



Victoria Government Gazette

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No. G 45 Thursday 5 November 2009

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GENERAL

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As from 5 November 2009

The last Special Gazette was No. 392 dated 4 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)
-

VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Land Act 1958

Notice is hereby given that Girl Guides Association of Victoria has applied for a lease pursuant to section 134 of the **Land Act 1958** for a term of 21 years in respect of Allotment 14, Section 47, Township of Kerang, for the purpose of 'Amusement and Recreation and Social Activities connected therewith (Guide Hall)'.

DISSOLUTION OF PARTNERSHIP

Notice pursuant to section 40 of the
Partnership Act 1958

All those dealing with the partnership Carrick Kellow Smyth, at level 5, 501 LaTrobe Street, Melbourne, Victoria, take notice that Matthew Paterson Kellow gave notice to Anthony Paul Smyth and Michael Sean Carrick of his intention to retire from the said partnership trading as Carrick Kellow Smyth, and that from midnight on Friday 30 October 2009, Matthew Paterson Kellow has retired from the said partnership and shall not be liable for debts and liabilities incurred after that time other than in accordance with the **Partnership Act 1958**.

NOTICE OF DISSOLUTION OF PARTNERSHIP

Notice is hereby given in accordance with section 40(2) of the **Partnership Act 1958**, that the partnership between Diana Pty Ltd, ACN 080 364 950 and Jurezoa Pty Ltd, ACN 007 139 782, was dissolved by mutual consent with the effect from 30 October 2009.

Re: FRANK CLIFFORD ROSE, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of FRANK CLIFFORD ROSE, late of 396 Barkley Street, Elwood, Victoria, retired, who died on 18 August 2009, are to send particulars of their claims to the personal representative/s, care of the undermentioned solicitors, by 6 January 2010, after which date the personal representative/s will distribute the assets, having regard only to the claims of which they then had notice.

BRUCE M. COOK & ASSOCIATES, solicitors,
Level 1, 114 William Street, Melbourne 3000.

Creditors, next-of-kin and others who have claims in respect of the estate of MURIEL MAY JOINER, late of 46 Tennyson Street, Orbost, in the State of Victoria, deceased, who died on 8 August 2009, are to send particulars of their claims to the administrators, care of Engel & Partners Pty, of 109 Main Street, Bairnsdale, by 12 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.

IRENE MARY LANASSA, late of 7 Hopetoun Avenue, Brunswick West 3055, in the State of Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the abovenamed deceased, who died on 20 August 2009, are required by Nancy Elizabeth Van Den Bok, the executrix of the said estate, to send particulars by 15 January 2010, to her solicitors, Gullaci & Gullaci of 158 Bell Street, Coburg, Victoria 3058, after which date the executrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

Dated 28 October 2009

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

EDWARD ARTHUR LEWIS, late of 1 Annaleise Court, Cranbourne, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 September 2009, are required by the trustee, care of Harris & Chambers Lawyers of 4/250 Charman Road, Cheltenham 3192, to send particulars to them by 6 January 2010, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

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

MARGARET MAUREEN BRODERICK, late of Unit 11, 21 The Esplanade, Western Beach, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 May 2009, are required by Peter Francis Kelly (in the will called Peter Kelly) and Douglas Mackay Carlon (in the will called Douglas Carlon) the executors of the deceased's estate, to send particulars to them care of the undermentioned lawyers, by 4 January 2010, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

HARWOOD ANDREWS LAWYERS,
70 Gheringhap Street, Geelong 3220.

BARBARA NORMA McVEY, deceased, late of 26 Kalimna Drive, Mornington, Victoria, registered nurse.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 13 July 2009, are required by the trustees David Robert Vernon Dickens, medical practitioner, and David John Payne, company director, to send particulars to them by 8 January 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

JOHN W. BALL & SONS, lawyers,
Level 1, 543 Bridge Road, Richmond,
Victoria 3121.

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

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 September 2009, are required by the trustees, Karen Knebel-Peteline and Anuschka Karenina Toal, to send particulars to the trustees, care of the undermentioned lawyers, by 5 February 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: MARIE PATRICIA SANDELLS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 8 August 2009, are required by the trustee, Equity Trustees Limited (ACN 004 031 298) of Level 2, 575 Bourke Street, Melbourne, Victoria, trustee company, to send particulars to

the trustee by 8 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 against the Estate of BENJAMIN NEWMAN FINK, late of 19 Dunlop Avenue, Kew 3101, company director, deceased, who died on 2 June 2009, are required to send particulars of their claims to Donald Leonard Minett, Graeme Wallace Neill And Phillip Anthony Bing, of Level 2, 470 Collins Street, Melbourne, the executors of the said deceased, on or before 30 January 2010, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

PHILLIP BING & ASSOCIATES, solicitors,
Level 2, 470 Collins Street, Melbourne.

Re: GEORGE EDMUND WRIGHT, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 19 July 2009, are required by the trustee, John Glenn Wright, care of the undermentioned solicitors, to send particulars to the trustee 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.

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

Re: PAULINE MARY MAULDON, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 October 2009, are required by the trustee, Peter John Mauldon, care of 493 Main Street, Mordialloc, operations manager, to send particulars to the trustee by 6 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.

RICHMOND & BENNISON, lawyers,
493 Main Street, Mordialloc 3195.

Creditors, next-of-kin or others having claims in respect of the estate of ROBERT LACHLAN HUGHES, deceased, who died on 4 April 2009, are to send particulars of their claims to the executor, care of the undermentioned solicitors, by 7 January 2010, after which date the executor will distribute the assets, having regard only to the claims of which the executor then has notice.

RIGBY COOKE LAWYERS,
Level 13, 469 LaTrobe Street, Melbourne,
Victoria 3000.

Re: GRAHAM WILLIAM GEORGE WRIGHT, late of 105 Cranbourne–Berwick Road, Cranbourne, Victoria, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 1 August 2009, are required by the trustees, Geoffrey John Wright of 2 Caprice Court, Narre Warren, Victoria, forklift driver, and Ian Douglas Wright of 12 Grantham Crescent, Berwick, Victoria, manager, to send particulars to the trustees by 4 January 2010, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

ROBERT CLEMENTS, legal practitioner,
3/37 Princes Highway, Dandenong 3175.

Re: NORMAN ALEXANDER DENNIS, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 17 April 2009, are required by the deceased's personal representatives, Anthony Richard Davis, David Anthony Casey and Jeffrey Graeme Thornton, to send particulars to the personal representatives by 14 January 2010, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: DOROTHY DAISY WALSH, late of 42 Haldane Street, Beaumaris, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 4 July 2009, are required by the executors, David Adrian Young and Peter Campbell Young, to send particulars to them,

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

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

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

To the highest bidder at the best price offered

On Wednesday 9 December 2009, at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of John Rashleigh Shaw of 5 Mask Gully Road, Upwey, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 04119 Folio 629, upon which is erected a residential dwelling known as 5 Mask Gully Road, Upwey.

Registered Mortgage No. AG730377E affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW080069819

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

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

On Wednesday 9 December 2009, at 2.30 pm in the afternoon. at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Steven Fitzpatrick of 131 Martin Street, Dunkeld, as shown on Certificate of Title as Steven James Fitzpatrick, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09595 Folio 746, upon which is erected a dwelling house known as 131 Martin Street, Dunkeld.

Registered Mortgage No. AF296847S affects the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090052217

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

In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Wednesday 9 December 2009, at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Aylin Altay of Unit 1, 167 Widford Street, Broadmeadows, joint proprietor with Yusuf Altay of an estate in fee simple in the land described on Certificate of Title Volume 10512 Folio 089, upon which is erected a dwelling known as, Unit 1, 167 Widford Street, Broadmeadows.

Registered Mortgage No. AC397801G and Caveat No. AF545846K affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090044517

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

In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Wednesday 9 December 2009, at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Shane Matthew Matulis of 16 Hull Road, Mount Martha, sole proprietor of an estate in fee simple

in the land described on Certificate of Title Volume 10872 Folio 170, upon which is erected a residence known as 16 Hull Road, Mount Martha.

Registered Mortgage No. AE661158S and Covenant No. AD622535S, Caveat No. AF413026P and Caveat No. AF633142J affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090039017

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

In the County Court of the State of Victoria

SALE BY THE SHERIFF

On Wednesday 9 December 2009, at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Suzanne Jean Williams of 6 Lexton Court, Seaford, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 09650 Folio 698, upon which is erected a dwelling house known as 6 Lexton Court, Seaford.

Registered Mortgage No. AD070210W and AD070211U affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

CW090044055

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

In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Wednesday 9 December 2009, at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of George Alexandridis of 40 Banks Road, Eltham, joint proprietor with Simone Anne Williams of an estate in fee simple in the land described on Certificate of Title Volume 08234 Folio 717, upon which is erected a dwelling known as 40 Banks Road, Eltham.

Registered Mortgage No. AE671012R and Agreement section 173 **Planning and Environment Act 1987** AG515814K affect the said estate and interest.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090005225

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

Pyalong, continue along Pyalong–Seymour Road, Pyalong. The property is situated on the left hand side approximately 3.2 kilometres from the intersection of Northern Highway and Mollison Street, Pyalong.

Refer RACV Vic Roads Country Directory Edition 6 Maps 60F4 and 639M6.

Payment Terms – Cash/Eftpos (Debit Cards only/no Credit Cards)/bank cheque or solicitors trust account cheque. Note: must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW090051304

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

In the Supreme Court of the State of Victoria

SALE BY THE SHERIFF

On Wednesday 9 December 2009, at 2.30 pm in the afternoon at the Sheriff's Office, 444 Swanston Street, Carlton (unless process be stayed or satisfied).

All the estate and interest (if any) of Michael Lagona of 38 Clausen Street, North Fitzroy, as shown on certificate of title as Michele Augusto Lagona, sole proprietor of an estate in fee simple in the land described on Certificate of Title Volume 10351 Folio 810, which is Vacant Land and known as 2260 Seymour–Pyalong Road, Pyalong.

Registered Mortgage No. AD837925E and Caveat No. AE134930X affects the said estate and interest.

The property is approximately 2.4 acres (0.987 hectares, 9890 square metres) and is situated approximately 4 kilometres from the Pyalong Post Office.

Pyalong is a small township located on the Northern Highway, between the townships of Kilmore and Heathcote.

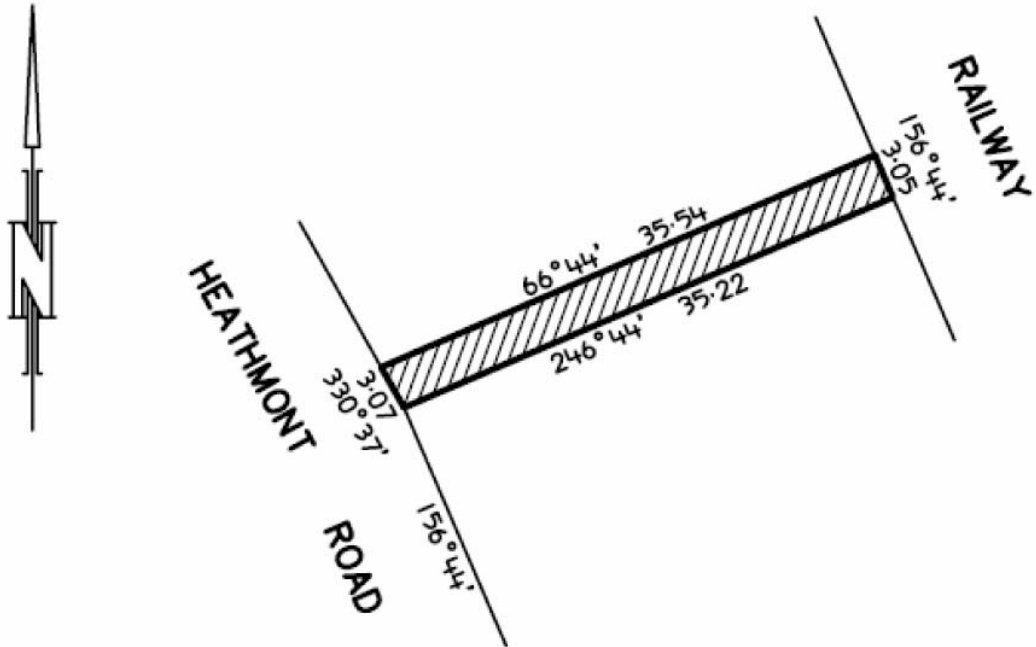
The property can be located from the Pyalong Post Office by: continue on the Northern highway, turn right in to Mollison Street,

**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

MAROONDAH CITY COUNCIL

Road Discontinuance

At its meeting on 15 September 2008 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Maroondah City Council resolved to discontinue the road shown hatched on the plan below.



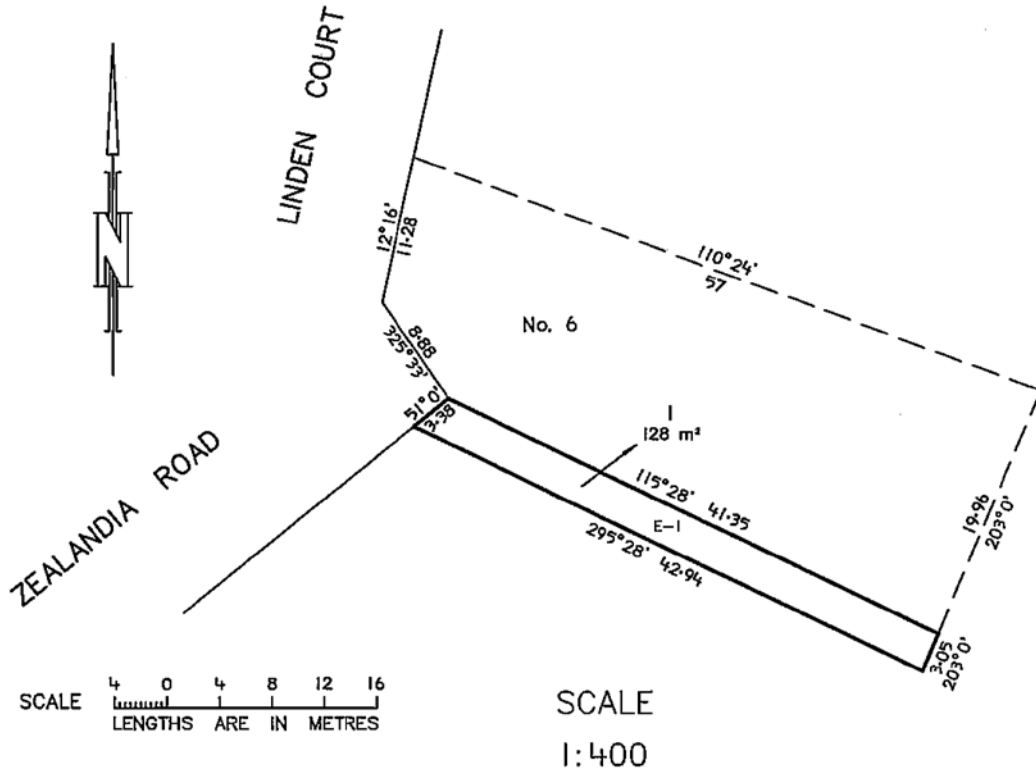
MICHAEL MARASCO
Chief Executive Officer
Maroondah City Council

MAROONDAH CITY COUNCIL

Road Discontinuance

At its meeting on 16 March 2009 and acting under clause 3 of schedule 10 to the **Local Government Act 1989**, Maroondah City Council resolved to discontinue the road shown as Lot 1 on the plan below and transfer the road to itself.

The road is to be sold subject to any right, power or interest held by Maroondah City Council as to the land marked 'E-1' in connection with any sewers, drains or pipes under the control of that authority in or near the road.



MICHAEL MARASCO
Chief Executive Officer
Maroondah City Council

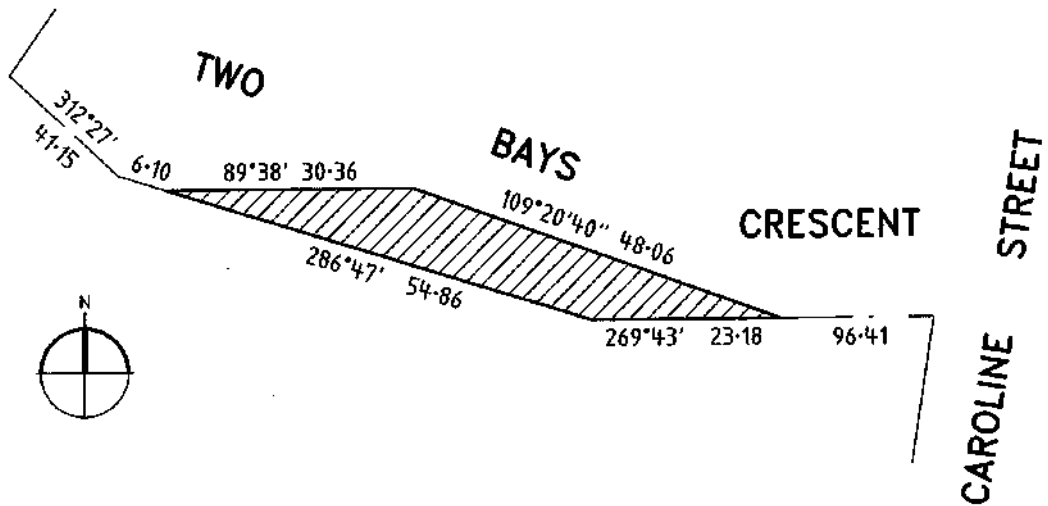
YARRA RANGES SHIRE COUNCIL

Corrigendum

Road Discontinuance

This Notice corrects an error contained in a Notice published in the Victoria Government Gazette (G 43) dated 22 October 2009 at page 2693.

Under section 206 and schedule 10 clause 3 of the **Local Government Act 1989** (Act) the Yarra Ranges Shire Council (Council), at its meeting held on 13 October 2009, formed the opinion that the section of Two Bays Crescent, Selby, shown hatched on the plan below, is not reasonably required as a road for public use and resolved to discontinue the section of road, subject to retention or any right, power or interest held by the Council or a public authority pursuant to section 207C of the Act, and that the land from the road be sold by private treaty to the abutting owner.



GLENN PATTERSON
Chief Executive Officer

Land Acquisition and Compensation Act 1986

FORM 7

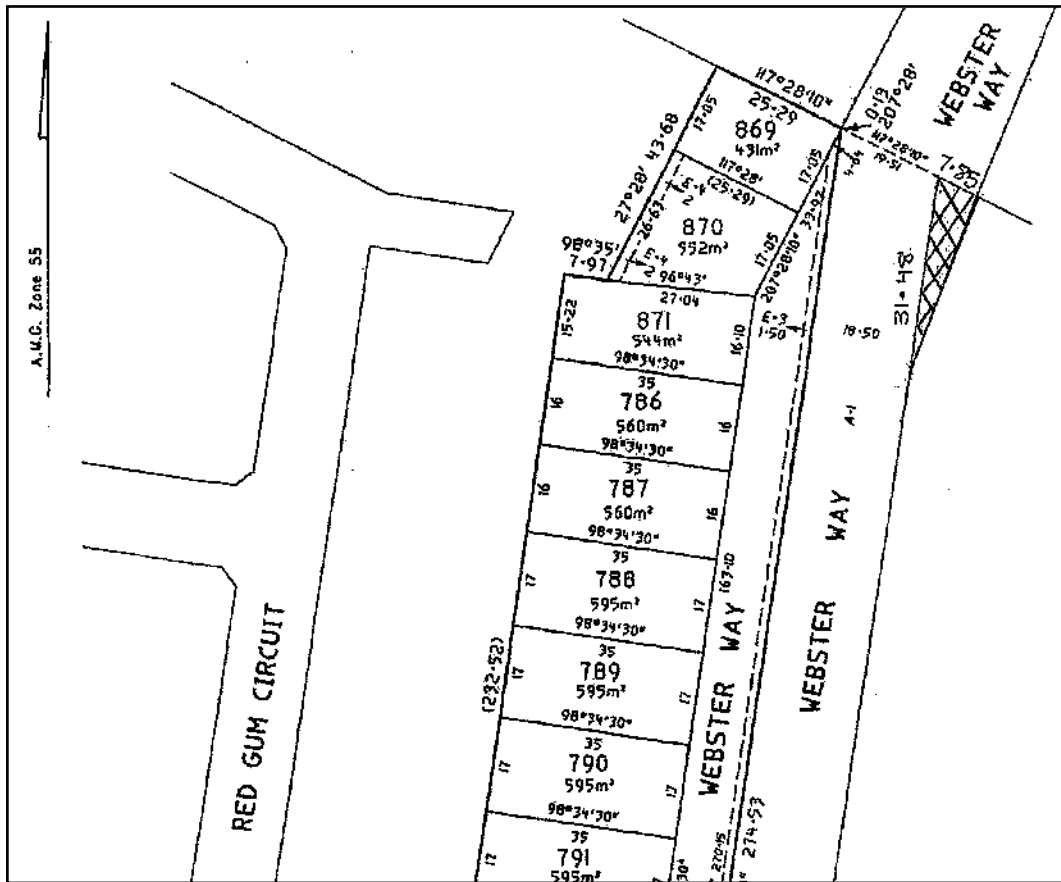
S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Cardinia Shire Council (Council) declares that by this notice it acquires the following interest in fee simple in the land shown hatched on the attached plan, being part of the land in Certificate of Title Volume 9733 Folio 332 (Title) and known as land at Webster Way, Pakenham (Land).

Council is of the opinion that the Land is suitable for the purposes of construction of a road splay at the north-west corner of the land as it adjoins Webster Way, to align the land contained in title.



Published with the authority of Cardinia Shire Council.

Dated 4 November 2009

Signed GARRY McQUILLAN
Chief Executive Officer



Notice is given, in accordance with section 112(2) of the **Local Government Act 1989**, that Banyule City Council has made amendments to its Councillor Code of Conduct which is incorporated in Local Law 2 (2005) – Conduct of Meetings Local Law.

The purpose of the Councillor Code of Conduct is to assist Councillors to maintain the highest standards of conduct and behaviour as well as provide a means for dealing with problems that they may encounter; attract the highest level of confidence from Council's stakeholders; and assist the Mayor, Deputy Mayor and Councillors to discharge their public office appropriately.

Changes to the Code were required due to amendments to the **Local Government Act 1989** and highlight the importance of Councillor conduct and the impact it has on good governance. Banyule's revised Code further highlights requirements in relation to confidential information, conflict of interest procedures, dispute resolution procedures, pre-election procedures and the receipt of gifts.

Copies of the Councillor Code of Conduct may be inspected at the Ivanhoe Service Centre, 275 Upper Heidelberg Road, Ivanhoe; Rosanna Service Centre, 44 Turnham Avenue, Rosanna; and Greensborough Service Centre, 9–13 Flintoff Street, Greensborough.

SIMON McMILLAN
Chief Executive Officer



NEW ANIMAL KEEPING LOCAL LAW

At its meeting of 26 October 2009 the Greater Bendigo City Council resolved to adopt a new Animal Keeping Local Law.

The objective of this Local Law is to regulate and control activities associated with the keeping of animals, birds and poultry so as to provide for the welfare of animals, birds and poultry.

The purpose of this Local Law is to regulate:

1. Keeping of animals
2. Limit on number of animals
3. Keeping of poultry
4. Fencing of properties to restrain animals
5. Animal litter and amenity issues.

The changes to the current Animal Keeping Local Law are:

- introducing a schedule which outlines the maximum number of animals allowed to be kept according to land zoning;
- introducing a requirement that persons walking dogs in a public place carry a bag or similar device suitable for picking up dog excrement;
- expanding the definition of 'animal' to include guinea pigs, rabbits, pigs and ferrets for the purpose of nuisance complaints;
- changing the definition of 'Residential Area' and 'Rural Living Area' to reflect the definition stated in the Greater Bendigo Planning Scheme;
- introducing a definition of Business Zone to reflect the definition in the Greater Bendigo Planning Scheme;
- introducing a definition of Industrial Zone to reflect the definition in the Greater Bendigo Planning Scheme;
- changing the minimum area from 0.4 hectare (4,000 sqm) to 0.2 hectare (2,000 sqm) for keeping of a large animal without a permit;
- changing the exempt period for the progeny of animals allowed to be kept without a permit from 26 to 12 weeks;
- introducing a clause in accordance with the Planning Scheme principles to allow for Property Owners with a planning permit for the development and use of stables or established non-conforming or existing use land rights to be able to keep horses without the need to obtain a permit;
- prohibiting the keeping of roosters in Residential and Business Zones without a permit;
- introducing a lifetime permit that provides a permit for a property where the resident can keep more than the allowed number of animals at that property (the permit is not transferable to a different property and the permit is not transferable to a new owner of the property).

The new Local Law will come into effect on 1 January 2010. A copy of the Local Law may be inspected or obtained from the City of Greater Bendigo Council Offices at Lyttleton Terrace, Bendigo and High Street, Heathcote, or online at www.bendigo.vic.gov.au

CRAIG NIEMANN
Chief Executive

GREATER GEELONG CITY COUNCIL

Adoption of Road Management Plan

In accordance with the **Road Management Act 2004** the Greater Geelong City Council notifies its adoption of its Road Management Plan.

The City's first Road Management Plan (Version 1.0) was adopted by Council in 2004. The City's current plan (Version 4.0) was adopted by Council at its meeting held on 27 October 2009.

The Regulations of the **Road Management Act 2004** require that the Road Management Plan be reviewed at prescribed intervals.

A copy of latest version of Road Management Plan may be inspected on request at Council offices, 131 Myers Street, or downloaded on Council's website, <http://www.geelongaustralia.com.au/>

STEPHEN GRIFFIN
Chief Executive Officer



Notice of Intention to Make Local Law
Proposed General Provisions Local Law

Notice is given that the Knox City Council proposes to make the General Provisions Local Law pursuant to the **Local Government Act 1989**.

This Local Law made is for the purpose of providing the:

- a) safe and fair use and enjoyment of public places;
- b) safe and fair use of roads;
- c) regulation of street activities;
- d) keeping and control of animals;
- e) fair and reasonable use and enjoyment of land;
- f) protection of Council assets;
- g) control of building sites; and
- h) uniform and fair administration of the Local Law.

This Local Law will repeal Council's General Provisions Local Law No. 1 of 2004, the General Works Local Law 2001 and will apply throughout the municipality.

Part 2 of the Local Law provides controls in regards to the following activities in public places: behaviour, trading activities including the display and selling of goods or services and placement of advertising or promotional signs or the placement of tables and chairs and associated outdoor furniture for the purpose of outdoor eating, consumption of alcohol, placement of collection bins, collections of money, construction of temporary or permanent vehicle crossings, property numbers, parking of registered and unregistered vehicles, camping and temporary dwellings, obstruction on roads, paths or reserves, shopping trolleys and bulk rubbish containers and/or skip bins.

Part 3 of the Local Law relates to the keeping of animals, secure confinement of animals and animal housing, removal of animal excrement in public places, animal or bird noise and odour and placement of barking count devices.

Part 4 deals with general amenity and includes condition of land, open air burning, heavy and long vehicles, storage and parking of vehicles, environmental weeds, obstructions on roads and footpaths, noise, alarms, bees, European wasps, drainage, tree and vegetation protection and use of recreational vehicles on private land.

Part 5 prescribes the requirements in regards to waste collection services throughout the municipality including domestic, recyclable, hard and green waste. It includes provisions relating to disposal of disused refrigerators and other compartments, restriction or interference with hard garbage, screening of bins, depositing of waste at the Recycling and Waste Centre, non-Council waste services, commercial waste and the suspension of services under certain circumstances.

Part 6 addresses the protection of Council and public assets. Regulation of building and construction works to protect public health and safety, prohibits defacing or damaging of Council land, assets, trees and/or plants.

Part 7 and 8 provide for the administration and enforcement of the Local Law. It contains the process for impounding items and the powers of officers to serve infringement notices. Power of entry under urgent circumstances is addressed and addition to the capacity for cost of remedial works to be charged against the property under certain circumstances.

A statement of regulatory impact has also been prepared addressing any inconsistencies with the Local Law in regards to National Competition Policy and the Victorian Charter of Human Rights.

Guidelines that support the Local Law are currently being developed and will be available for community consultation in February 2010.

Consultation packs including background information, a copy of the proposed General Provisions Local Law and statement of regulatory impact may be obtained from:

1. Knox City Council offices, Rowville Customer Service Centre and Knox libraries
2. Council's website at www.knox.vic.gov.au

Any person may make a submission relating to the proposed Local Law. Submissions are to be received by Council no later than 5.00 pm on Friday 26 February 2010 and will be considered in accordance with section 223 of the **Local Government Act 1989**. Any person requesting to be heard in support of a written submission must indicate their desire to do so in their submission.

Written submissions may be lodged at the Council offices, in person, online or posted to the Chief Executive Officer, Knox City Council, 511 Burwood Highway, Wantirna South 3152 or email to knoxcc@knox.vic.gov.au

Privacy Statement

Any personal information provided in relation to your submission will be used solely by Council for the primary purpose or directly related purposes pertaining to the statutory process concerning the making of the Local Law. Notice is given that your personal information may be published in Council agenda and minute documents.

GRAEME EMONSON
Chief Executive Officer

PYRENEES
SOUTH



Notice of Changes to Local Law No. 2: Moveable and Temporary Dwellings and Shipping Containers on Private Land

In accordance with the provisions of section 119(3) of the **Local Government Act 1989**, Council, on 20 October 2009, formally resolved to adopt the following amendments to Local Law No. 2 of 2007:

- Prohibit the occupation of Moveable Dwellings on Council and private land, unless they are located within a caravan park registered under the **Residential Tenancy Act 1997**. Exemptions are provided for a land owner to apply for a Permit to keep a Moveable Dwelling on private land for a maximum period of 3 months within a calendar year;
- Prohibit the use of temporary dwellings on private land, without a Local Laws permit. Permits for Temporary Dwellings may be granted for a two (2) year period, provided the required permits for a permanent residency have been issued, and the applicant satisfies condition requirements pertaining to effluent disposal and wildfire management; and
- Require a Local Laws permit to be obtained to place shipping containers on private land. Exemptions are provided to place a shipping container on land within the Rural Zones that is not visible from a public place.

A number of changes are also proposed to the current definitions for Moveable and Temporary Dwellings contained within Local Law No. 2.

Copies of the Local Law may be viewed online at www.pyrenees.vic.gov.au or at the Council Offices, Lawrence Street, Beaufort and the Avoca Resource Centre, Avoca.

The amendments to Local Law come into effect on the day after the publication of this notice in the Government Gazette on Thursday 5 November 2009.

For further information in relation to this Local Law, contact Chris Hall (Town Planner) on 5329 1125.

S. G. CORNISH
Chief Executive Officer



Local Law No. 2 – Meeting Procedures

Notice is hereby given that the Rural City of Wangaratta, at its Ordinary Meeting of 20 October 2009, resolved to give public notice of the proposed new Local Law No. 2 – Meeting Procedures.

The objectives of this Local Law are to:

- (a) regulate and control the procedures governing the conduct of meetings of the Council and of special committees appointed by the Council;
- (b) regulate and control the election of Mayor and the chairpersons of any special committees;
- (c) regulate and control the use of the Council's seal;
- (d) promote and encourage community participation in the system of local government;
- (e) provide a mechanism through its formal meeting procedure to ensure effective and efficient Council decisions are made in a manner which acknowledges the role of local government within the Australian system of Government;
- (f) provide for the administration of the Council's powers and functions; and
- (g) provide generally for the peace, order and good government of the municipal district.

A copy of the proposed Local Law may be inspected at the Wangaratta Government Centre, corner Ford and Ovens Streets, Wangaratta, during office hours 8.30 am–5.00 pm Monday to Friday or downloaded from Council's website.

In accordance with section 223 of the **Local Government Act 1989**, any person may make a submission on the proposed Local Law. Submissions must be in writing, addressed to the Chief Executive Officer, PO Box 238, Wangaratta, and must be received by the Council on or before 5.00 pm on Tuesday 24 November 2009.

Any person requesting that he or she be heard in support of a written submission is entitled to appear before a meeting of the Council at 6.00 pm on 24 November 2009 at the Wangaratta Government Centre.

Enquiries concerning the proposed Local Law should be directed to Ray Park on (03) 5722 0804.

YARRA RANGES SHIRE COUNCIL

Electronic Bird Deterrent Local Law 2009

Yarra Ranges Shire Council has resolved to make the Electronic Bird Deterrent Local Law 2009 (No. 1 of 2009).

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

1. promote a physical and social environment free from hazards to health in which residents of the Shire can enjoy a quality of life that meets the general expectations of the community;
2. protect and promote amenity within the Shire;
3. amend the Scaregun Local Law 2002 to regulate and control the use of electronic bird deterrents within the Shire in a manner that prevents their use being detrimental to the environment or the quality of life of persons residing in the Shire; and
4. provide for the peace, order and good government of the Shire.

A copy of the proposed Local Law can be obtained from the Shire Office, Anderson Street, Lilydale, from the other Yarra Ranges Community Links at Healesville, Monbulk, Upwey and Yarra Junction, or at www.yarraranges.vic.gov.au

Any person affected by the proposed Local Law may make a submission under section 223 of the **Local Government Act 1989** (the Act).

In accordance with section 223 of the Act, any person wishing to make a submission must do so in writing to the undersigned. Council will receive submissions until 4 December 2009. Submissions should be addressed to: The Chief Executive Officer, Yarra Ranges Shire Council, at either Anderson Street (PO Box 105), Lilydale, Victoria 3140, or mail@yarraranges.vic.gov.au

Submitters should note that submissions should relate to the proposed local law only; the existing Scaregun Local Law 2002 is not being reviewed at this time.

Any person making a submission may request to be heard in support of his or her submission. Any person requesting to be heard is entitled to appear in person or by a person acting on his or her behalf before a meeting of the Council or a Committee of the Council on a date to be determined by the Chief Executive Officer.

All submissions will be considered in accordance with section 223 of the Act.

Following consideration of submissions Council may resolve to make the proposed Local Law with or without amendment or to not make the Local Law.

GLENN PATTERSON
Chief Executive Officer

Planning and Environment Act 1987GREATER DANDENONG
PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C102

Authorisation No. A01156

The land affected by this amendment is:

- Lot 1 PS 546419Q
- Lot 2 PS 546419Q
- Lot 3 PS 546419Q.

The Amendment proposes to:

- amend the schedule to the Mixed Use Zone to insert site specific limitations to the allowable floor area for Office (5,500 sqm), Shop (30,000 sqm of Restricted Retail and 1000 sqm for all other Shops) and Trade Supplies (1,000 sqm) on the subject land;
- replace the current Schedule 2 to the Development Plan Overlay (DPO2) with a new Schedule 8 to the DPO (DPO8) that is specific to the site.

The Greater Dandenong City Council has prepared Amendment C102 to the Greater Dandenong Planning Scheme.

The Amendment has been made at the request of Silverton Group Pty Ltd.

You may inspect the Amendment, the explanatory report about the Amendment, and any documents that support the Amendment free of charge, during office hours, at the following locations: Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection City of Greater Dandenong website at www.greaterdandenong.com and at Council offices at 39 Clow Street, Dandenong; 397–407 Springvale Road, Springvale; Shop 7A, Parkmore Shopping Centre, Keysborough.

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

The closing date for submissions is Monday 7 December 2009. Submissions must be in writing and must be sent to The Manager, Planning and Design, City of Greater Dandenong, PO Box 200, Dandenong, Vic. 3175.

JODY BOSMAN
Manager Planning and Design



Mildura Rural City Council

Planning and Environment Act 1987

MILDURA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C55

Authorisation A01417

The Mildura Rural City Council has prepared Amendment C55 to the Mildura Planning Scheme. In accordance with section 8A(3) of the **Planning and Environment Act 1987**, the Minister for Planning authorised the Mildura Rural City Council as planning authority to prepare the Amendment. The Minister has also authorised the Council to approve the Amendment under section 35B of the Act.

The land affected by the Amendment is 104–114 Orange Avenue, Mildura. The Amendment proposes to rezone the land from Public Use Zone Schedule 7 (PUZ7) (Other public use) to Mixed Use Zone (MUZ).

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, Mildura Rural City Council, 108–116 Madden Avenue, Mildura; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 7 December 2009.

Submissions must be sent to: General Manager Assets & Development, Mildura Rural City Council, PO Box 105, Mildura, Vic. 3502.

MARK HENDERSON
Chief Executive Officer

Planning and Environment Act 1987

MOIRA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C55

Authorisation A01494

Moira Shire Council has prepared Amendment C55 to the Moira Planning Scheme.

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

The Amendment applies to two separate parcels of the land as follows:

- Parcel 1 – Crown Allotments 2, 4 and 5, Section 87, Township of Yarrawonga, which is the southern part of the Victoria Park Yarrawonga Showgrounds site.
- Parcel 2 – Crown Allotments 1, 2, 3, and 4, Section 76, Township of Yarrawonga, which is the northern part of the Yarrawonga Secondary College site.

The Amendment proposes to rezone:

- Parcel 1 – Approximately 10.19 hectare parcel of land, bounded by Gilmore Street and Woods Road from Public Park and Recreation Zone (PPRZ) to the Public Use Zone 2 – Education (PUZ2) to facilitate the development of the Victoria Park Education Precinct;
- Parcel 2 – Approximately 2.46 hectare parcel of land bounded by Gilmore Street and Pinniger Street from the Public Use Zone 2 – Education (PUZ2) to the Public Park and Recreation Zone (PPRZ) for recreational purposes.

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, Moira Shire Council, 44 Station Street, Cobram, Victoria 3644 and the Moira Service Centre, Belmore Street, Yarrawonga; and the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 7 December 2009. A submission must be sent to: Chief Executive Officer, Moira Shire Council, PO Box 578, Cobram, Victoria 3643.

For further information contact the Moira Shire Council Planning department on (03) 5871 9222.

GARY ARNOLD
Chief Executive Officer



Moreland City Council

Planning and Environment Act 1987

MORELAND PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C107

Authorisation A01472

The Moreland Council has prepared Amendment C107 to the Moreland Planning Scheme.

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

The land applies to land with the following addresses (referred to as 'the precinct'):

- 2, 2A, 4–6, 8–10, 12, 14, 16, 18 and 20–26 Barkly Street, Brunswick East;
- 3A, 5, 7, 7A, 9, 9A, 11–15, 21–27 Brunswick Road, Brunswick East; and
- 25–37, 39, 41, 43, 45, 47 Nicholson Street, Brunswick East.

The Amendment proposes to:

- rezone the land at 4, 8, 12, 14, 16, 18 and 20 Barkly Street and 5, 7, 7A, 9, 9A, 11, 21–27 Brunswick Road, Brunswick from an Industrial 3 Zone (IN3Z) to a Business 2 Zone (B2Z);
- apply a Design and Development Overlay – Schedule 22 (DDO22) to the properties at 2, 2A, 4, 8, 12, 14, 16, 18 and 20 Barkly Street, 3A, 5, 7, 7A, 9, 9A, 11, 21–27 Brunswick Road, and 25, 39, 41, 43, 45 and 47 Nicholson Street, Brunswick;
- delete the existing Design and Development Overlay – Schedule 3 (DDO3) from properties at 25–37, 39, 41, 43, 45 and 47 Nicholson Street, Brunswick;
- apply an Environmental Audit Overlay (EAO) to the land being rezoned in the precinct;
- introduce the 'Brunswick Road, Nicholson Street, Barkly Street Development Precinct Height and Massing Study, Rothe Lowman

for EG Funds Management, 2009' as a reference document to the Design and Development Overlay – Schedule 22.

You may inspect the Amendment and any documents that support the Amendment free of charge at the following locations: Moreland Citizen Services Centre, Moreland City Council, 90 Bell Street, Coburg – during office hours only; Brunswick Citizen Services Centre, Moreland City Council, 233 Sydney Road, Brunswick – during office hours only; Glenroy Citizen Services Centre, Moreland City Council, 796N Pascoe Vale Road, Glenroy – during office hours only.

In addition, Amendment documentation and information can be viewed online at Moreland City Council website at www.moreland.vic.gov.au/building-and-planning/strategic-planning/current-and-approved-amendments; Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 10 December 2009.

A submission must be in writing and be sent to: Moreland City Council, Strategic Planning Unit, Submission to Amendment C107, Locked Bag 10, Moreland, Vic. 3058.

Please be aware that all submissions to amendments are public documents that must be made available for viewing by any person as part of the planning process.

Approved
ROGER COLLINS
Director City Development

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 7 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.

DOWIE, Allan Neil, late of Arlington Nursing Home, 3–9 Collins Street, Thornbury, Victoria 3071, pensioner, who died on 28 January 2008.

FREEMAN, Pauline, late of 2A, 110 Walpole Street, Kew, Victoria 3101, retired, who died on 31 August 2000.

GOOK, Peter Andrew, late of 35 Rosehill Road, Lower Plenty, Victoria 3093, who died 5 April 2009.

LEWIS, Howard Ernest, late of Cambridge House, 3 Cambridge Street, Collingwood, Victoria 3066, who died on 12 July 2009.

O'CONNELL, Caitlyn, also known as Kathleen Connell, Kathleen Margaret O'Connell, Cathleen Margaret Connel, Caitlin Margaret O'Connell, late of 8/32 Ormond Road, Elwood, Victoria 3184, who died on 1 August 2009.

PLIER-MALONE, Edmund Noel Michael, also known as Michael Plier-Malone, late of 21 Brunswick Street, Fitzroy, Victoria 3065, retired, who died on 25 August 2009.

PRESTON, Constance Effie, late of Inala Village, 220 Middleborough Road, Blackburn South, Victoria 3130, retired, who died on 10 October 2009.

SEARSON, Peter Lloyd, late of Auburn House, 98–100 Camberwell Road, Hawthorn East, Victoria 3123, who died on 22 June 2009.

WALKER, Joan Patricia, late of Unit 3, 27 Hollaway Street, Ormond, Victoria 3204, retired, who died on 10 July 2009.

Dated 29 October 2009

ROD SKILBECK
Manager
Executor and Trustee Services

EXEMPTION

Application No. A240/2009

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 the International Women's Development Agency Inc. (the applicant). The application is for renewal of exemption A292/2006 from sections 13, 100 and 195 of the Act which is due to expire on 18 October 2009. The application for exemption is to enable the applicant to advertise for and employ females in all positions within the agency.

Upon reading the material submitted in support of the application, including the affidavit of Ms Jane Sloane, 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 females in all positions within the agency.

In granting this exemption the Tribunal noted:

- the applicant is an international development agency working for the elimination of poverty and for the empowerment of women around the world;
- the applicant assists women internationally to develop skills and to gain access to resources and promotes projects and programs which demonstrate women's competence and effectiveness as agents of development in agriculture, marketing, manufacturing, health, education, water supply, housing and other fields;
- the applicant is a voluntary organisation which undertakes development in partnership with women of other countries and Aboriginal and migrant women in Australia, and gives priority to working with women who suffer poverty and depression;
- it is important that female field workers be employed in the agency's international development projects because of the cultural sensitivities in relation to the women in the countries where those projects are undertaken and women in those countries will be more likely to communicate freely with the field workers if those workers are also women;
- it is important to make local positions with the agency available to women only to encourage the self development of Australian women and to provide them with additional career paths;
- previous exemptions were granted to the applicant and the grounds on which those exemptions were granted are substantially the same as these grounds.

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 females in all positions within the agency. This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 22 October 2012.

Dated 15 October 2009

MRS A. COGHLAN
Deputy President

Department of Treasury and Finance

**SALE OF CROWN LAND
BY PUBLIC TENDER**

Tenders close Wednesday 2 December 2009 at 2.00 pm at the offices of the Department of Treasury and Finance, Mail Centre, Basement, 1 Treasury Place, Melbourne

Reference: 97/02595.

Address of Property: 61 Johnson Street, Reservoir.

Crown Description: Crown Allotment 2032, Parish of Keelbundora.

Terms of Sale: 1% on lodgement, 9% on acceptance, balance 90 days or earlier by mutual agreement.

Area: 3,055 m².

Officer Co-ordination Sale: Brian Dee, Senior Project Manager, Land and Property Group, Commercial Division, Department of Treasury and Finance, Level 5, 1 Treasury Place, Melbourne, Victoria 3000.

Selling Agent: Love Commercial Pty Ltd, Level 1, 2 Ralph Street, Reservoir, Victoria 3073.

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

Electoral Act 2002

**CHANGE TO REGISTER OF
POLITICAL PARTIES**

In accordance with section 51(5)(e) of the **Electoral Act 2002**, I hereby give notice of the following change to the Register of Political Parties.

Name of registered political party:
Democratic Labor Party (DLP) of Australia.

Name of new Registered Officer: Mr Kevin Butler.

Dated 28 October 2009

STEVE TULLY
Victorian Electoral Commission

Psychologists Registration Act 2000

Pursuant to section 48(1) of the **Psychologists Registration Act 2000** (Vic.) the registrant Dr Todd Jacobson, Registration No. 6878 is suspended, effective 1 November 2009 to 25 January 2010.

Heritage Act 1995APPROVAL OF A WORLD HERITAGE
STRATEGY PLAN FOR THE
ROYAL EXHIBITION BUILDING AND
CARLTON GARDENS

The Minister for Planning under section 62H(1)(b) of the **Heritage Act 1995** has approved a World Heritage Strategy Plan, with amendments, for the World Heritage Environs Area surrounding the Royal Exhibition Building and Carlton Gardens.

The World Heritage Strategy Plan is available for viewing, free of charge, at the offices of the Heritage Council (Level 4, 55 Collins Street, Melbourne), on the Heritage Council website at www.heritage.vic.gov.au and at the Department of Planning and Community Development website at www.dpcd.vic.gov.au/planning/publicinspection

JUSTIN MADDEN
Minister for Planning

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 except road and road reserves situated within the boundaries of Exploration Licence 3821 from being subject to an exploration licence and a mining licence.

Dated 28 October 2009

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

Pipelines Act 2005NOTICE IN ACCORDANCE
WITH SECTION 67(3) OF THE GRANT OF
APPLICATION FOR A
MINOR ALTERATION TO THE
AUTHORISED ROUTE

On 25 January 2008, I granted an application for a minor alteration to the authorised route of Pipeline Licence 101. From 25 January 2008, the authorised route of Pipeline Licence 101

includes a new meter station on the south side of Beveridge Road, south of the existing line valve (T74-LV03) on the 300 mm diameter Reservoir to Wodonga line of Pipeline Licence 101 in accordance with drawing number A6-101-2A.

Date 25 January 2008

TERRY McKINLEY
Delegate of the Minister

**Water Act 1989**

Notice is hereby given that pursuant to section 160(1) of the **Water Act 1989** the Corangamite Catchment Management Authority proposes to make by-law No. 2 – Barwon River.

The purpose of by-law is to make provision for the regulation of activities on the Barwon River and its banks and adjacent land, between lower breakwater on the River and Orana Road Highton.

A copy of the proposed by-law may be inspected, free of charge, at the Authority's office, Unit 1/23 West Fyans Street, Newtown, Geelong, Victoria, during normal business hours, or follow the link to view online on the Authority's website, www.ccma.vic.gov.au

Submissions are invited on the proposed by-law and can be made in writing until Monday 7 December 2009, addressed to: The Manager, Barwon River through Geelong Corangamite Catchment Management Authority, PO Box 159, Colac, Vic. 3250; or email to barwonbylaw@ccma.vic.gov.au

DONALD A. FORSYTH
Chief Executive Officer

Water Act 1989ABOLITION OF THE TUNGAMAH WATER
DISTRICT
DETERMINATION 2009

I, David Downie, General Manager, Office of Water, Department of Sustainability and Environment, as the delegate of the Minister administering the **Water Act 1989**, make the following Determination:

1. Citation

This Determination is called the abolition of the Tungamah Water District Determination 2009.

2. Authorising Provision

This Determination is made under section 122Z(1)(c) of the **Water Act 1989**.

3. Commencement

This Determination takes effect from the date it is published in the Victoria Government Gazette.

4. Preliminary

- i. On 22 July 2009 the Goulburn–Murray Rural Water Corporation requested the Minister administering the **Water Act 1989** to abolish the Tungamah Water District.
- ii. The Tungamah Water District is the area referred to in the Abolition of Casey's Weir and Major Creek Rural Water Authority Order 2004.

5. Abolition of the Water District

The Tungamah Water District is abolished.

Dated 23 October 2009

DAVID DOWNIE
General Manager, Office of Water
Department of Sustainability and Environment
(as delegate of the Minister)

Water Act 1989**ESTABLISHMENT OF THE TUNGAMAH PIPED WATER DISTRICT
DECLARATION 2009**

I, David Downie, General Manager, Office of Water, Department of Sustainability and Environment, as the delegate of the Minister administering the **Water Act 1989**, make the following Declaration:

1. Citation

This Declaration is called the establishment of the Tungamah Piped Water District Declaration 2009.

2. Authorising Provision

This Declaration is made under section 122T of the **Water Act 1989**.

3. Commencement

This Declaration takes effect from the date it is published in the Government Gazette.

4. Preliminary

The Goulburn–Murray Rural Water Corporation submitted the proposal for the establishment of the Tungamah Piped Water District to the Minister on 22 July 2009. This proposal was approved under section 122S of the **Water Act 1989** as dated below.

5. Establishment of Water District

The Tungamah Piped Water District is established to include an area of land bounded by a red border on Drawing No. 477887 (sheets 1 to 20), copies of which may be inspected at the office of Goulburn–Murray Rural Water Corporation, situated at 40 Casey Street, Tatura 3616.

Dated 23 October 2009

DAVID DOWNIE
General Manager, Office of Water
Department of Sustainability and Environment
(as delegate of the Minister)

Crown Land (Reserves) Act 1978
CROWN LAND (RESERVES)
(EX-HMAS CANBERRA DIVE SITE) REGULATIONS 2009

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Crown Land (Reserves) Act 1978
CROWN LAND (RESERVES)
(EX-HMAS CANBERRA DIVE SITE) REGULATIONS 2009

I, Rodney Warren, Director Public Land Use and Development, as delegate of the Minister for Environment and Climate Change, make the following Regulations.

PART 1 – PRELIMINARY

1 Objectives

The objectives of these Regulations are to provide for the –

- (a) care, protection and management of the Reserve; and
- (b) safety of persons within the Reserve; and
- (c) use of any facilities and structures within the Reserve.

2 Authorising provision

These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.

3 Commencement

These Regulations come into operation on the day that they are published in the Government Gazette.

4 Expiry

These Regulations expire on the day that is 12 months after the day on which they come into operation.

5 Definitions

In these Regulations –

authorised officer has the same meaning as in the Act;

Committee means the body appointed to manage the Reserve under section 14 of the Act;

damage means to alter, cut, destroy, deface, or vandalise;

fauna means any animal-life which is indigenous to Victoria whether vertebrate or invertebrate and in any stage of biological development and includes any other living thing generally classified as fauna, but does not include humans or fish;

fish has the same meaning as in the **Fisheries Act 1995**;

fishing equipment has the same meaning as recreational fishing equipment defined in the **Fisheries Act 1995**;

flora means any plant or part of a plant in any stage of biological development, whether the plant or part of a plant is vascular or non-vascular and whether alive or dead;

prohibited access area means an area set aside under regulation 7(1)(a) as an area to which access is prohibited;

Reserve means the land in a portion of Bass Strait, being the portion of the sea and sea bed shown as hatched on Plan LEGL./09–208 lodged in the Central Plan Office of the Department of Sustainability and Environment and temporarily reserved by Order in Council published in the Government Gazette No. G 24 of 11 June 2009 on page 1496;

restricted access area means an area set aside under regulation 7(1)(b) as an area to which access is restricted;

take includes –

- (a) in relation to flora, to kill, injure or disturb any live flora, or to remove or collect all or part of any flora, whether dead or alive; and
- (b) in relation to fauna and other animals, to kill, injure or disturb any fauna or other animal or remove any dead fauna or other animal; and
- (c) in relation to the wreck or part of the wreck, to remove, displace or interfere with any material, artefacts, structural elements, fittings, furnishings, equipment, or other components of the wreck;

the Act means the **Crown Land (Reserves) Act 1978**;

vessel has the same meaning as in the **Marine Act 1988**;

wreck means the vessel that was formerly the HMAS Canberra sited on the seabed in the Reserve.

6 Application of certain regulations

These regulations do not apply to any of the following persons –

- (a) an employee of the Committee when acting in the course of his or her duties;
- (b) an authorised officer when acting in the course of his or her duties;
- (c) a contractor, agent, volunteer or other person carrying out any work for or acting on the authority or instruction of the Committee;
- (d) a person acting in accordance with a lease, licence, tenancy, permit or authority granted or issued under the Act or another Act relating to Crown land, over land and water in the Reserve, to the extent that the lease, licence, tenancy, permit or authority authorises that person's entry to and activity in the Reserve.

PART 2 – ADMINISTRATION OF THE RESERVE BY THE COMMITTEE

7 Areas set aside as restricted or prohibited access areas

- (1) The Committee may make a determination setting aside an area in the Reserve as being –
 - (a) a prohibited access area; or
 - (b) a restricted access area.
- (2) A person must not enter or be in an area set aside under subregulation (1)(a) as a prohibited access area, unless that person does so under and in accordance with a permit issued by the Committee.
- (3) A person must not enter or be in an area set aside under subregulation (1)(b) as a restricted access area, unless that person does so –
 - (a) in accordance with the determination of the Committee under which the area is set aside; or
 - (b) under and in accordance with a permit issued by the Committee.
- (4) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (2) or (3).

8 Determination of the Committee setting an area aside

- (1) In a determination of the Committee under these Regulations setting aside an area, the Committee may specify conditions under which the use of the area to which the determination relates may or may not be carried out.
- (2) If the Committee has made a determination setting aside an area under these Regulations in which a particular use of an area is restricted or prohibited, the Committee must provide information on the Committee's website and on any printed information indicating –
 - (a) the area that has been set aside under the determination; and
 - (b) in the case of a use that is restricted, the conditions under which a particular use that is restricted may be carried out in the area so set aside.

9 Permits

- (1) A permit issued under regulations 7, 12, 14, 15, 16, 17, 18, 19, 20, or 22 authorises the holder of the permit to enter and use an improvement, service, facility or area of the Reserve –
 - (a) for the purpose specified in the permit; and
 - (b) for the period specified in the permit; and
 - (c) subject to any terms and conditions in respect of that entry or use determined by the Committee and specified in the permit (including with respect to the payment of fees imposed under regulation 11).

- (2) A permit issued by the Committee under these Regulations must be in writing.
- (3) The holder of a current permit must comply with any terms and conditions of that permit.
- (4) The Committee may cancel a permit at any time –
 - (a) if the holder of the permit has –
 - (i) breached the conditions of the permit; or
 - (ii) breached these Regulations; or
 - (b) if the continuation of the permit is likely to be detrimental to, or interfere with, the management and protection of the natural environment, the wreck, other features of or visitors to the Reserve; or
 - (c) for the purposes of Reserve management.
- (5) Upon cancellation of a permit under subregulation (4), the Committee must cause the holder of the permit to be notified, in writing, of the cancellation of the permit within a reasonable time after the cancellation.
- (6) The cancellation of a permit under subregulation (4) comes into effect when the holder of the permit is given notification of that cancellation in accordance with subregulation (5).
- (7) A person must not interfere with or obstruct the use by the holder of a permit of any improvement, service, facility or area of the Reserve that is the subject of the permit.

10 Permit must be carried

- (1) The holder of a permit issued under Regulation 9 must produce the permit upon request of an authorised officer.

11 Fees and charges

- (1) The Committee may impose fees for the use of improvements, services or facilities in the Reserve.
- (2) If the Committee has imposed a fee for the use of improvements, services or facilities in the Reserve under subregulation (1), the Committee must cause notices indicating the amount of the fee payable to be displayed on the Committee's website and on any printed information.
- (3) A person must not use an improvement, service or facility within the Reserve without paying the appropriate fee, if any, imposed by the Committee under subregulation (1).
- (4) Subregulation (3) does not apply to a person who is engaging in –
 - (a) an organised event under regulation 20; or
 - (b) a commercial activity under regulation 22 –unless that person is responsible for the conduct of that organised event, or commercial activity.

PART 3 – USE AND CONTROL OF THE RESERVE

12 Vessels

- (1) The Committee may, by determination, set aside an area of the Reserve as an area in which a person may launch, land, moor, load or unload a vessel or class of vessel specified in the determination.
- (2) A person must not, in the Reserve, launch, land, moor, load or unload a vessel or class of vessel unless that person does so –
 - (a) in an area set aside by a determination of the Committee under subregulation (1) and in accordance with that determination; or
 - (b) under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (2).

13 Vessel not to be left unattended

- (1) No person is to leave a vessel unattended within the Reserve.
- (2) An owner or operator of the vessel must remain on board at all times while the vessel is within the Reserve.

14 Protection of flora

- (1) A person must not, in the Reserve, intentionally pick, take, destroy or damage any flora.
- (2) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

15 Interfering with wreck

- (1) A person must not, in the Reserve, knowingly excavate, remove, destroy, damage, interfere with or take the wreck, any part of the wreck or any of its fittings.
- (2) Subregulation (1) does not apply to a person acting under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

16 Interfering with rocks or similar natural objects

- (1) A person must not, in the Reserve, knowingly excavate, remove, destroy, damage or interfere with any rock or similar natural object.
- (2) Subregulation (1) does not apply to a person acting under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

17 Digging or removal of material

- (1) A person must not, in the Reserve –
 - (a) knowingly dig or remove from the Reserve; or
 - (b) knowingly take into the Reserve – any gravel, shell, grit, sand, soil or other similar material.
- (2) Subregulation (1) does not apply to a person acting –
 - (a) in accordance with a determination under these Regulations; or
 - (b) under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

18 Fishing

- (1) The Committee may, by determination, set aside an area of the Reserve as an area in which fishing and the deployment or use of fishing equipment is prohibited.
- (2) A person may fish in the Reserve except in any area set aside by a determination of the Committee under subregulation (1) and in accordance with that determination.
- (3) Subregulation (1) does not apply to a person who is acting under and in accordance with a permit issued by the Committee.
- (4) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (2).

19 Research or scientific study

- (1) A person must not, in the Reserve, conduct any formal research or scientific study.
- (2) Subregulation (1) does not apply to a person acting under and in accordance with a permit issued by the Committee.
- (3) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

20 Organised events

- (1) A person must not, in the Reserve, conduct an organised sporting event, competition, ceremony or other event unless that person does so under and in accordance with a permit issued by the Committee.
- (2) The Committee may issue a permit to a person to conduct an organised event referred to in subregulation (1).

21 Dangerous or disturbing activities

- (1) A person must not, in the Reserve, engage in any activity or in a manner that is likely to cause danger or unreasonable disturbance to other persons, vessels, flora, fauna, other animals or property.

22 Conduct of commercial activities or businesses

- (1) A person must not, in the Reserve –
 - (a) sell, trade or hire any goods or services, or advertise, offer or display any goods or services for sale, trade or hire; or
 - (b) take any photograph, film, video or audio recording, or make any television or radio broadcast for commercial purposes; or
 - (c) carry passengers for reward; or
 - (d) undertake any other commercial activity –unless the person does so under and in accordance with a permit issued by the Committee.
- (2) The Committee may issue a permit to a person to engage in an activity referred to in subregulation (1).

PART 4 – GENERAL**23 Directions to leave**

If an authorised officer reasonably believes that a person has contravened these Regulations, the authorised officer may direct the person to leave the Reserve or any part of the Reserve.

NOTES

- (1) A person who contravenes any one of these Regulations is liable to the imposition of penalties as set out in section 13(5) or (6) of the **Crown Land (Reserves) Act 1978**.
- (2) In addition to these Regulations the following laws also apply with respect to –

Permits issued over the Committee's website

The Electronic Transactions (Victoria) Act 2000 governs the completion of electronic transactions (including the issuing of permits) by means of one or more electronic communications.

Fishing

In addition to regulation 18, fishing is governed by the **Fisheries Act 1995** and Regulations under that Act, and failure to adhere to that legislation may result in the imposition of penalties under that Act and those Regulations.

Litter

The depositing of litter in the Reserve is prohibited under the **Environment Protection Act 1970** and may result in the imposition of penalties under that Act.

Wildlife

The taking, hunting or destroying of wildlife, including game, is regulated under the **Wildlife Act 1975** and Regulations under that Act. A person who fails to comply with the requirements of that legislation is liable to the imposition of penalties under that Act and those Regulations.

Dated 28 October 2009

RODNEY WARREN

Director

Public Land Use and Development

as delegate of the Minister for Environment and Climate Change

Crown Land (Reserves) Act 1978**CROWN LAND RESERVE (MELBOURNE RECITAL CENTRE) REGULATIONS 2009**

Table of Provisions

I, Merv McAliece, Acting Statewide Program Leader, Public Land Services, in the Department of Sustainability and Environment, as delegate of the Minister for Environment and Climate Change, make the following Regulations.

PART 1 – PRELIMINARY

1. Title

These Regulations may be cited as the Crown Land Reserve (Melbourne Recital Centre) Regulations 2009.

2. Objective

The objectives of these Regulations are to provide for the –

- (a) care, protection and management of the reserve;
- (b) preservation of good order and decency in the reserve;
- (c) provision of services and facilities on the land and the conditions under which any services or facilities may be used or enjoyed;
- (d) safety of persons in or occupying or using any part of the reserve;
- (e) issuing of permits in relation to the reserve; and
- (f) imposition, collection and receipt of fees in respect of entry to any part of the reserve, or for the use or enjoyment of any structures, facilities, services or entertainment within the reserve.

3. Authorising provision

These Regulations are made under section 13 of the **Crown Land (Reserves) Act 1978**.

4. Commencement

These Regulations come into operation on the date they are published in the Victoria Government Gazette.

5. Revocations

All previous Regulations made under section 13 of the **Crown Land (Reserves) Act 1978** or any corresponding provision of the **Land Act 1958**, insofar as they apply to the reserve referred to in these Regulations, are revoked.

6. Definitions

In these Regulations –

‘Act’ means the **Crown Land (Reserves) Act 1978**;

‘appointed person’ means an officer or employee of the Committee appointed in writing by the Committee as an appointed person for the purposes of these Regulations;

‘authorised officer’ means an authorised officer appointed under section 83 of the **Conservation, Forests and Lands Act 1987** for the purposes of the **Land Act 1958**;

‘Committee’ means the committee of management appointed to manage the reserve under section 14 of the Act;

‘damage’ means to alter, to cut, to destroy, to deface, to soil or to vandalise;

‘Minister’ means the Minister having responsibility for the administration of the Act;

‘permit’ includes any authority, approval, consent, permission, receipt or ticket given, granted or issued by the Committee in accordance with these Regulations;

‘reserve’ means the Crown land being Crown Allotment 2180, City of South Melbourne, Parish of Melbourne South, temporarily reserved for public purposes (arts and recital centre) by Order in Council dated 22 October 2008 and published in the Victoria Government Gazette on 23 October 2008;

‘Secretary’ means the body corporate established by Part 2 of the **Conservation, Forests and Lands Act 1987**.

7. Application of Regulations

(1) These Regulations do not apply to any of the following persons when acting in the course of that person’s duties –

- (a) a member of the Committee;
- (b) an appointed person;
- (c) any other officer or employee of the Committee;
- (d) an authorised officer, a person authorised by or an employee of the Secretary.

(2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act over land in the reserve is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

PART 2 – POWERS OF COMMITTEE**8. Committee may erect buildings and carry out works**

The Committee may erect buildings and carry out works to provide facilities or services on the reserve provided the consent required to be obtained in accordance with regulation 16 has been obtained.

9. Issuing, compliance, production and cancellation of permits

(1) The Committee may issue a permit for the use or enjoyment of –

- (a) any part of the reserve;
- (b) any structures or facilities on the reserve; or
- (c) any services or entertainment provided on the reserve.

(2) The committee may require persons entering the reserve, or using or enjoying any structure, facilities or entertainment within the reserve, to hold a permit issued under sub-regulation (1).

(3) A permit issued under sub-regulation (1) authorises the holder to enter and use the reserve –

- (a) for the purpose specified in the permit; and
- (b) for the period specified in the permit; and
- (c) subject to any terms, fees and conditions in respect of that entry or use determined by the Committee from time to time either generally or in a particular case.

- (4) The holder of a permit must comply with any terms and conditions of that permit.
- (5) The Committee or an appointed person may cancel a permit at any time –
 - (a) if the holder of the permit has breached the conditions of the permit or breached these Regulations; or
 - (b) if the continuation of the permit is likely to be detrimental to, or interfere with the management and protection of the reserve or visitors therein.
- (6) A person within the reserve, or attempting to enter the reserve, must produce any permit required under sub-regulation (2) for inspection when requested to do so by the Committee or appointed person.

10. Fees

- (1) The reserve is open to the public free of charge except as otherwise determined by the Committee in accordance with sub-regulation (2).
- (2) The Committee may determine such fees that it considers reasonable for entry to the reserve, or for the use or enjoyment of structures, facilities, services or entertainment within the reserve.
- (3) If the Committee has determined under sub-regulation (2) that a fee is payable for entry to the reserve or for the use or enjoyment of facilities, services or entertainment within the reserve, the Committee may publish the applicable fee in any manner it thinks fit.
- (4) A person must not use or enjoy the structures, facilities, services or entertainment within the reserve, without paying the appropriate fees, if any, determined by the Committee under sub-regulation (2).

11. Committee may prohibit or restrict entry or access to the reserve, or use of the reserve

- (1) The Committee may prohibit or restrict entry or access to the reserve, or use of the reserve –
 - (a) to a person who is in possession of alcohol.
 - (b) to a person who is, or appears to be, intoxicated.
 - (c) to a person with glass bottles, glass containers or glass utensils in their possession.
 - (d) to a person who does not hold a permit required under regulation 9.
 - (e) for reasons of public safety.

12. Direction by appointed person

- (1) If an appointed person or authorised officer believes on reasonable grounds that a person has contravened these Regulations, he or she may direct the person to leave the reserve or any part of the reserve.
- (2) When directed to do so by an appointed person or authorised officer, a person must immediately leave the reserve or the part of the reserve.

PART 3 – USE AND CONTROL OF THE RESERVE**13. Prohibitions and restrictions**

- (1) In the reserve a person must not –
 - (a) contrary to the instruction indicated on any sign, bring any dog, other than a guide dog, or any other animal into, or allow an animal under that person's control to remain in the reserve.
 - (b) move or interfere with any sign, noticeboard, equipment, seat, table, facility, building, structure or other item.
 - (c) enter, occupy or use any part of any building, or structure unless it is an amenity or facility for public use and any fee required to be paid under these Regulations has been paid and any times or periods or conditions relating to the entry or use of the building or structure are complied with.

- (d) enter any area, or access or use any part of the reserve, contrary to any sign erected by the Committee.
 - (e) stand in a place or manner which obscures the view, during an authorised entertainment, of any person in any seating accommodation or of any person seated on the ground in an area designated for such seating.
 - (f) obstruct any steps, aisle, footpath, passage, entry, exit or other thoroughfare.
 - (g) interfere with or interrupt any authorised entertainment.
 - (h) behave in a riotous, indecent, offensive or threatening manner.
 - (i) engage in any activity likely to cause interference, disturbance, inconvenience or danger to other persons using the reserve.
 - (j) use any amenity or facility set aside for use of persons of the opposite sex unless that person is child under the age of 6 years and is accompanied by an adult.
 - (k) participate in any organised function, rally, concert, festival, tour, fete or public meeting or similar event.
 - (l) preach or deliver any address or use any amplifier, public address system, loud hailer or similar device.
 - (m) operate any portable or stationary generator, air-compressor, oxy-acetylene or electrical cutting or welding apparatus or other machinery.
 - (n) possess or carry or use any firearm, trap or snare.
 - (o) propel or throw any stone or missile which is likely to cause danger or unreasonable disturbance to other persons or to animals or is likely to damage any property.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

14. Commercial and other activities

- (1) In the reserve, a person must not –
- (a) sell or offer any article for sale.
 - (b) take photographs.
 - (c) conduct any school or tour.
 - (d) offer for sale or hire any article or service.
 - (e) give out, distribute, erect, leave set up or display any handbill, placard, notice, pamphlet, book, paper, advertising matter or any like thing.
 - (f) take part in or advertise any entertainment.
 - (g) distribute, erect or display any notice, pamphlet, book, paper or advertising material.
- (2) Sub-regulation (1) does not apply to a person who holds a current permit issued under Part 2 which allows that person to engage in the particular activity referred to in sub-regulation (1).

15. Obstruction

A person must not in the reserve obstruct, hinder or interfere with an appointed person, authorised officer, a person authorised by the Committee, or member of the Committee in the execution of his or her duties within the reserve.

PART 4 – WORKS AND IMPROVEMENTS

16. Consent of Minister

- (1) The Committee must obtain all the necessary approvals and permits and the consent of the Minister or the consent of the Minister's authorised delegate before undertaking any works or improvements on the reserve.
- (2) The consent of the Minister or the Minister's authorised delegate is not required if the works and improvements are:
 - (a) for the purpose of carrying out repairs or maintenance of structures, facilities and other improvements; or
 - (b) minor works or improvements necessary to keep the reserve in good order or appearance; or
 - (c) to provide information to the public; or
 - (d) works and improvements agreed to under a management or development plan which has been approved by the Minister or the Minister's authorised delegate.

Notes**Contravention of Regulations**

A contravention of these Regulations may result in the imposition of penalties as set out in section 13 of the **Crown Land (Reserves) Act 1978**.

Under section 13 of the **Crown Land (Reserves) Act 1978**, and pursuant to the delegation of 29 May 2009, I, Merv McAliece, Acting Statewide Program Leader, Public Land Services, as delegate for the Minister for Environment and Climate Change hereby approve these regulations.

Dated 22 October 2009

MERV McALIECE
Acting Statewide Program Leader
Public Land Services

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
GPN008108	City of Greater Geelong	Keith Barclay Oval	Osborne Park on Swinburne Street, North Geelong

Office of the Registrar of Geographic Names

c/- **LAND VICTORIA**
17th Floor
570 Bourke Street
Melbourne 3000

JOHN E. TULLOCH
Registrar of Geographic Names

RED ENERGY PREMIUM FEED-IN TERMS AND CONDITIONS

Effective as at 1 November 2009

The **Electricity Industry Act 2000** (Vic.) has recently been amended to include an obligation on licensed electricity retailers, including Red Energy Pty Limited, to publish the terms and conditions on which they will purchase electricity from qualifying solar energy generation facilities. The offer is generally referred to as a 'premium feed-in offer'.

Red Energy Pty Limited has set out below its additional terms and conditions on which it will provide premium feed-in offers to customers. These premium feed-in terms and conditions supplement Red Energy's Customer Charter and each customer's product and pricing schedule.

1. Definitions

Capitalised terms not defined in this clause 1 have the same meaning as given in the Customer Charter, except:

- (1) '**Act**' means the **Electricity Industry Act 2000** (Vic.);
- (2) '**Bill**' means a tax invoice issued by Red Energy for payment of Electricity Charges under an Electricity Supply Contract;
- (3) '**Billing Period**' means the frequency upon which Bills are issued by Red Energy to customers, which is either Monthly or Quarterly;
- (4) '**Connection**' is as defined in clause 6(2) of these Premium Feed-In Terms and Conditions;
- (5) '**Connection Charge**' is as defined in clause 6(3);
- (6) '**Connection Request**' is as defined in clause 6(1);
- (7) '**Customer Charter**' means the Red Energy Customer Charter which sets out the standard terms and conditions for the sale and purchase of Energy to Red Energy customers;
- (8) '**Distribution System**' means a network of pipes, poles and wires, meters and controls used to deliver electricity to and from Your Property;
- (9) '**Electricity Charge**' means the charge per kilowatt of electricity supplied by Red Energy and consumed by You at Your Property and any associated charges;
- (10) '**Electricity Supply Contract**' means an Agreement between You and Red Energy for the supply of electricity by Red Energy to You at Your Property;
- (11) '**Eligibility Criteria**' is as defined in clause 4 of these Premium Feed-In Terms and Conditions;
- (12) '**Expiry Date**' means the expiry date of Your Premium Feed-In Contract as set out in Your Product and Pricing Schedule;
- (13) '**Government Agency**' includes a department of State, statutory or public authority, instrumentality, corporation, body or person whether Commonwealth, State, territorial or local;
- (14) '**KW**' means kilowatts;
- (15) '**Meter Data**' means the measurements and data obtained from Your Metering Equipment;
- (16) '**Metering Equipment**' means a electricity meter and ancillary equipment that records measurements from Your QSEGF which may include the quantity of electricity consumption at Your Property and the quantity of Premium Feed-In Electricity generated at Your Property and transmitted into the Distribution System;
- (17) '**Metering Data Provider**' is as defined in the National Electricity Rules;
- (18) '**Month**' means calendar month and 'Monthly' means each calendar month;
- (19) '**National Electricity Law**' means the National Electricity Law set out in the Schedule to the **National Electricity (South Australia) Act 1996**;

- (20) ‘**National Electricity Rules**’ means the national electricity rules made under the National Electricity Law;
- (21) ‘**Net System**’ means the system of netting off of electricity generation with electricity consumption at Your Property in intervals whereby, the Property consumes the Premium Feed-in Electricity first and then to the extent that the Premium Feed-In Electricity does not satisfy the electricity usage requirements of the Property, then electricity will be obtained from the Distribution System and vice versa;
- (22) ‘**Premium Feed-In Contract**’ is as defined in clause 3;
- (23) ‘**Premium Feed-In Credit**’ means a credit on Your Bill for generating Premium Feed-In Electricity in a Billing Period;
- (24) ‘**Premium Feed-In Electricity**’ means the electricity generated by Your QSEGF at Your Property and transmitted into the Distribution System from Your Property;
- (25) ‘**Premium Feed-In Offer**’ means an offer made by Red Energy to purchase Your Premium Feed-In Electricity on and subject to the terms of a Premium Feed-In Contract;
- (26) ‘**Premium Feed-In Tariff**’ means the price per kilowatt of Premium Feed-In Electricity as set out in clause 8(2);
- (27) ‘**Premium Feed-In Offer Terms and Conditions**’ means these terms and conditions which are Additional Terms and Conditions for the purposes of the Customer Charter;
- (28) ‘**Qualifying Solar Energy Generation Facility**’ or ‘QSEGF’ is as defined in the Act;
- (29) ‘**Quarterly**’ means each period of three Months;
- (30) ‘**Red Energy**’ means Red Energy Pty Limited ABN 60 107 479 372 of 2 William Street, East Richmond, Vic. 3121;
- (31) ‘**Renewable Energy Certificate**’ is as defined in the **Renewable Energy (Electricity) Act 2000** (Cth);
- (32) ‘**Representative**’ means any officer, employee, agent, contractor or subcontractor of Red Energy;
- (33) ‘**Standard Feed-In Contract**’ means the terms and conditions offered by Red Energy in respect of a Small Renewable Energy Generation Facility under the Act; and
- (34) ‘**You**’ means the customer of Red Energy and the person residing at Your Property.

2. INTERPRETATION

In these Premium Feed-In Terms and Conditions,

- (1) a clause reference it to these Premium Feed-In Terms and Conditions unless otherwise stated;
- (2) a reference to:
 - (a) the singular includes the plural and the plural includes the singular;
 - (b) a person includes a firm, an unincorporated association, a Government Agency or body corporate;
 - (c) a party includes:
 - (i) in the case of a body corporate, its successors, assigns and substitutes (including persons taking by novation); and
 - (ii) in the case of a natural person, the person’s executors, administrators, assigns and substitutes (including persons taking by novation);
 - (d) a statute, regulation or provision of a statute or regulation (‘Statutory Provision’) includes any amendment or replacement;
 - (e) a Government Agency includes a Government Agency to which the functions of a former Government Agency are or have been allotted or assumed; and

- (3) a monetary amount is to Australian dollars, unless otherwise stated;
- (4) if a party consists of more than one person, these Premium Feed-In Terms and Conditions binds each of them separately and any two or more of them jointly;
- (5) an obligation, representation or warranty in favour of more than one person is for the benefit of them separately and jointly;
- (6) 'including' and similar expressions are not words of limitation; and
- (7) headings are for convenience only and do not form part of these Premium Feed-In Terms and Conditions or affect its interpretation.

3. PREMIUM FEED-IN TERMS AND CONDITIONS

- (1) These Premium Feed-In Terms and Conditions only apply in respect of electricity generated by Your QSEGF under a Net System, and coincide with the **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009**. These Premium Feed-In Terms and Conditions may be subject to change as a result of future legislative amendments to the **Electricity Industry Amendment (Premium Solar Feed-in Tariff) Act 2009**.
- (2) You agree to sell, and Red Energy agrees to purchase, Your Premium Feed-In Electricity in accordance with Your Premium Feed-in Contract.
- (3) Your Premium Feed-In Contract comprises:
 - (a) these Premium Feed-In Terms and Conditions;
 - (b) the Customer Charter; and
 - (c) Your Product and Pricing Schedule.
- (4) Your Premium Feed-In Contract commences on and takes effect in accordance with the Customer Charter.
- (5) Your Premium Feed-In Contract will continue in force until:
 - (a) it is terminated by either party under clause 13 or in accordance with the Customer Charter; or
 - (b) the Expiry Date,whichever is earlier.

4. ELIGIBILITY

- (1) You are eligible to take up the Premium Feed-In Offer if You:
 - (a) have installed a QSEGF at Your Property which is equal to or less than 5 kilowatts in capacity;
 - (b) generate, or propose to generate, Premium Feed-In Electricity at the same Property at which you consume and purchase electricity and if you are a Residential Customer, where that Property is your principal place of residence; and
 - (c) have written consent from Your Distributor to connect Your QSEGF into the Distribution System,
(‘Eligibility Criteria’).
- (2) In addition to the above, if You are a residential customer, a small business customer or a community organisation customer, You are only eligible to receive the Premium Feed-In Tariff for one QSEGF per premises. For the avoidance of doubt, the criteria in this clause 4 is in accordance with the definition of a ‘qualifying customer’ as specified under section 40F(1)(b) of the Act.

5. CONDITIONS PRECEDENT TO THE COMMENCEMENT OF YOUR PREMIUM FEED-IN CONTRACT

- (1) The commencement of Your Premium Feed-In Contract is subject to and conditional upon You:
 - (a) satisfying the Eligibility Criteria;
 - (b) at Your cost, installing and connecting Your Metering Equipment to Your QSEGF at Your Property;
 - (c) at Your cost, installing and connecting Your QSEGF into the Distribution System; and
 - (d) if you are not already a customer of Red Energy, becoming a customer of Red Energy for the purchase of Your electricity that is consumed at Your Property.
- (2) You are not obliged to, in addition to purchasing electricity, purchase gas from Red Energy in order to be eligible to enter into a Premium Feed-in Contract with Red Energy.

6. CONNECTION

- (1) At Your request and subject to clause 6(4), Red Energy may arrange for, and have connected for You, Your Metering Equipment to the Distribution System and to Your QSEGF, subject to You:
 - (a) providing Red Energy with:
 - (i) Your contact details;
 - (ii) the address of the Property at which the QSEGF and Metering Equipment is installed; and
 - (iii) if You are not the owner of the Property:
 - (A) the contact details of the owner of the Property or the details of the real estate agent managing the Property; and
 - (B) a copy of a letter from the owner of the Property consenting to the installation and connection of the Metering Equipment;
 - (iv) all documents and other information to Red Energy as required under the **Electricity Safety Act 1998** including a copy of a certificate of electricity safety in respect of the QSEGF and the Metering Equipment; and
 - (b) complying with and satisfying the obligations set out in clause 1 of the Retail Code,
(‘Connection Request’).
- (2) As soon as practicable, but by no later than the next Business Day following receipt of Your Connection Request, Red Energy will request that the relevant Distributor or Metering Data Provider, as the case may be, for the area in which Your Property is located (‘Connector’), connect Your Metering Equipment into the Distribution System and to the QSEGF (‘Connection’) in accordance with that Connection Request and such request will include details of any appropriate network tariff reassignment.
- (3) Prior to entering into Your Premium Feed-In Contract and before any work is carried out in relation to Your Connection, Red Energy will notify You and provide You with an estimate of any and all charges, costs or expenses likely to be incurred by You as a result of the Connector carrying out the Connection (‘Connection Charges’).
- (4) You will be responsible for and liable to pay Red Energy any and all Connection Charges invoiced by the Connector to Red Energy and those Connection Charges will be passed through to You by Red Energy as a separate charge on Your Bill in the next Billing Period.

7. MEASUREMENT OF ELECTRICITY GENERATION AND EQUIPMENT

- (1) The quantity of Premium Feed-in Electricity in a Billing Period calculated by the Meter Provider, as the case may be, will be based on Your Meter Data and will be:
 - (a) prima facie evidence of the amount of electricity that is generated by Your QSEGF in that Billing Period; and
 - (b) the quantity of electricity for which You will be credited on Your Bill for that Billing Period in accordance with clause 9 of these Premium Feed-In Terms and Conditions.
- (2) The Metering Equipment and the QSEGF are not owned, operated or controlled by Red Energy and Red Energy excludes all liability arising, whether directly or indirectly in connection with Your Metering Equipment or Your QSEGF.
- (3) Red Energy does not give any express or implied warranty to You about the adequacy, safety or other characteristics of Your own QSEGF, electrical installation or Metering Equipment.

8. PREMIUM FEED-IN TARIFF

- (1) In consideration for the quantity of Premium Feed-In Electricity You transmit into the Distribution System in a Billing Period, Red Energy will credit You the Premium Feed-In Tariff.
- (2) The Premium Feed-In Tariff is set out in Your Product and Pricing Schedule, and will be not less than \$0.60 per kilowatt hour (including GST) for the duration of Your Premium Feed-In Contract. For the avoidance of doubt, the Premium Feed-In Tariff of \$0.60 per kilowatt hour is not indexed.
- (3) Red Energy will credit You the Premium Feed-In Tariff at the same frequency that Red Energy seeks payment from You for Your Electricity Charges on Your Bill.
- (4) If Red Energy is not able to obtain Meter Data for the relevant Billing Period, or Red Energy is not able to reliably base Your Bill on the Meter Data, Red Energy will estimate the amount of Premium Feed-In Electricity generated by Your QSEGF based on the relevant provisions in the Retail Code.

9. YOUR ELECTRICITY BILL

- (1) If, at the end of a Billing Period, Your Metering Equipment records a positive amount of Premium Feed-In Electricity that has been transmitted into the Distribution System from Your QSEGF, Red Energy will insert a Premium Feed-In Credit on Your Bill in the next Billing Period which is calculated in accordance with the following formula:

$$C = E \times T$$

where:

C = the Premium Feed-In Credit for a Billing Period for generating the Premium Feed-In Electricity;

E = the quantity of Premium Feed-In Electricity generated by You in that Billing Period; and

T = the Premium Feed-In Tariff in cents per KW hour.

- (2) If the Premium Feed-In Credit in a Billing Period is:
 - (a) less than the Electricity Charge for the same Billing Period, Red Energy will invoice You on Your Bill in the next Billing Period, for payment of the difference between the total Electricity Charge and the Premium Feed-In Credit; or
 - (b) more than the total Electricity Charge for the same Billing Period, Red Energy will credit Your Bill in the next Billing Period, the difference between the Premium Feed-In Credit and the Electricity Charge.

- (3) If, at the conclusion of the Billing Period immediately following each anniversary of Your Premium Feed-In Contract, the Premium Feed-In Credit which is applicable to you in that period exceeds Your Electricity Charges on Your Bill by \$10.00 or greater, Red Energy will, upon Your request, pay you an amount equal to the difference between those two amounts within 30 Business Days in accordance with Your instructions.
- (4) If You believe Your Bill contains an error, is inaccurate or incomplete, You may request that Red Energy review Your Bill in accordance with the Customer Charter.

10. COSTS

- (1) You are responsible for and liable to pay any and all costs associated with:
 - (a) the installation, connection, services and ongoing maintenance of Your QSEGF;
 - (b) the installation, connection, metering services and ongoing maintenance of Your Metering Equipment; and
 - (c) any other charges imposed by Your Distributor in relation to Your QSEGF or Your Metering Equipment.
- (2) If a Government Agency imposes any Distribution System charges, expenses or costs on Red Energy that relate to Your Premium Feed-in Contract, Red Energy may, at any time, pass through those charges, expenses or costs to You, at the same rate as it was imposed on Red Energy, which You will be liable to pay.

11. CUSTOMER OBLIGATIONS

- (1) You must:
 - (a) comply with all Relevant Laws and the terms of Your Premium Feed-In Contract at all times;
 - (b) maintain and comply with Your agreement with Your Distributor at all times for electricity metering connection, disconnection, reconnection and metering services;
 - (c) notify Red Energy if you intend to increase the energy capacity of Your QSEGF;
 - (d) provide Red Energy and its Representatives with access to Your QSEGF at Your Property for inspection purposes at all reasonable times and on reasonable notice, and You agree to provide Red Energy with prior notice of any safety hazard which could in any way pose a risk to the health or safety of any Representative of Red Energy at Your Property;
 - (e) not tamper or interfere with the Metering Equipment;
 - (f) keep the Metering Equipment and any ancillary equipment or connections in good condition and repair; and
 - (g) notify Red Energy within 14 Business Days if the generating capacity of Your QSEGF exceeds 5 kilowatts.
- (2) If You are a Residential Customer, You warrant that Your supply of Premium Feed-In Electricity is wholly of a private or domestic nature, within the meaning of the **Taxation Administration Act 1953**.
- (3) If Your supply of Premium Feed-In Electricity is not of a private or domestic nature, You must provide Red Energy with a valid Australian Business Number relevant to Your supply of Premium Feed-In Electricity to Red Energy.
- (4) You will indemnify Red Energy for any loss, cost, damage, expense or claim suffered by Red Energy as a result of Red Energy failing to withhold any amount in respect of tax from any payment or credit to be made to You under Your Premium Feed-In Contract.

12. YOUR RECORDS

- (1) You may request that Red Energy provide You with copies of records relating to your Premium Feed-In Contract retained by Red Energy at any time.
- (2) If Red Energy receives a request from You for copies of records relating to Your Premium Feed-In Contract, Red Energy will process Your request in the same manner as a request for historical data relating to a supply of electricity to a customer under the Retail Code.
- (3) If You request copies of Your records relating to Your Premium Feed-In Contract after you are no longer a customer of Red Energy, Red Energy may charge You a fee for providing such records to You.
- (4) If You cease to be a customer of Red Energy at any time, Red Energy will retain historical records relating to Your Premium Feed-In Contract for a period of 2 calendar years following the date on which you ceased to be a customer of Red Energy in accordance with the Customer Charter.

13. TERMINATION

- (1) You may elect to terminate Your Premium Feed-In Contract at any time prior to the Expiry Date for any reason by notifying Red Energy, without terminating any Electricity Supply Contract.
- (2) Subject to clause 13(3), Red Energy may, at any time, terminate Your Premium Feed-In Contract by providing not less than 28 days written notice to You:
 - (a) if Your Electricity Supply Contract with Red Energy is terminated for any reason;
 - (b) if You vacate the Property;
 - (c) if You enter into an electricity premium feed-in contract with another retailer;
 - (d) if the generating capacity of Your QSEGF exceeds 5 kilowatts in capacity;
 - (e) if You breach a provision of Your Premium Feed-In Contract and/or these Premium Feed-In Terms and Conditions and You fail to remedy that breach within 10 calendar days of being notified of the breach by Red Energy;
 - (f) if You are a small business customer or a community organisation customer and over a 12 month period you consume more than 100 megawatt hours of electricity supplied by Red Energy under Your Electricity Supply Contract;
 - (g) any time on or after 1 November 2024;
except where Your Premium Feed-In Contract with Red Energy has been terminated in accordance with clause 13(2)(d), clause 13(2)(f) or clause 13(2)(g), or in accordance with clause 13(2)(e) because of a breach of the criteria in clause 4(1)(b) or clause 4(2), only where You have either:
 - (i) entered into a new Premium Feed-In Contract with Red Energy in respect of the QSEGF at Your Property; or
 - (ii) transferred Your premium feed-in arrangements in respect of the QSEGF at Your Property to another retailer
- (3) Termination of Your Premium Feed-In Contract under this clause 13 takes effect on:
 - (a) where You have entered into a new Premium Feed-In Contract with Red Energy, the expiry of any cooling-off period;
 - (b) if You terminate Your Premium Feed-In Contract in order to transfer Your premium feed-in electricity arrangements to another retailer, the date Your new retailer becomes responsible for the premium feed-in contract;
 - (c) if Red Energy has terminated Your Premium Feed-In Contract in accordance with clause 13(2)(d), clause 13(2)(f) or clause 13(2)(g) or in accordance with clause 13(2)(e) because of a breach of the criteria in clause 4(1)(b) or clause 4(2), on the date specified on the notice of termination under clause 13(2) ;or

- (d) if Your Electricity Supply Contract has been terminated, the date when You no longer have a right under the Retail Code to be reconnected, whichever is later.

14. CONSEQUENCES OF TERMINATION

If Your Premium Feed-In Contract is terminated at any time in accordance with Your Premium Feed-In Contract or the Retail Code:

- (1) You may be required to pay an early termination fee to Red Energy of an amount which is specified in Your Product and Pricing Schedule;
- (2) and as at the date of termination You have a positive Premium Feed-In Credit, Red Energy will pay You the amount of the Premium Feed-In Credit, by the method nominated by You;
- (3) Red Energy may arrange to have Your QSEGF and Metering Equipment disconnected immediately following the date of termination under clauses 13(2)(a), 13(2)(b) or 13(2)(e); and
- (4) if termination was under clauses 13(1), 13(2)(d), 13(2)(f) or 13(2)(g), unless we agree otherwise, You will be transferred to a Standard Feed-in Contract.

15. EXPIRY OF THE PREMIUM FEED-IN CONTRACT

- (1) If Your Premium Feed-In Contract is a Fixed Term Contract, by no later than 1 Month prior to the Expiry Date, but no earlier than 2 Months prior to the Expiry Date, Red Energy will notify You:
 - (a) that Your Premium Feed-In Contract is about to expire in accordance with the Expiry Date;
 - (b) of Your options in respect of Your premium feed-in electricity arrangements at Your Property, following the Expiry Date; and
 - (c) the Premium Feed-In Tariff and terms and conditions that will otherwise apply following the Expiry Date,
(‘Expiry Notice’).
- (2) If, following receipt of an Expiry Notice, You do not notify Red Energy in respect of Your premium feed-in electricity arrangements following the Expiry Date, Your Premium Feed-In Contract will continue after the Expiry Date on the terms and conditions notified to You in that Expiry Notice, subject to the terms and conditions of the Premium Feed-In Offer taking effect in accordance with section 40H of the Act.

16. GST

- (1) In this clause 16, except for defined terms, capitalised expressions have the same meaning as given in **A New Tax System (Goods and Services Tax) Act 1999** Cth.
- (2) All amounts payable or the value of other consideration provided in respect of Taxable Supplies made in relation to this Premium Feed-In Contract are exclusive of GST (if any).
- (3) If a GST is levied or imposed on any Taxable Supply made (or deemed to have been made) under or in accordance with this Premium Feed-In Contract, the amounts payable or the value of the Consideration provided for that Taxable Supply (‘Payment’) must be increased by such amount as is necessary to ensure that the amount of the Payment net of GST is the same as it would have been prior to the imposition of GST.
- (4) Where any amount is payable as a reimbursement, indemnification or similar payment calculated by reference to a loss, cost, expense or other amount incurred, then that amount must be reduced by any Input Tax Credit available to that party and, if a Taxable Supply, must be increased by the GST payable in relation to the Taxable Supply and a Tax Invoice will be provided by the party being reimbursed or indemnified.

- (5) Subject to clause 16(6) of these Premium Feed-In Terms and Conditions, all GST payable must be payable at the time any payment to which it relates is payable. Where any GST payable is not referable to an actual payment then it shall be payable within 10 calendar days of a tax invoice being issued by the party making the Taxable Supply.
- (6) Where in relation to this Premium Feed-in Contract a party makes a Taxable Supply, that party must provide a Tax Invoice in respect of that Taxable Supply before the GST payable in respect of that Taxable Supply becomes due.
- (7) If:
 - (a) You are registered, or required to be registered for GST; and
 - (b) in any Billing Period You receive a:
 - (i) Premium Feed-In Credit;
 - (ii) an amount of money; or
 - (iii) a credit against sums that would otherwise be payable by You to Red Energy,from Red Energy in accordance with clause 9 of these Premium Feed-In Terms and Conditions, unless you have entered into an arrangement with Red Energy allowing Red Energy to issue recipient-created tax invoices on Your behalf, within seven calendar days of receiving the payment or the credit (as the case may be), You must send to Red Energy a valid Tax Invoice for the advised amount of the Premium Feed-In Credit and applicable GST.
- (8) If:
 - (a) You are registered, or are required to be registered for GST; and
 - (b) You are legally able to enter into an arrangement with us allowing us to issue receipt created tax invoices, You must (at Red Energy's sole discretion) enter into such an arrangement.

17. RED ENERGY LIABILITY

You acknowledge and agree that:

- (1) as an electricity retailer, Red Energy does not operate or control the Distribution System in any way and accordingly Red Energy cannot and does not warrant or make any representations to You regarding:
 - (a) the quality or the frequency of electricity produced by You or supplied to You;
 - (b) interruptions to the flow of electricity;
 - (c) the occurrence of any power surges or power dips;
 - (d) the ability of the Distributor to accept Your Premium Feed-In Electricity; or
 - (e) the ability of Your Premium Feed-In Electricity to be transmitted into the Distribution System; and
- (2) to the fullest extent permitted by law, Red Energy will not be liable to You for any loss, cost, damage, liability, expense or claim arising directly or indirectly in connection with:
 - (a) Your Premium Feed-In Contract;
 - (b) Your Metering Equipment;
 - (c) Your QSEGF;
 - (d) Your lack of ability to generate and transmit Premium Feed-In Electricity into the Distribution System; or
 - (e) any and all Premium Feed-In Electricity You generated and transmitted into the Distribution System.

18. MISCELLANEOUS

- (1) Subject to clause 18(2) of these Premium Feed-In Terms and Conditions, these Premium Feed-in Terms and Conditions may only be varied by agreement in writing between You and Red Energy.
- (2) Subject to clause 8(2), Red Energy may vary Your Premium Feed-in Tariff and Electricity Charge by providing You with written notice of Your new Premium Feed-In Tariff as soon as reasonably practicable, but by no later than Your Bill in the next Billing Period.
- (3) Unless otherwise agreed with Red Energy in writing, Your Premium Feed-in Contract does not assign to Red Energy any rights or interests in Renewable Energy Certificates generated by Your QSEGF.
- (4) Red Energy will issue any and all notices in writing to You at your current billing address notified by You to Red Energy from time to time and by no later than the date of Your Bill in the next Billing Period.
- (5) Red Energy may set off or deduct any amount owing to it from You under any agreement in place between You and Red Energy, from amounts payable by Red Energy to You.
- (6) Despite any other provision of this Premium Feed-In Contract, if there is any inconsistency between:
 - (a) Your Product and Pricing Schedule;
 - (b) these Premium Feed-In Terms and Conditions; or
 - (c) the Customer Charter,
 whether wholly or in part, then to the extent of any such inconsistency, the relevant sections of the Premium Feed-in Contract will prevail in the order set out above.

Melbourne Market Authority Act 1977**MELBOURNE MARKET AUTHORITY AMENDMENT BY-LAWS 2009**

Melbourne Market Authority amends the following By-Law:

Dated 23 April 2009

The Common Seal of the Melbourne Market Authority was affixed in the presence of:

PETER McLENNAN Chief Executive/Secretary

NEIL LOWE Member

1. Principal By-Law

The Melbourne Market Authority By-Laws 2002 are called the Principal By-Laws.

2. Authorising Provision

The amendments to the By-Law is made under section 38A of the **Melbourne Market Authority Act 1977**.

3. By-Law 10 of the Principal By-Laws – Conduct on Market Land and Schedule 3 – Fixed Penalties and Offences Against these By-Laws

The following By-Law 10.2.12 and Schedule 3 of the Principal By-Laws is amended:

- 10.2.12:** (a) bring any rubbish into the market land; or
 (b) deposit or leave any rubbish on market land.

Schedule 3:

Clause	Fixed Penalty
10.2.7, 10.2.13, 10.2.15, 10.2.16	Five penalty units
10.2.12(a) and (b)	Ten penalty units

A copy of the By-Law may be inspected at the Authority's office during office hours, 8.00 am to 4.00 pm.

Offshore Petroleum and Greenhouse Gas Storage Act 2006

Section 708

COMMONWEALTH OF AUSTRALIA

Notice of Expiry of Exploration Permit

In accordance with section 708 of the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**, the Designated Authority hereby gives notice that the blocks described below ceased to be in force as Petroleum Exploration Permit VIC/P46, effective from 27 October 2009, due to the expiry of Petroleum Exploration Permit VIC/P46, of which Beach Petroleum Pty Ltd and Mitsui E & P (Australia) Pty Ltd were the registered holders.

Description of Blocks

The reference hereunder is to the name of the map sheet of the 1:1,000,000 series prepared and published for the purposes of the **Offshore Petroleum and Greenhouse Gas Storage Act 2006** and to the numbers of graticular sections shown thereon.

Hamilton Map Sheet

BLOCK NO.	BLOCK NO.	BLOCK NO.	BLOCK NO.	BLOCK NO.
1836 (part)	1837 (part)	1838 (part)	1908 (part)	1909
1910 (part)	1911 (part)	1980 (part)	1981	1982
1983 (part)	1984 (part)	2051 (part)	2052 (part)	2053
2054	2055	2056 (part)	2122 (part)	2123 (part)
2124	2125	2126	2127	2128 (part)
2129 (part)	2197	2198	2199	2200
2201	2271	2272	2273	2345

Road Safety Act 1986PARTIAL EXEMPTION FROM ROAD RULES AND PROVISIONS OF THE
ROAD SAFETY ACT 1986 FOR PARTICIPANTS IN CASTERTON STREET DRAGS 2009**Purpose**

- 1 The purpose of this notice is to exempt participants in the Casterton Street Drag Races ('the Event') from certain provisions of the **Road Safety Act 1986** and certain provisions of the Road Rules.

Authorising provision

- 2 This notice is issued and published under section 99B(4) of the **Road Safety Act 1986** on the application of the Casterton Drag Racing Club Inc. ('the Event Organiser') which proposes to conduct the Event as a non-road activity on the Portland–Casterton Road, Casterton.

Background

- 3 The Event involves a series of drag races over an eighth mile course and other social activities in the township of Casterton on Saturday 21 November 2009.
- 4 The Event Organiser is conducting the Event which it has held annually since 1994 under the auspices of the Australian National Drag Racing Association Inc. (ANDRA).
- 5 The Event Organiser has applied for a declaration under section 99B(4) of the Act to exempt participants in the event from certain provisions of the **Road Safety Act 1986** and certain provisions of the Road Rules. In particular, the Event Organiser has applied for exemptions from the provisions specified in this notice in relation to –

- (a) part of the Portland–Casterton Road; and
- (b) the period –
specified in the notice.

Declaration of Exemptions with respect to the Events

- 6 I, Tim Pallas, Minister for Roads and Ports, on the application of the Event Organiser, by this notice declare that, subject to the limitations and conditions specified in this notice, the provisions of the **Road Safety Act 1986** specified in column one of Schedule 1 and the Road Rules (other than the provisions specified in column one of Schedule 2) do not apply to the Event to be conducted on the part of the Portland–Casterton Road specified in Schedule 3 during the period specified in Schedule 4.
- 7 The descriptions in column two of Schedules 1 and 2 of the provisions specified in column one of those Schedules are for information purposes only and do not extend or limit the extent of, or otherwise affect, an exemption under this notice.

Limitations

- 8 The exemptions declared by this notice apply only to a person who is a participant whilst that person is actually participating in the Event.

Conditions

- 9 The following conditions apply to the conduct of the Event by the Event Organiser.
- (a) The part of the highway used for the non-road activity is closed to traffic during the times when the activity is actually being carried out, which may not be the full period specified in Schedule 4.
 - (b) The Event Organiser has obtained all permits required in respect of the relevant non-road activity by the responsible road authority under section 99B(1) of the **Road Safety Act 1986**, and the Event is conducted in accordance with such permits and all other authorities.
 - (c) That all applicable provisions of relevant legislation are complied with, including (without limitation), relevant provisions of the **Road Safety Act 1986**, the **Road Management Act 2004** and the **Occupational Health and Safety Act 2004** and any regulations under those Acts including the Road Rules (other than the provisions of the **Road Safety Act 1986** and the Road Rules which do not apply by force of this notice).
 - (d) That a copy of this notice is produced on demand by the officer of the Event Organiser who is in charge of the Event to any member of the police force or to any person who is an authorised officer of VicRoads under section 71 of the **Road Management Act 2004**.
- 10 An exemption under this notice does not cease to apply only because of a failure to comply with a condition in clause 10 (other than the condition in clause 10(b)).

Schedule 1

Provisions of the Road Safety Act 1986 that do not apply to Event participants

Column 1 Provision	Column 2 Subject
Section 65A(1)	Improper use of motor vehicle
Section 68(1)	Participating in speed trials
Section 68(2)	Organising or managing speed trials

Schedule 2
Provisions of the Road Rules that apply to Event participants

Column 1 Provision	Column 2 Subject
Part 1	Introductory
Part 2	Interpretative provisions
Rule 78	Driver must not obstruct police and emergency vehicles
Rule 79	Driver must give way to emergency vehicles
Rule 300	Driver must not use hand-held mobile phone
Rule 304	Obedying police directions
Part 19	Exemptions
Part 20	Meaning and application of traffic control devices and traffic-related items
Part 21	General interpretive provisions
Schedules 1 to 4	Abbreviations, symbols and signs
Dictionary	Meanings of terms

Schedule 3
Highways or parts of highways to which exemptions apply

Item	Specified highway or part of highway
1.	Portland–Casterton Road from 200 metres South of the Glenelg Highway to 50 metres before the beginning of the intersection with Mackswood Lane.

Schedule 4
Period during which exemptions apply

Item	Specified highway or part of highway	Specified period
1.	Portland–Casterton Road from 200 metres South of the Glenelg Highway to 50 metres before the beginning of the intersection with Mackswood Lane.	7.00 am until 8.00 pm Saturday 21 November 2009

Dated 26 October 2009

TIM PALLAS MP
Minister for Roads and Ports

Veterinary Practice Act 1997

DETERMINATION OF FEES

Under section 86 of the **Veterinary Practice Act 1997**, I, Leigh Ross Coghlan, President of the Veterinary Practitioners Registration Board of Victoria, determine that the prescribed fees for the provisions of the **Veterinary Practice Act 1997** shall be in accordance with this Schedule for the period 1 January 2010 – 31 December 2010.

SCHEDULE

PROVISION	FEE (\$)
Registration – S6:	
General Registration	415.00
Mutual Recognition	415.00
Trans Tasman Mutual Recognition	415.00
Registration – S7:	
Specific Registration	415.00
Registration – S7A:	
Non-practising	55.00
Specialist Endorsement – S8:	515.00
Renewal – S12:	
Annual General Renewal	275.00
Late General Renewal (additional fee)	100.00
Specialist Annual Renewal	375.00
Late Specialist Renewal (additional fee)	100.00
Restoration – S13:	
General Restoration	415.00
Specialist Restoration	515.00
Register – S16(5):	
Full copy	1,400.00
Subscriber	350.00
Partial copy	700.00
Multiple extracts	350.00
Single extracts	25.00
Other fees:	
Out of session application fee	60.00
Assessment fee	100.00
Letters of professional standing	45.00
Additional copies (each)	10.00
Replacement Certificate of Registration	60.00
Copy annual renewal certificate	25.00
Handbook (incl GST)	40.00
Guidelines (incl GST)	15.00
Posters (incl GST)	15.00

Dated 7 October 2009

LEIGH R. COGHLAN BVSc
President

Veterinary Practitioners Registration Board of Victoria

ORDERS IN COUNCIL

Crown Land (Reserves) Act 1978
NOTICE OF INTENTION TO REVOKE
TEMPORARY RESERVATIONS

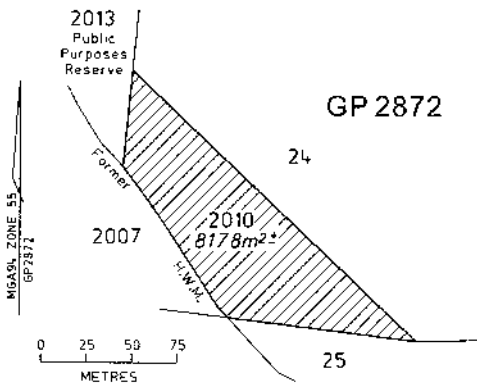
Order in Council

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

DURDIDWARRAH – The temporary reservation by Order in Council of 1 December 1862 of an area of 6070 square metres being Crown Allotment 17, Section B, Parish of Durdidwarrah as a site for Presbyterian Church purposes. – (Rs 4841)

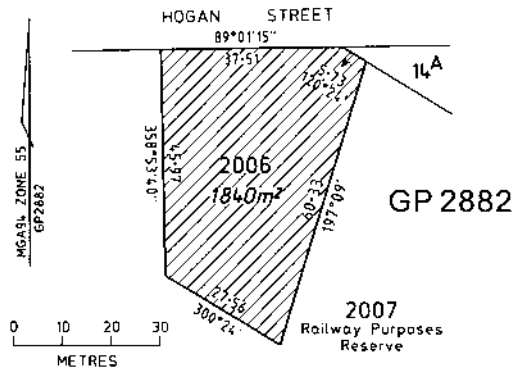
MERRIMU – The temporary reservation by Order in Council of 11 January 1869 of an area of 6381 square metres of land being Crown Allotment 15C, Section 22, Parish of Merrimu as a site for Presbyterian Place of Public Worship and Ministers Dwelling. – (Rs 4752)

MOOLAP – The temporary reservation by Order in Council of 19 January 1999 of various parcels of Crown land in the Parishes of Moolap to Murtcaim as a site for Public purposes, so far only as the portion containing 8178 square metres, more or less, being Crown Allotment 2010, Parish of Moolap as indicated by hatching on plan GP2872 hereunder. – (GP2872) – (Rs 2001272)



TATURA - The temporary reservation by Order in Council of 12 June 1888 of an area of 1.75 hectares, more or less, of land in the Township of Tatura, Parish of Toolamba West as a site for Railway purposes, so far only as the portion containing 1840 square metres being Crown Allotment 2006, Township of Tatura, Parish

of Toolamba West as indicated by hatching on plan GP2882 hereunder. – (GP2882) – (VT/PR/2001/0107)



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

Dated 4 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:

FRANKSTON – The temporary reservation by Order in Council of 16 April 1962 of an area of 76.784 hectares of land in the Parish of Frankston as a site for the purposes of the Vermin and Noxious Weeds Destruction Board, revoked as to part by various Orders in Council, so far only as the portions containing a total area of 1.199 hectares, being Crown Allotments 2048 and 2049, Parish of Frankston as indicated by hatching on plan LEGL./09–246 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (Rs 8127)

FRANKSTON – The temporary reservation by Order in Council of 21 October 1969 of an area of 67.30 hectares, more or less, of land in the Parish of Frankston as a site for Public Recreation, revoked as to part by Order in Council of 6 March 1984 so far only as the

portion containing 4143 square metres, being Crown Allotment 2057, Parish of Frankston as indicated by hatching on plan published in the Government Gazette of 8 October 2009 page 2616. – (Rs 9227)

FRANKSTON – The temporary reservation by Order in Council of 4 April 2006 of an area of 220 hectares, more or less, of land comprising various Crown Allotments in the Parish of Frankston as a site for the Preservation of an area of ecological significance, so far only as (1) Crown Allotment 2047, Parish of Frankston [area 9.814 hectares] as shown hatched on Plan No. LEGL./09–245 lodged in the Central Plan Office of the Department of Sustainability and Environment; (2) Crown Allotment 2054, Parish of Frankston [area 6.597 hectares] as shown hatched on Plan No. LEGL./09–247 lodged in the Central Plan Office of the Department of Sustainability and Environment; and (3) Crown Allotment 2059, Parish of Frankston [area 1060 square metres] as indicated by hatching on plan published in the Government Gazette of 8 October 2009 page 2616. – (Rs 8127)

MOUNT COLE – The temporary reservation by Order in Council of 8 May 1928 of an area of 4047 square metres, more or less, of land in the Parish of Mount Cole as a site for a Public Hall. – (Rs 3663)

YANGARDOOK and HOLDEN – The temporary reservation by Order in Council of 28 May 1866 of an area of 16.19 hectares, more or less, of land in the Parishes of Yangardook and Holden as a site for Watering purposes, less any authorised excisions. – (0704474)

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

Dated 4 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and Climate Change

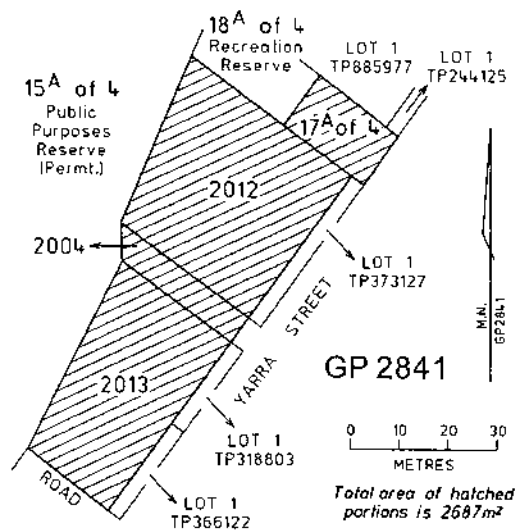
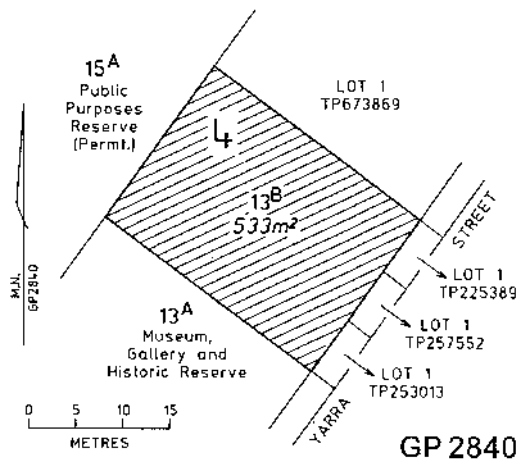
TOBY HALLIGAN
Clerk of the Executive Council

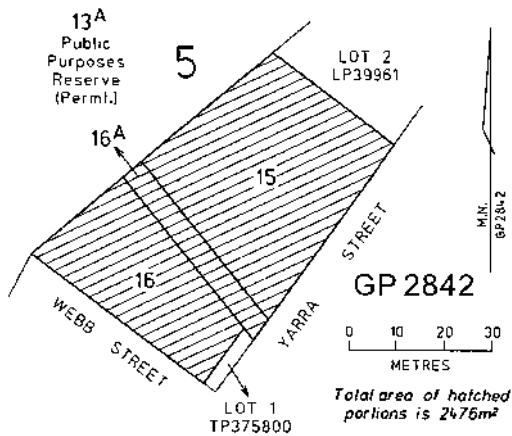
Crown Land (Reserves) Act 1978
TEMPORARY RESERVATION OF
CROWN LANDS
Order in Council

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

MUNICIPAL DISTRICT OF THE
MANNINGHAM CITY COUNCIL

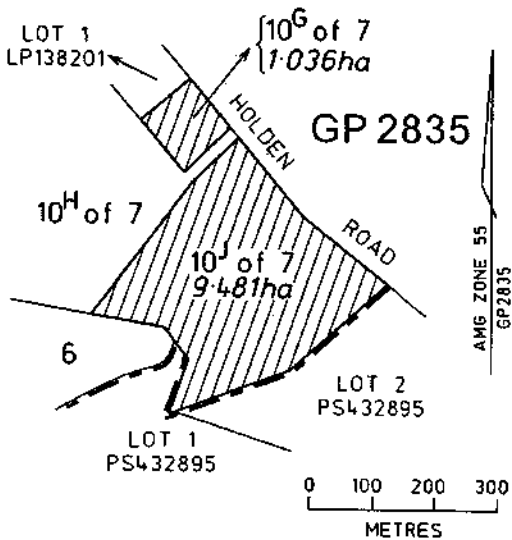
WARRANTYTE – Public purposes, Crown Allotment 13B, Section 4, Township of Warrandyte, Parish of Warrandyte [area 533 square metres] as shown by hatching on plan GP2840 hereunder; Crown Allotment 17A, Section 4, and Crown Allotments 2004, 2012 & 2013, Township of Warrandyte, Parish of Warrandyte [total area 2687 square metres] as shown by hatching on plan GP2841 hereunder; and Crown Allotments 15, 16 and 16A, Section 5, Township of Warrandyte, Parish of Warrandyte [total area 2476 square metres] as shown by hatching on plan GP2842 hereunder. – (GP2840, 2841 and 2842) – (1204546)





MUNICIPAL DISTRICT OF THE
SHIRE OF MELTON

YANGARDOOK – Conservation of an area of natural interest, total area 10.517 hectares, being Crown Allotments 10G and 10J, Section 7, Parish of Yangardook as indicated by hatching on plan GP2835 hereunder. – (GP2835) – (0704474)



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

Dated 4 November 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

TOBY HALLIGAN
Clerk of the Executive Council

Gas Industry Act 2001
EXEMPTION ORDER UNDER SECTION 24
Order in Council

The Governor in Council under section 24 of the **Gas Industry Act 2001** ('the Act') makes the following Order:

1. This Order comes into effect on the day on which it is published in the Government Gazette.
2. Sugar Australia Pty Limited (ACN 081 245 169) ('Sugar Australia') is exempt from:
 - a. the requirement under section 22(1) of the Act to obtain a licence for the provision of services by means of a distribution pipeline, either as a principal or agent, and
 - b. the requirement under section 22(2) of the Act to obtain a licence for the sale of gas by retail, either as a principal or agentto CSR Ethanol Pty Ltd (ACN 099 000 012) ('CSR Ethanol') at 265 Whitehall Street, Yarraville, Victoria.
3. This Order is subject to the conditions that Sugar Australia:
 - a. must provide to the Minister or the Essential Services Commission, any information either entity may require for the reasonable administration of this Order;
 - b. must not take any action which prevents CSR Ethanol from purchasing gas from a licensed retailer of its choice; and
 - c. must not take any action which prevents CSR Ethanol from arranging its own point of connection.
4. This Order is effective whilst CSR Ethanol is a related body corporate to Sugar Australia.
5. In this Order, 'related body corporate' has the same meaning as in the **Corporations Act 2001** (Cth).

Dated 4 November 2009

Responsible Minister
PETER BATCHELOR MP
Minister for Energy and Resources

TOBY HALLIGAN
Clerk of the Executive Council

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

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

129. *Statutory Rule:* Road Safety
(Traffic
Management)
Regulations 2009
- Authorising Act:* Road Safety
Act 1986
- Date first obtainable:* 2 November 2009
- Code D*
130. *Statutory Rule:* Road Safety
(General)
Amendment
Regulations 2009
- Authorising Act:* Road Safety
Act 1986
- Date first obtainable:* 2 November 2009
- Code A*

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