



Victoria Government Gazette

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No. G 47 Thursday 19 November 2009

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GENERAL

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As from 19 November 2009

The last Special Gazette was No. 417 dated 18 November 2009.

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

How To Submit Copy

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

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

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

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A General Gazette will NOT be published on Thursday 31 December 2009.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

**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

VICTORIA GOVERNMENT GAZETTE

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS**Land Act 1958**

Notice is hereby given that Larmon Pty Ltd has applied for a lease pursuant to section 134 of the **Land Act 1958** for a term of 21 years in respect of Crown Allotment 2005, Parish of Mournpoul, County of Karkarook, for the purpose of 'Manufacture, collection and removal of salt'.

File Ref: 0103549 Mildura

DISSOLUTION OF PARTNERSHIP

Notice is hereby given, in accordance with the provisions of section 40 of the **Partnership Act 1958**, that Martina Harris Nominees Pty Ltd as trustee for the Martina Harris Business Trust No. 2 and Evan Milne Nominees Pty Ltd as trustee for the Evan Milne Business Trust No. 2, who have been carrying on the business of Cafe Moby at 41 The Esplanade, Torquay, in partnership with each other, have dissolved such partnership by mutual consent as from the close of business on 22 October 2009.

Evan Milne Nominees Pty Ltd of Jan Juc, Victoria, has retired from the partnership and its title and part-ownership have now been transferred to Martina Harris Nominees Pty Ltd of Jan Juc, Victoria, the remaining partner, who is continuing the business on its own account under the name of Cafe Moby from the premises at 41 The Esplanade, Torquay.

Dated 22 October 2009

EVAN MILNE NOMINEES PTY LTD,
MARTINA HARRIS NOMINEES PTY LTD.

DISSOLUTION OF PARTNERSHIP

All those dealing with the partnership of Carrick Kellow Smyth of Level 5, 501 La Trobe Street, Melbourne, Victoria 3000, take notice that with effect from midnight on 30 October 2009 the said partnership has dissolved and accordingly no partner of Carrick Kellow Smyth, being Matthew Paterson Kellow, Anthony Paul Smyth and Michael Sean Carrick, shall be liable for debts and liabilities of the said partnership incurred after that time other than in accordance with the **Partnership Act 1958**. Please contact Michael Carrick at Level 5, 501 La Trobe Street, Melbourne, Victoria 3000 or on (03) 9604 2200 with any queries concerning this notice.

Re: JOAN FRANCES VERDON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 2 December 2008, are required by the trustees, James McDonagh Verdon, in the Will called James Joseph McDonagh, and Maree Frances McDonagh, to send particulars to the trustees, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: ELISABETH MARGARET FRANCES MACLEOD, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 16 March 2009, are required by the trustee, Robert Andrew Bradley, to send particulars to him, care of the undersigned solicitors, by 20 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.

AITKEN PARTNERS PTY LTD, solicitors,
Level 1, 114 William Street, Melbourne 3000.

DAVID ANDREW BRUCE of Unit 3, 207 Auburn Road, Hawthorn, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 15 July 2009, are required by Michael Vincent Britt, the personal representative, to send to him, care of the undermentioned solicitors, particulars of their claims by 23 January 2010, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

DKP LAWYERS PTY LTD, solicitors,
Suite 107, 3 Male Street, Brighton 3186.

Re: Estate of FRED A ELIZABETH FAWCETT, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of FRED A ELIZABETH FAWCETT, late of Boort Nursing Home, Kiniry Street, Boort, Victoria, widow, deceased, who died on 28 March 2008, are to send particulars of their claim to the executors, care of the undermentioned legal practitioners, by 11 January 2010, after which the executors will distribute the assets, having regard only to the claims of which they then have notice.

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

Creditors, next-of-kin and others who have claims in respect of the estate of ALISON MARY GIBSON, late of 5 Warde Street, Bairnsdale, in the State of Victoria, deceased, who died on 23 May 2009, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 19 January 2010, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

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

Creditors, next-of-kin and others who have claims in respect of the estate of ARTHUR KITCHENER STRONELL, late of Domain Aged Care, 3–5 Fort King Road, Paynesville in the State of Victoria, deceased, who died on 28 August 2009, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by 19 January 2010, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

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

Re: KEITH JAMES ROCKE, late of 17 Oriana Drive, Mermaid Waters in the State of Queensland, but formerly of 571 Middleborough Road, Box Hill North in the State of Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 20 August 2009, are required by the

trustee, Betty Rose Rocke, to send particulars to the trustee by 18 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.

G. A. BLACK & CO., solicitors,
222 Maroondah Highway, Healesville 3777.

MARJORIE ELLEN HUTCHINSON, late of St Leigh Private Nursing Home, 33 Bay Road, Sandringham, scientist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 6 August 2009, are required by the trustees, care of Harris & Chambers Lawyers of 4/250 Charman Road, Cheltenham 3192, to send particulars to them by 20 January 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees then have notice.

HARRIS & CHAMBERS, lawyers,
4/250 Charman Road, Cheltenham 3192.

GRAHAM HENRY CLIFFORD, late of Unit 2/121 Liebig Street, Warrnambool, Victoria, company director.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 April 2007, are required by the trustee, Kevin O'Connor, care of 64 Kepler Street, Warrnambool, Victoria, to send particulars to him by 31 January 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

JELLIE McDONALD, solicitors,
64 Kepler Street, Warrnambool, Victoria 3280.

**NOTICE OF CLAIMANTS UNDER
TRUSTEE ACT 1958
(Section 33 Notice)**

Re: AVITAL RIVKA CHABAT, late of Unit 2, 12 Park Avenue, Glenhuntly, Victoria 3163, teacher, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 February 2009, are required by Elad Isac Enk and Ariella Yemini, the legal personal representatives of the estate of the deceased, to send particulars of their claims to them, care of the undermentioned solicitors,

by 15 January 2010, after which date they will convey or distribute the assets, having regard only to the claims of which they then have notice.

KLIGER PARTNERS, lawyers,
Level 2, 280 Queen Street, Melbourne, Victoria 3000.

Creditors, next-of-kin and others having claims in respect of the estate of HARRY GUY DARLING, late of 'Koombahla', 70 Whitty Lane, Whitfield, Victoria, engineer/farmer, deceased, who died on 9 September 2008, are required by the executors, Peter Brooke Darling and Michael John Darling, to send particulars of their claims to the executors, care of the undersigned solicitors, by 31 January 2010, after which date the executors may convey or distribute the assets, having regard only to the claims of which the executors then have notice.

LAWSON HUGHES PETER WALSH, solicitors,
4/91 William Street, Melbourne 3000.

Re: PETER MARK McLEAN, late of 6 Greenwood Close, Dingley Village, Victoria, brewer, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 July 2009, are required by the administrators, John Alexander McLean and Paula Rosemary McLean, to send particulars to them, care of the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the administrators will convey or distribute the assets, having regard only to the claims of which they then have notice.

LYTTLETONS, solicitors,
53 Marcus Road, Dingley 3172.

Re: MARY FLORENCE ELY, 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 trustee, ANZ Trustees Limited of Level 4, 100 Queen Street, Melbourne, Victoria (ACN 006 132 332), to send particulars to the trustee by 30 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.

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

Creditors, next-of-kin and others having claims in respect to the estate of MARIAN JUSZCZYK, late of 6 Crown Street, Glen Waverley in the State of Victoria, retired, deceased, who died on 8 September 2009, are required to send particulars of such claims to the Executors, care of the undermentioned solicitors, by 20 January 2010, after which date the executors will convey or distribute the assets, having regard only to the claims of which the executors then have notice.

PIETRZAK SOLICITORS,
222 Latrobe Street, Melbourne 3000.

Re: WILHELMUS JOHANNES MARIA ZUYDWYK, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 March 2009, are required by the trustee, Jewel Christeen Zuydwyk, to send particulars of such claims to her, in care of the undermentioned lawyers, by 19 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.

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

Re: MOLLIE WINIFRED SALTS, late of Fairway Hostel, 195 Bluff Road, Sandringham, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 30 August 2009, are required by the executor, Richard Benedict Goffin, to send particulars to them, care of the undersigned solicitors, by 3 February 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

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

Re: Estate of THELMA JEAN MOORFOOT, deceased.

Creditors, next-of-kin or others having claims in respect of the estate of THELMA JEAN MOORFOOT, late of 40 Shaftesbury Parade, Thornbury, Victoria, widow, deceased, who died

on 23 September 2009, are to send particulars of their claims to the personal representatives, care of the undermentioned solicitors, by 19 January 2010, after which date the personal representatives will distribute the assets, having regard only to the claims of which they then had notice.

WISEWOULD MAHONY, lawyers,
419 Collins Street, Melbourne 3000.

Re: GRACE OGILVIE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 July 2009, are required by the trustee, Kim Syme Price, to send particulars to the trustee, care of the undermentioned solicitors, by 29 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.

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

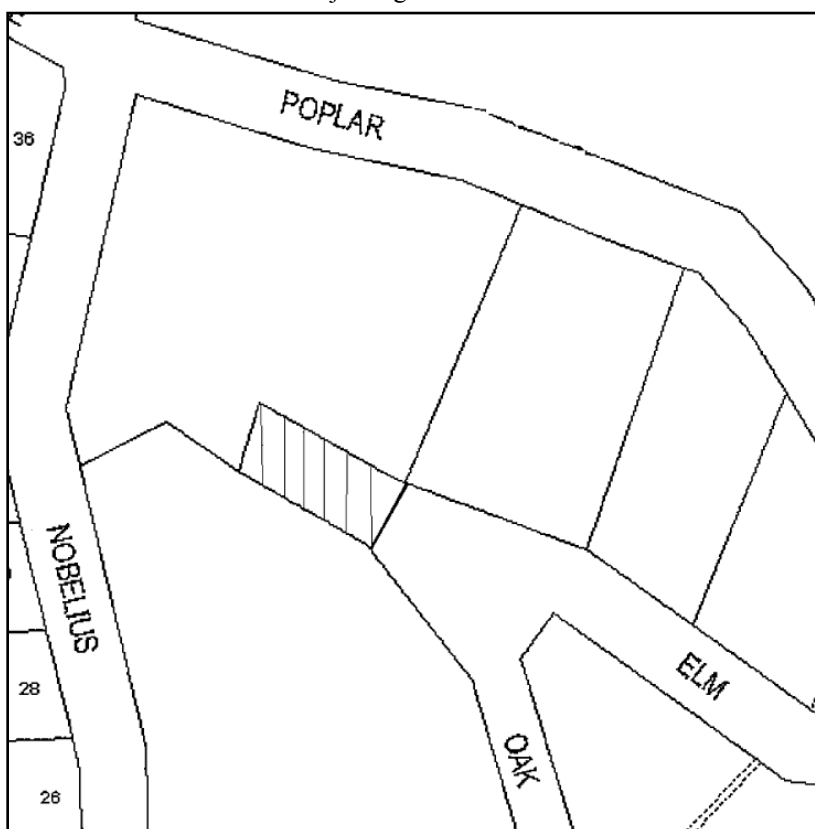
Re: NORMA ELSA WILSON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 31 July 2009, are required by the trustee, Kim Syme Price, to send particulars to the trustee, care of the undermentioned solicitors, by 29 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.

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

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Cardinia Shire Council, at its ordinary meeting held on 21 September 2009, formed the opinion that the unused portion of Elm Crescent, Emerald, as shown on the plan below, is not reasonably required as a road for public use and as such Council resolved to discontinue the portion of road and to sell the land from the road to the adjoining owner.



GARRY McQUILLAN
Chief Executive Officer

MOIRA SHIRE COUNCIL

Road Naming

At its meeting on 21 September 2009, acting under the **Road Management Act 2004**, Part 3, section 11, Moira Shire Council resolved to name the following unnamed road, shown on the map below:

MacKillop Way, Numurkah



GARY ARNOLD
Chief Executive Officer

**CORANGAMITE
SHIRE****Local Laws**

In accordance with section 119(3) of the **Local Government Act 1989** notice is hereby given that the Corangamite Shire Council at its Ordinary Meeting of 27 October 2009, having given due regard to submissions received, resolved to revoke its existing Local Law No. 1, Local Law No. 2 and Local Law No. 3 and replace them with Local Law No.1 – General Local Law 2009, Local Law No. 2 – Livestock Local Law 2009 and Local Law No. 3 – Processes of Municipal Government Local Law 2009.

Local Law No. 1 – General Local Law 2009 provides for (a) peace, order and good governance of the municipality, (b) a safe and healthy environment so that the community within the municipality can enjoy a quality of life that meets its expectations, (c) safe and fair use and enjoyment of public places, (d) protection and enhancement of the amenity and environment of the municipality, (e) fair and reasonable use and enjoyment of private land, (f) uniform and fair administration of this Local Law, and (g) protection of assets vested in the Council.

Part 1: Preliminary relates to Local Law, Objectives, Commencement, Revocation of Local Law, Application of Local Law and Definitions.

Part 2: Environment provides controls for General Amenity of Land, Open Air Burning, Incinerators, Extinguishing Fires, Prohibited Material, Windrow/Heaps, Chimneys and Caravans.

Part 3: Animals provides controls for Animals in urban Areas, Dog and Cat Numbers (Rural), Progeny of Animals, Secure Confinement, Animal Housing, Dog Excrement, Dogs on Leash (Urban).

Part 4: Roads and Council Land relates to Protection of Council Land, Trees and Plants not to Obstruct or Obscure, Property Numbers to be Displayed, Vehicle Crossings, Alcohol, Livestock, Bulk Rubbish Containers/Clothing Containers on Roads, Occupation of the Road for Works, Reinstatement Works, Street Festivals and Processions, Managing Building Sites, Temporary Road Closures, Temporary Electric Fences, Fences and Gates on Council Land, Roads or Road Reserves, Camping on Council Land, Unregistered and Abandoned Vehicles, Horses on Reservations, Trading Activities, Collections, Repair of Vehicles, Load Limits and Compliance with Council Signs.

Part 5: Behaviour – relates to behavior in public places.

Part 6: Waste Management relates to Disposing of Domestic Waste, Organic Waste and Recyclable Materials, Garbage, Recyclables and Green Organics, Restriction on Use of Public Waste Bins, Interference with Garbage, Recyclables, Green Waste or Hard Waste, Screening of Bins and Hoppers, Depositing of Waste at Municipal Landfill Sites, Recycling and Waste Transfer Facilities and Resource Recovery Centres, Scavenging at Municipal Landfill Sites, Recycling and Waste Transfer Facilities and Resource Recovery Centre, Disposal and Storage of Trade Waste and Waste Receptacles on Roads and Reserves.

Part 7: Administration provides for the administration and enforcement of the local law and processes for Permits, Fees, Considering Applications, Delegation, Direction of Authorised Officer, Power of Authorised Officer – Urgent Circumstances, Notice to Comply, Time to Comply, Failure to comply to a notice to comply, Impounding and removal of obstructions, Offences, Infringement Notices, Payment of Penalty, Penalties and Appeals.

Part 8 relates to Certification of Local Law No. 1.

Part 9 relates to Council Adoption of the Local Law.

Local Law No. 2 – Livestock Local Law 2009 provides (a) to regulate the movement and droving of livestock through and within the municipal district and the grazing of livestock within the municipal district; (b) to minimise any damage to road pavements, formations, drainage,

vegetation and surrounding areas arising from livestock; (c) to minimise the spread of livestock disease and noxious weeds in the municipal district; (d) to provide for the welfare of livestock when being driven, grazed or moved; (e) to alert other road users to the presence on roads of livestock in the municipal district in the interests of safe use of roads; (f) to regulate the adequacy of fencing of livestock; (g) to put in place mechanisms for rectifying inadequate fencing; (h) to fix fees or charges relating to the impounding of livestock and all other costs incidental thereto and for road use by livestock within the municipal district; (i) to enter arrangements with neighbouring councils relating to impounding, collecting trespassing livestock, housing and releasing those livestock; (j) to prescribe penalties for contravention of any provisions of this local law; (k) to provide generally for the peace, order and good government of the municipal district including in particular the administration of Council's powers and functions; and (l) to repeal any redundant local laws.

Part 1: Preliminary relates to Title, Objectives, Power to make this Local Law, Commencement, Repeal of Local Law, Cessation of operation of this Local Law, scope of this Local Law and definitions.

Part 2: Livestock on Roads relates to Fencing of Land Containing Livestock, Offence Concerning Livestock on Roads, Droving of Livestock, Grazing of Livestock, Movement of Livestock, Non Application of Clauses, Right of Way, Warning Signs and Authorised relocation of livestock other than in daylight hours.

Part 3: Administration relates to Applying for a Permit, Fees, Fees and Charges relating to impounded or impounding livestock, Fees and Charges relating to livestock movement, Bonds, Issue of Permits, Duration of Permits, Conditional Permits, Cancellation of a Permit, Correction of Permits, Exemptions, Application Offence, Delegation, Power of authorised officers to direct – notice to comply, Time to Comply, Failure to comply to a notice to comply, Power of authorised officer to act in urgent circumstances, Power of authorised officer to impound, Offences, Infringement Notices, Payment of Penalty, Penalties and Appeals.

Part 4 relates to Certification of Local Law No. 2.

Part 5 relates to Council Adoption of the Local Law.

Local Law No. 3 – Processes of Municipal Government Local Law 2009 provides (a) for the peace, order and good government of the municipal district, (b) for the administration of Council powers and functions, (c) for regulation of proceedings at Council Meetings, Committee Meetings and other meetings conducted by or on behalf of Council where Council has resolved that the provisions of the Local Law are to apply, (d) for regulation of proceedings for the election of the Mayor and Chairpersons of various Committees, (e) regulation for the use of the Common Seal, and (f) to prohibit unauthorised use of the Common Seal or any device resembling the Common Seal.

Part 1: Preliminary relates to Local Law, Objectives, Commencement, Revocation of Local Law, Application of Local Law and Definitions.

Part 2: relates to Responsibilities of the Chief Executive Officer.

Part 3: Meeting Business and Procedures relates to Quorum, Business at meetings, Disclosure of conflict of interest, Confirmation of the Minutes of a Meeting, Addressing the Meeting, Form of motions, Procedures for Motions and Amendments, Debate on motions and Amendments, Revocation and Amendment, Formal Motions, Points of Order, Time Limits for Debate, Divisions, Recording of Opposition to a Vote, Chairperson's Ruling, Criticism of Council Staff, Conduct of Visitors of Meetings and Suspension of Standing Orders.

Part 4 relates to the Common Seal.

Part 5 relates to Offences and Penalties.

Part 6 relates to Certification of Local Law No. 3.

Part 7 relates to Council Adoption of the Local Law.

These Local Laws will take effect from 19 November 2009. Copies of the new Local Laws can be inspected or obtained at the Corangamite Shire Civic Centre, 181 Manifold Street, Camperdown, or may be viewed online at www.corangamite.vic.gov.au

PAUL YOUNIS
Chief Executive Officer



Hobsons Bay

CITY COUNCIL

Public Notice

Restricted Beach Activities

On 4 November 2009, Hobsons Bay City Council designated an area on Altona Beach where restricted beach activities may be conducted.

Restricted beach activities include the use of certain types of watercraft which must not be taken onto or across any part of the beach that is not designated by Council.

These watercraft include catamarans of less than 4 metres of overall length, windsurfers, sailboards, surf-kites, aqua scooters, motorised surfboards, canoes, dinghies and other similar vessels or vehicles designed to carry persons on water and primarily or usually propelled by motor, wind or person.

Council now gives notice that the area so designated is as follows:

- the beach area 100 metres east of Romawi Street to the western boundary of Apex Park, Altona, of the community;

as an area where restricted beach activities may be conducted.

Enquiries should be directed to the Parking and Local Laws Unit on 9932 1049.

BILL JABOOR
Chief Executive Officer



Moreland City Council

Meeting Procedure Local Law

Notice is given pursuant to section 119 of the **Local Government Act 1989**, that at its meeting held on 11 November 2009, Moreland City Council ('the Council') resolved to revoke its existing 'Governance Local Legislation', and replace it with a new Local Law titled 'Meeting Procedure Local Law'.

The purpose of the proposed Local Law is to:

- (a) to provide a mechanism to facilitate the good governance of Moreland City Council;
- (b) to promote and encourage community leadership by Moreland City Council consistent with the community's views and expectations;

- (c) to promote and encourage community participation in local government;
- (d) to provide for the election of the Mayor and the Deputy Mayor;
- (e) to provide for the procedures governing the conduct of meetings; and
- (f) to provide for the use of the Council's common seal.

The general purport of the proposed Local Law is to:

- establish a law which will govern order of business, rules of debate, meeting procedure, public access and conduct of meetings;
- regulate the use and control of Council's common seal, and create an offence for a person using the common seal without authority;
- regulate the procedure for the election of the Mayor;
- regulate the procedure of Public Question Time at Ordinary Meetings of Council;
- allow Council to suspend Standing Orders;
- regulate the procedure for petitions;
- regulate the procedure for Points of Order; and
- revoke the existing 'Governance Local Legislation' made in January 2001.

A copy of the proposed Local Law can be obtained from the Council Offices at Moreland Civic Centre, 90 Bell Street, Coburg; Brunswick Town Hall, 233 Sydney Road, Brunswick; and Glenroy Citizen Service Centre, 796N Pascoe Vale Road, Glenroy. Office hours are 8.30 am to 5.00 pm, Monday to Friday except public holidays or downloaded from Council's website at www.moreland.vic.gov.au

Any person affected by the proposed Local Law may make a submission in writing under section 223 of the **Local Government Act 1989**. Such submissions can be forwarded to Moreland City Council, Locked Bag 10, Moreland 3058 and must be received by Thursday 24 December 2009. The submissions will be considered at a Special Meeting of Council on Wednesday 27 January 2010.

Any person requesting that he or she be heard in support of their written submission is entitled to appear before Council either personally or by a person acting on his or her behalf at the Special Meeting of Council on Wednesday 27 January 2010.

PETER BROWN
Chief Executive Officer



Adoption of Amended Road Management Plan

In accordance with division 5 of the **Road Management Act 2004**, Yarriambiack Shire Council, at its ordinary meeting on 9 September 2009, resolved to adopt the amended road management plan (dated April 2009).

Copies of the revised Road Management Plan may be inspected at, or obtained from the Shire Office at 34 Lyle Street, Warracknabeal, the service centres at Rupanyup and Hopetoun or accessed online by viewing Council's website www.yarriambiack.vic.gov.au and following the links.

RAY CAMPLING
Chief Executive Officer

Planning and Environment Act 1987 GREATER GEELONG PLANNING SCHEME

Notice of Preparation of Amendment
Amendment C103
Authorisation A1400

The Greater Geelong City Council has prepared Amendment C103 to the Greater Geelong Planning Scheme.

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 land affected by the Amendment is generally bounded by Clarendon Road, Princess Street, Woodville Street and to the rear of the Business 4 zoned properties fronting Murradoc Road, Drysdale.

The Amendment proposes to rezone the land from Farming Zone and Low Density Residential Zone to Residential 1 Zone and make the land subject to a Development Plan Overlay (DPO). It is also proposed to apply the DPO to relevant adjoining land which is already zoned Residential 1. 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: Greater Geelong Myers Street Customer Service Centre, 131 Myers Street, Geelong, 8.00 am to 5.00 pm weekdays; Greater Geelong Drysdale Customer Service Centre, 18–20 Hancock Street, Drysdale, 9.00 am to 5.00 pm weekdays; 'Have a Say' section of the City's website www.geelongaustralia.com.au/council/yoursay; and Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

For further information about Amendment C103, please contact the City's Strategic Implementation Unit on 5272 4496 or via email strategicplanning@geelongcity.vic.gov.au

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

The closing date for submissions is Monday, 18 January 2010. Submissions must be in writing and sent to The Coordinator, Strategic Implementation Unit, City of Greater Geelong, either by mail to PO Box 104, Geelong, Victoria 3220; or by email to strategicplanning@geelongcity.vic.gov.au

PETER SMITH
Coordinator Strategic Implementation

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.

Planning and Environment Act 1987 GREATER GEELONG 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 C178

Authorisation No. A1413

Planning Permit Application 286/2009

The land affected by the Amendment is 21–29 Melaluka Road, Leopold.

The land affected by the application is 21–29 Melaluka Road, Leopold.

The Amendment proposes to rezone the subject land from Farming Zone to Residential 1 Zone.

The application for a Planning Permit seeks approval for a staged multi-lot subdivision.

The person who requested the Amendment is The Planning Group on behalf of ASD Property Group.

The applicant for the permit is The Planning Group on behalf of ASD Property Group.

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: Myers Street Customer Service Centre, 131 Myers Street, Geelong, 8.00 am to 5.00 pm weekdays; 'Have a Say' section of the City's website, www.geelongaustralia.com.au/council/yoursay; and Department of Planning and Community Development, website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday, 21 December 2009. Submissions must be in writing and sent to The Coordinator, Strategic Planning Unit, City of Greater Geelong, either by mail to PO Box 104, Geelong, Victoria 3220; or by email to strategicplanning@geelongcity.vic.gov.au

PETER SMITH
Coordinator Strategic Implementation

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.

Planning and Environment Act 1987
GREATER GEELONG PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C194
Authorisation A1388

The Greater Geelong City Council has prepared Amendment C194 to the Greater Geelong Planning Scheme.

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 introduces a new planning policy (Drysedale – Clifton Springs Structure Plan) for the townships of Drysdale and Clifton Springs.

The Amendment proposes to:

- replace the existing Municipal Strategic Statement for Drysdale/Clifton Springs at Clause 21.33 of the Greater Geelong Planning Scheme with a new Clause 21.33 that will include the land use directions and policies identified in the adopted Drysdale – Clifton Springs Structure Plan April 2009;
- rezone the triangular parcel of land bound by High, Eversley and Princess Streets, Drysdale, to Business 1 Zone;
- delete the existing Design and Development Overlay (DDO14) from the triangular parcel of land to be rezoned to Business 1 Zone;
- rezone the Regional Community and Cultural Hub site to Special Use Zone, exempting educational and community uses from permit requirements;
- introduce a new Schedule to the Special Use Zone to reflect the rezoning of the Regional Community and Cultural Hub site;
- amend the Schedule to the Mixed Use Zone by deleting reference to the Bellarine Sub-Regional site;
- delete the existing Design and Development Overlay (DDO14) from the regional community and cultural hub;
- rezone 13A Princess Street, Drysdale, to Residential 1 Zone; and
- rezone Council owned land at 9–15 and 17–29 Springs Street, Clifton Springs, to Residential 1 Zone.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment at the following locations: Myers Street Customer Service Centre, 131 Myers Street, Geelong, 8.00 am to 5.00 pm weekdays; Drysdale Customer Service Centre, 18–20 Hancock Street, Drysdale, 9.00 am to 5.00 pm weekdays; 'Have a Say' section of the City's website

www.geelongaustralia.com.au/council/yoursay; and Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

For further information about Amendment C194, please contact the City's Strategic Implementation Unit on 5272 4496 or via email strategicplanning@geelongcity.vic.gov.au

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

The closing date for submissions is Monday, 18 January 2010. Submissions must be in writing and sent to The Coordinator, Strategic Implementation Unit, City of Greater Geelong, either by mail to PO Box 104, Geelong, Victoria 3220; or by email to strategicplanning@geelongcity.vic.gov.au

PETER SMITH

Coordinator Strategic Implementation

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.

Planning and Environment Act 1987

GLEN EIRA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C60

Authorisation A01515

The Glen Eira Council has prepared Amendment C60 to the Glen Eira Planning Scheme.

The Amendment has been made at the request of the Melbourne Racing Club.

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

The land affected by the Amendment is generally bounded by Station Street, Kambrook Road, Bond Street, Heywood Street and Normanby Road, Caulfield.

The Amendment proposes to:

- rezone the land from a part Residential 1 Zone and part Mixed Use Zone to a Priority Development Zone – Schedule 2 (PDZ2);
- introduce Schedule 2 to the Priority Development Zone – Caulfield Mixed Use Area, into the Glen Eira Planning Scheme;
- apply the Road Closure Overlay (RXO) to close part of Smith Street, Bond Street, a laneway west of Bond Street and a laneway south of Heywood Street;
- amend Clause 22.06 Phoenix Precinct Policy to reflect the development vision of the Incorporated Plan; and
- amend the Schedule to Clause 81.01 of the Glen Eira Planning Scheme to include the Caulfield Mixed Use Area Incorporated Plan, July 2008 as an Incorporated Document.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, Glen Eira City Council Municipal Offices, corner Glen Eira and Hawthorn Roads, Caulfield, Victoria, or Council website, www.gleneira.vic.gov.au; or at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 21 December 2009. A submission must be sent to the Strategic Planning Department, Glen Eira City Council, PO Box 42, Caulfield South, Victoria 3162.

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 beginning 19 April 2010.
- Panel Hearing: week beginning 17 May 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 date.

RON TORRES
Manager Planning

Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C128

Authorisation A01427

The Greater Bendigo City Council has prepared Amendment C128 to the Greater Bendigo Planning Scheme.

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

The land affected by the Amendment applies to land throughout the municipality capable of subdivision and subject to Council's 'Infrastructure Design Guidelines, October 2007'. The Amendment also applies to land in Maiden Gully covered by the 'Maiden Gully Structure Plan, October 1996', and land within the Bendigo Urban Growth Boundary (UGB), particularly in the vicinity of Bendigo Creek as assessed in the 'Cultural Heritage Report, May 2009'.

Further land affected by the Amendment varies over several zones and overlays.

The Amendment proposes to include the 'Infrastructure Design Guidelines, October 2007' as a Reference Document in the Greater Bendigo Planning Scheme, delete the 'Maiden Gully Structure Plan, October 1996' as an Incorporated Plan (IPO2), but include it as a Reference Document and add a Design and Development Overlay (DDO10) to include the minimum subdivision lot sizes as previously specified in the precincts of the Structure Plan.

It also corrects various zone and overlay anomalies and updates the Planning Scheme so that it is clearer, more precise and efficient.

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, at the City of Greater Bendigo offices, Planning and Development Unit, 15 Hopetoun Street, Bendigo; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 4.00 pm Monday 21 December 2009. A submission must be sent to the City of Greater Bendigo, PO Box 733, Bendigo, Victoria 3552.

CRAIG NIEMANN
Chief Executive

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C113

Authorisation A01483

The Hume Council has prepared Amendment C113 to the Hume City Council 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 290 Hume Highway, Craigieburn.

The Amendment proposes to rezone land at 290 Hume Highway, Craigieburn, from Urban Flood Zone (UFZ) to Industrial 3 Zone (IN3Z).

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, 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

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 Mr Michael Sharp, Manager Strategic Planning, Hume City Council, PO Box 119, Dallas 3047.

DOMENIC ISOLA
Chief Executive Officer

Planning and Environment Act 1987

HUME PLANNING SCHEME

Notice of Preparation of an Amendment to a Planning Scheme

Amendment C120

Authorisation A01217

The Growth Areas Authority has prepared Amendment C120 to the Hume Planning Scheme.

In accordance with section 9(1) of the **Planning and Environment Act 1987**, the Minister for Planning has authorised the Growth Areas Authority as planning authority to prepare the Amendment.

The Amendment applies to approximately 455 ha of land in western Craigieburn included in the Craigieburn R2 Precinct Structure Plan area.

The Amendment proposes to:

- incorporate the Craigieburn R2 Precinct Structure Plan (Including the Craigieburn R2 Native Vegetation Precinct Plan) and Craigieburn R2 Development Contributions Plan into the Scheme;
- update the schedule to Clause 81.01 to reflect the incorporation of the plans;
- apply Schedule 1 to the Urban Growth Zone (UGZ) to land in the PSP area;
- apply Schedule 1 (Craigieburn R2 Development Contributions Plan) to the Development Contributions Plan Overlay to land in the PSP area;
- insert the Development Contributions Plan Overlay into the Hume Planning Scheme;
- provide for public open space contributions in the PSP area when land is subdivided by amending the Schedule to 52.01; and

- use the Craigieburn R2 Native Vegetation Precinct Plan (R2 NVPP) to manage native vegetation in the PSP area by listing it in the schedule to Clause 52.16.

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, the Growth Areas Authority, Level 29, 35 Collins Street, Melbourne, or www.gaa.vic.gov.au; during office hours at the office of the Hume City Council, Civic Centre, 1079 Pascoe Vale Road, Broadmeadows, or www.hume.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 21 December 2009. A submission must be made in writing and sent to the Growth Areas Authority, Submission to Amendment C120, Level 29, 35 Collins Street, Melbourne 3000.

PETER SEAMER
Chief Executive Officer

Planning and Environment Act 1987

MELTON PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C82

Authorisation A01217

The Growth Areas Authority has prepared Amendment C82 to the Melton Planning Scheme.

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

The land affected by the Amendment is in Plumpton bound by Beattys Road to the north, residential development in Hillside and Caroline Springs to the east, Taylors Road to the south and a north-south electricity easement to the west.

The Amendment proposes to:

- incorporate the Taylors Hill West Precinct Structure Plan, the Taylors Hill West Native Vegetation Precinct Plan and the Taylors Hill West Development Contributions Plan;

- rezone all of the land to Urban Growth Zone 1;
- apply the Development Contributions Plan Overlay to all of the land;
- introduce the Development Contributions Plan Overlay (Clause 45.06) with a new Schedule 1;
- introduce Schedule 1 to the Urban Growth Zone (Clause 37.07); and
- change Clause 21.04–2 and the schedules to Clauses 34.01, 52.01, 52.16, 61.03 and 81.01 to implement the three incorporated plans.

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, Level 29, 35 Collins Street, Melbourne 3000, or at www.gaa.vic.gov.au/planning_scheme_amendments; during office hours at Melton Shire Council offices, 232 High Street, Melton; during opening hours at the Caroline Springs Civic Centre/Library, 193–201 Caroline Springs Boulevard, Caroline Springs; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 20 December 2009. A submission must be sent to the Growth Areas Authority at amendmentsubmissions@gaa.vic.gov.au (quoting Melton C82 submissions in subject line) or Level 29, 35 Collins Street, Melbourne 3000.

PETER SEAMER
Chief Executive Officer

Planning and Environment Act 1987

MELTON PLANNING SCHEME

Notice of Preparation of an Amendment to a Planning Scheme

Amendment C83

Authorisation A01217

The Growth Areas Authority has prepared Amendment C83 to the Melton Planning Scheme.

In accordance with section 9(1) of the **Planning and Environment Act 1987**, the Minister for Planning has authorised the Growth Areas Authority as planning authority to prepare the Amendment.

The Amendment applies to land in the north of Melton Township affected by the Melton North Precinct Structure Plan.

The Amendment proposes to:

- rezone land at 413–439 Minns Road, Kurunjang, from Residential 1 Zone (R1Z) to Urban Growth Zone Schedule 2 (UGZ2);
- apply Schedule 2 (Melton North Precinct Structure Plan) to the Urban Growth Zone (UGZ2) to land in the PSP area to make the Melton North Precinct Structure Plan the primary land use and development document to guide planning in the area;
- apply Schedule 2 (Melton North Precinct Structure Plan Development Contributions Plan) to the Development Contributions Plan Overlay (DCPO2) to land in the PSP area, to provide for developer contributions to specific new development and community infrastructure;
- provide for public open space contributions in the PSP area when land is subdivided by amending the Schedule to Clause 52.01 to introduce a public open space contribution of 3.77%;
- list all land in the precinct in the schedule to Clause 52.17 as not requiring a planning permit for removal of native vegetation; and
- update the Schedule to Clause 81.01 to incorporate the following documents into the planning scheme:
 - Melton North Precinct Structure Plan;
 - Melton North Precinct Structure Plan Development Contributions Plan.

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, the Growth Areas Authority, Level 29, 35 Collins Street, Melbourne, or www.gaa.vic.gov.au; during office hours at the office of the Shire of Melton, Civic Centre, 232 High Street, Melton, or www.melton.vic.gov.au; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 21 December 2009. A submission must be made in writing and sent to the Growth Areas Authority, Submission to Amendment C83, Level 29, 35 Collins Street, Melbourne 3000.

PETER SEAMER
Chief Executive Officer

Planning and Environment Act 1987

MELTON 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 C84

Authorisation No. A01217

Planning Permit Application PA2009/2296

The Amendment applies to approximately 2,400 hectares of land to the south-east of the Melton township contained within the Toolern Precinct Structure Plan area, including a 37.15 hectare parcel of land at 301–353 Exford Road, Melton South, proposed for residential subdivision under permit application number PA2009/2296.

The Amendment proposes to:

- incorporate the Toolern Precinct Structure Plan (Including the Toolern Native Vegetation Precinct Plan) and Toolern Development Contributions Plan into the Melton Planning Scheme;
- update the schedule to Clause 81.01 to reflect the incorporation of the three plans;
- introduce Schedule 3 (Toolern Precinct Structure Plan) to the Urban Growth Zone (UGZ) to make the Toolern Precinct Structure Plan the primary land use and development document to guide planning in the area;
- introduce Schedule 3 (Toolern Development Contributions Plan) to land within the Toolern Precinct Structure Plan (PSP) area, to provide for developer contributions to specific new development and community infrastructure;
- makes changes to the Local Planning Policy Framework at Clauses 21.03 Planning Visions and Objectives for Melton, 21.04 Planning Strategies and Implementation for the Shire, 22.01 Residential Land Use Policy, 22.05 Employment Policy to update in light of the Toolern Precinct Structure Plan;
- provide for public open space contributions for land (excluding employment land) in the Toolern Precinct Structure Plan area when land is subdivided by amending the Schedule to Clause 52.01 to require 6.24% of land or cash payment for Public Open Space;
- use the Toolern Native Vegetation Precinct Plan to manage native vegetation in the Toolern Precinct Structure Plan area by listing it in the schedule to Clause 52.16;
- delete the Wildfire Management Overlay (WMO) where this applies to land within the PSP area;
- delete Schedule 2 to the Development Plan Overlay (DPO2); and
- update the schedule to Clause 61.03 to reflect the planning scheme map changes.

The Amendment has also been prepared under section 96A of the Act to facilitate a combined Amendment and Planning Permit process.

The permit application will provide for the subdivision of 37.15 hectares of land into 335 residential lots and 10 super lots, along with 4.05 hectares of unencumbered open space and the removal of native vegetation. Each super lot will have a minimum density imposed and be the subject of a future planning permit application for development and subdivision. The super lots will yield a minimum 128 lots.

Planning application number	Address	Proposal
P2009/2296	301–353 Exford Road, Melton South	Subdivision of land and the removal of native vegetation

The permit applicant is Watsons Pty Ltd.

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, the Growth Areas Authority, Level 29, 35 Collins Street, Melbourne, or www.gaa.vic.gov.au; during office hours at the office of the Shire of Melton, Civic Centre, 232 High Street Melton, or www.melton.vic.gov.au; during business hours at the Caroline Springs Library, 193–201 Caroline Springs Boulevard, Caroline Springs; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 21 December 2009. A submission must be made in writing and sent to the Growth Areas Authority, Submission to Amendment C84, Level 29, 35 Collins Street, Melbourne 3000.

PETER SEAMER
Chief Executive Officer

Planning and Environment Act 1987
WHITEHORSE PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C120
Authorisation A01457

The Whitehorse City Council has prepared Amendment C120 to the Whitehorse Planning Scheme.

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

The land affected by the Amendment is 114–126 Burwood Highway and 3–5 Evans Street, Burwood.

The Amendment proposes to include the land in Clause 52.03 (Specific Sites and Exclusions) of the Whitehorse Planning Scheme. An incorporated document titled ‘Incorporated Document No. 12, 114–126 Burwood Highway and 3–5 Evans Street, Burwood (Reece) July 2009’ is also to be included at the Schedule to Clauses 52.03 and Clause 81.01. The incorporated document specifies that a permit is required to use the land for an office. It also allows the Responsible Authority to consider an application for the use of the land as an office not exceeding 21,000 square metres of leasable floor area.

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 Whitehorse City Council, Planning Counter, Civic Offices, 379 Whitehorse Road, Nunawading; at the Whitehorse City Council Service Centres at Box Hill and Forest Hill; at libraries in the City of Whitehorse (Nunawading, Blackburn, Box Hill and Vermont South); at Burwood Neighbourhood House, 1 Church Street, Burwood; on the internet at www.whitehorse.vic.gov.au/amendmentc120.html; and at the Department of Planning and Community Development website, www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 21 December 2009. A submission must be sent to the Whitehorse City Council, Locked Bag 2, Nunawading Delivery Centre 3131.

A submission that 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**.

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

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

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

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 19 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.

BAKALOFF, Jordan, late of 16 Elm Grove, Brighton North, Victoria 3186, retired, who died on 6 August 2009.

DERBYSHIRE, Dorothy, also known as Dorothy Gladys DERBYSHIRE, late of Isomer Hostel, 1273 Wellington Road, Lysterfield, Victoria 3156, pensioner, who died on 13 September 2009.

DREIZIS, Brone, also known as Brone GECIAUSKAS, late of Elanora Aged Care Services, 7 Mair Street, Brighton, Victoria 3186, who died on 22 August 2009.

HERITAGE, Lois Jeanette, late of Bodalla Aged Care Facility, 32 Walpole Street, Kew, Victoria 3101, home duties, who died on 25 June 2009.

HOMER, Margaret Mary, late of Unit 60, Regis The Grange, 1 Wyuna Street, Rosebud West, Victoria 3940, retired, who died on 28 August 2009.

McDOUGALL, George Adam, late of Crofton House, 13 Railway Road, Blackburn, Victoria 3130, who died on 21 October 2009.

PRICE, Doreen Beth, late of 27 Sixth Avenue, Raymond Island, Victoria 3880, pensioner, who died on 4 June 2009.

PUSCHMANN, Hennrietta, late of 278 Mount Riddell Road, Healesville, Victoria 3777, who died on 8 January 2007.

SMITH, Joseph Roy, late of 12 Marong Court, Broadmeadows, Victoria 3047, who died on 25 September 2009.

THORN, Eric Frank, late of 30 Huntley Road, Bentleigh, Victoria 3204, retired, who died on 9 August 2009.

WERNER, Morris John, late of 14 Toorang Avenue, Balwyn North, Victoria 3104, retired, who died on 20 August 2009.

Dated 10 November 2009

ROD SKILBECK
Manager
Executor and Trustee Services

Creditors, next-of-kin and others having claims against the estate of any of the undermentioned deceased persons are required to send particulars of their claims to State Trustees Limited ABN 68 064 593 148, 168 Exhibition Street, Melbourne, Victoria 3000, the personal representative, on or before 21 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.

DERNELLEY, Allen Keith, late of Hobsons Bay Nursing Centre, 28–30 Rymill Court, Altona North, Victoria 3025, pensioner, who died on 16 October 2009.

JOHANSON, Gertrude Margaret, late of Coronella Retirement Village, 163–165 Central Road, Nunawading, Victoria 3131, who died on 18 August 2009.

LASSLETT, George William Carrington, late of 32 Dongola Road, West Footscray, Victoria 3012, pensioner, who died on 29 July 2009.

NYUNT, Aung Soe, also known as Andrew Nyunt, late of Brunswick Lodge, 17 Loyola Avenue, Brunswick, Victoria 3056, factory hand, who died on 29 May 2009.

SHOOLBRED, Jane Scott, late of Morrie Evans Wing Nursing Home, 45–53 Koster Street, Benalla, Victoria 3672, who died on 10 November 2009.

TRELOAR, Lorna Nancy, late of Towergrange and Bellview Residential Aged Manor Ward, 23a Elizabeth Street, Oakleigh East, Victoria 3166, retired, who died on 3 September 2009.

ZANKER, Laurel May, formerly of 5 Peter Street, Grovedale, but late of 382 Torquay Road, Grovedale, Victoria 3216, retired, who died on 16 July 2009.

Dated 12 November 2009

ROD SKILBECK
Manager
Executor and Trustee Services

EXEMPTION

Application No. A261/2009

The Victorian Civil and Administrative Tribunal (the Tribunal) has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by Brian Boyce trading as Tablemates (the applicant) for renewal of Exemption A330/2006 which expires on 30 November 2009 which granted the applicant exemption from sections 42, 100 and 195 of that Act. That exemption enabled the applicant to –

- (a) refuse to provide its service to a person who is married and not separated from their spouse;
- (b) obtain information from clients and potential clients of its service for the purpose of matching those clients and potential clients, including information about the attributes (within the meaning of the Act) of those clients and potential clients;

- (c) advise potential clients that, because of their attributes and the attributes preferred by the clients of the service, it will be difficult to find a match for them, where this advice is based on information in the possession of the service;

- (d) to charge no membership fee or a discounted membership fee for prospective clients of a particular sex or age group;

- (e) to advertise for potential clients from a particular sex or age group;

- (f) to state in advertisements for potential clients that an application from a person who is married and not separated from their spouse will not be accepted.

This conduct is called the exempt conduct.

Upon reading the material submitted in support of the application, including the affidavit of Brian Boyce, the Tribunal is satisfied that it is appropriate to renew the exemption from sections 42, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct. In granting this exemption the Tribunal noted that the grounds upon which an exemption in similar terms was first granted in 2003 are substantially unchanged.

The Tribunal hereby renews the exemption to the applicant from the operation of sections 42, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

Paragraph (c) of the definition of exempt conduct does not permit the applicant to refuse to provide the service of its agency to any person unless it would be an offence for the introduction agent to enter into an introduction agreement with that person under section 33 of the **Introduction Agents Act 1997**.

Paragraphs (d) and (e) of the definition of exempt conduct only permit the applicant to charge no fees or discounted fees or to advertise in respect of people of a particular sex or age group if the applicant considers that this is necessary to encourage people in those groups to join its service to correct an imbalance in the representation of those groups among the applicant's existing clients.

This exemption does not limit sections 33 and 34 of the **Introduction Agents Act 1997**.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 12 November 2012.

Dated 6 November 2009

MRS A. COGHLAN
Deputy President

EXEMPTION

Application No. A262/2009

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act), by Djerriwarrh Health Services (DjHS) (the applicant). The application for exemption is to enable the applicant to advertise for and employ a male counsellor in its Adolescent and Young Adult Health Program.

Upon reading the material submitted in support of the application, including the affidavit of David Grace, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a male counsellor in its Adolescent and Young Adult Health Program.

In granting this exemption the Tribunal noted:

- DjHS provides a specialist Family Violence Prevention Program, delivering services to families affected by family violence. Primarily women and children experience family violence as victims and men use family violence towards partners, ex-partners and other family members.
- The Victorian Government is committed to reducing family violence, and it is one of the key priorities of its social policy action plan 'A Fairer Victoria'. One of the main aims of the Victorian Government's Family Violence reforms is to ensure that men who use violent and controlling behaviour are held accountable for their actions and to prevent family violence from occurring.
- The 38 Men's Behaviour Change Programs (MBCPs) being delivered as part of the reform strategy are all accredited under the 'Minimum Standards and Quality Practice Guidelines'. These specifically state that facilitation of such programs should be shared between male and female workers and that male workers in particular should engage in initial contact with men.
- To achieve this DjHS has created a new permanent position within its counselling services, to work specifically with adolescent and young males who are engaging in or are at risk of engaging in violent and abusive behaviours towards family members and

partners. The position will involve a range of interventions for this target group and will also include the establishment of group work practice under the guidelines as stated above. The position needs to be occupied by a male worker.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 100 and 195 of the Act to enable the applicant to advertise for and employ a male counsellor in its Adolescent and Young Adult Health Program.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 12 November 2012.

Dated 6 November 2009

MRS A. COGHLAN
Deputy President

EXEMPTION

Application No. A263/2009

The Victorian Civil and Administrative Tribunal has considered an application pursuant to section 83 of the **Equal Opportunity Act 1995** (the Act) by Norwood Association Incorporated (the applicant). The application for exemption is to enable the applicant to advertise and recruit for the position of Community Liaison Worker (part time) with the Association, specifying as a mandatory criterion for selection that applicants must be a current or past user of mental health services (the specified conduct).

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

In granting this exemption the Tribunal noted:

- The applicant provides services to people with psychiatric and mental disabilities, including outreach programs and supported accommodation designed to help those people to live independently or as independently as they are able within the community.
- The applicant wishes to recruit a person who has experienced the use of mental health services to the position of Community Liaison Worker, as it is felt that such persons are able to communicate better with the users of the applicant's services because they

have shared experience and understanding and are in a better position to listen to and communicate the concerns of the users of the service.

- The applicant was granted previous exemptions in similar terms in November 2002 and 2006.

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

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 12 November 2012.

Dated 6 November 2009

MRS A. COGHLAN
Deputy President

Department of Treasury and Finance

**SALE OF CROWN LAND
BY PUBLIC AUCTION**

On 10 December 2009 at 12.00 pm on site

Reference: F07/28523.

Address of Property: 141–143 Buckley Street,
Morwell.

Crown Description: Crown Allotment 69Q,
Parish of Maryvale.

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

Area: 1283 m².

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

Selling Agent: Stockdale & Leggo, 214
Commercial Road, Morwell, Victoria 3840.

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

**Agricultural and Veterinary Chemicals
(Control of Use) Act 1992**

**APPOINTMENT OF
AUTHORISED OFFICERS**

I, Russell McMurray, Director Chemical
Standards in the Department of Primary
Industries, pursuant to the powers, duties and
functions given to me by a delegation under

section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following persons employed in the Public Service as authorised officers for the purpose of all the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulations or any Order made under this Act. These appointments remain in force until 1 December 2012 unless earlier revoked.

Name of person

Steven David Franklyn Field

Neil Charles Harrison

Michael Edward Laity

Jane Lorraine Rhodes

Joanne Kay Robinson

David Christopher Rumbold

Dated 30 October 2009

RUSSELL McMURRAY
Director Chemical Standards

**Agricultural and Veterinary Chemicals
(Control of Use) Act 1992**

**APPOINTMENT OF
AUTHORISED OFFICER**

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 74 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and of my respective powers to appoint authorised officers under section 53 of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, hereby appoint the following person employed in the Public Service as an authorised officer for the purposes of all of the provisions of the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992** and any Regulation or Order made under this Act. This appointment remains in force until revoked or until 30 June 2012.

Name of person

Christopher John Werner

Dated 4 November 2009

ANTHONY GERARD BRITT
Manager Animal Standards

Livestock Disease Control Act 1994**APPOINTMENT OF INSPECTOR**

I, Anthony Gerard Britt, Manager Animal Standards in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 103 of the **Livestock Disease Control Act 1994** and of my respective powers to appoint inspectors under section 108 of the **Livestock Disease Control Act 1994**, hereby appoint the following person, who holds a position under the provisions of the **Public Administration Act 2004**, as an inspector for the purposes of all of the provisions of the **Livestock Disease Control Act 1994** and in respect of all livestock. This appointment remains in force until revoked or until 30 June 2012.

Name of person

Christopher John Werner

Dated 4 November 2009

ANTHONY GERARD BRITT
Manager Animal Standards

Prevention of Cruelty to Animals Act 1986**APPROVAL OF GENERAL INSPECTOR**

I, Hugh Warwick Chorley Millar, Executive Director Biosecurity Victoria in the Department of Primary Industries, pursuant to the powers, duties and functions given to me by a delegation under section 38 of the **Prevention of Cruelty to Animals Act 1986** and of my respective powers to approve inspectors under section 18 of the **Prevention of Cruelty to Animals Act 1986**, hereby approve the following person, who is an inspector of livestock under the provisions of the **Livestock Disease Control Act 1994**, as a general inspector for the purposes of Part 2A and Part 3A of the **Prevention of Cruelty to Animals Act 1986**. This approval remains in force until revoked or until 30 June 2012.

Name of person

Christopher John Werner

Dated 9 November 2009

HUGH WARWICK CHORLEY MILLAR
Executive Director Biosecurity Victoria

Corrections Act 1986**NOTICE OF AN AWARD OF DAMAGES
TO A PRISONER**

In accordance with section 104Y of the **Corrections Act 1986**, notice is given that an award of damages has been made to the prisoner Patrick Trainor in a claim against the

State. The award money, excluding legal costs and medical expenses, has been paid into the Prisoner Compensation Quarantine Fund, where it will be held for a period of 12 months from 19 November 2009.

Victims and creditors in relation to criminal acts of Patrick Trainor are invited to seek further information from the Secretary of the Department of Justice. To do so, please contact the Victims Register Co-ordinator on 1800 819 817, or for interstate callers, (03) 8684 6700.

Dated 13 November 2009

Country Fire Authority Act 1958**DECLARATION OF FIRE DANGER PERIOD**

In pursuance of the powers conferred by section 4 of the **Country Fire Authority Act 1958**, I, Mick Bourke, Chief Executive Officer of the Country Fire Authority, after consultation with the Secretary to the Department of Sustainability and Environment, hereby declare the following periods to be the Fire Danger Period in the municipal districts of the municipalities or parts of municipalities specified, commencing on the dates shown and, unless varied by subsequent declaration, ending at 0100 hours on 1 May 2010.

To commence from 0100 hours on 23 November 2009:

West Wimmera Shire (remainder)

Yarriambiack (remainder)

Horsham Rural City

Southern Grampians Shire (Northern Part – Glenisla Area) – that part north of Mountain Dam, Old Henty Highway, Billywing Road, Goat Track and Syphon Road (north to Glenelg River)

City of Greater Bendigo

Loddon Shire

Buloke Shire (remainder)

Wellington Shire

Latrobe City

Rural City of Benalla

Rural City of Wangaratta

City of Greater Geelong

Surfcoast Shire

Borough of Queenscliff

City of Greater Shepparton
 Shire of Campaspe
 Shire of Moira
 Shire of Strathbogie
 East Gippsland Shire
 Central Goldfields Shire
 Golden Plains Shire
 Mount Alexander Shire
 City of Wodonga
 Indigo Shire

MICK BOURKE
 Chief Executive Officer

Forests Act 1958, No. 6254

DECLARATION OF THE PROHIBITED PERIOD

In pursuance of the powers conferred by section 3 sub-section (2) of the **Forests Act 1958**, I, Ewan Waller, delegated officer for the Minister for Environment and Climate Change in the State of Victoria, hereby declare the commencement of the Prohibited Period for all land within the Fire Protected Area (other than State Forest, National Park and protected public land) within the municipalities nominated for the period specified in the schedule below:

SCHEDULE 1

The Prohibited Period shall commence at 0100 hours on Monday 23 November 2009, and terminate at 0100 hours, on Saturday 1 May 2010, unless varied, in the following municipalities: Baw Baw Shire Council, Latrobe Shire Council, Indigo Shire Council, East Gippsland Shire Council, Wellington Shire Council, Benalla Rural City Council, Strathbogie Shire Council, Wodonga Rural City Council, Wangaratta Rural City Council.

EWAN WALLER
 Chief Officer

Department of Sustainability and Environment
 Delegated Officer, pursuant to section 11,
Conservation Forests and Land Act 1987

Mineral Resources (Sustainable Development) Act 1990 DEPARTMENT OF PRIMARY INDUSTRIES

Exemption of Land from an Exploration or Mining Licence

I, Doug Sceney, Executive Director Earth Resources, pursuant to section 7 of the **Mineral Resources (Sustainable Development) Act**

1990 and under delegation from the Minister for Energy and Resources, hereby exempt all that Crown land situated within the boundaries of exploration application 5247 from being subject to an exploration licence and a mining licence.

Dated 10 November 2009

DOUG SCENEY
 Executive Director
 Earth Resources Division
 (formerly Minerals and Petroleum)

State Superannuation Act 1988

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 **State Superannuation Act 1988** ('the Act'), by this instrument declare officers employed by GWMWater governed by the GWMWater Enterprise Agreement 2006 (Extension and Variation), who are members of the revised scheme or new scheme (as those terms are defined in the Act), to be eligible salary sacrifice contributors from the date of gazettal of this declaration.

Dated 9 November 2009

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

State Employees Retirement Benefits Act 1979

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 2A of the **State Employees Retirement Benefits Act 1979**, by this instrument declare officers governed by the GWMWater Enterprise Agreement 2006 (Extension and Variation) and its successor industrial instruments and agreements, who are members of the State Employees Retirement Benefits Scheme, to be eligible salary sacrifice contributors from the date of gazettal of this declaration.

Dated 9 November 2009

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

Transport Superannuation Act 1988DECLARATION 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 **Transport Superannuation Act 1988** ('the Act'), by this instrument declare officers governed by the GWMWater Enterprise Agreement 2006 (Extension and Variation) and its successor industrial instruments and agreements, who are members of the Transport Superannuation Fund, 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

Subordinate Legislation Act 1994

NOTICE OF DECISION

Wildlife (Marine Mammals) Regulations 2009

I, Gavin Jennings, Minister for Environment and Climate Change and Minister responsible for administering the **Wildlife Act 1975**, give notice under section 12 of the **Subordinate Legislation Act 1994** as follows:

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Wildlife (Marine Mammals) Regulations 2009. The objectives of the proposed Regulations are to improve the protection of whales, dolphins and seals in Victoria from human interference and ensure the long-term sustainability of the tourism industries that rely on these species.

The RIS was advertised on 25 August 2009 seeking public comment and 31 submissions were received.

After further considering the proposed Regulations, I have decided that the proposed Regulations should be made with the following amendments:

- Amending the prescribed minimum distance for a person swimming approaching a (non-dolphin) whale from 100 metres to 50 metres.

- Inserting an exemption to allow officers authorised under the **Prevention of Cruelty to Animals Act 1986** to approach and treat seals.
- Changing the restriction on the number of vessels in the caution zone of marine mammals to only apply for dolphins and whales and not seals. The requirement for vessels to remain 100 m away from swim tours has also been amended to apply to whale swim tours only.
- Amending the regulations on dogs in the vicinity of marine mammals to apply only in the case of seals on land (rather than for all marine mammals). A new subregulation has been inserted making it an offence to allow a dog to enter the water within the caution zone of a marine mammal.
- Removing the requirement to record all the trip information before any person disembarks from a tour aircraft.
- Revising the map of the Cape Bridgewater seal breeding colony based on more accurate data.

Dated 6 November 2009

GAVIN JENNINGS MLC

Minister for Environment and Climate Change

Land Acquisition and Compensation Act 1986

FORM 7

S. 21

Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 2 on Plan of Subdivision 074832, Parish of Modewarre, comprising 2039 square metres and being land described in Certificate of Title Volume 8651 Folio 999, shown as Parcel 1 on Survey Plan 21939.

Interest Acquired: That of Leonard Torr Champness and Gordon David Champness (Tenants in Common) as to 1 of a total of 3 equal undivided shares as Joint Propertors and Legal Personal Representatives of John Howard Champness and Leonard Torr Champness as to 1 of a total of 3 equal undivided shares and

Gordan David Champness as to 1 of a total of 3 equal undivided shares and all other interests.

Published with the authority of VicRoads.

Dated 19 November 2009

For and on behalf of VicRoads
Signed TIM PONTEFRAC
Acquisition Manager
Property Services

Land Acquisition and Compensation Act 1986

FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 1 on Title Plan 344300F (formerly known as part of Portion 19), Parish of Modewarre, comprising 3.402 hectares and being land described in Certificate of Title Volume 6203 Folio 549, shown as Parcel 2 on Survey Plan 21939.

Interest Acquired: That of Leonard Torr Champness and Gordon David Champness (Joint Proprietors) as Legal Personal Representatives of John Howard Champness and all other interests.

Published with the authority of VicRoads.

Dated 19 November 2009

For and on behalf of VicRoads
Signed TIM PONTEFRAC
Acquisition Manager
Property Services

Land Acquisition and Compensation Act 1986

FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lots 1 and 2 on Plan of Subdivision 47779, Parish of Bolwarra, comprising 8066.0 square metres and being land described in Certificate of Title Volume 8453 Folio 318, shown as Parcel 5 on Survey Plan 17683.

Interest Acquired: That of K. & A. Laird (Vic.) Pty Ltd and all other interests.

Published with the authority of VicRoads.

Dated 19 November 2009

For and on behalf of VicRoads
Signed TIM PONTEFRAC
Acquisition Manager
Property Services

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 interest in the land described as Lots 1 and 3 and part of Lot 2 on Title Plan 904551J comprising 2.276 hectares and being part of the land contained in Certificate of Title Volume 7364 Folio 773 (shown as parcel 24 on Survey Plan 21817):

The Mayor Councillors and Citizens of the City of Frankston (as Registered Proprietor); and all other interests.

Published with the authority of SEITA.

Dated 19 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 interest in the land described as part of Lot 1 on Title Plan 102400D comprising 1,572 square metres and being part of the land contained in Certificate of Title Volume 9557 Folio 277 (shown as parcel 41 on Survey Plan 21819):

The Mayor Councillors and Citizens of the City of Frankston (as Registered Proprietor);
and all other interests.

Published with the authority of SEITA.
Dated 19 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

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of land in Plan of Consolidation 358358V, part of Lot 1 on Title Plan 389366U, part of Lot 1 on Plan of Subdivision 330855X and part of Lot 1 on Title Plan 246193A, Parish of Burgoyne, comprising 3.1937 hectares and being part of the land described in Certificate of Title Volume 10826 Folio 966, Volume 6166 Folio 087, Volume 10241 Folio 092 and Volume 8272 Folio 443, shown as E-1, E-2, E-3 and E-4 on the attached plans 147_10826_966, 609_6166_087, 615_10241_092 and 614_8272_443.

Interest Acquired: That of De Bortoli Wines Pty Ltd (ACN 000146672) and all other interests.

Published with the authority of Melbourne Water Corporation

Dated 19 November 2009

For and on behalf of Melbourne Water Corporation by its authorised officer
Signed ROB SKINNER
Managing 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 interest in the land described as part of Common property on Strata Plan 32892A, Parish of Ringwood, comprising 154.00 square metres and being land

described in Certificate of Title Volume 9915 Folio 178, shown as Parcel 195B on Survey Plan 20410G.

Interest Acquired: That of Andrew Robert Crammond and all other interests.

Published with the authority of SEITA.

Dated 19 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 interest in the land described as part of Common Property on Strata Plan 32892A, Parish of Ringwood, comprising 154.00 square metres and being part of Common property described in Certificate of Title Volume 9915 Folio 177, shown as Parcel 195B on Survey Plan 20410G.

Interest Acquired: That of Cobbett Properties Pty Ltd and all other interests.

Published with the authority of SEITA.

Dated 19 November 2009

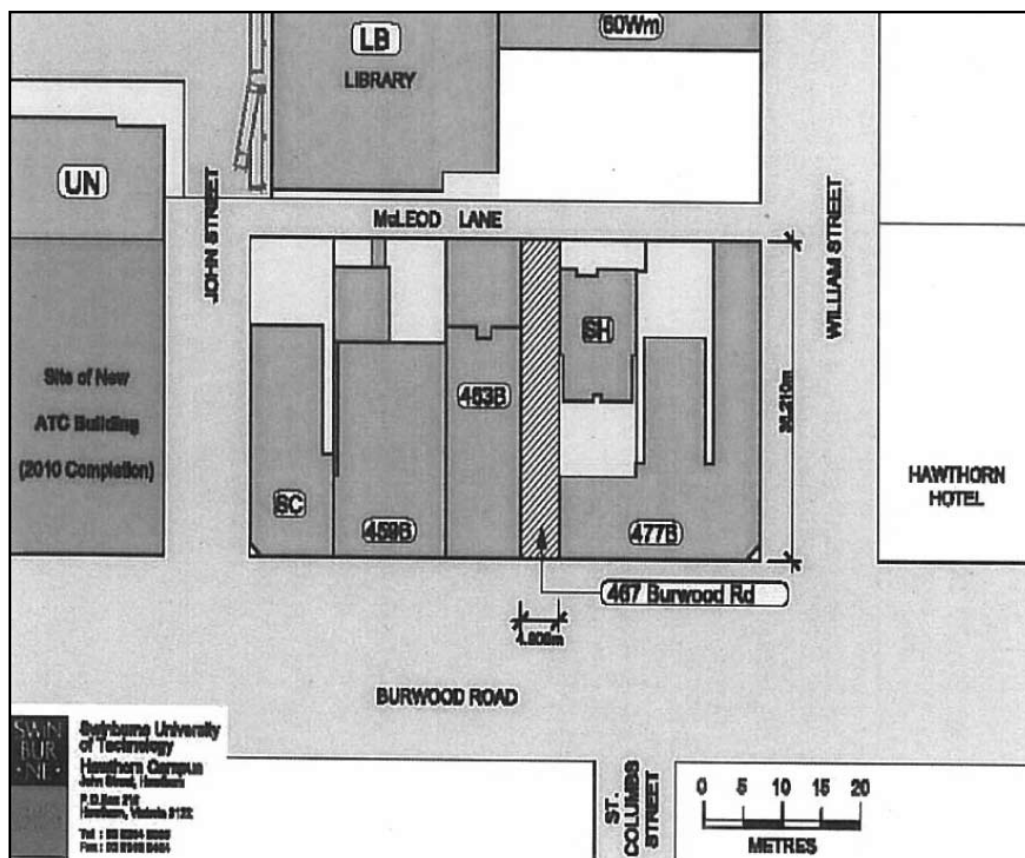
For and on behalf of SEITA
by its authorised officer
Signed GREG HOLLAND
Manager Property

Land Acquisition and Compensation Act 1986**FORM 7**S. 21
Reg. 16**Notice of Acquisition****Compulsory Acquisition of Interest in Land**

The Honourable Jacinta Allan MP, Minister for Skills and Workforce Participation, declares that by this notice she acquires the following interest in the land contained in Certificate of Title Volume 8073 Folio 240, described as 467 Burwood Road, Hawthorn 3122 (Property):

- Estate and interest in fee simple.

Published with the authority of the Honourable Jacinta Allan, MP, Minister for Skills and Workforce Participation.



Dated 10 November 2009

Signed Sealed and Delivered by the
HONOURABLE JACINTA ALLAN, MP
Minister for Skills and Workforce Participation
for and on behalf of the State of Victoria

Interpretation of Legislation Act 1984
FAIR TRADING (INFORMATION STANDARD)
(AUSTRALIAN BUILDERS PLATE STANDARD) REGULATIONS 2009

Notice of Incorporation of Documents

As required by section 32 of the **Interpretation of Legislation Act 1984**, I give notice that the Fair Trading (Information Standard) (Australian Builders Plate Standard) Regulations 2009 apply, adopt or incorporate the following documents:

Table of Applied, Adopted or Incorporated Matter

S. R. Reg.	Title of Document
Regulations 3, 4 and 5	<p>American Boat and Yacht Council Standards and Technical Information Reports for Small Craft July 2008 (Includes Supplement 48).</p> <p>International Standard ISO 62:2008(E) – Plastics – Determination of water absorption, Third Edition 2008.</p> <p>International Standard ISO 8665:2006(E) Small craft – Marine propulsion reciprocating internal combustion engines – Power measurements and declarations, Third Edition 2006.</p> <p>International Standard ISO 10087:2006(E) Small craft – Craft identification – Coding system, Third Edition 2006.</p> <p>National Standard for the Australian Builders Plate for Recreational Boats, Edition 3, 21 November 2005 (incorporating Amendment 1).</p> <p>International Standard ISO 11192:2005(E) – Small craft – Graphical symbols, First Edition 2005.</p> <p>International Standard ISO 7000:2004(E/F) Graphical symbols for use on equipment – Index and synopsis, Third Edition 2004.</p> <p>International Standard ISO 13590:2003(E) Small craft – Personal watercraft – Construction and system installation requirements, Second Edition 2003.</p> <p>International Standard ISO 3046-1:2002(E) Reciprocating internal combustion engines – Performance – Part 1: Declarations of power, fuel and lubricating oil consumptions and test methods – Additional requirements for engines for general use, Fifth Edition 2002.</p> <p>International Standard ISO 12217-1, 2, 3:2002(E) Small Craft – Stability and buoyancy assessment and categorisation: Parts 1, 2 and 3, First Edition 2002.</p> <p>International Standard ISO 8666:2002 (E) Small craft – Principal data, First Edition 2002.</p> <p>International Standard ISO 6185-1, 2, 3:2001(E) Small craft – Inflatable Boats: Parts 1, 2 and 3, First Edition 2001.</p> <p>International Standard ISO 2896:2001(E) – Rigid cellular plastics – Determination of water absorption, Third Edition 2001.</p> <p>International Standard ISO 14946:2001(E) – Small craft – Maximum load capacity, First Edition 2001.</p>

S. R. Reg.	Title of Document
	<p>International Standard ISO 11592:2001(E) Small craft less than 8 m length of hull – Determination of maximum propulsion power rating, First Edition 2001.</p> <p>International Standard ISO 12215-1:2000(E) Small craft – Hull construction and scantlings – Part 1: Materials: Thermosetting resins, glass-fibre reinforcement, reference laminate, First Edition 2000.</p> <p>Australian Standard AS 1799.1 – 1992 Small Pleasure Boats Code – Part 1: General requirements for power boats, Second Edition 1992.</p> <p>Australian Standard AS 1799.5 – 1990 Small Pleasure Boats Code – Part 5: Aluminium Construction, First Edition 1990. (Incorporating Amendment 1 – 1991).</p>

A copy of the material applied, adopted or incorporated by the Fair Trading (Information Standard) (Australian Builders Plate Standard) Regulations 2009 was lodged with the Clerk of the Parliaments on 23 October 2009.

Dated 9 November 2009

HON TONY ROBINSON MP
Minister for Consumer Affairs

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/12/0052	City of Melbourne	Melbourne and East Melbourne	As on version 4.7 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.

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**

17th Floor

570 Bourke Street

Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

Offshore Petroleum and Greenhouse Gas Storage Act 2006

COMMONWEALTH OF AUSTRALIA

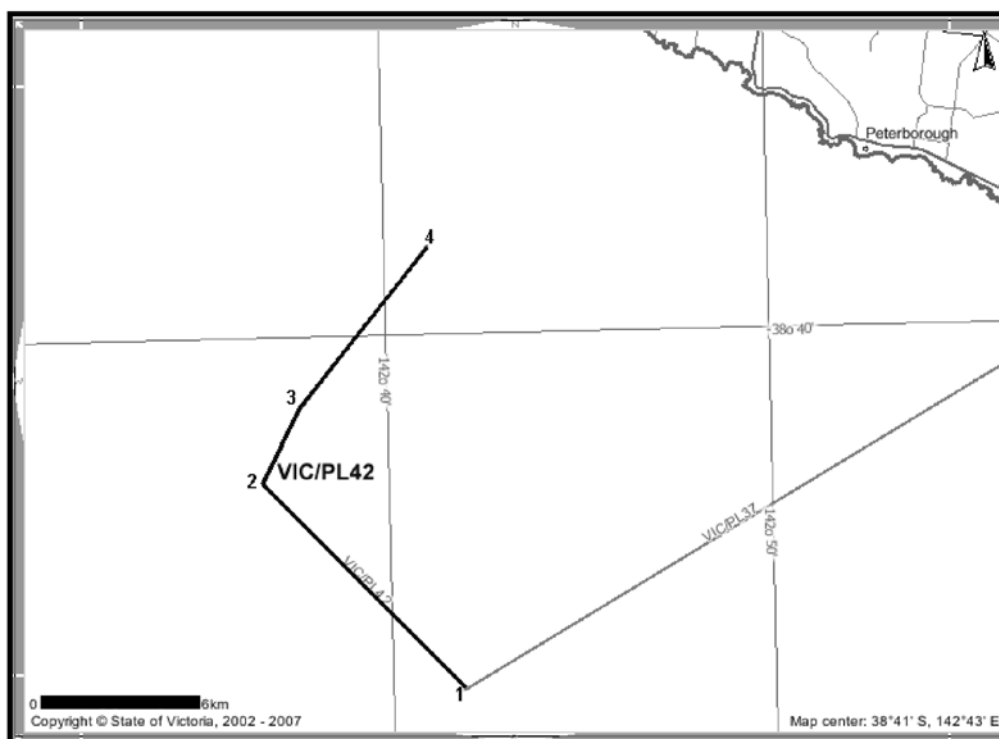
Prohibition of Entry Into a Safety Zone – VIC/PL42

Seven Navica – Pipelay Vessel

I, Terry McKinley, Manager Petroleum Operations Safety and Environment of Department of Primary Industries of Victoria, pursuant to section 616 of the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**, hereby prohibit all vessels other than vessels under the control of the registered holders of Pipeline Licence VIC/PL42 and vessels operated by authorised persons who are exercising powers under section 615(1) of Division 1 of Part 6.6 of the above Act from entering or remaining in the area of the safety zone without the consent in writing from the Designated Authority.

This safety zone:

- extends to a distance of five hundred meters, measured each point of the outer edge of the vessel known as the ‘Seven Navica’ and;
- is centred at the actual position of the vessel which will travel along the following coordinates and shown in the following drawing:



Note: The above are GDA94 co-ordinates.

Point	Latitude	Longitude
1	–38° 47' 14" S	142° 41' 53" E
2	–38° 42' 60" S	142° 36' 43" E
3	–38° 41' 36" S	142° 37' 37" E
4	–38° 38' 11" S	142° 41' 09" E

While the vessel is engaged in constructing the pipe of VIC/PL42 from 1 December 2009 until 31 March 2010.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated 11 November 2009

TERRY McKINLEY
Manager Petroleum Operations Safety and Environment
Department of Primary Industries

Offshore Petroleum and Greenhouse Gas Storage Act 2006

COMMONWEALTH OF AUSTRALIA

Prohibition of Entry into a Safety Zone – VIC/RL4

(Ocean Patriot – South East Remora)

I, Terry McKinley, Manager Petroleum Operations Safety and Environment of Department of Primary Industries of Victoria, pursuant to section 616 of the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**, hereby prohibit all vessels other than vessels under the control of the registered holders of Production Licence VIC/RL4 and vessels operated by authorised persons who are exercising powers under section 615(1) of Division 1 of Part 6.6 of the above Act from entering or remaining in the area of the safety zone without the consent in writing from the Victorian Department of Primary Industries.

This safety zone:

- extends to a distance of five hundred meters, measured from each point of the outer edge of the drilling vessel known as the ‘Ocean Patriot Mobile Drilling Unit’; and
- is centred at or about the point of Latitude 38° 09' 40.98" South, Longitude 148° 12' 58.46" East (Grid Co-ordinates Easting 606 550.000, Northing 5 775 580.000)

while the drilling vessel is engaged in drilling the South East Remora petroleum well in the VIC/RL4 lease area in the Gippsland Basin commencing 1 December 2009 and will be in force for 65 days.

Note: The above are GDA94 co-ordinates.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 616 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated 11 November 2009

TERRY McKINLEY
Manager Petroleum Operations Safety and Environment
Delegate of the Designated Authority
Department of Primary Industries

Offshore Petroleum and Greenhouse Gas Storage Act 2006

COMMONWEALTH OF AUSTRALIA

Prohibition of Entry into a Safety Zone – VIC/L30

Henry-2, Netherby-1

I, Terry McKinley, Manager Petroleum Operations Safety and Environment of Department of Primary Industries of Victoria, pursuant to section 616 of the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**, hereby prohibit all vessels other than vessels under the control of the registered holders of Production Licence VIC/L30 and vessels operated by authorised persons who are exercising powers under section 615(1) of Division 1 of Part 6.6 of the above Act from entering or remaining in the area of the safety zone without the consent in writing from the Victorian Department of Primary Industries.

This safety zone extends to a distance of five hundred meters, measured from each point of the outer edge of the equipment situated at or about the following points:

- The subsea wellhead and production equipment known as Henry-2 situated at or about point Latitude 38° 42' 14.557" South, Longitude 142° 37' 13.057" East (Grid Co-ordinates Easting 640890.807, Northing 5714819.295)
- The subsea wellhead and production equipment known as Netherby-1 situated at or about point Latitude 38° 40' 48.578" South, Longitude 142° 38' 25.745" East (Grid Co-ordinates Easting 642694.060, Northing 5717438.490).

Note: The above are GDA94 co-ordinates.

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 616 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated 11 November 2009

TERRY McKINLEY
Manager Petroleum Operations Safety and Environment
Delegate of the Designated Authority
Department of Primary Industries

Plant Health and Plant Products Act 1995**ORDER PROHIBITING OR RESTRICTING THE ENTRY OR IMPORTATION OF
QUEENSLAND FRUIT FLY HOST MATERIAL INTO VICTORIA**

I, Pat Sharkey, as delegate of the Minister for Agriculture, make the following Order:

Dated 9 November 2009

PAT SHARKEY
Manager Plant Standards

1. Objective

The objective of this Order is to prevent the entry of the exotic pest Queensland Fruit Fly into Victoria.

2. Authorising provision

This Order is made under section 24 of the **Plant Health and Plant Products Act 1995** (the Act).

3. Revocation

The Order made on 20 November 2008 under section 24 of the **Plant Health and Plant Products Act 1995**, and published in Government Gazette G48 on 27 November 2008 is revoked.

4. Definitions

In this Order –

‘**accreditation program**’ means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme;

‘**Greater Sunraysia Pest Free Area**’ means that part of Victoria declared as a restricted area under section 20 of the Act for the control of Queensland Fruit Fly, and that part of NSW proclaimed under the **Plant Diseases Act 1924** (NSW);

‘**Manager Plant Standards**’ means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

‘**Queensland Fruit Fly**’ means the exotic pest, *Bactrocera tryoni* (Froggatt);

‘**Queensland Fruit Fly host produce**’ means any fruit or vegetable, or plant in fruit as listed in the Schedule 1;

‘**Queensland Fruit Fly host material**’ means any Queensland Fruit Fly host produce or used packaging;

‘**used packaging**’ means any packaging that has contained Queensland Fruit Fly host produce.

5. Controls applying to Queensland Fruit Fly host material

(1) The entry or importation into Victoria of any Queensland Fruit Fly host material is prohibited.

(2) Sub-clause (1) does not apply if –

(a) the Queensland Fruit Fly host produce was grown and packed in the NSW portion of the Greater Sunraysia Pest Free Area; or

(b) except in the case of material entering the Greater Sunraysia Pest Free Area, the Queensland Fruit Fly host produce was grown or packed, or the used package was last used on a property in a State or Territory, or part of a State or Territory, for which an area freedom certificate issued by an officer responsible for agriculture in the State or Territory where the Queensland Fruit Fly host produce was grown or packed, or package was last used, is currently in force certifying that the State or Territory or that part of the State or Territory is known to be free of Queensland Fruit Fly; or

- (c) the material is accompanied by a plant health certificate issued by an officer of the department responsible for agriculture in the affected State or Territory certifying that the material has been treated in a manner approved by the Manager Plant Standards; or
- (d) the material is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards;
- (e) the host produce has been packed, labelled and certified in accordance with conditions prescribed by an accreditation program under which the produce is certified;
- (f) the material is consigned in any other manner approved by the Manager Plant Standards

6. Verification of consignments

- (1) Where Queensland Fruit Fly host material is required by clause 5(2) to be accompanied by an assurance certificate, plant health declaration or Plant Health Certificate, the host produce and the accompanying certificate or declaration must be:
 - (a) presented to an authorised inspector for inspection; or
 - (b) verified by a person accredited to do so by the Department of Primary Industries.

Note: Section 25 of the Act provides that a person is guilty of an offence and a penalty not exceeding 50 penalty units for a natural person, or 200 penalty units for a body corporate, for knowingly breaching an importation order.

Schedule 1

Abiu	Durian	Nectarine
Acerola	Eggplant	Orange
Achachairu	Feijoa	Passionfruit
Apple	Fig	Pawpaw
Apricot	Granadilla	Peach
Avocado	Grape (table grapes only)	Peacharine
Babaco	Grapefruit	Pear
Banana	Grumichama	Pepino
Black Sapote	Guava	Persimmon
Blackberry	Hog Plum	Plum
Blueberry	Jaboticaba	Plumcot
Boysenberry	Jackfruit	Pomegranate
Brazil Cherry	Jew Plum	Prickly Pear
Breadfruit	Ju jube	Pummelo
Caimito (Star Apple)	Kiwifruit	Quince
Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiroa (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Strawberry
Citron	Mangosteen	Sweetsop (Sugar Apple)
Cumquat	Medlar	Tamarillo
Custard Apple	Miracle Fruit	Tangelo
Date	Mulberry	Tomato
Dragon Fruit (Than Lung)	Nashi	Wax jambu (Rose Apple)

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA IN EASTERN GIPPSLAND FOR
THE CONTROL OF QUEENSLAND FRUIT FLY**

I, Joe Helper, Minister for Agriculture, under sections 20 of the **Plant Health and Plant Products Act 1995**, make the following Order declaring a restricted area for the control of the exotic pest, Queensland fruit fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 10 November 2009

JOE HELPER
Minister for Agriculture

1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly, and to specify the prohibitions, restrictions and requirements which are to operate in the restricted area.

2. Authorising provisions

This Order is made under sections 20 of the **Plant Health and Plant Products Act 1995**.

3. Definition

In this Order –

‘**Act**’ means the **Plant Health and Plant Products Act 1995**;

‘**host produce**’ means any fruit or vegetable, or plant in fruit, as listed in Schedule 1;

‘**Manager Plant Standards**’ means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

‘**Queensland fruit fly**’ means the exotic pest *Bactrocera tryoni* (Froggatt).

4. Restricted area for the control of Queensland Fruit Fly

The restricted area for the control of Queensland fruit fly is declared to be the area described in Schedule 2.

5. Prohibitions, restrictions and requirements

(1) The removal from the restricted area into any part of Victoria of any:

- (a) host produce; or
 - (b) package which has been used to contain any host produce.
- is prohibited.

(2) Sub-clause (1) does not apply if the produce or package –

- (a) is accompanied by a plant health certificate issued by an authorised officer, certifying that the produce or package has been treated in a manner approved by the Manager Plant Standards; or
- (b) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards; or
- (c) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program under which the produce is certified.

6. Verification of consignments

(1) Where required by clause 5(2) to be accompanied by an assurance certificate, plant health declaration or plant health certificate, the Queensland fruit fly host produce and the accompanying certificate or declaration must be:

- (a) presented to an authorised inspector for inspection, examination or treatment; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

Schedule 1

Abiu	Durian	Nectarine
Acerola	Eggplant	Orange
Achachairu	Feijoa	Passionfruit
Apple	Fig	Pawpaw
Apricot	Granadilla	Peach
Avocado	Grape	Peacharine
Babaco	Grapefruit	Pear
Banana	Grumichama	Pepino
Black Sapote	Guava	Persimmon
Blackberry	Hog Plum	Plum
Blueberry	Jaboticaba	Plumcot
Boysenberry	Jackfruit	Pomegranate
Brazil Cherry	Jew Plum	Prickly Pear
Breadfruit	Ju jube	Pummelo
Caimito (Star Apple)	Kiwifruit	Quince
Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiroa (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Strawberry
Citron	Mangosteen	Sweetsop (Sugar Apple)
Cumquat	Medlar	Tamarillo
Custard Apple	Miracle Fruit	Tangelo
Date	Mulberry	Tomato
Dragon Fruit (Than Lung)	Nashi	Wax jambu (Rose Apple)

Schedule 2

The area of land, in the state of Victoria, east of the line commencing at a point where Lake King enters Bass Strait, then in a westerly direction along the southern shoreline of Lake King, to the intersection of Lake King and the western boundary of the Parish of Colquhoun, then in a northerly direction along the western border of the Parish of Colquhoun to the intersection of the Parishes of Colquhoun, Boole Poole and Bumberrah, then in a westerly and northerly direction along the southern and western borders of the Parish of Bumberrah to the intersection of the Parishes of Bumberrah, Sarsfield and Tambo and the Nicholson River, then in a northerly direction along the Nicholson River to the point where the Nicholson River intersects with Quarry Creek Road, then in a northerly direction along Quarry Creek Road to the intersection of Quarry Creek Road and Chester Road, then in a northerly direction along Chester Road to the intersection of Chester Road and Engineers Road, then in a straight line in a northerly direction to the intersection of Bullumwaal–Mt Baldhead Track and Nelson Track, then in a straight line in a north-westerly direction to the intersection of New Rush Track and Groves Gap Road, then in a north-westerly direction along Groves Gap Road to the intersection of Groves Gap Road and the Parishes of Wentworth, Omeo and Carneek, then in a north-westerly direction along the western boundary of the Parish of Omeo to the intersection of the Parishes of Omeo, Carneek and Bingo Munjie South, then in westerly and northerly direction along the southern and western boundaries of the Parish of Bingo Munjie South to the intersection of the

Parishes of Bingo Munjie South, Mullawye and Theddora, then in a north-westerly direction along the western boundary of the Parish of Theddora to the intersection of the Parishes of Theddora, Hotham and Lochiel, then in a northerly direction along the western boundary of the Parish of Lochiel to the intersection of the Parishes of Lochiel, Darbalang and Nowyeo, and the Shire of East Gippsland, then in a northerly and westerly direction along the western boundary of the East Gippsland Shire to the intersection of the East Gippsland, Alpine and Towong Shires, then in a north-westerly direction along the western boundary of Towong Shire to the intersection of Towong and Indigo Shires and the Wodonga City Council, then in a westerly direction along the southern boundary of the Wodonga City Council, to the intersection of the boundaries of the Wodonga City Council and the Parishes of Yackandandah and Beethang, then in a northerly direction along the western boundary of the Parish of Beethang to the intersection of the boundaries of the Parishes of Beethang, Yackandandah and Baranduda, then in a straight line in a westerly direction to the intersection of Whytes Road and Boundary Road, then in a westerly direction along Boundary Road to the intersection of Boundary Road and Wodonga–Yackandandah Road, then in a straight line in a south-westerly direction to the intersection of Ridge Lane and Baranduda Range Track, then in a south-westerly direction along Baranduda Range Track to the intersection of Baranduda Range Track and the boundary of the Wodonga City Council and Indigo Shire, then in a south-westerly and northerly direction along the south-eastern and western boundaries of the Wodonga City Council to the intersection of the boundary of the Wodonga City Council and Indigo Shire and the Parishes of Wooragee North, Barnawartha South and Belvoir West, then in a northerly direction along the western boundary of the Parish of Belvoir West to the Murray River.

Professional Standards Act 2003**ENGINEERS AUSTRALIA (VICTORIA) SCHEME**

I, Rob Hulls MP, Attorney-General, authorise the revocation of notice of authorisation for the Engineers Australia (Victoria) Scheme published in the Victoria Government Gazette No. S 119, Friday 1 May 2009.

Dated 9 November 2009

ROB HULLS MP
Attorney General

Professional Standards Act 2003**AUTHORISATION AND PUBLICATION PURSUANT TO SECTION 14****Engineers Australia (Victoria) Scheme**

I, Rob Hulls MP, Attorney-General, pursuant to section 14 of the **Professional Standards Act 2003** (the Act), authorise the publication of the Engineers Australia (Victoria) Scheme submitted to me by the Victorian Professional Standards Council. The Scheme is published with this authorisation and will commence in accordance with section 15 of the Act. The Scheme will remain in force for a period of 5 years from its commencement unless the scheme is revoked, extended, or its operation ceases as specified by section 34 of the Act.

Dated 9 November 2009

ROB HULLS MP
Attorney General

Professional Standards Act 2003 (Victoria)**ENGINEERS AUSTRALIA VICTORIA SCHEME****Preamble**

- A. The Institution of Engineers Australia (Engineers Australia) is an occupational association.
- B. Engineers Australia has made an application to the Professional Standards Council (the Council), appointed under the **Professional Standards Act 2003** (Vic.) (Act), for approval of a scheme under the Act.
- C. The scheme is propounded by Engineers Australia for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The scheme propounded by Engineers Australia is to apply to members of Engineers Australia who are also members of The Engineering Science and Technology Professional Standards Society (Society).
- E. All of the Society's Professional Members are members of Engineers Australia, being those members of Engineers Australia who are from time to time admitted to the membership of the Society by the Society's Management Committee.
- F. Engineers Australia has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- G. The scheme is intended to remain in force for five (5) years from its commencement unless prior to that time it is revoked, its operation ceases or it is extended pursuant to section 34 of the Act.

Engineers Australia Victoria Scheme**1. Occupational Association**

- 1.1 The Engineers Australia Victoria scheme (scheme) is a scheme under the Act prepared by Engineers Australia whose business address is 11 National Circuit, Barton, ACT 2600.

2. Persons to Whom the Scheme Applies¹

- 2.1 The scheme applies to all members of Engineers Australia who are at the same time also members of the Engineering Science and Technology Professional Standards Society (Society).
- 2.2 This scheme also applies to all persons to whom the scheme applied under clause 2.1 at the time of any act or omission giving rise to occupational liability.²

3 Limitation of Liability

- 3.1 If a person to whom this scheme applies who was at the time of the act or omission giving rise to occupational liability a category A member or a category B member or a category C member or a category D member against whom a proceeding relating to occupational liability is brought is able to satisfy the court³ that:
- (a) such member has the benefit of an insurance policy insuring the member against the occupational liability to which the cause of action relates, and
 - (b) the amount payable under the policy in respect of that occupational liability⁴ is not less than the amount of the monetary ceiling (maximum amount of liability) specified in clause 3.2 hereof as applying to such members at the time at which the act or omission giving rise to the cause of action occurred,
- the member is not liable in damages in relation to that cause of action above the amount of that monetary ceiling (maximum amount of liability).

¹ Sections 20 and 21 of the Act provide that if the scheme applies to a body corporate, the scheme also applies to each officer of the body corporate and if the scheme applies to a person, the scheme also applies to each partner of the person, and if the scheme applies to a person the scheme also applies to each employee of the person, provided that if such officer of the corporation or partner of the person or employee of the person is entitled to be a member of the same occupational association, such officer, partner or employee is a member of the occupational association. 'Partner' and 'Officer' have particular meanings as defined in the Act. Section 22 provides that the scheme may also apply to other persons as specified in that section.

² The definition of 'occupational liability' in section 4 of the Act, applies in this scheme. By that definition, 'occupational liability' means 'civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted to be done by a member of an occupational association acting in the performance of his or her occupation'. However, section 5(1) of the Act relevantly provides that the Act does not apply to liability for damages arising from the death of, or personal injury to, a person, a breach of trust, fraud or dishonesty. Section 5(2) of the Act also provides that 'the Act does not apply to liability which may be the subject of proceedings under section 110 of the **Transfer of Land Act 1958**' (Victoria).

The definition of 'occupational association' in section 4 of the Act, applies in this scheme. By that definition 'occupational association' means a body corporate –

- (a) which represents the interests of persons who are members of the same occupational group; and
- (b) the membership of which is limited principally to members of that occupational group.'

The definition of 'occupational group' in section 4 of the Act, applies in this scheme. By that definition 'occupational group' includes 'a professional group and a trade group'.

The definition of 'Damages' in section 4 of the Act, applies in this scheme. By that definition, 'damages' means

- (a) damages awarded in respect of a claim or counter-claim or claim by way of set-off; or
- (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by a defendant); or
- (c) any interest payable on the amount of those damages or costs.

³ The definition of 'court' in section 4 of the Act, applies in this scheme. By that definition, 'court' 'includes a tribunal and an arbitrator.

⁴ Clause 3.1 invokes 23 of the Act. Section 4(2) of the Act provides that 'a reference in the Act to **the amount payable under an insurance policy in respect of an occupational liability**' (referred to in clause 3.1 of this scheme and s 23 of the Act) 'includes a reference to –

- (a) defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and
- (b) the amount payable under or in relation to the policy by way of excess.'

- 3.2 The monetary ceiling (maximum amount of liability) required for the purposes of limitation of liability under this scheme at the time at which the act or omission giving rise to the cause of action occurred is to be determined according to the following table:

Class	Description	Monetary ceiling (maximum amount of liability)
1	Category A member	\$1.5 million
2	Category B member	\$4 million
3	Category C member	\$8 million
4	Category D member	\$20 million

- 3.3 This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.

- 3.4 Relevant definitions for the purposes of this clause 3 are as follows:

‘total annual fee income’ means the amount charged during a financial year for services provided by or on behalf of:

- (a) a body corporate who is a member of Engineers Australia to whom the scheme applies;
- (b) a partnership some of whose members are members of Engineers Australia to whom the scheme applies;
- (c) a sole trader who is a member of Engineers Australia to whom this scheme applies.

‘financial year’ means a financial accounting period ending 30 June.

‘category A member’ means a person who is a member of Engineers Australia to whom the scheme applies and who is:

- (a) a body corporate whose total annual fee income for the most recent financial year is less than \$1 million;
- (b) an individual who is a member of a partnership, where the total annual fee income of such partnership for the most recent financial year is less than \$1 million; or
- (c) a sole trader whose total annual fee income for the most recent financial year is less than \$1 million.

‘category B member’ means a person who is a member of Engineers Australia to whom the scheme applies and who is:

- (a) a body corporate whose total annual fee income for the most recent financial year is \$1 million or more, but is less than \$3 million;
- (b) an individual who is a member of a partnership, where the total annual fee income of such partnership for the most recent financial year is \$1 million or more, but is less than \$3 million; or
- (c) a sole trader whose total annual fee income for the most recent financial year is \$1 million or more, but is less than \$3 million.

‘category C member’ means a person who is a member of Engineers Australia to whom the scheme applies and who is:

- (a) a body corporate whose total annual fee income for the most recent financial year is \$3 million or more, but is less than \$10 million;
- (b) an individual who is a member of a partnership, where the total annual fee income of such partnership for the most recent financial year is \$3 million or more, but is less than \$10 million; or
- (c) a sole trader whose total annual fee income for the most recent financial year is \$3 million or more, but is less than \$10 million.

‘category D member’ means a person who is a member of Engineers Australia to whom the scheme applies and who is:

- (a) a body corporate whose total annual fee income for the most recent financial year is \$10 million or more, but is less than \$20 million;
- (b) an individual who is a member of a partnership, where the total annual fee income of such partnership for the most recent financial year is \$10 million or more, but is less than \$20 million; or
- (c) a sole trader whose total annual fee income for the most recent financial year is \$10 million or more, but is less than \$20 million.

3.5 This scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding \$1,500,000.

4 Conferral of Discretionary Authority

4.1 Pursuant to section 26(b) of the Act, this scheme confers on Engineers Australia a discretionary authority to specify, on application of a member of Engineers Australia to whom the scheme applies, a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million than would otherwise apply under this scheme in relation to the person, either in all cases or in any specified case or class of case.

4.2 If in the exercise of its discretion under clause 4.1, Engineers Australia has specified a higher monetary ceiling (maximum amount of liability) than would otherwise apply under the scheme in relation to a person, the maximum amount of liability in relation to that person is that higher maximum amount.

5 Commencement

5.1 This scheme commences two months after the date of its publication in the Government Gazette with the authorisation of the Minister.

6 Duration

6.1 This scheme will be in force for a period of five years from the date of commencement unless, before the end of this period, it is revoked, its operation is extended by notice from the Minister under section 34 of the Act, or its operation ceases because of the operation of another Act.

Public Health and Wellbeing Act 2008**QUALIFICATIONS NECESSARY FOR THE APPOINTMENT OF
ENVIRONMENTAL HEALTH OFFICERS**

I, Fran Thorn, Secretary to the Department of Health, under section 29(3) of the **Public Health and Wellbeing Act 2008**, declare that –

1. the declaration made by the Secretary to the Department of Human Services on 18 September 2008, published in Government Gazette G39 on 25 September 2008 with effect from 25 September 2008, is **revoked**; and
2. at least one of the qualifications, or one of the combination of qualifications (where applicable), contained in the following Schedule is necessary for a person to be appointed as an environmental health officer under the Act.

The declaration will take effect on 1 January 2010.

Dated 2 November 2009

FRAN THORN
Secretary to the Department of Health

SCHEDULE

Victorian Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	Swinburne University of Technology
Bachelor of Applied Science (Environmental Health)	Swinburne Institute of Technology
Bachelor of Health Science (Environmental Health Management)	Swinburne University of Technology
Bachelor of Health Science (Public and Environmental Health)	Swinburne University of Technology
Bachelor of Public Health (Environmental Health)	La Trobe University
Certificate of Competency issued under section 38 of the Health Act 1958 prior to July 1992	
Diploma Environmental Health completed prior to 2000	Swinburne College of Technology
Diploma Environmental Health completed prior to 2000	Swinburne Institute of Technology
Diploma of Applied Science (Environmental Health) completed prior to 2000	Swinburne College of Technology
Diploma of Applied Science (Environmental Health) completed prior to 2000	Swinburne Institute of Technology
Diploma for Public Health Inspectors (completed prior to 2000)	The Royal Society for the Promotion of Health

Bachelor of Public Health (majoring in Environmental Health) completed prior to 2002, and Graduate Certificate of Environmental Health completed no later than 2004	La Trobe University, Bendigo
Diploma in Public Health and Diploma in Meat and other Food Inspection (completed prior to 2000)	Royal Society of Health or any TAFE Institution

New South Wales Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	University of Western Sydney
Bachelor of Applied Science and Graduate Diploma of Applied Science (Environmental Health)	Any Australian university for undergraduate qualification University of Western Sydney for Graduate Diploma
Bachelor of Science and Graduate Diploma of Applied Science (Environmental Health)	Any Australian university for undergraduate qualification University of Western Sydney for Graduate Diploma
Diploma in Public Health and Diploma in Meat and other Food Inspection (completed prior to 2000)	Royal Society of Health or any TAFE Institution

South Australian Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	Flinders University

Western Australian Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Applied Science (Environmental Health)	Curtin University of Technology
Bachelor of Science (Environmental Health)	Curtin University of Technology
Bachelor of Applied Science (Environmental Health)	Western Australian Institute of Technology
Diploma in Public Health and Diploma in Meat and other Food Inspection (completed prior to 2000)	Royal Society of Health or any TAFE Institution

Queensland Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor of Science in Environmental Health	Griffith University
Bachelor of Health Science (Environmental Health)	Queensland University of Technology
Bachelor of Applied Science (Environmental Health)	Queensland University of Technology
Associate Diploma in Health Surveying	Queensland University of Technology

Australian and New Zealand Qualifications	
Name of Qualification	Institution (where applicable)
Any Bachelor of Science Degree or any Bachelor of Applied Science and any Graduate Diploma or Masters Degree in Environmental Health	Any Australian or New Zealand university for Undergraduate Degree Any Australian or New Zealand university for Graduate Diploma or Degree

International Qualifications	
Name of Qualification	Institution (where applicable)
Bachelor Degree course in Science accredited by the Chartered Institute of Environmental Health	Conducted in England, Wales or Northern Ireland
Bachelor Degree course in Science accredited by the Royal Environmental Health Institute of Scotland	Conducted in Scotland
Bachelor Degree course in Science majoring in Environmental Health	Conducted in the USA
Bachelor of Science	Any institution provided the person has obtained a Certificate of Registration of the Environmental Health Officers Registration Board (UK)
Bachelor Degree of Science majoring in Environmental Health	Conducted in South Africa
Bachelor Degree of Applied Science (Environmental Health)	Wellington Polytechnic
Public Health Inspectors Diploma (completed prior to 1974)	Public Health Inspectors Education Board (England)

Water Act 1989**BULK ENTITLEMENT (WONTHAGGI–INVERLOCH) CONVERSION
AMENDMENT ORDER 2009**

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

1. Title

This Order is called the Bulk Entitlement (Wonthaggi–Inverloch) Conversion Amendment Order 2009.

2. Preliminary

The Bulk Entitlement (Wonthaggi–Inverloch) Conversion Order 1997 (the Bulk Entitlement Order) was made by the Minister on 25 August 1997 and published in the Government Gazette on 9 September 1997. The Bulk Entitlement Order converted all of the South Gippsland Region Water Corporation’s entitlement to water from the Lance Creek Reservoir, for the supply of water to the Wonthaggi–Inverloch water supply system, to a bulk entitlement.

3. Purpose

The purpose of this Order is to amend the Bulk Entitlement Order to allow the South Gippsland Region Water Corporation to access 1800 ML at the Corporation’s diversion offtake on the Powlett River.

4. Authorising provisions

This Order is made in accordance with section 44 of the **Water Act 1989**. The Minister makes this Order on the application of the South Gippsland Region Water Corporation.

5. Commencement

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

6. Changes to definitions

6.1 For the definition of ‘Authority’ in the Bulk Entitlement Order, substitute –

‘**“Authority”** means the South Gippsland Region Water Corporation;’.

6.2 After the definition of ‘Resource Manager’ in the Bulk Entitlement Order, insert –

‘**“specified point”** means immediately upstream of the offtake on the waterway;’.

6.3 After the definition of ‘Minister’ in the Bulk Entitlement Order, insert –

‘**“offtake”** means the pump station, located on the waterway on Korumburra–Wonthaggi Road, from which the Authority takes water under this Order;’.

6.4 For the definition of ‘waterway’ in the Bulk Entitlement Order, substitute –

‘**“waterway”** means the Powlett River including the Lance Creek tributary;’.

6.5 Delete the definition of ‘passing flow’ from the Bulk Entitlement Order.

7. Substitution of clause 6

For clause 6 of the Bulk Entitlement Order, substitute –

‘6. BULK ENTITLEMENT

6.1 The Authority may take –

- (a) up to 1,800 ML of water from the specified point in any year at a rate not exceeding 10 ML/day; and
- (b) from the Lance Creek Reservoir at a rate not exceeding 35 ML/day –
 - (i) up to 3,800 ML of water in any year; and
 - (ii) any water taken under sub-clause 6.1(a) of this Order that is pumped into the Lance Creek Reservoir.

- 6.2 The Minister may vary the rates specified in sub-clause 6.1 to the extent necessary to carry out any transfer of some or all of this bulk entitlement which may be authorised under Division 1, Part 4 of the Act.’.

8. Substitution of clause 7

For clause 7 of the Bulk Entitlement Order, substitute –

‘7. SHARE OF FLOW

- 7.1 The Authority may store all of the inflow to the Lance Creek Reservoir when it is below full supply level, except for any flow being transferred by the holder of any other bulk entitlement or licence to a transferee pursuant to the Act.
- 7.2 The Authority may take a share of flow in the waterway passing the specified point, calculated as follows:
- (a) in the months of June to November inclusive –
 - (i) when $F > 17$ ML/day,
E = 10 ML/day, and
 - (ii) when $F \leq 17$ ML/day and $F > 12$ ML/day,
E = 5 ML/day, and
 - (iii) when $F \leq 12$ ML/day,
E = 0 ML/day; and
 - (b) in the months of December to May inclusive, E = 0 ML/day;
- where –
- “E” means the Authority’s entitlement; and
- “F” means the flow past the specified point less water which is the subject of a transfer under sub-clause 7.1 or 7.3.
- 7.3 The Authority is not entitled to any flow past the specified point, as part of its bulk entitlement, which is being transferred by the holder of any other bulk entitlement or licence to a transferee pursuant to the Act.’.

9. Deletion of clause 8

Delete clause 8 from the Bulk Entitlement Order.

10. Substitution of sub-clause 9.2

For sub-clause 9.2 of the Bulk Entitlement Order, substitute –

- ‘9.2 The Authority may, in accordance with an Annual Watering Plan prepared by the West Gippsland Catchment Management Authority and approved by the Minister, be required by the West Gippsland Catchment Management Authority to release up to 100 ML/a from the Lance Creek Reservoir for instream purposes.’.

11. Substitution of clause 10

For clause 10 of the Bulk Entitlement Order, substitute –

‘10. SHARE OF CAPACITY

The Authority is entitled to –

- (a) all water at any time stored in the Lance Creek Reservoir; and
- (b) the full capacity of the Lance Creek Reservoir, up to 4,200 ML at full supply level of 76.12 metres Australian Height Datum.’.

Dated 13 November 2009

TIM HOLDING
Minister for Water

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

Notice of Approval of Amendment

Amendment C42

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

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

The Amendment alters the planning scheme maps and the schedule to the Heritage Overlay so that 16 heritage places included in Victorian Heritage Register are shown in the Baw Baw Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the Baw Baw Shire Council, Civic Centre Civic Place, Warragul 3820.

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

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

Notice of Approval of Amendment

Amendment C103

The Minister for Planning has approved Amendment C103 to the Boroondara Planning Scheme.

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

The Amendment rezones part of 16 Cornell Street, Camberwell, from a Public Park and Recreation Zone (PPRZ) to a Residential 1 Zone (R1Z).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and

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

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

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

Notice of Approval of Amendment

Amendment C125

The Minister for Planning has approved Amendment C125 to the Cardinia Planning Scheme.

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

The Amendment:

- rezones Lot 1 LP 130401, Racecourse Road, Pakenham from an Industrial 1 Zone to a Comprehensive Development Zone – Schedule 3;
- rezones Lot 2 LP 130401, Racecourse Road, Pakenham, from an Industrial 1 Zone to a Road Zone Category 1;
- applies the Environmental Audit Overlay over Lot 1 LP 130401;
- amends the Comprehensive Development Zone – Schedule 3 by updating references to the Racecourse Road, Pakenham Comprehensive Development Plan, October 2008; introduces a new purpose to the zone; and includes a number of new Section 2 (permit required) uses; and
- introduces an amended Racecourse Road, Pakenham Comprehensive Development Plan, October 2008 to the Schedule to Clause 81.01.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development web site at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Cardinia Shire Council, Municipal Offices, Henty Way, Pakenham.

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

Planning and Environment Act 1987
COLAC OTWAY PLANNING SCHEME

Notice of Amendment

Amendment C59

The Minister for Planning has prepared Amendment C59 to the Colac Otway Planning Scheme.

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

The Amendment deletes four parcels of land and a section of road reserve at Kennedys Creek that is located within the Corangamite municipal district from the Colac Otway Planning Scheme. The Public Conservation and Resource Zone, Farming Zone, Wildfire Management Overlay and Erosion Management Overlay are amended to reflect this deletion of the land from the planning scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Colac Otway Shire Council, 2–6 Rae Street, Colac.

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

Planning and Environment Act 1987
CORANGAMITE PLANNING SCHEME

Notice of Amendment

Amendment C26

The Minister for Planning has prepared Amendment C26 to the Corangamite Planning Scheme.

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

The Amendment rezones four parcels of land and a section of road reserve at Lavers Hill–Cobden Road and Bones Track, Kennedys Creek, to Public Conservation and Resource Zone.

The Amendment introduces the Wildfire Management Overlay and Erosion Management Overlay 1 to these parcels of land.

The Amendment introduces Clause 44.01 Erosion Management Overlay and Schedule 1 into the planning scheme. Clause 61.03 is updated to reflect the updated planning controls and overlays in the planning scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Glenelg Shire Council, Cliff Street, Portland.

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

Planning and Environment Act 1987
GLENELG PLANNING SCHEME

Notice of Amendment

Amendment C47

The Minister for Planning has prepared Amendment C47 to the Glenelg Planning Scheme.

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

The Amendment corrects various mapping errors on land in Nelson, Heywood and Portland.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Glenelg Shire Council, Cliff Street, Portland.

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

Planning and Environment Act 1987**GREATER GEELONG PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C93

The Minister for Planning has approved Amendment C93 to the Greater Geelong Planning Scheme.

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

The Amendment rezones the land at 23–31 Mercer Street and 6–18 Oxley Street, Portarlington, together with a portion of the adjoining Dylene Caravan Park from Rural Living Zone to Residential 1 Zone.

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

Permit No. 413/2004.

Description of land: 21–31 Mercer Street and 6–18 Oxley Street, Portarlington.

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

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning and

Community Development

Planning and Environment Act 1987**GREATER GEELONG PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C141

The Minister for Planning has approved Amendment C141 to the Greater Geelong Planning Scheme.

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

The Amendment rezones 194A Noble Street, Newtown, from Public Park and Recreation Zone to Residential 1 Zone.

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

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning and

Community Development

Planning and Environment Act 1987**GREATER GEELONG PLANNING SCHEME**

Notice of Approval of Amendment

Amendment C191

The Minister for Planning has approved Amendment C191 to the Greater Geelong Planning Scheme.

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

The Amendment applies a Heritage Overlay on an interim basis to 11 heritage precincts and 31 individual heritage places in Newtown, Geelong. The Amendment also includes 11 new Local Planning Policies to address the new Aberdeen, Eyre, Hermitage, William and Margaret, Shannon Avenue, Clarkes Hill, Bareena Estate, Mercer's Hill, Cairns Avenue, Fair View and Bona Vista heritage areas in Newtown and includes the 'Newtown Heritage Study Review Report Volume 3, 2008' as an incorporated document in the schedule to Clause 81.01.

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

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning and

Community Development

Planning and Environment Act 1987**KINGSTON PLANNING SCHEME****Notice of Approval of Amendment****Amendment C81**

The Minister for Planning has approved Amendment C81 to the Kingston Planning Scheme.

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

The Amendment:

- rezones land at 151–153 Nepean Highway, 155 Nepean Highway, 157–159 Nepean Highway, 161–163 Nepean Highway, 165 Nepean Highway, 1/167–169 Nepean Highway, 2/167–169 Nepean Highway, 185–187 Nepean Highway, 189–199 Nepean Highway, 201 Nepean Highway, 203 Nepean Highway, 205–207 Nepean Highway, 8 Lower Dandenong Road, 10 Lower Dandenong Road, 1 Long Street and 2 Long Street, Mentone from a Business 4 Zone to a Business 1 Zone;
- applies Schedule 20 to the Design and Development Overlay to the entire Thrift Park Precinct;
- enables Planning Permit KP374/08 to be granted under the provisions of section 96A of the **Planning and Environment Act 1987** to use and develop the land at 8–10 Lower Dandenong Road and 165–169 Nepean Highway, Mentone, for retail, office, medical centre, indoor recreation facility, residential dwellings and associated car parking, access and signage; and
- enables Planning Permit KP375/08 to be granted under the provisions of section 96A of the **Planning and Environment Act 1987** to use and develop the land at 171–187 Nepean Highway, Mentone, for a supermarket, speciality shops and associated car parking, access and signage.

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

Permit No.	Description of land
KP374/08	8–10 Lower Dandenong Road and 165–169 Nepean Highway, Mentone
KP375/08	171–187 Nepean Highway, Mentone

A copy of the Amendment and permit/s can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours at the Kingston City Council Offices, Level 1, 1230 Nepean Highway, Cheltenham.

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

Planning and Environment Act 1987
MANNINGHAM PLANNING SCHEME

Approval of Amendment
Amendment C84

The Minister for Planning has approved Amendment C84 to the Manningham Planning Scheme.

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

The Amendment rezones land from Road Zone Category 1 to Low Density Residential Zone.

The land affected is 57 Beckett Road, 4 Craig Road and 6 Craig Road, Donvale.

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

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

Planning and Environment Act 1987
MELBOURNE PLANNING SCHEME

Notice of Approval of Amendment
Amendment C154

The Minister for Planning has approved Amendment C154 to the Melbourne Planning Scheme.

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

The Amendment alters the planning scheme maps and ordinance to give effect to the approved World Heritage Environs Area Strategy Plan for the Royal Exhibition Building and Carlton Gardens in the Melbourne Planning Scheme.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and

free of charge, during office hours, at the City of Melbourne Town Hall, 90–120 Swanston Street, Melbourne.

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

Planning and Environment Act 1987
MOONEE VALLEY PLANNING SCHEME

Notice of Approval of Amendment
Amendment C93

The Minister for Planning has approved Amendment C93 to the Moonee Valley Planning Scheme.

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

The Amendment introduces Heritage Overlay Schedule 355 (HO355) over the former ‘New Essendon Picture Theatre’ at 10–14 Leake Street, Essendon, on an interim basis.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Moonee Valley City, 9 Kellaway Avenue, Moonee Ponds.

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

Planning and Environment Act 1987
MOORABOOL PLANNING SCHEME

Notice of Approval of Amendment
Amendment C49

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

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

The Amendment rezones land generally north of McCormacks Road and Griffith Street and south of Werribee Vale Road and west of Barry Road at West Maddingley in Bacchus Marsh to the Residential 1 Zone, applies a Development Plan Overlay Schedule 3 to the land, and removes a Design and Development Overlay Schedule 2 from the land.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Moorabool Shire Council, 15 Stead Street, Ballan and at 197 Main Street, Bacchus Marsh.

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

Planning and Environment Act 1987

MORNINGTON PENINSULA
PLANNING SCHEME

Notice of Approval of Amendment
Amendment C132

The Minister for Planning has approved Amendment C132 to the Mornington Peninsula Planning Scheme.

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

The Amendment introduces a new local planning policy for green wedge camping and caravan parks on an interim basis, expiring no later than 31 March 2011.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Mornington Peninsula Shire Council: Hastings Office, 21 Marine Parade, Hastings; Mornington Office, 2 Queen Street, Mornington; and Rosebud Office, 90 Besgrove Street, Rosebud.

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

Planning and Environment Act 1987

PORT PHILLIP PLANNING SCHEME

Notice of Approval of Amendment
Amendment C74

The City of Port Phillip Council approved Amendment C74 to the Port Phillip Planning Scheme on 16 October 2009.

The Amendment makes minor updates and corrections to the Port Phillip Planning Scheme comprising the following:

1. Updates and corrections to the 'Port Phillip Heritage Review', which is an incorporated document in the Port Phillip Planning Scheme. The changes involve correcting errors and updating the text and/or maps of 23 individual citations, the Statement of Significance for Heritage Overlay 3 and updating the heritage grading of 38 properties (as either 'significant', 'contributory' or 'non-contributory') on the 'City of Port Phillip Heritage Policy Map'.

2. Two minor changes to the wording of the Design and Development Overlay provisions at Clause 43.02 (Schedule 18) which clarify but do not alter the intent of the control. Changes are as follows:
 - DDO18–1 (Elwood Neighbourhood Activity Centre / Business 1 Zone) is amended to clarify that the setback requirement for balustrades does not apply where a balustrade is incorporated into the street wall and does not extend above a height of 10.5 metres.
 - DDO18–2 (Residential Precinct / Residential 1 Zone) is amended to clarify that the front landscaped setbacks should not be used for car parking.
3. Changes the formatting of DDO18 and associated Planning Scheme Map 9DDO (Design and Development Overlay map) to remove a duplication in the clause relating to the two residential precincts by:
 - Deleting DDO18–3 from Schedule 18 at Clause 43.02.
 - Changing the reference on Map 9DDO, from DDO18–3 to DDO18–2 relating to properties between Pine Avenue and St Kilda Street, Elwood.
4. Updates references to the Port Phillip Heritage Review and City of Port Phillip Heritage Policy Map in Clauses 21.05, 22.01, 22.04 and schedule to Clause 81.01.

The Amendment was approved by the Port Phillip City Council on 16 October 2009 in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 24 September 2009. The authorisation has not been withdrawn.

The Amendment includes the following incorporated documents: Port Philip Heritage Review, version 13, 2009 and the Port Phillip Heritage Policy Map.

A copy of the Amendment can be inspected, free of charge, during office hours, at the offices of the Port Phillip City Council, St Kilda Town Hall, corner Carlisle Street and Brighton Road, St Kilda, and free of charge at the City of Port Phillip website at www.portphillip.vic.gov.au and the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection

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

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

Notice of Approval of Amendment

Amendment C116

The Whittlesea City Council has approved Amendment C116 to the Whittlesea Planning Scheme.

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

The Amendment rezones land at 35 Gordons Road and part of a road reserve on Gordons Road from Rural Conservation Zone to Residential 1 Zone.

The Amendment was approved by the Whittlesea City Council on 26 October 2009 in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 22 June 2009. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Whittlesea City Council, 25 Ferres Boulevard, Bundoora.

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

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

Notice of Approval of Amendment

Amendment C18

The West Wimmera Shire Council has approved Amendment C18 to the West Wimmera Planning Scheme.

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

The Amendment rezones land known as Lots 1 and 2, LP79602, and Lot 2 LP 146368, Crown Allotments 41, Section A, Parish of Kaniva, from the Township Zone (TZ) and Farming Zone (FZ) to the Industrial 3 Zone (IN3Z).

The Amendment was approved by the West Wimmera Shire Council on 22 October 2009 in accordance with authorisation given by the Minister under section 11(1) of the **Planning and Environment Act 1987** on 27 May 2009. The authorisation has not been withdrawn.

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the West Wimmera Shire Council, 49 Elizabeth Street, Edenhope.

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

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

Notice of Approval of Amendment

Amendment C56

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

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

The Amendment rezones approximately 1.9 hectares of land east of High Street, west of Havelock Street and north of Elgin Boulevard, Wodonga, from a Public Use Zone 4 (PUZ4) and Road Zone 2 (RDZ2) to a Business 1 Zone (B1Z).

A copy of the Amendment can be inspected, free of charge, at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection and free of charge, during office hours, at the offices of the Wodonga City Council, 104 Hovell Street, Wodonga.

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

Planning and Environment Act 1987

YARRA PLANNING SCHEME

Notice of Approval of Amendment

Amendment C118

The Minister for Planning has approved Amendment C118 to the Yarra Planning Scheme.

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

The Amendment alters the planning scheme maps and ordinance to give effect to the approved World Heritage Environs Area Strategy Plan for the Royal Exhibition Building and Carlton Gardens in the Yarra Planning Scheme.

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

PETER ALLEN

Executive Director

Statutory Planning Systems Reform

Department of Planning and

Community Development

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978

NOTICE OF INTENTION TO REVOKE TEMPORARY RESERVATION

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** gives notice of intention to revoke the following temporary reservation:

MELBOURNE – The temporary reservation by Order in Council of 18 August 1981 of a total area of 1.5 hectares, more or less, of land being Crown Allotments 21, Section 1 and Crown Allotment 22, Section 2, City of Melbourne, Parish of Melbourne North as a site for a Public Park, with reservation purpose amended to Public purposes by Order in Council of 2 July 1996 [published in the Government Gazette of 4 July 1996 pages 1707 and 1708], revoked as to part by various Orders in Council, so far as the balance remaining (formerly being Crown Allotment 21, Section 1, City of Melbourne, Parish of Melbourne North). – (Rs 11388)

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

Dated 17 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

TOBY HALLIGAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

REVOCATION OF TEMPORARY RESERVATIONS

Order in Council

The Governor in Council under section 10 of the **Crown Land (Reserves) Act 1978** revokes the following temporary reservations:

LIMA – The temporary reservation by Order in Council of 7 July 1987 of an area of 1350 square metres of land being Crown Allotment 43G, Section A, Parish of Lima as a site for a Pre-school Centre. – (Rs 13465)

MURRAYVILLE – The temporary reservation by Order in Council of 4 May 1915 of an area of 2.20 hectares, more or less, of land in Section 20A, Township of Murrayville, Parish of Danyo as a site for Municipal purposes. – (Rs 0713)

MURRAYVILLE – The temporary reservation by Order in Council of 12 November 1918 of an area of 3364 square metres, more or less, of land in Section 20A, Township of Murrayville, Parish of Danyo as a site for Municipal purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 4 May 1915. – (Rs 0713)

MURRAYVILLE – The temporary reservation by Order in Council of 3 August 1920 of an area of 6829 square metres, more or less, of land in Section 20A, Township of Murrayville, Parish of Danyo as a site for Municipal purposes, in addition to and adjoining the site temporarily reserved therefor by Order in Council of 4 May 1915. – (Rs 0713)

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

Dated 17 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

TOBY HALLIGAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

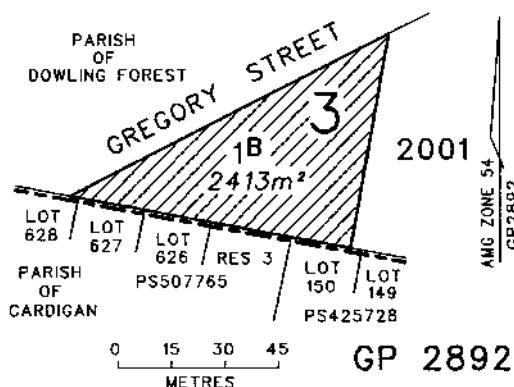
TEMPORARY RESERVATION OF CROWN LAND

Order in Council

The Governor in Council under section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown land which in his opinion is required for the purpose mentioned:–

MUNICIPAL DISTRICT OF THE BALLARAT CITY COUNCIL

DOWLING FOREST – Public purposes, area 2413 square metres, being Crown Allotment 1B, Section 3, Parish of Dowling Forest as indicated by hatching on plan GP2892 hereunder. – (GP2892) – (2018318)



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

Dated 17 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

TOBY HALLIGAN
Clerk of the Executive Council

Crown Land (Reserves) Act 1978

SPECIFY PURPOSE OF PERMANENTLY RESERVED CROWN LANDS

Order in Council

The Governor in Council under section 4(5) of the **Crown Land (Reserves) Act 1978** specifies that the following Crown lands, which are permanently reserved for an unspecified purpose, be permanently reserved for water supply purposes:—

MUNICIPAL DISTRICT OF THE COLAC OTWAY SHIRE COUNCIL

BARRAMUNGA and YAUGHER — Total area 59 hectares, more or less, being Crown Allotment 2066, Parish of Barramunga and Crown Allotment 4N, Section A, Parish of Yaugher as indicated by cross hatching on plan No. LEGL/07-029 lodged in the Central Plan Office of the Department of Sustainability and Environment, and being portion of the bed and banks of the Barwon River being part of the land permanently reserved for Public purposes by Order in Council of 23 May 1881 (vide Government Gazette of 27 May 1881 — page 1389).

File Ref: 0511954

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

Dated 17 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

TOBY HALLIGAN
Clerk of the Executive Council

Land Act 1958

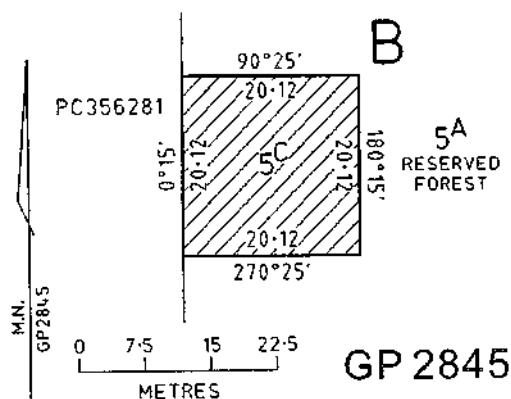
CLOSURE OF UNUSED ROAD

Order in Council

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipality in which the road is situated and the owners of land adjoining the road closes the following unused road:

MUNICIPAL DISTRICT OF THE LATROBE CITY COUNCIL

JEERALANG - The portion of road in the Parish of Jeeralang being Crown Allotment 5C, Section B as indicated by hatching on plan GP2845 hereunder. — (GP2845) — (15L10-7669)



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

Dated 17 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

TOBY HALLIGAN
Clerk of the Executive 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 Melbourne Market Relocation 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 17 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 Melbourne Market Relocation 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 Melbourne Market Relocation Project; sections 14, 15, 16, 17, 18, 18A, 19, 20, 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 agency for the Melbourne Market Relocation Project; sections 14, 15, 16, 17, 18, 18A, 19, 20, 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 17 November 2009

Responsible Minister

HON JOHN BRUMBY MP

Premier of Victoria

TOBY HALLIGAN
Clerk of the Executive Council

Rail Corporations Act 1996**ORDER AMENDING FREIGHT NETWORK DECLARATION ORDER 2005****Order in Council**

The Governor in Council, under section 38I(1) of the **Rail Corporations Act 1996**, hereby amends the Freight Network Declaration Order 2005, previously made on 13 December 2005, under section 38I(1) of the **Rail Corporations Act 1996**, by, on and from 30 November 2009:

1. in paragraph 2, the definition of 'Excluded Infrastructure':
 - deleting '.' at the end of sub-paragraph 2(b)(x) and replacing it with '; and'; and
 - inserting a new sub-paragraph (c) as follows –
'(c) all infrastructure defined as Excluded Infrastructure in clause 1.1 of the Infrastructure Lease – Train.'; and
2. in paragraph 2, replacing the definition of 'Infrastructure Lease – Train' with the following –
'**Infrastructure Lease – Train** means the agreement entitled 'Infrastructure Lease – Train', entered into between the Director of Public Transport, Metro Trains Melbourne Pty Ltd (ACN 136 429 948) and Victorian Rail Track dated 31 August 2009, as amended from time to time by agreement between the parties.';
3. in paragraph 2, replacing the definition of 'Primary Infrastructure Lease' with the following –
'**Regional Infrastructure Lease** means the agreement entitled 'Regional Infrastructure Lease' entered into between the Director of Public Transport and V/Line Passenger Pty Ltd (ACN 087 425 269) dated 4 May 2007, as amended from time to time by agreement, including under the agreement entitled 'Deed of Amendment and Restatement: Regional Infrastructure Lease' between the Director of Public Transport, V/Line Passenger Pty Ltd (ACN 087 425 269) and Victorian Rail Track dated 18 September 2009'; and
4. in paragraph 2, the definition of 'Relevant Rail Infrastructure':
 - substituting 'Regional Infrastructure Lease' for 'Primary Infrastructure Lease' wherever occurring in sub-paragraph (a); and
 - deleting sub-paragraph (b) and replacing it with the following –
'(b) located on the Land as defined in clause 1.1 of the Infrastructure Lease – Train.';

Dated 17 November 2009

Responsible Minister

LYNNE KOSKY, MP

Minister for Public Transport

TOBY HALLIGAN
Clerk of the Executive Council

Rail Corporations Act 1996**ORDER AMENDING PASSENGER NETWORK DECLARATION ORDER 2005****Order in Council**

The Governor in Council, under section 38I(1) of the **Rail Corporations Act 1996**, hereby amends the Passenger Network Declaration Order 2005, previously made on 13 December 2005, under section 38I(1) of the **Rail Corporations Act 1996**, by, on and from 30 November 2009:

1. in paragraph 2, the definition of ‘Excluded Infrastructure’:
 - deleting ‘.’ at the end of sub-paragraph 2(b)(x) and replacing it with ‘; and’; and
 - inserting a new sub-paragraph (c) as follows –
‘(c) all infrastructure defined as Excluded Infrastructure as defined in clause 1.1 of the Infrastructure Lease – Train.’;
2. in paragraph 2, replacing the definition of ‘Infrastructure Lease – Train’ with the following –
‘**Infrastructure Lease – Train** means the agreement entitled ‘Infrastructure Lease – Train’, entered into between the Director of Public Transport, Metro Trains Melbourne Pty Ltd (ACN 136 429 948) and Victorian Rail Track dated 31 August 2009, as amended from time to time by agreement between the parties.’;
3. in paragraph 2, replacing the definition of “Primary Infrastructure Lease” with the following –
‘**Regional Infrastructure Lease** means the agreement entitled ‘Regional Infrastructure Lease’ entered into between the Director of Public Transport and V/Line Passenger Pty Ltd (ACN 087 425 269) dated 4 May 2007, as amended from time to time by agreement, including under the agreement entitled ‘Deed of Amendment and Restatement: Regional Infrastructure Lease’ between the Director of Public Transport, V/Line Passenger Pty Ltd (ACN 087 425 269) and Victorian Rail Track dated 18 September 2009”; and
4. in paragraph 2, the definition of ‘Relevant Rail Infrastructure’:
 - substituting ‘Regional Infrastructure Lease’ for ‘Primary Infrastructure Lease’ wherever occurring in sub-paragraph (c) and renumbering that sub-paragraph as sub-paragraph (a); and
 - deleting sub-paragraph (d) and replacing it with the following –
‘(b) located on the Land as defined in clause 1.1 of the Infrastructure Lease – Train.’.

Dated 17 November 2009

Responsible Minister

LYNNE KOSKY, MP

Minister for Public Transport

TOBY HALLIGAN
Clerk of the Executive Council

Rail Corporations Act 1996**ORDERS UNDER SECTIONS 3(2), 3(3), 68(4), 69(4) AND 70(3)****Order in Council**

The Governor in Council, acting under the sections of the **Rail Corporations Act 1996** specified below, amends the Orders previously made on 24 August 1999 under sections 3(2), 3(3), 68(4), 69(4), and 70(3) of the **Rail Corporations Act 1996**, by, on and from 1 December 2009:

1. under section 3(2) of the **Rail Corporations Act 1996**, deleting paragraphs 1(a) and 1(c) of that Order and substituting 'V/Line Passenger Pty Ltd' for 'NX Australia (V/Line Passenger) Pty Ltd' in paragraph 1(b) of that Order;
2. under section 3(3) of the **Rail Corporations Act 1996**, deleting paragraph 2 of that Order;
3. under section 68(4) of the **Rail Corporations Act 1996**, making the following amendments to paragraph 3:
 - deleting 'and' at the end of paragraph 3(b);
 - deleting the full stop at the end of paragraph 3(c) and replacing it with ';';
 - inserting new paragraphs 3(d) and 3(e) as follows –
 - '(d) Connex Melbourne Pty Ltd (ACN 087 516 210) (formerly Melbourne Transport Enterprises Pty Ltd); and
 - (e) MetroLink Victoria Pty Limited (ACN 085 719 053).'; and
4. under sections 69(4) and 70(3) of the **Rail Corporations Act 1996**, substituting 'V/Line Passenger Pty Ltd' for 'NX Australia (V/Line Passenger) Pty Ltd' in paragraph 4(g) of that Order.

Dated 17 November 2009

Responsible Minister

LYNNE KOSKY, MP

Minister for Public Transport

TOBY HALLIGAN

Clerk of the Executive Council

Rail Corporations Act 1996**ORDERS UNDER SECTIONS 3(2) AND 3(3)****Orders in Council**

The Governor in Council, acting under the sections of the **Rail Corporations Act 1996** (the Act) specified below, makes the following Orders:

1. Under section 3(2) of the Act, that Metro Trains Melbourne Pty Ltd (ACN 136 429 948) (Metro) is, on and from 30 November 2009, declared to be a train operator for the purposes of sections 60, 61, 62, 64, 66, 67, 68, 69, 70 and 104 of the Act.
2. Under section 3(3) of the Act, that KDR Victoria Pty Ltd (ACN 138 066 074) (Yarra Trams) is, on and from 30 November 2009, declared to be a tram operator for the purposes of sections 61, 62, 63, 64, 65, 66, 67, 68, 69, 70 and 104 of the Act.

Dated 17 November 2009

Responsible Minister

LYNNE KOSKY, MP

Minister for Public Transport

TOBY HALLIGAN

Clerk of the Executive Council

Transport Act 1983

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

Order in Council

The Governor in Council, acting under the sections of the **Transport Act 1983** specified below, amends the Orders previously made on 24 August 1999 under sections 2(2A), 2(2C) and 2(2D) of the **Transport Act 1983**, by:

1. under section 2(2A) of the **Transport Act 1983**, substituting 'V/Line Passenger Pty Ltd' for 'NX Australia (V/Line Passenger) Pty Ltd' in paragraph 1(c) of that Order; and
2. under section 2(2C) of the **Transport Act 1983**, substituting 'V/Line Passenger Pty Ltd' for 'NX Australia (V/Line Passenger) Pty Ltd' in paragraph 3(b) of that Order.

These Orders come into effect on the day on which they are published in the Government Gazette.

Dated 17 November 2009

Responsible Minister

LYNNE KOSKY, MP

Minister for Public Transport

TOBY HALLIGAN
Clerk of the Executive Council

Transport Act 1983

ORDER UNDER SECTIONS 2(2C)

Order in Council

The Governor in Council, acting under section 2(2C) of the **Transport Act 1983**, amends the Order previously made on 10 June 2008 under section 2(2C) of the **Transport Act 1983**, by, on and from 1 December 2009, deleting paragraph 5 ('Connex Melbourne Pty Ltd') of that Order.

Dated 17 November 2009

Responsible Minister

LYNNE KOSKY, MP

Minister for Public Transport

TOBY HALLIGAN
Clerk of the Executive Council

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:

139. *Statutory Rule:* Building
Amendment
(Private
Bushfire Shelter
Construction)
Interim
Regulations 2009
Authorising Act: Building Act 1993
Date first obtainable: 16 November 2009
Code A
140. *Statutory Rule:* Road Safety Road
Rules Amendment
(Speed-Limit)
Rules 2009
Authorising Act: Road Safety
Act 1986
Date first obtainable: 16 November 2009
Code A

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