the trustees, care of the undermentioned lawyers, by 5 February 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

KLOOGER FORBES HASSETT, lawyers,  
Level 1, 1395 Toorak Road, Camberwell 3124.

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Re: VIOLA CAROLINE MYERS, late of 180 Princess Street, Kew, Victoria 3101.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 May 2009, are required by the trustees, Perpetual Trustees Victoria Limited of Level 28, 360 Collins Street, Melbourne, Victoria, the executor named in the Will, to send particulars to the trustees by 11 January 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

MADDOCKS, lawyers,  
140 William Street, Melbourne 3000.

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Re: ROBERT JAMES GARDNER, late of 7 Fontayne Court, Frankston South, in the State of Victoria, accountant, deceased.

Creditors, next-of-kin and others having claim in respect of the estate of the deceased, who died on 2 June 2009, are required by the trustee, Robyn Gardner, care of Meier Denison Guymer Pty Ltd, 1/454 Nepean Highway, Frankston 3199, to send particulars to her by 12 January 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

MEIER DENISON GUYMER PTY LTD,  
solicitors,  
1/454 Nepean Highway, Frankston 3199.

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NOTICE PURSUANT TO  
SECTION 33 **TRUSTEE ACT 1958**

WILLIAM STANLEY CRAWFORD, late of 170 Mountainview Road, Briar Hill, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who was found dead on 24 June 2009, are required by the trustees, Joseph Giammario and

Mark Kenneth Steele, of Suite 1, 1st Floor, corner Grimshaw and Church Streets, Greensborough, in the State of Victoria, to send particulars to them by 22 January 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

Dated 4 November 2009

M. K. STEELE & GIAMMARIO,  
barristers and solicitors,  
Suite 1, 1st Floor,  
corner Grimshaw and Church Streets,  
Greensborough 3088.

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Re: CATHERINE ANNIE McROBERTS, late of 5 Maryvale Crescent, Morwell, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 January 2009, are required by the executors, Phillip Wesley McRoberts of 2 Moira Street, Morwell, Victoria, director, and Daniel Leslie Minogue of 431 Riversdale Road, Hawthorn East, Victoria, solicitor, to send particulars to them, care of the undersigned, by 12 January 2010, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

RENNICK & GAYNOR, solicitors,  
431 Riversdale Road, Hawthorn East,  
Victoria 3123.

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Re: PETER JOHN HENDERSON, late of 3 Hope Court, Doncaster East, Victoria, owner/operator, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by Aileen Beatrice Henderson, the executor of the estate of the said deceased, to send particulars of such claims to her, care of the undermentioned solicitors, by the date being two calendar months from the date of this advertisement, after which date they will distribute the estate, having regard only to the claims of which they then have notice.

RYAN, MACKEY & McCLELLAND, solicitors,  
65 Main Street, Greensborough 3088.

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Re: PATRICIA LESLEY MORRISSY, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by Claire Susan Morrissy and Dane Michael Morrissy, the executors of the estate of the said deceased, to send particulars of such claims to them, care of the undermentioned solicitors, by the date being two calendar months from the date of this advertisement, after which date they will distribute the estate, having regard only to the claims of which they then have notice.

RYAN, MACKAY & McCLELLAND, solicitors, 65 Main Street, Greensborough 3088.

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Re: MARK ROBBINS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 July 2009, are required by the deceased's personal representatives, Kevin Harlow Robbins and Irene Margaret Kenneady, to send particulars to the personal representatives by 21 January 2010, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

SLM LAW, lawyers, 119 Murray Street, Colac 3250.

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EDWARD ALAN BRANSON, late of 7 Boxmoor Court, Mount Eliza, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 August 2009, are required by the executor, Hazel Branson of 7 Boxmoor Court, Mount Eliza, to send particulars to her, care of Stidston & Williams Weblaw, by 9 January 2010, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

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

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Re: HELEN SARAH BOWLES, late of Bupa Care Services, 349-351A North Road, Caulfield South, Victoria, widow, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 March 2009, are required by the executor, Gayle Maree Bullen, to send particulars to her, care of the undermentioned solicitors, by 15 January 2010, after which date the executor may convey and distribute the assets, having regard only to the claims of which she then has notice.

TRAGEAR & ASSOCIATES PTY, solicitors, 1/23 Melrose Street, Sandringham, Victoria 3191.

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Re: DESIREE ANGELA PARKER, late of Unit 2, 36 Anderson Road, Hawthorn East, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 3 August 2008, are required to send particulars of their claims to the administrator, care of GPO Box 1946, Melbourne, Victoria 3001, by 5 February 2010, after which date the administrator 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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In the Supreme Court of the State of Victoria  
SALE BY THE SHERIFF

On Wednesday 16 December 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Charles Guy Coleiro of 16 Glastonbury Circuit, Point Cook, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09372 Folio 680, upon which is erected a residential dwelling known as Unit 8, 130 Williams Road, Prahran, and Volume 09372 Folio 689 which is an accessory unit (car park) know as Unit 17, 130 Williams Road, Prahran.

Registered Mortgage No. AC168126Y affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090033759

K. GRIFFIN  
Sheriff's Office  
Phone (03) 9947 1539

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

On Wednesday 16 December 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Jim (Gennaro) Dinuccio of 4 Bloxham Court, Hoppers Crossing, as shown on Certificate of Title as Gennaro Dominic Dinuccio, joint proprietor with Innocenza Patricia Dinuccio of an estate in fee simple in the land described on Certificate of Title Volume 09720 Folio 565, upon which is erected a residential dwelling house known as 4 Bloxham Court, Hoppers Crossing.

Registered Mortgage No. AG583419G affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards Only/No Credit Cards)/bank cheque or solicitors trust account cheque.

Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW090037026

K. GRIFFIN  
Sheriff's Office  
Phone (03) 9947 1539

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

On Wednesday 16 December 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Sylvia Lim Siok Won of Unit 8, 52–54 Duke Street, Windsor, sole proprietor of an estate in fee

simple in the land described on Certificate of Title Volume 09216 Folio 513 upon which is erected a residential dwelling known as Unit 8, 52–54 Duke Street, Windsor, and Volume 09216 Folio 521 which is an accessory unit (car park) know as Unit 16, 52–54 Duke Street, Windsor.

Registered Caveat No. V960809M affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090055341

K. GRIFFIN  
Sheriff's Office  
Phone (03) 9947 1539

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

On Wednesday 16 December 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Adam John Liddell of 15 Macey Street, Croydon South, joint proprietor with Kellie Ann Liddell of an estate in fee simple in the land described on Certificate of Title Volume 08238 Folio 526 upon which is erected a residential dwelling known as 15 Macey Street, Croydon South.

Registered Mortgage No. AB651665G affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090039567

K. GRIFFIN  
Sheriff's Office  
Phone (03) 9947 1539



In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Wednesday 16 December 2009 at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Kristine Joy Small of 9 Holstein Court, Rowville, joint proprietor with Daryl John Small, of an estate in fee simple in the land described on Certificate of Title Volume 09618 Folio 736, upon which is erected a residential dwelling known as 9 Holstein Street, Rowville.

Registered Mortgage No. T918702V, Mortgage No. AC639370N, Covenant (as to whole or part of the land) in Instrument No. L955636S, Caveat No. AC996478V and Caveat No. AG465501H affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque.

Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090003300

K. GRIFFIN  
Sheriff's Office  
Phone (03) 9947 1539

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**GOVERNMENT AND OUTER BUDGET  
SECTOR AGENCIES NOTICES**CITY OF  
BALLARAT

Road Discontinuance – Part of Lucas Lane, Cardigan

Schedule 10(3)(a) **Local Government Act 1989**

Notice is hereby given that Ballarat City Council, at its Ordinary Meeting of Wednesday 28 October 2009, resolved to discontinue part of Lucas Lane, Cardigan, as shown in the cross-hatched part of the illustration below. This resolution followed a public consultation process consistent with the requirements of section 223 of the **Local Government Act 1989**.

It is proposed to advise the Department of Sustainability and Environment of this resolution so that they may arrange for the discontinued section of road to be incorporated into the adjacent Winter Swamp Reserve. The Ballarat Environment Network currently serves as Committee of Management for that Reserve.

Any inquiries in relation to this road discontinuance should be directed to Council's Governance and Civic Support Unit on (03) 5320 5535.

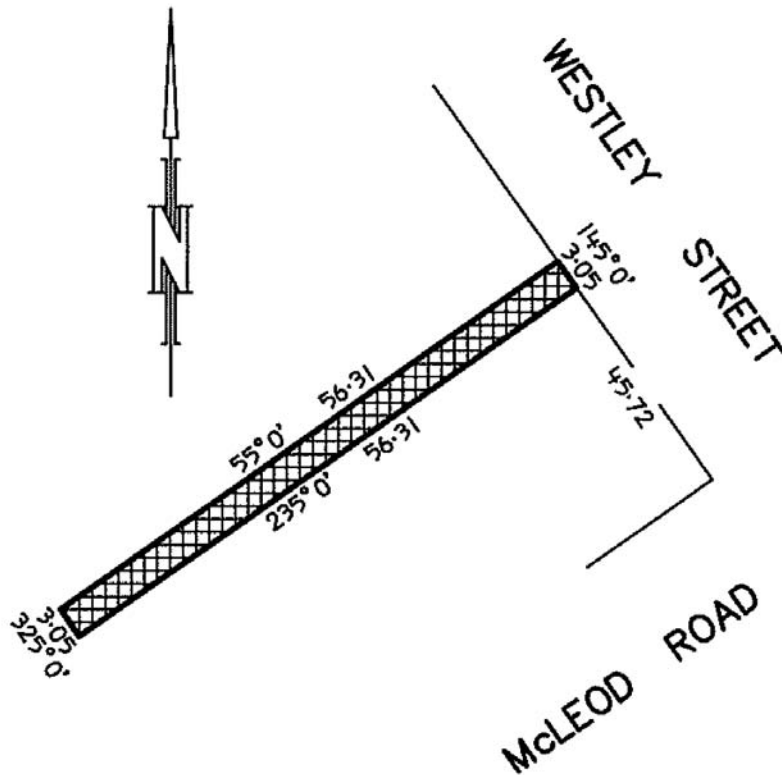
ANTHONY SCHINCK  
Chief Executive Officer

KINGSTON CITY COUNCIL

Road Discontinuance

Notice is given pursuant to section 206 and schedule 10 clause 3 of the **Local Government Act 1989** that Kingston City Council resolved at its ordinary meeting held on 26 October 2009, to discontinue the road adjoining 42–44 Westley Street, Carrum, shown hatched on the plan below and to sell the land from the discontinued road to the adjoining owner by private treaty.

All of the land in the road is to be discontinued subject to the right, power or interest held by South East Water Limited in connection with any sewers, drains or pipes under the control of that authority in or near the road.



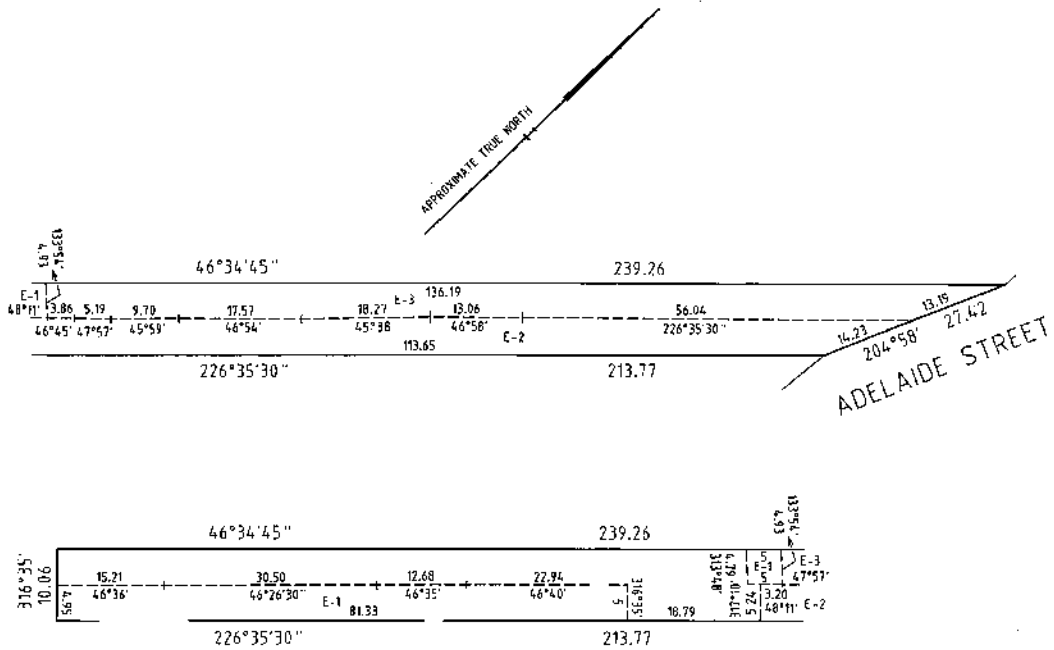
JOHN NEVINS  
Chief Executive Officer



Discontinuance of Road – Charles Street, Mornington

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Mornington Peninsula Shire Council has formed the opinion that the road reserve of Charles Street, Mornington, as shown by heavy outline on the plan below, is not reasonably required as a road for public use. The Shire has resolved to discontinue the road and sell it in parts to adjoining owners and to retain parts in Council’s title.

The sections of road shown as E1 and E3 are subject to any right, power or interest held by the Mornington Peninsula Shire Council and the sections of road shown as E1 and E2 are subject to any right, power or interest held by South East Water Limited in connection with any drains, sewers, pipes or plant under the control of these authorities in or near the road.



0710/020/173

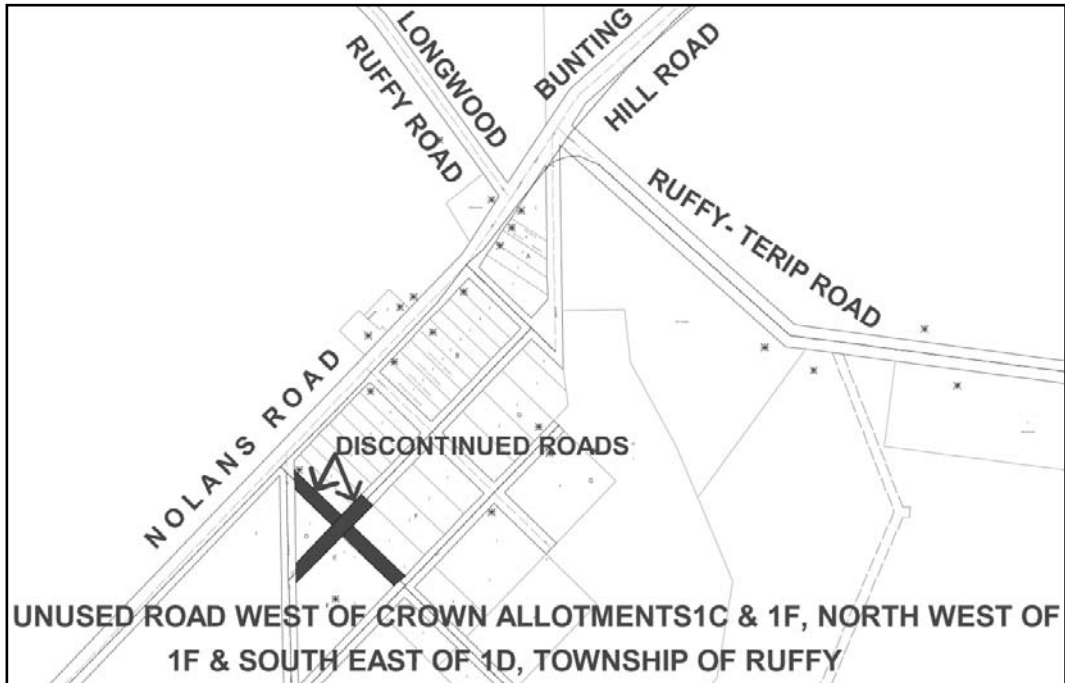
DR MICHAEL KENNEDY OAM  
Chief Executive Officer

STRATHBOGIE SHIRE COUNCIL

Road Discontinuance

West of Crown Allotment 1C and 1F, North-west of 1F and  
South-east of 1D, Township of Ruffly

Further to the resolution of Council at its meeting on 15 September 2009, notice is given that the parcel of land shown below has now been discontinued as a road.

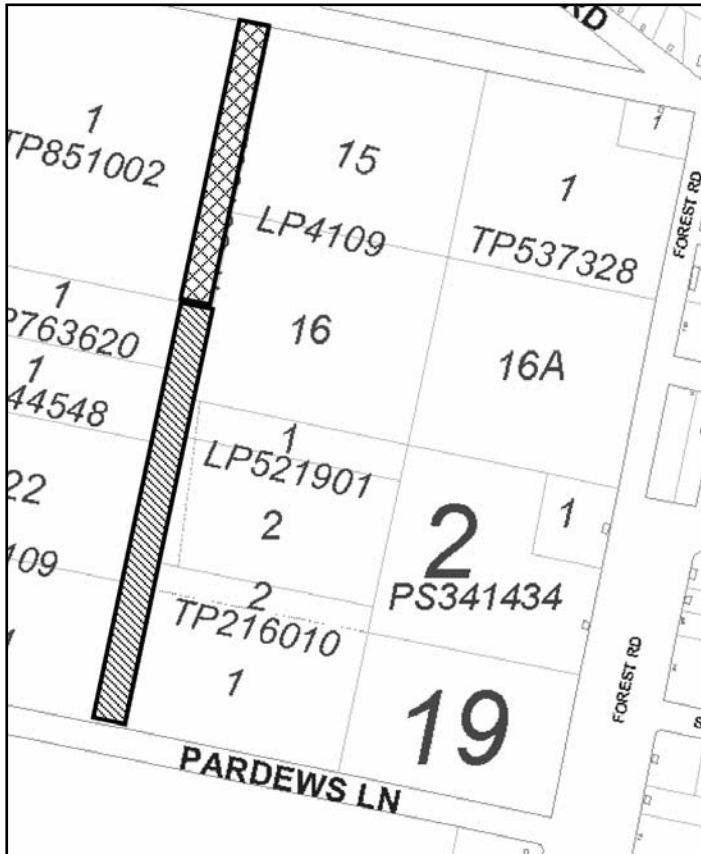


STEVE CRAWCOUR  
Acting Chief Executive Officer



Road Opening and Road Discontinuance

Pursuant to section 207 and schedule 10, clause 3 of the **Local Government Act 1989**, the East Gippsland Shire Council, at its ordinary meeting on 1 September 2009, resolved to formally open the hatched portion of road and discontinue the cross-hatched portion of road as shown on the plan below. The ownership of the discontinued portion of road will be transferred to the owners of Lot 1 TP851002.



STEVE KOZLOWSKI  
Chief Executive Officer



## EAST GIPPSLAND SHIRE COUNCIL

### General Local Law 2009

East Gippsland Shire Council is considering making a local law to be known as 'General Local Law 2009'.

The following information about the proposed local law is provided in accordance with section 119 of the **Local Government Act 1989**:

The purpose of the proposed Local Law is to provide for:

- peace, order and good government of the municipality;
- safety and health of the municipality so that the community can enjoy a quality of life that meets its expectations;
- safe and fair use and enjoyment of public places;
- protection and enhancement of the amenity and environment of the municipality;
- fair and reasonable use and enjoyment of private land; and
- revoking General Local Law 2000 made by Council.

The general purport of the proposed Local Law, if made, will:

1. control behaviour and activities on roads and council land – including the regulation of the Raymond Island Ferry, consumption of liquor, occupation of roads for works, use of the road for advertising and sale of goods, and outdoor eating facilities;
2. control environmental matters – including domestic waste collection and trade waste, regulation of dangerous and unsightly land, open air burning, incinerators, municipal tips and camping on council land;
3. control the keeping of animals and birds – including the regulation of the number and type of animals to be kept, and animals on designated beach and foreshore areas; and
4. control the movement livestock on roads – including the regulation of grazing of livestock and the effective fencing of livestock.

A copy of the proposed Local Law may be inspected at the Council Corporate Centre, 273 Main Street, Bairnsdale. Other copies of the proposed local law may be inspected at Council's Library Business Centres and on Council's website, [www.egipps.vic.gov.au](http://www.egipps.vic.gov.au)

Any person affected by the proposed local law may make a submission to Council relating to the local law. All submissions received on or before Friday 11 December 2009 will be considered, in accordance with section 223 of the **Local Government Act 1989**, by a Committee of the whole of Council. Submissions must be lodged at the Council Corporate Centre, 273 Main Street, Bairnsdale, or posted to Council at PO Box 1618, Bairnsdale 3875.

Any person making a submission should indicate whether they wish to be heard in support of their written submission as anyone wishing to be heard is entitled to appear in person, or by a person acting on their behalf, before the meeting of the Committee of the whole of Council, which will take place at 11.00 am on Tuesday 15 December 2009 at the Council Corporate Centre, Bairnsdale. Any enquiries should be directed to Mr Andrew Fearn-Wannan on 5153 9500.



### Meeting Procedure Local Law

Council proposes to make a new General (Amendment) Local Law No. 1 of 2009, to effect various amendments to the Meeting Procedure Local Law No. 1 made on 21 March 2005.

The Local Law has the objective of providing for the orderly conduct of Council Meetings, election of the Mayor and use of the City Seal.

The Local Law deals with agendas, quorums, keeping of minutes, business of the meeting, voting at meetings, addressing a meeting, motions, speaking time, points of order, formal motions, amendments and rescission motions, public participation, election of the Mayor and use of the City Seal.

The Local Law also fixes increased penalties for breach of certain provisions.

Copies of the proposed Local Law may be obtained from the Civic Centre during office hours or by contacting Louise Bugiera on 9784 1813.

Any person who wishes to make a submission to the proposed local law must lodge the submission in writing to Frankston City Council by no later than 9 December 2009. Please note that unless a submitter advises the City to the contrary, the submission will be made available to the public, as part of a Council agenda.

In accordance with section 223 of the **Local Government Act 1989**, Council will consider all written submissions received within the time prescribed above.

Any person making a submission is entitled to request in the submission that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission. Notification will be given of the day, time and place of the meeting.

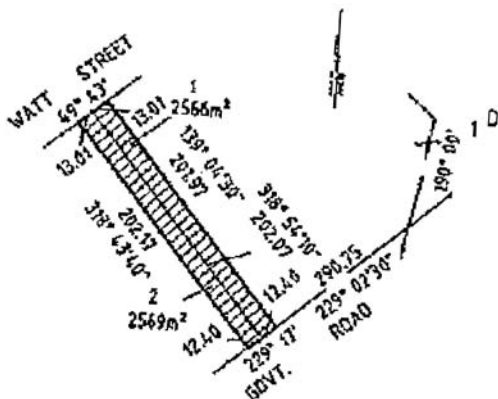
GEORGE MODRICH  
Chief Executive Officer

#### GREATER GEELONG CITY COUNCIL

##### Road Discontinuance

At its meeting on 24 February 2009 and acting under section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, Greater Geelong City Council resolved to discontinue the road known as Rayno Street, Lara, shown shaded on the plan below.

The road is to be sold subject to any right, power or interest held by Barwon Region Water Corporation, Greater Geelong City Council, Powercor Australia Ltd and Telstra Corporation Ltd in connection with any drains, sewers, pipes, cables or plant under the control of these authorities in or near the road.



STEPHEN GRIFFIN  
Chief Executive Officer  
Greater Geelong City Council



#### Notice under Section 204 of the **Local Government Act 1989**

##### Declaration of Roads to be a Public Highway

Notice is given pursuant to section 204(1) of the **Local Government Act 1989** ('the Act') that the following roads listed on the various lodged plans be declared as a public highway for the purposes of the Act.

The roads are identified as follows:–

- Lot 1 on Title Plan 800828U in Volume 1110 Folio 916 – Walkers Lane, Mt. Egerton;
- Roads on Lodged Plan No. 211781G in Volume 9817 Folio 204 – Love Close, Maddingley;
- Lot 1 on Title Plan 910276U in Volume 08131 Folio 371 – Part of School Road, Balliang East, being road reserve south of Lot 9 on Lodged Plan 93674 ;
- Lot 1 on Title Plan 875438L in Volume 08165 Folio 788 – Part of School Road, Balliang East, being road reserve south of Lot 2 on Lodged Plan 93595;
- Lot 1 on Title Plan 320024N in Volume 08415 Folio 113 – Corner of McGuigans Road and Unnamed Road, Millbrook;
- Lots 1, 2 and 3 on Title Plan 320231H in Volume 08429 Folio 860 – Elaine–Morrisons Road, Elaine, being from Easts Road to the western boundary of Consolidated Plan No. 167751;
- Lots 1 and 2 on Title Plan 318531H in Volume 08468 Folio 582 – McGuigans Road, Millbrook, being from Old Melbourne Road to Millbrook–Egerton Road;
- Lot 1 on Title Plan 432983G in Volume 08630 Folio 452 – Yendon–Egerton Road, Mt. Egerton, being from Powerline Road to the northern boundary of Crown Allotment 1H, Section B, Parish of Kerrit Baret;
- Lot 1 on Title Plan 369834A in Volume 08630 Folio 453 – Yendon–Egerton Road, Mt. Egerton, being south of Lots 1 and 2 on Plan of Subdivision No. 118860;



- Lot 1 on Title Plan 385229C in Volume 08630 Folio 454 – Yendon–Egerton Road, Mt. Egerton, being west from Powerline Road to the western boundary of Lot 1 on Title Plan 557424;
- Lot 1 on Title Plan 393966U in Volume 08634 Folio 060 – Elaine–Egerton Road, Elaine, being road reserve abutting Lot 2 on Lodged Plan No. 132684;
- Lot 1 on Title Plan 393967S in Volume 08634 Folio 061 – Elaine–Egerton Road, Elaine, being road reserve abutting Lot 1 on Lodged Plan No. 132684;
- Lot 1 on Title Plan 393969N in Volume 08634 Folio 064 – Elaine–Egerton Road, Elaine, being road reserve abutting Lot 1 on Lodged Plan No. 147973;
- Road R1 on Plan of Subdivision No. 015623 in Volume 06350 Folio 949 – Unnamed road off Main Street, Bacchus Marsh; and
- Road R1 on Plan of Subdivision No. 323511X in Volume 10119 Folio 293 – Corner of Springbank Road and Spargo Creek Road, Springbank.

On the publication of this notice the Moorabool Shire Council shall in accordance with section 54 of the **Transfer of Land Act 1958**, apply to the Registrar of Titles to be registered as the proprietor of the land in fee simple free of all encumbrances by the creation of a new folio of the Registrar recording the name of the acquiring authority as registered proprietor.

ROBERT DOBRZYNSKI  
Chief Executive Officer

#### YARRA CITY COUNCIL

##### Notice of the Making of a Local Law Consumption of Liquor in Public Places Local Law No. 8 of 2009

On 20 October 2009 Yarra City Council made a new local law to be referred to as the Consumption of Liquor in Public Places Local Law No. 8 of 2009. The following information about the local law is provided in accordance with section 119(3) of the **Local Government Act 1989**.

##### Objective of the Local Law

The principal objective of the local law is to control the consumption and possession of liquor in a public place including where such consumption or possession may interfere with

the amenity and enjoyment of the public place or of land in the vicinity of the public place. Supporting objectives include:

- (a) promoting alcohol related harm minimisation by restricting the opportunity for unregulated public drinking within the municipality;
- (b) supporting the effective governance of the municipality by promoting improved amenity of public spaces and discouraging anti-social behaviour;
- (c) providing an effective means for police to deal with unregulated public drinking; and
- (d) improved management of festivals and events reducing risk for attendees, visitors, organisers and Council.

##### General Purport of the Local Law

The local law:

- revokes the Consumption of Alcohol in Public Places Local Law 1998 if it has not already been revoked;
- makes it an offence for a person to consume liquor or be in possession of liquor in an open container in all public places throughout the municipality other than:
  - at a festival or event declared by Council under part 3 of the local law;
  - in prescribed areas of the municipality as declared by Council under part 4 of the local law.
- makes provision for authorised officers of Council to direct persons breaching the local law to do or to cease doing specified things;
- makes it an offence for a person to consume liquor or be in possession of liquor in an open container at a declared festival or event;
- makes provision for authorised officers of Council to direct persons breaching the local law at a declared festival or event to do or to cease doing specified things;
- allows a person to consume liquor or be in possession of liquor in an open container in a public place in a prescribed area of the municipality provided it is in such manner as not to disturb or be likely to disturb the amenity or enjoyment of the public place or of land in the vicinity of the public place;
- makes provision for authorised officers of Council to direct persons breaching the local law in a prescribed area of the municipality to do or to cease doing specified things;

- imposes penalties for breaches of the local law or for a failure to comply with directions given under the local law;
- contains a general offence provision and authorisation to commence prosecution provisions.

A copy of the local law may be inspected or obtained at Council's offices at Richmond Town Hall during office hours.

ANDI DIAMOND  
Chief Executive Officer

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**Planning and Environment Act 1987**

CAMPASPE PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C74

Authorisation A01471

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

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

The Amendment applies to Crown Allotments 1, 2, 3 and 4 Northern Highway, Rochester (Township of Restdown Estate, Parish of Rochester West).

The Amendment proposes to:

- rezone the land from the Farming Zone (FZ) to the Business 2 Zone (B2Z); and
- amend the Municipal Strategic Statement (clause 21.04–3) to clarify the role of the historic Rochester CBD in providing for infill and other redevelopment opportunities for traditional small format retailing consistent with heritage values and encourage the use of the land for larger format retailing uses (not including a supermarket) which cannot be provided for in the Rochester Shopping Centre.

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, Shire of Campaspe offices, corner Heygarth and Hare Streets, Echuca; at the Rochester Service Centre, MacKay Street, Rochester; 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 21 December 2009. A submission must be sent to Andrew Cowin, Strategic Planner, at the Shire of Campaspe, PO Box 35, Echuca 3564.

KEITH BAILLIE  
Chief Executive Officer

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**Planning and Environment Act 1987**

GREATER GEELONG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C73

Authorisation A1414

The Greater Geelong City Council has prepared Amendment C73 to the Greater Geelong Planning Scheme.

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

The land affected by the Amendment is centred on the east and west sides of Caddys Road, Lara, generally bounded by Flinders Avenue, Windermere Road, Serendip Creek and existing residential areas. It has an overall area of approximately 36 hectares.

The Amendment proposes to rezone the land from Rural Living Zone to Residential 1 Zone and apply the Development Plan Overlay (Schedule 22) to the site. The Amendment will facilitate the residential development of the subject land generally in accordance with Council's Lara Structure Plan adopted on 9 June 2009. The Amendment is accompanied by a draft Agreement pursuant to section 173 of the **Planning and Environment Act 1987**, which provides for civil improvements to the surrounding road and drainage network, and community infrastructure and public open space contributions.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the

following locations: City Development Offices – 8.00 am to 5.00 pm weekdays, 131 Myers Street, Geelong; Corio Customer Service Centre – 9.00 am to 5.00 pm Monday to Friday, 9.00 am to 1.00 pm Saturday, Corio Shopping Centre, Corio; Lara Community Centre – 9.00 am to 3.00 pm Monday to Friday, 9 to 11 Waverley Road, Lara; ‘Have a Say’ section of the City’s website, [www.geelongaustralia.com.au/council/yoursay](http://www.geelongaustralia.com.au/council/yoursay); and Department of Planning and Community Development website [www.dpcd.vic.gov.au/planning/publicinspection](http://www.dpcd.vic.gov.au/planning/publicinspection)

For further information about Amendment C73, please contact the City’s Strategic Implementation unit on 5272 4820 or via email [strategicplanning@geelongcity.vic.gov.au](mailto:strategicplanning@geelongcity.vic.gov.au)

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

Submissions must be in writing and sent to The Coordinator, Strategic Implementation Unit via email to [strategicplanning@geelongcity.vic.gov.au](mailto:strategicplanning@geelongcity.vic.gov.au) or via post to City of Greater Geelong, PO Box 104, Geelong, Victoria 3220.

Any person who may be affected by the Amendment may make a submission to the planning authority. Please be aware that all submissions will be made available to the applicant and copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process. Submissions can be viewed at the office of the planning authority, City of Greater Geelong, Ground Floor, 131 Myers Street, Geelong, until the end of two months after the Amendment comes into operation or lapses. Anonymous submissions will not be considered.

PETER SMITH  
Coordinator Strategic Implementation

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**Planning and Environment Act 1987**  
**GREATER GEELONG PLANNING SCHEME**  
Notice of Preparation of Amendment  
Amendment C198  
Authorisation A1415

The Greater Geelong City Council has prepared Amendment C198 to the Greater Geelong Planning Scheme to implement the recommendations of the Lara Structure Plan.

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

The Amendment reflects the preparation of a new planning policy for the Lara township. The purpose of the Structure Plan is to identify the key strategic planning issues facing the township, including community aspirations and needs, and to articulate the preferred directions including the location of a settlement boundary and identification of appropriate planning controls.

The Amendment proposes to replace the existing Municipal Strategic Statement for Lara at Clause 21.35 of the Greater Geelong Planning Scheme with a new Clause 21.35 that will include the land use directions and policies identified in the adopted Lara Structure Plan June 2009. The Structure Plan recommendations include the nomination of a settlement boundary, nomination of areas appropriate for residential development, protection of the Heales Road Industrial Estate, Avalon Airport and potential intermodal transport facility, expansion of the town centre and protection of environmental features and the surrounding rural landscape. There is no land being rezoned as part of this Amendment.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: City Development Offices – 8.00 am to 5.00 pm weekdays, 131 Myers Street, Geelong; Corio Customer Service Centre – 9.00 am to 5.00 pm Monday to Friday, 9.00 am to 1.00 pm Saturday, Corio Shopping Centre, Corio; Lara Community Centre – 9.00 am to 3.00 pm Monday to Friday, 9 to 11 Waverley Road, Lara; ‘Have a Say’ section of the City’s website, [www.geelongaustralia.com.au/council/yoursay](http://www.geelongaustralia.com.au/council/yoursay); and 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 Monday 14 December, 2009.

Submissions must be in writing and sent to The Coordinator, Strategic Implementation Unit via email to [strategicplanning@geelongcity.vic.gov.au](mailto:strategicplanning@geelongcity.vic.gov.au) or via post to City of Greater Geelong, PO Box 104, Geelong, Victoria 3220.

Any person who may be affected by the Amendment may make a submission to the planning authority. Please be aware that all submissions will be made available to the applicant and copies of objections/submissions received may be made available to any person for the purpose of consideration as part of the planning process. Submissions can be viewed at the office of the planning authority, City of Greater Geelong, Ground Floor, 131 Myers Street, Geelong, for up to two months after the Amendment comes into operation or lapses. Anonymous submissions will not be considered.

PETER SMITH  
Coordinator Strategic Implementation

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

#### **HUME PLANNING SCHEME**

##### Notice of Preparation of Amendment

##### Amendment C111

##### Authorisation A01420

The Hume City Council has prepared Amendment C111 to the Hume Planning Scheme.

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

The land affected by the Amendment is 650 and 630 Hume Highway, Craigieburn.

The Amendment proposes to:

- rezone land at 630 Hume Highway, Craigieburn from Public Use Zone – Schedule 4 (PUZ4) to Public Park and Recreation Zone (PPRZ);
- rezone land at 650 Hume Highway, Craigieburn from a Public Use Zone – Schedule 4 (PUZ4) to Business 3 Zone (B3Z);
- apply an Environmental Significance Overlay (ESO) to part of 650 Hume Highway and amend Schedule 8 of the Environmental Significance Overlay to make reference to 650 Hume Highway;

- apply a Development Plan Overlay (DPO) to 650 Hume Highway and amend Schedule 16 of the Development Plan Overlay to make reference to 650 Hume Highway; and
- amend a specific provision under Clause 52.03 and amend an Incorporated Document into Clause 81.01 to ensure the conservation area at 650 Hume Highway, Craigieburn, can only be used for a ‘natural system’ 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, Hume City Council: Broadmeadows Office, 1079 Pascoe Vale Road, Broadmeadows; Sunbury Office, 36 Macedon Street, Sunbury; Craigieburn Office, 59 Craigieburn Road West, Craigieburn; 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 11 December 2009. A submission must be sent to Mr Michael Sharp, Manager Strategic Planning, Hume City Council, PO Box 119, Dallas, Victoria 3047.

DOMENIC ISOLA  
Chief Executive Officer

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

#### **KINGSTON PLANNING SCHEME**

##### Notice of Preparation of Amendment

##### Amendment C99

##### Authorisation A01425

The Kingston City Council has prepared Amendment C99 to the Kingston Planning Scheme.

The Amendment has been made at the request of Roosters Ink Pty Ltd, Ventana Pty Ltd and the City of Kingston.

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

The land affected by the Amendment is all land between and inclusive of 1231, 1233–1237 and part of 1239 (north of Karen Street and east of Nepean Highway) Nepean Highway, and 60–64 Matthieson Street, Highett.

The Amendment proposes to:

- rezone all land affected by the Amendment land to Mixed Use Zone;
- amend the map to Local Planning Policy Clause 21.06 to include 60–64 Matthieson Street and 1231 Nepean Highway, Highett, within the ‘Mixed use – Periphery Sales Precinct’;
- amend the map to Local Planning Policy Clause 22.01–3 to include 60–64 Matthieson Street and 1231 Nepean Highway, Highett, within the ‘Mixed use (Commercial Support Precinct)’;
- amend the map to the Local Planning Policy Clause 22.17 to remove 1231 Nepean Highway from Precinct 2 ‘Preferred Medium Density Residential Development’;
- amend the map to the Schedule 12 Design and Development Overlay (Clause 43.02) to remove 1231 Nepean Highway from ‘Precinct H5’;
- introduce a Design Development Overlay Schedule 21 applying to all land included in the Amendment; and
- amend Planning Scheme Map 1DDO12 to remove 1231 Nepean Highway.

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, Kingston Municipal Offices, 1230 Nepean Highway, Cheltenham 3192; at the Kingston City Council website at [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au); 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 Monday 14 December 2009. A submission must be sent to the Kingston City Council, PO Box 1000, Mentone 3194, and Attention: Eva Klaic.

JONATHAN GUTTMANN  
Manager Strategic Planning

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

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

**Planning and Environment Act 1987**  
Amendment C119

Authorisation No. A01460

Planning Permit Application WH/2009/314

The land affected by the Amendment is  
6 Landale Street, Box Hill.

The land affected by the application is  
6 Landale Street, Box Hill.

The Amendment proposes to rezone the land from a Residential 1 Zone to a Mixed Use Zone. Under the proposed Mixed Use Zone, an Office is a Section 2 Use and hence a permit for use is required.

The application is for a permit to use the site and existing two storey building for an office and associated car parking.

The persons who requested the Amendment are Drs G. and M. Asten.

The applicants for the permit are Drs G. and M. Asten.

You may inspect the Amendment, the explanatory report about the Amendment, the application, and any documents that support the Amendment and the application, including the proposed permit, free of charge, at the following locations: during office hours, at the office of the planning authority: Whitehorse City Council, Nunawading Service Centre, 379–397 Whitehorse Road, Nunawading; Whitehorse City Council Service Centres in Box Hill and Forest Hill, and the Nunawading, Box Hill, Blackburn and Vermont South libraries, and on the Internet at [www.whitehorse.vic.gov.au/amendmentc119.html](http://www.whitehorse.vic.gov.au/amendmentc119.html); 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 or by the granting of the permit may make a submission to the planning authority.

The closing date for submissions is Monday 14 December 2009. A submission must be sent to Anita Ransom, Strategic Planner, City of Whitehorse, Locked Bag 2, Nunawading Delivery Centre, Victoria 3131.

### Panel Hearing

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

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

- Directions Hearing, week of 22 February 2010.
- Panel Hearing, week of 22 March 2010.

Anyone who has made a submission which has been referred to a Panel has an opportunity to be heard.

All submitters will be formally advised in writing of any Directions or Panel Hearing and the corresponding date.

### Privacy Statement

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the **Planning and Environment Act 1987** (the Act). The public may view the submission whilst the Amendment is being considered. In accordance with the 'Improving Access to Planning Documents' Practice Note dated December 1999, a copy of your submission may be made upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6558.

PETER PANAGAKOS  
Manager  
Development, Strategy and  
Business Services

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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 18 January 2010, 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.

AITKEN, Gail Arlie, late of Airdrie House Independent Units, 6 Rochester Road, Canterbury, Victoria 3126, who died on 6 April 2009.

BATHURST, Elaine Jessie, late of 1A Gawler Court, Mont Albert, Victoria 3127, retired, who died on 21 August 2009.

BROCK, Colin George, late of Unit 91, Forest Hill Retirement Village, 264–272 Springvale Road, Nunawading, Victoria 3131, retired, who died on 13 September 2009.

BROOKING, Kerry Joy, late of 16 Ruby Place, Werribee, Victoria 3030, accountant, who died on 23 August 2009.

GALLAGHER, Mary Ellen, late of 2/24 Middle Road, Maribyrnong, Victoria 3032, who died on 20 July 2009.

SLADE, Lydia Enid, late of Greenwood Manor, 52–70 Centre Dandenong Road, Dingley Village, Victoria 3172, retired, who died on 24 July 2009.

WIESZALA, Martha, late of Sutherland Cottage, 75 Thames Street, Box Hill, Victoria 3128, retired, who died on 24 August 2009.

WILSON, Tina Lucille, late of 7 Pine Ridge Road, Kinglake West, Victoria 3757, who died on 7 February 2009.

Dated 9 November 2009

ROD SKILBECK  
Manager  
Executor and Trustee Services

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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 13 January 2010, 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.

ELLIS, Nellie Roseleen, late of Mornington Private Hostel, 680 Nepean Highway, Mount Martha, Victoria 3934, who died on 14 July 2009.

HACKWILL, Ian Alexander, late of 74 Kananook Avenue, Seaford, Victoria 3198, who died on 31 December 2008.

HATELEY, Bronwyn, late of Room 5, Faversham House, 27 Shierlaw Avenue, Canterbury, Victoria 3126, retired, who died on 17 August 2009.

ROBY, Ivy, late of Knox Retirement Village, 466 Burwood Highway, Wantirna South, Victoria 3152, who died on 23 July 2009.

WEBSTER, Frances Lillian, late of Springvale Nursing Home, 340 Springvale Road, Springvale, Victoria 3171, pensioner, who died on 26 June 2009.

WOOD, Jonathan Frank, late of 176 Bignell Road, Bentleigh East, Victoria 3165, pensioner, who died on 27 July 2009.

Dated 4 November 2009

ROD SKILBECK  
Manager  
Executor and Trustee Services

### **Associations Incorporation Act 1981**

#### SUB-SECTION 36E(5)

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

K. P. R. Netball Club Inc.; Mount Alexander Progressive Alliance Inc.; Sporting Motorcycle Club Geelong Inc.; Federazione Italiana Cuochi Delegazione Australia Inc.; Em Viet Inc.; Australian Chinese Net Inc.; Bunninyong Take Off Weight Naturally Club of Victoria Inc.; Christian City Church Longbeach Inc.; Learning and Reconciliation Maroondah Inc.; Wandin-Seville Town Club Inc.; Mirnee Tennis Club Inc.; Save Bright Action Group Inc.; Women's Action Alliance (Victoria) Inc.; Ku-Rebu African School Project Inc.; Thai Australian Chamber of Commerce Inc.; Australian Nightclub and Bar Association Inc.; Victorian Institute of Justice Studies Inc.; The Millewa Community Art and Craft Association Inc.; Global Reflexognosy Research Institute for Professionals Inc.; Hidden Valley Progress Association Inc.; Free Speech Victoria Inc.; Australian Association of Spiritual Care and Pastoral Counselling Inc.; Victorian Dental Assistants Association Inc.; Dream Overseas International Education Foundation Inc.; Gippsland East Auto Association Inc.; Gippsland Indigenous Organizations Professional Association Inc.; Boarder Masters Inc.; Southern Yarriambiack Tourism Incorporated; Geelong Old Time Dance Club Inc.; Australian Middle

Years Association Inc.; The Beersheba Society Inc.; AfroArts Inc.; The Sydney-Lynne Quayle and Fitzroy Lodge Hostel for the Aged Inc.

Dated this day 12 November 2009

DAVID BETTS  
Deputy Registrar of Incorporated Associations  
PO Box 4567  
Melbourne Vic. 3001

### **Co-operatives Act 1996**

#### STAWELL GOLDEN ACHIEVERS COMMON EQUITY RENTAL HOUSING CO-OPERATIVE LIMITED

On application under section 601AA(2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601AA(4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and their registration will be dissolved.

Dated at Melbourne this 12 November 2009

DAVID BETTS  
Deputy Registrar of Co-operatives  
Consumer Affairs Victoria

### **Co-operatives Act 1996**

#### MID-WEST COMMON EQUITY RENTAL HOUSING CO-OPERATIVE LIMITED

On application under section 601AA(2) of the **Corporations Act 2001** (the Act), by the co-operative named above, notice is hereby given under section 601AA(4) of the Act, as applied by section 316 of the **Co-operatives Act 1996**, that, at the expiration of two months from the date of this notice, the name of the co-operative listed above will, unless cause is shown to the contrary, be removed from the register of co-operatives and their registration will be dissolved.

Dated at Melbourne this 12 November 2009

DAVID BETTS  
Deputy Registrar of Co-operatives  
Consumer Affairs Victoria

**Crown Land (Reserves) Act 1978**  
ORDER GIVING APPROVAL TO THE  
GRANT OF A LICENCE UNDER  
SECTIONS 17B AND 17DA

Under sections 17B and 17DA of the **Crown Land (Reserves) Act 1978**, I, Gavin Jennings MLC, Minister for Environment and Climate Change, being satisfied that there are special reasons which make the granting of a licence 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 licence to the Torquay Sailing Club Incorporated by the Great Ocean Road Coast Committee Incorporated as the Committee of Management, for the purpose of 'Sailing Club and associated activities' over the area of Crown land being part of Torquay and Jan Juc Foreshore Reserve described in the Schedule below and, in accordance with section 17D(3)(a) of the **Crown Land (Reserves) Act 1978**, state that –

- (a) there are special reasons which make granting the licence 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 outlined blue on plan marked 'P/24.8.2009' attached to Department of Sustainability and Environment file No. 2016038 being portion of Allotment 93A, No Section, Parish of Puebla, being Crown land permanently reserved for the Protection of the Coastline by Order in Council of 17 March 1981 and by notice published in the Government Gazette on 25 March 1981 page 961.

Dated 6 November 2009

DSE File No.: 2016038

GAVIN JENNINGS MLC  
Minister for Environment and Climate Change

**Emergency Services  
Superannuation Act 1986**

DECLARATION OF ELIGIBLE  
SALARY SACRIFICE CONTRIBUTORS

I, Tim Holding MP, in my capacity as Minister for Finance, WorkCover and the Transport Accident Commission for the State of Victoria, under paragraph (b) of section 3A

of the **Emergency Services Superannuation Act 1986** ('the Act'), by this instrument declare employees covered by the Ambulance Victoria Enterprise Agreement 2009, and its successor industrial instruments and agreements who are members of the Emergency Services Superannuation Scheme (as defined in the Act) to be eligible salary sacrifice contributors from the date of gazettal.

Dated 9 November 2009

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

**Food Act 1984**

REGISTRATION OF FOOD SAFETY  
PROGRAM TEMPLATE

Section 19DB

I, Pauline Ireland, Assistant Director Food Safety and Regulatory Activities, under section 19DB of the **Food Act 1984** notify that the BP Australia Pty Ltd Food Safety Program Template (No. 33) with Food Safety Unit, Department of Health, is now registered for use by businesses operating a Class 2 food premises as declared under section 19C of the **Food Act 1984**.

Dated 28 October 2009

PAULINE IRELAND  
Assistant Director  
Food Safety and Regulatory Activities



**Heritage**  
VIC TORIA

**Heritage Act 1995**

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2124 in the category described as Heritage Place.

Warrnambool Breakwater, Viaduct and Harbour  
71 Breakwater Road  
Warrnambool  
Warrnambool City

EXTENT

1. All the land marked L1 on Diagram 2124 held by the Executive Director, being Part of Crown Allotments 3, 3A, 4 and 5 Section 3A, Township of Warrnambool; part of Crown



Allotment 15A Section 74 Township of Warrnambool; and part of Crown Allotments 2002 and 2008 Parish of Wangoom.

- All the buildings and structures B1 and F1 on Diagram 2124 held by the Executive Director.

B1 Concrete breakwater

F1 Timber viaduct

Dated 12 November 2009

JIM GARD'NER  
Executive Director



**Heritage**  
VICTORIA

**Heritage Act 1995**

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2126 in the category described as Heritage Place.

Briery  
83 Bridgewater Road  
Portland  
Glenelg Shire

EXTENT

- All the land marked L1 on Diagram 2126 held by the Executive Director, being part of the land described in Certificate of Title Volume 10667 Folio 018.
- All the building marked B1 on Diagram 2126 held by the Executive Director.

Dated 12 November 2009

JIM GARD'NER  
Executive Director



**Heritage**  
VICTORIA

**Heritage Act 1995**

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register

is amended by including the Heritage Register Number 2131 in the category described as Heritage Place.

Residence  
104 Gipps Street  
East Melbourne  
Melbourne City

EXTENT

- All of the land marked L1 on Diagram 2131 held by the Executive Director, being all of the land described in Certificate of Title Volume 2565 Folio 915 and part of the land known as Crown Allotment 1, Section 21 Township of Melbourne at East Melbourne.
- All the building B1 on Diagram 2131 held by the Executive Director.

Dated 12 November 2009

JIM GARD'NER  
Executive Director



**Heritage**  
VICTORIA

**Heritage Act 1995**

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2127 in the category described as Heritage Place.

Blights Quarry  
114 Coopers Road  
Harcourt North  
Mount Alexander Shire

EXTENT

To the extent of part of the land described in Volume 9992 Folio 429 and an area of adjacent Crown land, both as shown on Diagram 2127 held by the Executive Director.

To the extent of the features and buildings listed below, as shown on Diagram 2127 held by the Executive Director:

- F1 Quarry face
- B1 Work shed
- B2 Granite cottage
- B3 Two-storey two-room granite building
- B4 Timber bungalow

Dated 12 November 2009

JIM GARD'NER  
Executive Director



**Heritage**  
VICTORIA

**Heritage Act 1995**

**NOTICE OF REGISTRATION**

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2129 in the categories described as Heritage Place and Archaeological Place.

Former Northcote Cable Tramways Site  
626–628 High Street  
Thornbury  
Darebin City

**EXTENT**

1. All of the structure shown as B1 on Diagram 2129 held by the Executive Director.
2. All of the land shown as L1, being all of the land described in Certificate of Title Volume 02304 Folio 609, and all of the land shown as L2, being part of the High Street road reserve, on Diagram 2129 held by the Executive Director.

Dated 12 November 2009

**JIM GARD'NER**  
Executive Director

**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

**Notice of Acquisition**

**Compulsory Acquisition of Interest in Land**

The Southern and Eastern Integrated Transport Authority (SEITA) declares that by this notice it acquires the following interests in the land described as part of Lot 1 on Plan of Subdivision 210093K comprising 8,481 square metres and being part of the land contained in Certificate of Title Volume 9796 Folio 191 (shown as parcel 6 on Survey Plan 21834):

Michael Dorio (as Registered Proprietor);  
Peter Dorio (as Occupant);  
and all other interests.

Published with the authority of SEITA.

Dated 12 November 2009

For and on behalf of SEITA  
by its authorised officer:  
Signed: GREG HOLLAND  
Manager – Property

**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

**Notice of Acquisition**

**Compulsory Acquisition of Interest in Land**

The Southern and Eastern Integrated Transport Authority (SEITA) declares that by this notice it acquires the following interests in the land described as part of Lot 6 on Plan of Subdivision 54393 comprising 908 square metres and being part of the land contained in Certificate of Title Volume 8316 Folio 352 (shown as parcel 42 on Survey Plan 21836):

Paul Patrick Hegarty, Jillian Suzanne Chancellor and Paul Anthony Andrews (as Registered Proprietors);  
and all other interests.

Published with the authority of SEITA.

Dated 12 November 2009

For and on behalf of SEITA  
by its authorised officer:  
Signed: GREG HOLLAND  
Manager – Property

**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

**Notice of Acquisition**

**Compulsory Acquisition of Interest in Land**

Wyndham City Council declares that by this notice it acquires the following interest in 2,171.065 square metres of land described as Portion D Section 20 Parish of Tarneit, and being part of the land contained in Certificate of Title Volume 10470 Folio 801.

**Interest Acquired:** that of Delfire Investments Pty Ltd and all other interests.

Published with the authority of Wyndham City Council.

For and on behalf of  
Wyndham City Council  
Signed BERNIE CRONIN  
Acting Chief Executive Officer

**Land Acquisition and Compensation Act 1986**

FORM 7 S. 21  
Reg. 16

**Notice of Acquisition**

**Compulsory Acquisition of Interest in Land**

Wyndham City Council declares that by this notice it acquires the following interest in

2,104.55 square metres of land described as Lot 3 on Plan of Subdivision 134862 and being part of the land contained in Certificate of Title Volume 9650 Folio 372.

**Interest Acquired:** that of Colin and Jill Squires and all other interests.

Published with the authority of Wyndham City Council.

For and on behalf of  
Wyndham City Council  
Signed BERNIE CRONIN  
Acting Chief Executive Officer

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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

Wyndham City Council declares that by this notice it acquires the following interest in 63.809 square metres of land described as Lot 1 on Plan of Subdivision 82234 and being part of the land contained in Certificate of Title Volume 8739 Folio 786.

**Interest Acquired:** that of Peter Morton, Donald Logan, David Morton and all other interests.

Published with the authority of Wyndham City Council.

For and on behalf of  
Wyndham City Council  
Signed BERNIE CRONIN  
Acting Chief Executive Officer

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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

Wyndham City Council declares that by this notice it acquires the following interest in 490 square metres of land described as Lot 4 on Plan of Subdivision 82234 and being part of the land contained in Certificate of Title Volume 8739 Folio 789.

**Interest Acquired:** that of Bruno and Elvira Simonato and all other interests.

Published with the authority of Wyndham City Council.

For and on behalf of  
Wyndham City Council  
Signed BERNIE CRONIN  
Acting Chief Executive Officer

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**Electricity Industry Act 2000**

NEIGHBOURHOOD ENERGY PTY LTD ABN 97 109 118 578

## Notice of Amendment

Amendment to Gazette 25 published 18 June 2009

Amending Tariffs D11CSP (GD/GR), D12CSP (GD/GR+ Controlled load) and D25CSP (GH/GL) published on 18 June 2009 to correct the period discrepancy in reference to the Climate Saver winter and summer of the Deemed and standing offer tariffs. These tariffs are effective as of 12 December 2009.

**DOMESTIC****Powercor Network**

<b>D11CSP (GD/GR)</b>	<b>Excl. GST</b>	<b>Incl. GST</b>	<b>Units</b>
First 1000 kWh/qr	16.64	18.30	c/kWh
Balance	17.68	19.45	c/kWh
Supply charge	0.49	0.54	\$/per day
Climate saver winter (1 Apr to 31 Oct)	13.13	14.45	c/kWh
Climate saver summer (1 Nov to 31 Mar)	18.89	20.78	c/kWh
<b>D12CSP (GD/GR+ Controlled load)</b>	<b>Excl. GST</b>	<b>Incl. GST</b>	<b>Units</b>
First 1000 kWh/qr	17.57	19.33	c/kWh
Balance	18.72	20.59	c/kWh
Off Peak	7.56	8.32	c/kWh
Supply charge	0.49	0.54	\$/per day
Climate saver winter (1 Apr to 31 Oct)	13.13	14.45	c/kWh
Climate saver summer (1 Nov to 31 Mar)	18.89	20.78	c/kWh
<b>D25CSP (GH/GL)</b>	<b>Excl. GST</b>	<b>Incl. GST</b>	<b>Units</b>
Peak (7 am–11 pm/Monday to Friday)	21.49	23.64	c/kWh
Balance	22.13	24.34	c/kWh
Off Peak	8.44	9.28	c/kWh
Supply charge	0.49	0.54	\$/per day
Climate saver winter (1 Apr to 31 Oct)	13.13	14.45	c/kWh
Climate saver summer (1 Nov to 31 Mar)	18.89	20.78	c/kWh

**Electricity Industry Act 2000**

AUSTRALIAN POWER &amp; GAS PTY LIMITED ABN 26 118 609 813

Premium Solar Energy Buy-Back Terms and Conditions.

**1. Sale of Solar Energy**

- 1.1 This Contract governs the sale by You, a Qualifying Customer, of solar energy generated by Your System at the Premises to Us and does not include the purchase by Us of any renewable energy certificates (as defined in the **Renewable Energy (Electricity) Act 2000** (Cth)) created by Your System. This Contract comprises the Application Form and these Terms and Conditions.
- 1.2 For the avoidance of doubt, this Contract does not govern the purchase of electricity at the Premises by You from Us and does not vary the terms of Your Energy Contract.

**2. Term of This Contract**

- 2.1 The date this Contract will commence will depend on when Your System and the necessary metering equipment are installed at the Premises and are ready to export solar energy to the Energy Distribution System. The commencement date of this Contract will be confirmed in the Acknowledgement Letter You receive from Us.
- 2.2 This Contract ends when it is cancelled in accordance with clause 8.

**3. Connection and Metering**

- 3.1 We do not control the physical delivery of electricity to and from Your Premises. An Energy Distributor is responsible for the physical delivery of electricity to and from the Premises. We will, on Your request, request the Energy Distributor to connect Your System to the Energy Distribution System as soon as practicable. We will make the request, which will include details of any necessary metering, no later than the next business day after receiving from You all documentation as required under the **Electricity Safety Act 1998** (Vic.), or as reasonably required by Us or the Energy Distributor, including any details of appropriate network tariff reassignment.
- 3.2 You must pay all costs associated with the supply, installation and connection of any equipment that needs to be installed, serviced or maintained on the Premises, as determined by Us, for the purposes of this Contract. Any such equipment is the property of the metering provider.
- 3.3 We shall read the meter as part of the meter reading procedures applicable under Your Energy Contract.
- 3.4 Your obligations under Your Energy Contract with respect to meters and access to meters also apply under this Contract to the meter.
- 3.5 You must provide safe and secure space for the installation and operation of any equipment installed under clause 3.2.

**4. Your System**

- 4.1 Your System may be disconnected from the Energy Distribution System for operational reasons or for planned maintenance at times determined by the Energy Distributor. We have no control over Energy Distributor-initiated disconnections and take no responsibility and have no liability for such disconnections.
- 4.2 We will only purchase solar energy actually received and measured on the meter. We have no obligation to pay or compensate You for any solar energy exported from Your System that is rejected by the Energy Distribution System for any reason. We will notify You as soon as practicable after We become aware of any inability of the Energy Distribution System to accept solar energy generated by Your System.
- 4.3 You must notify Us within 14 business days if the photovoltaic generating capacity of Your System exceeds 5 kilowatts.

**5. Your Additional Obligations**

- 5.1 You and Your System (including its installation and connections) must comply with the requirements of the Energy Distributor, Your connection contract with the Energy Distributor and any relevant regulatory requirements and Australian Standards.
- 5.2 You must:
- (a) obtain and maintain all necessary licences, permits and/or approvals from all relevant authorities (including building and planning approvals) required for You to generate solar energy;
  - (b) maintain Your System (and all associated equipment) in good working and reliable order and available for export of solar energy to the Energy Distribution System; and
  - (c) obtain prior written consent of the Energy Distributor and Us prior to making any changes to Your System (including operational, structural and functional changes), including any changes in Your System generation capacity or the export capacity.

**6. What We Pay You for Your Solar Energy**

- 6.1 We will purchase solar energy generated by Your System from You in accordance with clause 4.2 at the Premium Solar Tariff.
- 6.2 You must pay Us any fees and charges relating to connection services, disconnection, metering services or contract cancellation. We will notify You of the amount of these fees on Your request, prior to entering into this Contract.
- 6.3 From time to time, government or Energy Distributors or other industry participants may impose on Us new or increased charges or taxes relating to the purchase of solar energy by Us under this Contract. Consistent with the law, We may pass the liability for these charges or taxes onto You by providing You notice of any changes as soon as possible and, in any event, no later than the next energy account issued under clause 7.1. All such charges or taxes will be included in the energy account issued under clause 7.1 and be payable to Us.
- 6.4 Subject to clause 7.8, if You have quoted Your ABN on the Application Form, We will credit You for GST on any taxable supply (as defined in **A New Tax System (Goods and Services Tax) Act 1999** (Cth)) to Us under this Contract.

**7. Billing and Payment**

- 7.1 We will set out, in Your energy account issued under Your Energy Contract, the credit amounts applied by Us for the purchase of solar energy exported from Your System. Subject to clause 7.3, the amount of solar energy exported will be based on meter readings of the meter. We will use Our best endeavours to ensure that the meter is read at least once in any 12-month period.
- 7.2 On the energy account issued pursuant to clause 7.1, We will, subject to clause 7.8, credit all amounts payable by Us to You for the purchase of solar energy exported from Your System to the Energy Distribution System as recorded on the meter.
- 7.3 We may estimate accounts (including debits and credits) in accordance with the provisions of Your Energy Contract or any applicable law where the meter is faulty or consumption and energy flows (including import and export) are not properly recorded.
- 7.4 If We bill You to make up overcrediting You for solar energy exported from Your System, We are to proceed on the basis set out in clause 6.2 of the Energy Retail Code.
- 7.5 If We have under credited You for solar energy exported from Your System under this Contract, We will credit the amount undercredited to Your next energy account issued pursuant to clause 7.1, after We become aware of the under crediting, and We will proceed on the basis specified in clause 6.3 of the Energy Retail Code.
- 7.6 If You disagree with Your energy account, You have the same rights to request Us to review Your energy account as under Your Energy Contract. We will also review a solar energy credit at Your request, to be conducted on the same basis specified in clause 6.1 of the Energy Retail Code.

- 7.7 You may also request We check Your meter or meter readings. If You make such a request, You will need to pay to Us the fees for checking Your meter or meter readings.
- 7.8 We are not required to pay You an amount equal to any GST paid or payable by You in respect of the taxable supply, until You issue Us with a valid tax invoice (as required under the **A New Tax System (Goods and Services Tax) Act 1999** (Cth)) for the taxable supply.
- 8. Cancellation**
- 8.1 You may cancel this Contract at any time, by notifying Us in writing. If this Contract is for a fixed term and You cancel it before the expiry of the fixed term, We may charge You a Contract cancellation fee, which is set out in the Acknowledgement Letter.
- 8.2 Despite the notice period in clause 8.1, if You cancel this Contract, the cancellation does not become effective until:
- (a) the expiry of any cooling-off period in respect of a new contract for Our purchase of the solar energy generated by Your System;
  - (b) the date when another retailer becomes responsible to purchase from You the solar energy generated by Your System;
  - (c) the date when another retailer becomes responsible to sell You electricity to the Premises; or
  - (d) if Your Premises is disconnected from the Energy Distribution System, the date when You no longer have a right under the Energy Retail Code to be reconnected, whichever occurs last.
- 8.3 We may cancel this Contract if:
- (a) You and We enter into a new contract for Our purchase of solar energy generated by Your System;
  - (b) You have transferred to another retailer in respect of the Premises;
  - (c) Your System's photovoltaic generating capacity exceeds 5 kilowatts;
  - (d) You are no longer a Qualifying Customer; or
  - (e) the fifteenth anniversary of the Scheme commencement date has been reached.
- 8.4 If this Contract is for a fixed term, We will notify You no more than two months, and no less than one month, before the end of the fixed term of:
- (a) the date that this Contract is due to expire;
  - (b) the options available to You; and
  - (c) the terms and conditions that will apply after the end of the fixed term if You do not exercise any other option.
- 8.5 If this Contract is for a fixed term, this Contract will continue after the end of the fixed term on the terms and conditions specified by Us, provided that the terms and conditions have taken effect in accordance with section 40H of the **Electricity Industry Act 2000** (Vic.).
- 8.6 If You fail to comply with any of Your obligations under this Contract, We may give You written notice requiring You to cure the default and if You fail to cure the default within the time specified by Us, We may cancel this Contract by giving You ten business days notice in writing. We may charge You an amount if You fail to comply with any of Your obligations under this Contract.
- 8.7 If this Contract is cancelled under this clause 8, You must ensure that no solar energy is exported to the Energy Distribution System from Your System or the Premises. We may take appropriate action (including arranging for the disconnection of the meter) to ensure that no solar energy is exported from the Premises.
- 8.8 Subject to clause 7.8, any credit (Excess Credit) that remains to be applied by Us on cancellation of this Contract will be credited to the next energy account issued under Your Energy Contract, if Your Energy Contract is still in place at the time of cancellation of this Contract.

- 8.9 Any Excess Credit accrued under clause 8.8 will be extinguished, and Your entitlement to the Excess Credit ceases, on the first of the following dates:
- (a) 12 months after the date the credit first arises;
  - (b) the date Your Energy Contract ends; or
  - (c) the date the Scheme ends.
- 8.10 For the avoidance of doubt, cancellation of this Contract does not cancel Your Energy Contract.

## **9. Liability**

- 9.1 You are responsible for Your System and its use. You agree that We will not be liable for any loss, damage or injury that may be caused by Your System or its use.
- 9.2 You must install adequate protection devices to protect Your System from faults (including without limitation, power surges) on the Energy Distribution System. We will not accept liability for any loss or damage to Your System or for any injury.
- 9.3 We are not responsible for any act, omission, default or negligence of any third party including the Energy Distributor.
- 9.4 You agree to:
- (a) release Us from any and all liability to You, including where that liability arises from a claim brought by You against the Energy Distributor, in respect of losses, costs and damages suffered by You, including without limitation, a failure resulting from the negligence of an Energy Distributor; and
  - (b) indemnify Us in respect of any liability that We have to any Energy Distributor or a third party for liabilities, losses, costs and damages suffered or incurred by that Energy Distributor or third party as a result of the solar energy supplied by You under this Contract.

## **10. Force Majeure**

- 10.1 Your obligations under this Contract are suspended to the extent that they are affected by a Force Majeure Event for so long as the Force Majeure Event continues. You must give Us prompt notice of a Force Majeure Event including full particulars of the Force Majeure Event, an estimate of its likely duration, the obligations affected by it and the extent of its effect on those obligations and the steps taken to remove, overcome or minimise its effects. We will use Our best endeavours to provide You notice of the full particulars of the Force Majeure Event.

## **11. Information and Complaints Handling**

- 11.1 We will, on Your request, provide You with reasonable information on any of Our offers to purchase the solar energy generated by Your System. This information will be given to You within ten business days of Your request, and if You request it, in writing.
- 11.2 We will retain payment and data information relating to this Contract for a period of no less than two years. We will handle Your request for historical information relating to this Contract in the same manner as a request for historical information relating to Your Energy Contract and in accordance with clause 27.2 of the Energy Retail Code.
- 11.3 We have procedures in place dealing with customer complaints and enquiries. We will handle any complaints made by You in accordance with the Australian Standard 10002–2006.
- 11.4 When We respond to a complaint made by You, We will inform You that You have a right to raise Your complaint to a higher level within Our management structure and, if You have done so and are still not satisfied with Our response, that You can refer Your complaint to the Energy and Water Ombudsman (Victoria). If requested, We will provide You with details of the Energy and Water Ombudsman (Victoria) in writing.
- 11.5 You must inform Us as soon as possible of any relevant change to Your contact details.



**12. Other Things You Should Know about This Contract**

- 12.1 Unless otherwise stated in this Contract, a notice, consent, document or other communication given by Us under this Contract must be in writing and given by hand, by fax, by mail or by email.
- 12.2 Nothing contained in this Contract shall in any way limit the operation or effect of (including Our rights and obligations under) any Act or regulation including the Energy Laws. You agree that We may vary this Contract to account for any amendments to or application of the Energy Laws. If this happens, We will provide You with written notice of the variations to this Contract.
- 12.3 You may not assign this Contract to any person unless You have received Our explicit written consent. We may only assign this Contract with Your consent, unless the assignment forms part of the transfer to the same third party of all or substantially all of Our retail business.
- 12.4 Unless otherwise agreed under this Contract, this Contract can only be varied by You and Us agreeing to the variations or changes in writing.
- 12.5 If the whole or part of any of this Contract is void, unenforceable or illegal, it is severed to the extent that the Contract is void, unenforceable or illegal, and the remainder of the Contract has full force and effect.
- 12.6 This Contract is governed by and is to be construed in accordance with the laws applicable in Victoria. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts of Victoria and any courts which have jurisdiction to hear appeals from any of those courts and waives any right to object to any proceedings being brought in those courts.
- 12.7 The Energy Retail Code applies to this Contract to the greatest extent possible and with minimum changes. To the extent that there is an inconsistency between this Contract and the Energy Retail Code, the Energy Retail Code prevails to the extent of the inconsistency.
- 12.8 Clauses 8.8, 8.9 and 9 survive cancellation of this Contract.

**13. Glossary of Terms Used in This Contract**

- 13.1 Unless otherwise defined in this Contract or Your Energy Contract, terms defined in the Energy Laws and used in this Contract have the same meaning in this Contract.
- 13.2 The following terms are defined in this Contract:

**Acknowledgement Letter** means the letter You receive from Us confirming this Contract.

**Application Form** means the form entitled 'Premium Solar Energy Buy-Back Application Form' submitted by You and accepted by Us and forming part of this Contract.

**Commission** means the Essential Services Commission of Victoria.

**Contract** comprises the Application Form and these Terms and Conditions.

**Energy Contract** means a contract for the sale and supply of electricity by Us to You at the Premises.

**Energy Distribution System** means the Energy Distributor's distribution system.

**Energy Distributor** means a person who holds a distribution licence under the **Electricity Industry Act 2000** (Vic.).

**Energy Laws** means the **Electricity Industry Act 2000** (Vic.), **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009** (Vic.) and the instruments passed under it including Regulations and the Energy Retail Code.

**Energy Retail Code** means the Energy Retail Code passed under the **Electricity Industry Act 2000** (Vic.).

**Force Majeure Event** means an event outside the control of You or Us.

**Premises** mean the premises nominated in the Application Form and if You are a residential householder, the Premises must be Your principal place of residence.

**Premium Solar Tariff** means the minimum premium solar feed-in credit, on a per kilowatt hour basis, set under the **Electricity Industry Act 2000** (Vic.). For the avoidance of doubt, the Premium Solar Tariff is at 1 November 2009 \$0.60 per kilowatt hour (GST inclusive) as introduced by the **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009** (Vic.).

**Qualifying Customer** means a qualifying customer as the term is defined in the **Electricity Industry Act 2000** (Vic.) (amended by the **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009** (Vic.)).

**Scheme** means the premium solar feed-in credit scheme introduced by the **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009** (Vic.).

**We, Us or Our** means Australian Power & Gas Pty Limited ABN 26 118 609 813.

**You or Your** means the Qualifying Customer who is the owner of Your System and a party to the Energy Contract.

**Your System** means a qualifying solar energy generation facility as defined in the **Electricity Industry Act 2000** (Vic.) (as amended by **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009** (Vic.)) as compliant with relevant regulatory requirements and Australian Standards as determined by Us or the Energy Distributor from time to time.

### Geographic Place Names Act 1998

#### NOTICE OF INTENTION TO REGISTER A GEOGRAPHIC NAME

The Registrar of Geographic Names hereby gives notice of intention to register the undermentioned place name(s) and/or amendments to the boundaries of the undermentioned localities. Any objections to the proposal(s) should be made in writing (stating the reasons therefor) and lodged with the Registrar within 30 days of publication of this notice. If no objections are lodged within this period, any newly proposed names will become the official names and/or any proposed locality boundary amendments will be registered in the Register of Geographic Names.

File No.	Naming Authority	Place Name	Location
LA/12/0035	Glenelg Shire Council	Mumbannar and Strathdownie	As on version 4.5 of the plan showing the locality names and boundaries within the municipality. Copies of this plan may be inspected at the municipal offices or at the office of the Registrar of Geographic Names following registration.
GPN008109	City of Ballarat	Bonshaw Creek	Runs from near Heinz Road at Delacombe to its confluence with Winter Creek near the intersection of Bells Road and Ross Creek Road at Bonshaw.

Office of the Registrar of Geographic Names  
 c/- **LAND VICTORIA**  
 17th Floor  
 570 Bourke Street  
 Melbourne 3000

JOHN E. TULLOCH  
 Registrar of Geographic Names

### Flora and Fauna Guarantee Act 1988

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

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

#### PRELIMINARY RECOMMENDATION OF THE SCIENTIFIC ADVISORY COMMITTEE

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

<b>Item supported for listing</b>	<b>Criteria satisfied</b>
805 <i>Callistemon wimmerensis</i> Wimmera Bottlebrush	1.1.2, 1.2.1, 1.2.2

The reason that the nomination is supported is that the item satisfies at least one primary criterion of the set of criteria maintained under section 11 of the Act and stated in Schedule 1 of the Flora and Fauna Guarantee Regulations 2001.

#### SUBMISSIONS INVITED ON PRELIMINARY RECOMMENDATIONS OF THE SCIENTIFIC ADVISORY COMMITTEE

Electronic (by email) or written submissions (in envelopes marked CONFIDENTIAL) supplying evidence that supports or contradicts the preliminary recommendation will be accepted until Friday 18 December 2009. Submissions must be signed and provide a full postal address and daytime telephone number of the person or group making the submission. Emailed submissions should include a postal address so that those making a submission can be advised of developments by letter. Please note that the Scientific Advisory Committee considers only nature conservation issues.

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

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

MARTIN O'BRIEN  
Executive Officer  
Scientific Advisory Committee, November 2009

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

#### PREPARATION OF ACTION STATEMENTS

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

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

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**Health Professions Registration Act 2005**

PODIATRISTS FEES FOR 2010

(applying from 1 December 2009)

As per Section 140(1)(c) of the **Health Professions Registration Act 2005**

General registration	\$400
General registration for a period of less than 3 months	\$90
Specific registration	\$315
Specific registration for a period of less than 3 months	\$90
Renewal of registration	\$315
Non-practising registration	\$70
Additional renewal fee	\$120
Non-practising to Practising Application	\$400
Postgraduate qualifications	\$120
Copy of the register (printed)	\$60
Copy of the register on computer disk	\$30
Extract from the register	\$30
Issue of Replacement Certificate	\$60

The additional renewal fee applies from 1 January 2010 to 31 March 2010. If a renewal form is received during this period, the total fee (renewal plus additional fee) payable is \$435.00.

M. E. STRICKLAND  
Registrar

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**Interpretation of Legislation Act 1984****ROAD SAFETY (VEHICLES) REGULATIONS 2009**

## Notice of Incorporation of Documents

As required by section 32 of the **Interpretation of Legislation Act 1984**, I give notice that the Road Safety (Vehicles) Regulations 2009 apply, adopt or incorporate the following documents:

**Title of applied, adopted or incorporated documents**

<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Definition of <b>United Nations electronic stability control standard</b> in regulation 5(1)	Global technical regulation No. 8 published by the United Nations Economic Commission for Europe and established in the Global Registry on 26 June 2008 [ECE/TRANS/180/Add.8], as amended by the Corrigendum established in the Global Registry on 12 November 2008 [ECE/TRANS/180/ Add.8/Corr.2]	The whole
Definition of <b>forward-control passenger vehicle (MB)</b> in regulation 5(1)	Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Compilation 3, dated 19 September 2007, published by the Commonwealth Department of Transport and Regional Services	The whole
Definition of <b>off-road passenger vehicle (MC)</b> in regulation 5(1)	Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Compilation 3, dated 19 September 2007, published by the Commonwealth Department of Transport and Regional Services	The whole
Definition of <b>passenger car (MA)</b> in regulation 5(1)	Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 Compilation 3, dated 19 September 2007, published by the Commonwealth Department of Transport and Regional Services	The whole
Regulation 5 and clause 3 (definitions of <b>50 millimetre kingpin</b> and <b>90 millimetre kingpin</b> ) and clauses 165, 166 and 167 of Schedule 2	Australian Standard AS 2175–1990 Articulated Vehicles – Kingpins	The whole
Regulation 5 and clause 3 (definition of <b>road tank vehicle</b> ) of Schedule 2	Australian Code for the Transport of Dangerous Goods by Road and Rail, seventh edition implemented by 31 December 2008	Volume 1 Division 1.1 – Interpretation

<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 5, 21 and Part 3 of Schedule 2	Vehicle Standards Bulletin No. 6 – National Code of Practice for Heavy Vehicle Modifications and Vehicle Standards Bulletin No. 14 – National Code of Practice for Light Vehicle Construction and Modification, both published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government	The whole
Regulation 5 and clauses 17 and 19 of Schedule 2	Australian Design Rules for Motor Vehicle Safety and Trailers, second edition, published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government	The whole
Regulation 5 and clauses 18 and 20 of Schedule 2	Australian Design Rules for Motor Vehicles and Trailers, third edition, published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government	The whole
Regulation 5 and clauses 3 and clause 23(2)(a) of Schedule 2	Australian/New Zealand Standard AS/NZS 2596:2003 Seat belt assemblies for motor vehicles (ECE Regulation No.16, MOD) published jointly by Standards Australia and Standards New Zealand on 29 December 2003	The whole
Regulation 5 and clause 23(2)(b) of Schedule 2	Second and third edition ADR 5	The whole
Regulation 5 and clause 23(2)(c) of Schedule 2	Second edition ADR 34; third edition ADR 5 and 34	The whole
Regulation 5 and clause 23(2)(d) of Schedule 2	Second and third edition ADR 22	The whole
Regulation 5 and clause 33(1)(b) of Schedule 2	British Standard AU200–1a:1984 Spray reducing devices for heavy goods vehicles, published by the British Standards Institute on 31 August 1984	Parts 1 and 2
Regulation 5 and clause 41(3) of Schedule 2	Australian Standard AS 2513–1982 Electrical Connectors for Trailer Vehicles	The whole
Regulation 5 and clause 41(5) of Schedule 2	Third edition ADR 63	The whole

<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 5 and clause 43(2) of Schedule 2	Australian Standard AS R1–1965 Safety Glass for Land Transport; Australian Standard AS R1–1968 Safety Glass for Land Transport; Australian Standard AS 2080–1977 Safety Glass for Vehicles; British Standard BS 857:1967 Specification for safety glass for land transport; British Standard BS 5282:1975 Road vehicle safety glass; British Standard BS AU178:1980 Road vehicle safety glass; Japanese Industrial Standard JIS R 3211–1979 Safety Glasses for Road Vehicles; American National Standard ANSI Z26.1a–1980 – Safety code for glazing materials for glazing motor vehicles operating on land highways	The whole
Regulation 5 and clause 53 of Schedule 2	Australian Standard AS 1973–1985 Retreaded Pneumatic Passenger and Light Truck Tyre; Australian Standard AS 1973–1993 Pneumatic Tyres – Passenger car, light truck and truck/bus – Retreading and repair processes published by Standards Australia on 15 November 1993	The whole
Regulation 5 and clauses 62(7) and 117(3) of Schedule 2	Australian Standard AS 1906.1–1990 Retroreflective materials and devices for road traffic control purposes	Part 1
Regulation 5 and clause 116(7) of Schedule 2	Third edition ADR 6	The whole
Regulation 5 and clauses 117(1) and 117(2) of Schedule 2	Australian Standard AS 1743–1975 Road Signs (metric units) published by Standards Australia on 20 January 1975	Image W6–3
Regulation 5 and clause 119(1) of Schedule 2	Vehicle Standards Bulletin No. 12 – Rear Marking Plates, published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government	The whole
Regulation 5 and clauses 136(1) and 137 of Schedule 2	Second edition ADR 35A; and third edition ADR 35	The whole
Regulation 5 and clause 136(2) of Schedule 2	Third edition ADR 64	Clause 64.5.2

<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 5 and clause 138 of Schedule 2	Second edition ADR 38; third edition ADR 38; and third edition ADR 38/01	The whole
Regulation 5 and clause 143(2) of Schedule 2	Australian Standard AS D8–1971 Hose couplings for use with vacuum and air pressure braking systems on prime movers, trailers and semi-trailers	The whole
Regulation 5 and clause 154(1)(a) of Schedule 2	Australian/New Zealand Standard AS/NZS 1425:2007 LP Gas fuel systems for vehicle engines	The whole
Regulation 5 and clause 154(3)(c) of Schedule 2	Australian Standard AS 1742–1975 Manual of Uniform Traffic Control Devices, Appendix C, Class 2	Material related to class NP
Regulation 5 and clause 155 of Schedule 2	Third edition ADR 65	The whole
Regulation 5 and clauses 161, 163 and 164 of Schedule 2	Australian Standard AS 1773–1990 Articulated Vehicles—Fifth Wheel Assemblies; Australian Standard AS 1771–1987 Installation of Fifth Wheel and Turntable Assemblies	The whole
Regulation 5 and clauses 168 and 170 of Schedule 2	Australian Standard AS 2213–1984 50mm Pin-Type Couplings and Drawbar Eyes for Trailers	The whole
Regulation 5 and clause 174 of Schedule 2	ADR 8 Safety Glass; ADR 12 Glare Reduction in Field of View; ADR 14 Rear Vision Mirrors; ADR 16 Windscreen Wipers and Washers; ADRs 18 and 18A Location and Visibility of Instruments; ADRs 35 and 35A Commercial Vehicle Braking Systems	The whole
Regulation 164 and clauses 12, 32, 43 and 47 of Schedule 8, and clauses 22 and 28 of Schedule 9	Height Clearance on Roads, published by VicRoads in January 2000	The whole



<b>Statutory Rule Provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 172 and clauses 62(7) and 117(3)(c) of Schedule 2 and clauses 9(6)(b), 14(1)(a), 53(1)(a) of Schedule 7	Australian Standard 1906 Retroreflective materials and devices for road traffic control purposes	The whole
Regulation 172 and clauses 17(1) and 56(1) of Schedule 7	Australian Standard AS 1744–1975 Standard alphabets for road signs (metric units) published by Standards Australia on 20 January 1975	The whole
Regulation 172 and clause 36(1) of Schedule 7	Third edition ADR 13	The whole
Regulation 248(2)	Load Restraint Guide, second edition 2004, published by the National Transport Commission	The whole
Clause 148A of Schedule 2	National Stationary Exhaust Noise Test Procedures for In-service Motor Vehicles – September 2006 (ISBN: 1 9211 68 50 1) published by National Transport Commission	The whole

A copy of the material applied, adopted or incorporated by the Road Safety (Vehicles) Regulations 2009 has been lodged with the Clerk of the Parliaments on 27 October 2009 and is available for inspection by members of the public, free of charge, during normal office hours at VicRoads, 60 Denmark Street, Kew, Victoria 3101.

Dated 2 November 2009

TIM PALLAS MP  
Minister for Roads and Ports

**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 Dandenong 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>	<i>Date of Hearing</i>
Tania Iliov	Integrated Recovery Services P/L	96 Stadium Circuit, Mulgrave	Commercial Agents	27/11/2009

Dated at Dandenong 5 November 2009

DAMIAN CAPOBIANCO  
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 – 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>
Donald N. Johnston	VCB National Services P/L	4a Craine Street, South Melbourne, Vic. 3205	Commercial Sub-agents Licence
Melissa S. Hamilton	Stellar Asia Pacific P/L	Bld 10, Level 3, 658 Church Street, Richmond, Vic. 3121	Commercial Agents Licence

Dated at Melbourne 6 November 2009

DEBRA GALLUCCI  
Registrar  
Magistrates' Court of Victoria

**Public Records Act 1973**

## DECLARATION OF RECORDS NOT AVAILABLE FOR PUBLIC INSPECTION

Whereas section 10(1) 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 a period of not more than 30 years, after the date of their transfer to the Public Record Office.

I, Lynne Kosky, Minister for the 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 5 October 2009

LYNNE KOSKY  
Minister for the Arts

## SCHEDULE

Series	Series Title	Available for Public Access
VPRS 16152/P1	Bill Files, Alphabetical Order by Subject of Bill [by 1969–1982]	Year 2013
VPRS 16152/P2	Bill Files, Alphabetical Order by Subject of Bill [by 1982–1992]	Year 2026
VPRS 16152/P3	Bill Files, Alphabetical Order by Subject of Bill [by 1992–1999]	Year 2032

**Subordinate Legislation Act 1994**

## NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Associations Incorporation Amendment (Fees and Other Matters) Regulations 2009

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994** that a Regulatory Impact Statement (RIS) has been prepared for the proposed Associations Incorporation Amendment (Fees and Other Matters) Regulations 2009 (proposed Regulations).

The **Associations Incorporation Act 1981** provides for the incorporation of associations, for the regulation of the affairs of, and reporting of the financial situation of, associations that have incorporated. It also provides for the transfer of incorporation of incorporated associations to other schemes of incorporation, and for the winding up and cancellation of associations that have incorporated under the Act.

The objectives of the proposed Regulations are to prescribe –

- fees for transactions with the Registrar of Incorporated Associations;
- accounting standards for the preparation of financial reports by prescribed associations;
- security that liquidators must lodge with the Registrar where the Registrar has issued a certificate for the winding up of an incorporated association and appointed a liquidator to carry out the winding up; and
- the maximum fine that an incorporated association can impose upon a member of the incorporated association who has breached its rules.

The RIS examines the costs and benefits of the proposed regulations and possible alternatives and concludes that the proposed Regulations are the most efficient method of achieving the objectives.

Copies of the RIS and the proposed Regulations may be obtained by:

- visiting the internet at <http://www.consumer.vic.gov.au>; or
- telephoning Consumer Affairs Victoria on (03) 8684 6484; or
- collection from the Victorian Consumer and Business Centre, 113 Exhibition Street, Melbourne, between 8.30 am and 5.00 pm weekdays.

The purpose of this notice is to invite public comments on the RIS and the proposed Regulations. All comments must be in writing, be marked 'Associations Incorporation RIS' and received at one of the following addresses by no later than 5.00 pm on Friday 11 December 2009.

Post: Associations Incorporation RIS  
Consumer Policy and Programs Branch  
Consumer Affairs Victoria  
GPO Box 123  
Melbourne Vic. 3001

E-mail: [risconsultations@justice.vic.gov.au](mailto:risconsultations@justice.vic.gov.au)

All comments and submissions will be treated as public documents.

Dated Monday 9 November 2009

HON TONY ROBINSON MP  
Minister for Consumer Affairs

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### **Water Act 1989**

#### **ENVIRONMENTAL ENTITLEMENT (GOULBURN SYSTEM – LIVING MURRAY) FURTHER AMENDING ORDER 2009**

I, Tim Holding, Minister for Water, under section 48K of the **Water Act 1989**, make the following Order –

**1. Title**

This Order is called the Environmental Entitlement (Goulburn System – Living Murray) Further Amending Order 2009.

**2. Preliminary**

The Environmental Entitlement (Goulburn System – Living Murray) 2007 ('Environmental Entitlement') was made by the Minister on 1 July 2007 and notified in the Victoria Government Gazette G26 dated 28 June 2007 at page 1345. This Environmental Entitlement held by the Minister for Environment and Climate Change is being used so that water may be retained in the Goulburn River system to provide increased environmental flows in the River Murray as part of the Living Murray Initiative.

The Environmental Entitlement has subsequently been amended by Environmental Entitlement (Goulburn System – Living Murray) Amendment Order 2009, to include an additional 19,164 ML of high-reliability entitlement, as notified in the Victoria Government Gazette G29 dated 16 July 2009.

**3. Purpose**

The purpose of this Order is to amend the Environmental Entitlement to increase the Living Murray's entitlement by 20,461 ML of high-reliability and 15,780 ML of low-reliability entitlement as specified in Schedule 1 of the Environmental Entitlement.

**4. Authorising provisions**

This Order is made in accordance with section 48K of the **Water Act 1989**.

**5. Commencement**

This Order comes into operation on the day it is published in the Victoria Government Gazette.

**6. Change of reference**

Wherever appearing in the Environmental Entitlement –

- (a) for the term ‘MDBC’ substitute ‘MDBA’;
- (b) for the word ‘Commission’ substitute ‘Authority’;

**7. Amendment to clause 7**

For sub-clause 7.1(d) of the Environmental Entitlement, substitute –

- ‘(d) the amount available from the environmental entitlement for which the Valley Cap applies does not exceed the Valley Cap, as determined each year in accordance with Schedule 1.’

**8. Amendment to clause 8**

For sub-clause 8.1 of the Environmental Entitlement, substitute –

‘8.1 The water allocation under the environmental entitlement must be determined in accordance with the rules for water allocations for:

- (a) high-reliability water shares for that year in accordance with Table 2a of Schedule 1; and
- (b) low-reliability water shares for that year in accordance with Table 2b of Schedule 1.’

**9. Amendment to Schedule 1**

For Schedule 1 to the Environmental Entitlement substitute:

**‘Schedule 1 – Quantification of Entitlement****Table 1 – Volume of environmental entitlement**

Source	Volume available (ML)		Comment
	High-reliability	Low-reliability	
Living Murray water – Sales Package	0	141,200	Low-reliability entitlement <i>Valley Cap applies</i> <i>Extended Use Account applies</i>
Living Murray water – GMW Recovery Package	19,164	0	High-reliability entitlement <i>Extended Use Account applies</i>
Living Murray water – Shepparton Irrigation Area Modernisation Project	20,461	0	High-reliability entitlement <i>Extended Use Account does not apply</i>
Living Murray water – Shepparton Irrigation Area Modernisation Project	0	15,780	Low-reliability entitlement <i>Extended Use Account does not apply</i>
<b>TOTAL</b>	<b>39,625</b>	<b>156,980</b>	

**Table 2a – Volumes allocated to the environmental entitlement under different high-reliability allocation scenarios (ML)**

Allocation to high-reliability water shares	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Volume available under environmental entitlement	3963	7925	11888	15850	19813	23775	27738	31700	35663	39625

**Table 2b – Volumes allocated to the environmental entitlement under different low-reliability allocation scenarios**

Allocation to low-reliability water shares	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Volume available under environmental entitlement	15698	31396	47094	62792	78490	94188	109886	125584	141282	156980

**Table 3 – Volume available from the Living Murray Water – Sales Package entitlement under the Valley Cap for different allocation scenarios**

Allocation to low-reliability water shares	10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Volume available under Valley Cap	13391	26783	40174	53565	66957	80348	93739	107130	120522	133913

**Rules for the operation of the Valley Cap**

1. The Valley Cap is a maximum limit on the amount of water that is available under the Living Murray Water – Sales Package portion of the environmental entitlement in any one year.
2. The volume of water available under the Living Murray Water – Sales Package portion of the environmental entitlement in any one year will be the lesser of:
  - (a) the amount of water allocated under the Living Murray Water – Sales Package portion of the environmental entitlement in that year (including water in the Extended Use Account); and
  - (b) the amount determined by applying the Valley Cap (including any amounts carried over from the previous years).
3. The Valley Cap is climatically variable, so that the amount of the Valley Cap in any one year will vary according to the amount of water available to be allocated to low-reliability water shares as specified in Table 3 in that year.
4. Where the water used in any one year is less than the amount of the Valley Cap in that year, the Valley Cap is increased by the amount of the unused portion in the subsequent year.
5. The total amount of the Valley Cap in any one year may be more than the amount specified in Table 3, because amounts accumulated in previous years may be added to the amount available in that one year.

Dated 10 November 2009

TIM HOLDING MP  
Minister for Water

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

## Notice of Approval of Amendment

## Amendment C95

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

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

The Amendment:

- updates the Municipal Strategic Statement (MSS) to introduce the principles and recommendations of the Canadian Valley Outline Development Plan 2005 and to include strategies for development within the Canadian Valley, management of koala habitat and native vegetation;
- includes three new reference documents relating to the Canadian Valley and vegetation and koala management;
- replaces specific local planning policies for Buninyong and Mount Clear with a new Canadian Valley Local Planning Policy;
- rezones various parcels of land within the Canadian Valley;
- introduces a new local planning policy and Environmental Significance Overlay (ESO5) control to support koala and koala habitat protection;
- replaces the existing Schedule 1 to the Vegetation Protection Overlay (VPO1) with a new schedule and new areas that have been identified and added to the VPO1 mapping; and
- introduces a new incorporated document that maps koala habitat in the municipality.

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 free of charge, during office hours, at the offices of the Ballarat City Council, Town Hall, Sturt Street, Ballarat.

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

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

## Notice of Approval of Amendment

## Amendment C60

The Minister for Planning has approved Amendment C60 to the Maroondah Planning Scheme.

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

The Amendment introduces a new local policy entitled 'Gaming Premises Policy' at Clause 22.16 of the Local Planning Policy Framework.

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 free of charge, during office hours, at the offices of the Maroondah City Council, Braeside Avenue, Ringwood.

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

**CORRIGENDUM****BRIMBANK PLANNING SCHEME**

## Notice of Approval of Amendment

## Amendment C110

In Government Gazette G41 of 8 October 2009 on page 2611, second column under the notice titled 'BRIMBANK PLANNING SCHEME ... Amendment C110' please note the third paragraph should read:

'The Amendment rezones the section of Kings Road between Melton Highway and Taylors Road to a Road Zone Category 1.'

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



## ORDERS IN COUNCIL

### **Project Development and Construction Management Act 1994**

#### NOMINATION ORDER

##### Order in Council

The Governor in Council, under section 6 of the **Project Development and Construction Management Act 1994** ('the Act'), declares the following development to be a project to which the Act applies:

- the State Sports Facilities Project

AND in accordance with section 7 of the Act, specifies that:

- (a) the Minister for Major Projects is to be responsible for the nominated project; and
- (b) the Secretary to the Department of Innovation, Industry and Regional Development, being a body corporate established under section 41A of the Act, is to be the facilitating agency for the nominated project.

Dated 10 November 2009

Responsible Minister

HON JOHN BRUMBY MP

Premier of Victoria

TOBY HALLIGAN  
Clerk of the Executive Council

agency for the State Sports Facilities Project; sections 14, 15, 16, 17, 18, 18A, 19, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 21, 22, 23, 24 and 25.

- c) The following provisions of Part 3 of the Act apply to the responsible Minister; sections 19, 20, 22, 23 and 24.

Dated 10 November 2009

Responsible Minister

HON JOHN BRUMBY MP

Premier of Victoria

TOBY HALLIGAN  
Clerk of the Executive Council

### **Project Development and Construction Management Act 1994**

#### APPLICATION ORDER

##### Order in Council

The Governor in Council under section 8 of the **Project Development and Construction Management Act 1994** ('the Act'), and on the recommendation of the Premier, declares in respect of the State Sports Facilities Project ('the Project'), a nominated project under section 6 of the Act, that:

- a) The following provisions of Part 3 of the Act apply in relation to the State Sports Facilities Project; sections 14, 15, 16, 17, 18, 18A, 19, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 20H, 20I, 20J, 21, 22, 23, 24 and 25.
- b) The following provisions of Part 3 of the Act apply to the Secretary to the Department of Innovation, Industry and Regional Development which is the facilitating

**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:

- |                               |  |                               |   |
|-------------------------------|--|-------------------------------|---|
| 131. <i>Statutory Rule:</i>   | Coroners Court Rules 2009  | 135. <i>Statutory Rule:</i>   | Corrections Amendment Regulations 2009              |
| <i>Authorising Act:</i>       | Coroners Act 2008  | <i>Authorising Act:</i>       | Corrections Act 1986                                |
| <i>Date first obtainable:</i> | 9 November 2009  | <i>Date first obtainable:</i> | 12 November 2009                                    |
| <i>Code E</i>                 |  | <i>Code A</i>                 |   |
| 132. <i>Statutory Rule:</i>   | Supreme Court (Criminal Procedure Amendment) Rules 2009              | 136. <i>Statutory Rule:</i>   | Alpine Resorts (Management) Regulations 2009        |
| <i>Authorising Act:</i>       | Supreme Court Act 1986<br>Criminal Procedure Act 2009                | <i>Authorising Act:</i>       | Alpine Resorts (Management) Act 1997                |
| <i>Date first obtainable:</i> | 9 November 2009  | <i>Date first obtainable:</i> | 12 November 2009                                    |
| <i>Code E</i>                 |  | <i>Code D</i>                 |   |
| 133. <i>Statutory Rule:</i>   | Births, Deaths and Marriages Registration Amendment Regulations 2009 | 137. <i>Statutory Rule:</i>   | Road Safety Road Rules Further Amendment Rules 2009 |
| <i>Authorising Act:</i>       | Births, Deaths and Marriages Registration Act 1996                   | <i>Authorising Act:</i>       | Road Safety Act 1986                                |
| <i>Date first obtainable:</i> | 12 November 2009   | <i>Date first obtainable:</i> | 12 November 2009                                    |
| <i>Code A</i>                 |  | <i>Code A</i>                 |   |
| 134. <i>Statutory Rule:</i>   | Liquor Control Reform Regulations 2009                               | 138. <i>Statutory Rule:</i>   | Road Safety (Drivers) Amendment Regulations 2009    |
| <i>Authorising Act:</i>       | Liquor Control Reform Act 1998                                       | <i>Authorising Act:</i>       | Road Safety Act 1986                                |
| <i>Date first obtainable:</i> | 12 November 2009   | <i>Date first obtainable:</i> | 12 November 2009                                    |
| <i>Code D</i>                 |  | <i>Code B</i>                 |   |

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