



Victoria Government Gazette

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GENERAL

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As from 20 May 2009

The last Special Gazette was No. 130 dated 13 May 2009.

The last Periodical Gazette was No. 2 dated 31 October 2008.

How To Submit Copy

- See our webpage www.gazette.vic.gov.au
 - or contact our office on 9642 5808
between 8.30 am and 5.30 pm Monday to Friday
-

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

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

**PUBLICATION OF THE VICTORIA GOVERNMENT GAZETTE (GENERAL)
QUEEN'S BIRTHDAY WEEK 2009 (MONDAY 8 JUNE 2009)**

Please Note:

The Victoria Government Gazette (General) for Queen's Birthday week (G24/09) will be published on **Thursday 11 June 2009**.

Copy deadlines:

Private Advertisements **9.30 am on Friday 5 June 2009**

Government and Outer
Budget Sector Agencies Notices **9.30 am on Tuesday 9 June 2009**

Where urgent gazettal is required after hours, arrangements should be made with the Government Gazette Officer on 0419 327 321.

JENNY NOAKES
Government Gazette Officer

VICTORIA GOVERNMENT GAZETTE

Subscribers and Advertisers

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JENNY NOAKES
Government Gazette Officer

PRIVATE ADVERTISEMENTS

Aerodrome Landing Fees Act 2003

AERODROME FEES NOTICE

Avalon Airport Australia Pty Ltd gives notice that the following fees have, under the **Aerodrome Landing Fees Act 2003** ('Act'), been fixed and operate at Avalon Airport on and from 1 June 2009.

A fee per arrival for:

All Aircraft, of \$8.50 per 1,000 kilograms (pro-rata) of the aircraft's maximum take-off weight with a minimum charge per arrival of \$50.00; and

A fee per training flight for:

All Aircraft, of \$8.50 per 1,000 kilograms (pro-rata) of the aircraft's maximum take-off weight with a minimum charge per approach of \$50.00 (regardless of whether or not the aircraft touches the runway); and

A parking fee for:

All Aircraft, after the first three hours of \$50.00 per hour with a maximum charge of \$200.00 per day.

The above fees are excluding GST.

DISSOLUTION OF PARTNERSHIP

Notice is hereby given the partnership previously subsisting between Christopher Russell Richardson and Walter Leonard Heaney carrying on the business of electricians via the company H. R. Electricals Pty Ltd, ACN 103 797 922, of 25 Parkers Road, Parkdale, was dissolved on 20 April 2009 so far as concerns the said Christopher Russell Richardson who retires from the said business.

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

Re: Estate ALAN LESTER-SMITH, deceased.

In the estate of ALAN LESTER-SMITH of 'Glenarm' Nursing Home, Burgoyne Street, Kerang, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by Helen Margaret Rothacker and Alan George Rothacker, the

executors of the Will of the said deceased, to send particulars of such claims to them, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

BASILE & CO. PTY LTD, legal practitioners,
46 Wellington Street, Kerang, Victoria 3579.

Re: Estate BEVERLEY DAWN ALYCE RODWELL, deceased.

In the estate of BEVERLEY DAWN ALYCE RODWELL, of 56 Forest Street, Koondrook, in the State of Victoria, retired, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by Patricia Ann Fayers and Gregory George Fayers, the executors of the Will of the said deceased, to send particulars of such claims to them, in care of the undermentioned solicitors, within two months from the date of publication of this notice, after which date they will distribute the assets, having regard only to the claims of which they then have notice.

BASILE & CO. PTY LTD, legal practitioners,
46 Wellington Street, Kerang, Victoria 3579.

Re: JOY LILLIAN SANDERSON, late of 5 Mulbar Street, Swan Hill, Victoria, cook, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 26 January 2009, are required by the trustees, Peter Dale Sanderson of 5 Mulbar Street, Swan Hill, Victoria, gentleman, son, and Paul Frederick Sanderson of 43 Hall Street, Corindhap, Victoria, gentleman, son, to send particulars to the trustees by 15 July 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

BASILE PINO & CO., solicitors,
213 Campbell Street, Swan Hill, Victoria 3585.

Re: SHANE WILLIAM BARNES, late of 65 Hawker Street, Ivanhoe 3079, support services manager.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 7 January 2009, are required by the administrator, Jutharat Barnes, to send particulars of their claim to her, care of the undermentioned solicitors, by 14 July 2009, after which date the said administrator may distribute the assets, having regard only to the claims of which she then has notice.

COLLINS HOUSE LEGAL,
Level 34, 360 Collins Street, Melbourne 3000.

Re: LEONARD ROSS MILLARD, late of 17 St Clair Crescent, Mt Waverley 3149, retired.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died 16 January 2009, are required by the executors, Thelma Joyce Millard, Susan Elizabeth Millard and Donald Stanhope Brown, to send particulars of their claim, care of the undermentioned solicitors, by 14 July 2009, after which date the said executors may distribute the assets, having regard only to the claims of which they then have notice.

COLLINS HOUSE LEGAL,
Level 34, 360 Collins Street, Melbourne 3000.

Re: Estate of LOIS MARGARET BIBBY, late of 6 O'Brien Street, Warracknabeal, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 December 2008, are required by the trustee, Kenneth James Bibby, to send particulars to the trustee, in care of the undersigned, by 14 July 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

DWYER & WILLETT LAWYERS PTY LTD,
82 The Avenue, Ocean Grove, Victoria 3226.

Creditors, next-of-kin and others who have claims in respect of the estate of KATHLEEN STOTHERS, late of 59 Park Street, Metung, in the State of Victoria, deceased, who died on 4 December 2008, are to send particulars of their claims to the administrators, care of Engel & Partners Pty of 109 Main Street, Bairnsdale, by

14 July 2009, after which date it will distribute the assets, having regard only to the claims of which it then has notice.

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

Re: ALAN JOHN SMITH, also known as Allan John Smith, late of 29/94 Newmarket Street, Flemington, Victoria, pensioner, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 29 December 2008, are required by Maryanne Lees, the executrix of the estate of the abovenamed deceased, to send particulars of their claims to her, care of the undermentioned solicitors, by 29 July 2009, after which date they will convey or distribute the assets, having regard only to the claims of which they then have notice.

FRANK J. SAGARIA & ASSOCIATES,
solicitors,
141 Union Road, Ascot Vale, Victoria 3032.

Re: RONA DOROTHY ROBERTSON, late of 'Montclair', 18 Montclair Avenue, Brighton, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 7 March 2009, are required by the trustees, Equity Trustees Limited, ABN 46 004 031 298, Margaret Lorraine Stevenson and Barbara Jane Robertson, to send particulars to the trustees, care of Equity Trustees Limited, 575 Bourke Street, Melbourne, by 14 July 2009, after which date the trustees may convey or distribute the assets, having regard only to the claims of which the trustees have notice.

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

Re: SHIRLEY MAY McDERMOTT, late of Noble Manor, 33 Frank Street, Noble Park, Victoria, but formerly of Unit 3, 43 York Street, Mornington, Victoria, retired machinist, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 11 December 2008, are required

by the trustee, Annette Eileen Ward, to send particulars to the undermentioned solicitors, by a date not later than two months from the date of publication hereof, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

HUNT, McCULLOUGH, KOLLIAS & CO.,
solicitors,
210 Main Street, Mornington 3931.

Creditors, next-of-kin and others having claims against the estate of JOAN JESSIE ROWLAND, late of Unit 19, 1 Argus Street, Cheltenham, Victoria, who died on 30 January 2009, are required by the executor, Equity Trustees Limited, ACN 004 031 298, of Level 2, 575 Bourke Street, Melbourne, to send detailed particulars of their claims to the said executor, care of John J. Byrne Lawyer Pty Ltd, of 216 Charman Road, Cheltenham 3192, by 14 July 2009, after which date it will proceed to distribute the said estate, having regard only to the claims of which it then has notice.

JOHN J. BYRNE LAWYER PTY LTD,
216 Charman Road, Cheltenham 3192.

Re: ELSIE ROSALIE MORRISSEY, late of Sir Donald and Lady Trescowthick Nursing Home, 70 Charles Street, Prahran, Victoria, but formerly of 27 Halliday Street, Mount Waverley, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 23 February 2009, are required by the trustee, Eleanor Joan White, to send particulars to her solicitors by 14 July 2009, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee has notice.

MASON SIER TURNBULL, lawyers,
315 Ferntree Gully Road, Mount Waverley 3149.

Estate of MARIA BABINCZKY, late of Unit 2, 1 Baker Street, East Malvern, Victoria, retired, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on or about 23 April 2009, are required by the executor, Csaba Geza Nagyidai, to send

particulars to him, care of the undermentioned lawyers, by 15 July 2009, after which date he may convey or distribute the assets, having regard only to the claims of which he then has notice.

MILLS OAKLEY LAWYERS,
121 William Street, Melbourne 3000.

Re: ISABELLE ADA BUTCHER, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of ISABELLE ADA BUTCHER, late of Unit 12, 70 Gladesville Boulevard, Patterson Lakes, Victoria, who died on 3 November 2008, are to send particulars of their claims to the executor, Equity Trustees Limited, care of the undermentioned solicitors, by 24 July 2009, after which date the executor will distribute the assets, having regard only to the claims of which the executor then has notice.

MOORES LEGAL,
9 Prospect Street, Box Hill 3128.

Re: DOROTHY EDNA MAY SHACKLOCK, late of Unit 3, 2 Charlotte Street, Blackburn, Victoria, home duties, deceased.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 9 February 2009, are required by the executors, Gayle Maree Shacklock of Unit 3, 16 Ovens Street, Box Hill North, Victoria, bookkeeper and Kerryn Elizabeth Shacklock of 11 Evan Street, Box Hill North, Victoria, IR officer, to send particulars to them, care of the undersigned, by 14 July 2009, after which date they may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Re: MICHAEL JOHN WINTON, late of 27 Longs Road, Lower Plenty, Victoria, industrial chemist, deceased.

Creditors, next-of-kin and all other persons having claims against the estate of the said deceased, are required by Tania Louise Winton and Kim Lauren Winton, the administrators of the

estate of the said deceased, to send particulars of such claims to them, care of the undermentioned solicitors, by the date being two calendar months from the date of this advertisement, after which date they will distribute the estate, having regard only to the claims of which they then have notice.

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

Payment terms – cash/eftpos (Debit Cards only/no Credit cards)/bank cheque or solicitors trust account cheque. Hammer price must be paid in full at the fall of the hammer.

There are no exceptions to these arrangements.

SW070094725

M. JACKSON
Sheriff's Office
Phone (03) 9947 1540

Re: ANTHONY MELVILLE TEARE, late
of 102 Grandview Avenue, Rye, Victoria.

Creditors, next-of-kin and others having claims in respect of the estate of the deceased, who died on 28 November 2008, are required to send particulars of their claims to Equity Trustees Limited of GPO Box 2307, Melbourne 3001, by 30 July 2009, after which date the executor may convey or distribute the assets, having regard only to the claims of which they may then have notice.

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

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

On Wednesday 10 June 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 Terence Holman of 57/290 Tenth Street, Mildura, joint proprietor of an estate in fee simple as to 1 of a total of 51 equal undivided shares with Pamela Joan Holman in the land described on Certificate of Title Volume 09930 Folio 648, upon which is erected a dwelling known as 57/290 Tenth Street, Mildura.

Registered Lease No. P555546P affects the said estate and interest.

Driving directions to Tenth Street, Mildura. 1.3 km – about 3 mins from Mildura Central. Head north-west on Sturt Highway, continue on Seventh Street, turn left at Pine Avenue, turn right at Tenth Street. The property is located at 57/90 Tenth Street, Mildura. Refer to RACV VicRoads Country Melways P535 N3.

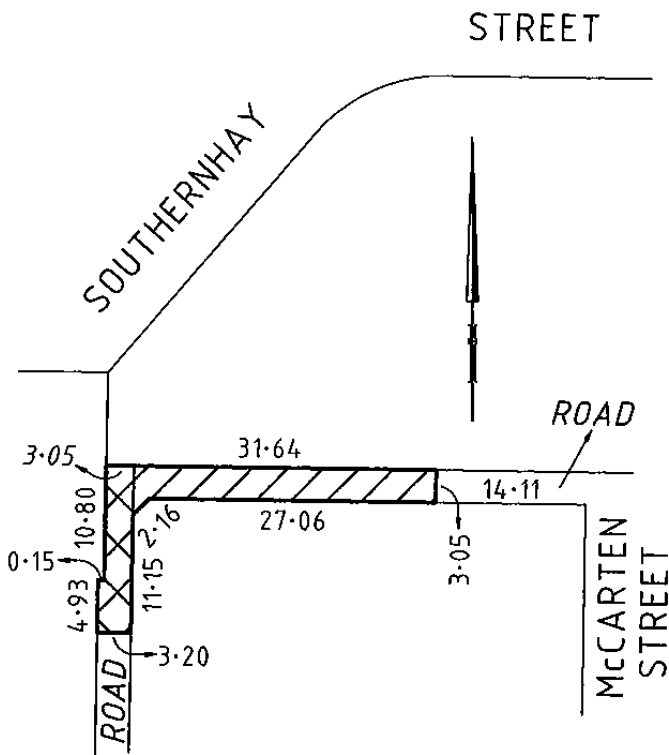
**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

DAREBIN CITY COUNCIL

Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 4 May 2009, formed the opinion that the road adjoining the side and rear of 5 McCarten Street, Reservoir, and shown by hatching and cross-hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The section of road shown cross-hatched is to be sold subject to the right, power or interest held by Yarra Valley Water Limited in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road.



MICHAEL ULBRICK
Chief Executive Officer



Road Discontinuance

Notice is hereby given pursuant to section 206 and schedule 10 clause 3 of the **Local Government Act 1989** that the Moorabool Shire Council, at its ordinary meeting held on Wednesday 6 May 2009, formed the opinion that the section of road being part of Church Street and known as Court House Place, Bacchus Marsh, shown hatched on the plan below is not reasonably required as a road for trafficable purposes and resolved to discontinue the road. The discontinued road reserve is now the Court House Place pedestrian mall.

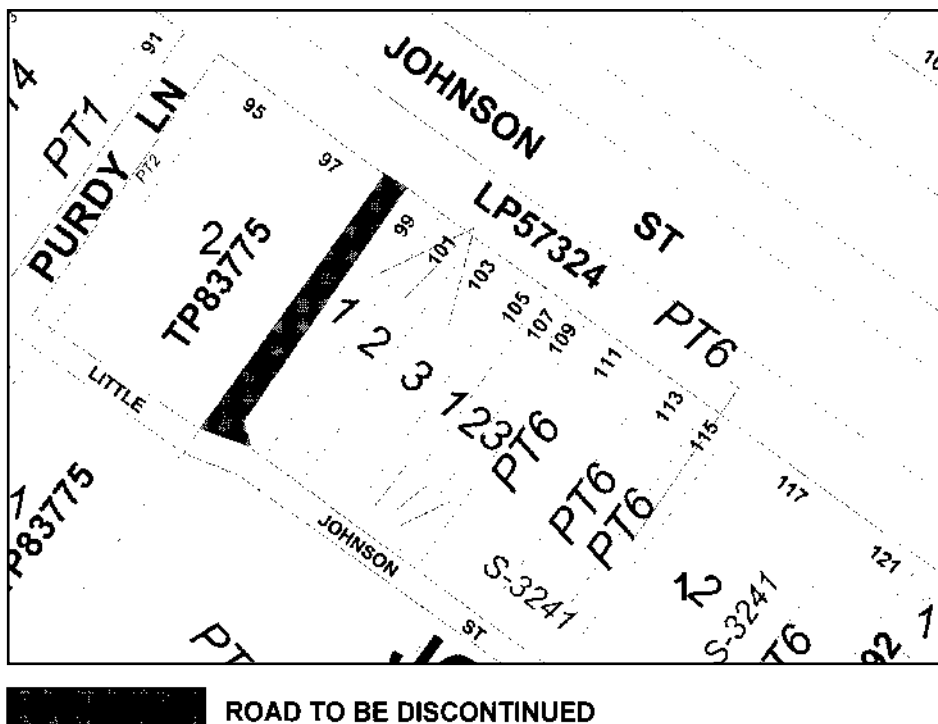


ROBERT DOBRZYNSKI
Chief Executive Officer

WELLINGTON SHIRE COUNCIL
Discontinuance of Road (Walkway)
97-99 Johnson Street, Maffra

Persuant to section 206 of the **Local Government Act 1989**, including Clause 3 of Schedule 10, the Wellington Shire Council, after consultation with relevant Statutory Authorities, advertising its intention as well as serving notice on the registered proprietors of the land and owners and occupiers of land abutting the Road (Walkway) between 97 and 99 Johnson Street, Maffra, resolved at its meeting on 5 May 2009 as follows:-

- (a) that the Road (Walkway) between 97 and 99 Johnson Street, Maffra, as shown hatched on the plan hereunder, shall be discontinued upon publication of this resolution in the Government Gazette;
- (b) the land contained in the said Road be disposed of to abutting landowners.



Dated 6 May 2009

LYNDON WEBB
Chief Executive Officer

GREATER SHEPPARTON CITY COUNCIL

Notice of the Making of a Local Law

Notice is hereby given pursuant to section 119 of the **Local Government Act 1989** that Greater Shepparton City Council, at its ordinary meeting held on 5 May 2009, resolved to make a new Local Law entitled Local Law No. 2 – Processes of Local Government (Meetings and Common Seal).

The purpose and general purport of the proposed Local Law No. 2 is to:

- a. provide for the election of the Mayor, Deputy Mayor and the Chair of any Special Committees;
- b. govern the conduct of Council Meetings and Special Committee Meetings;
- c. regulate and control the use of the common seal; and
- d. prohibit unauthorised use of the common seal or any device resembling the common seal.

A copy of the Local Law may be inspected at the Greater Shepparton City Council office, 90 Welsford Street, Shepparton, during office hours or on the Council's website www.greatershepparton.com.au

PETER HARRIOTT
Acting Chief Executive Officer



Notice of Making of a Local Law

Notice is given pursuant to section 119 of the **Local Government Act 1989** that the Melbourne City Council ('Council') has resolved to make a new local law pursuant to Part 5 of the **Local Government Act 1989** to be known as the Anti Slavery and Sexual Servitude Local Law 2009 ('the Local Law').

Purpose of the Local Law

The purpose of the Local Law is to:

- enable the Council to require information signs relating to slavery and sexual servitude to be displayed in brothels within the Municipality;
- provide information on the serious crimes of slavery and sexual servitude;
- raise awareness in the community of the serious crimes of slavery and sexual servitude;

- improve the overall quality of life of people in the local community; and
- provide for the peace, order and good government of the Municipality.

The General Purport of the Local Law

The Local Law will require that a person involved in the carrying on of a brothel must display such signs in respect to slavery and sexual servitude as prescribed by the Council.

A copy of the Local Law can be obtained from the Council Offices (Front Desk, Melbourne Town Hall Administration Building, Swanston Street, Melbourne).

DR KATHY ALEXANDER
Chief Executive Officer

BANYULE CITY COUNCIL

Notice of Review, Amendments and Adoption of the Road Management Plan and the Register of Public Roads

In accordance with the **Road Management Act 2004** and Road Management (General) Regulations 2005, notice is hereby given that Council has carried out a review and has amended its road management plan. The amendment relates to the determination of inspections, maintenance and repairs.

The review and amendments include:

- Analyse the defect classification codes to rationalise the number of response times for inspections and defect rectification across road infrastructure assets.
- Review of the footpath hierarchy and sections to make inspections more effective.
- Update the Register of Public Roads with any newly constructed or closed roads.
- Review and amend, where necessary, road and footpath inspection frequencies, road defect tolerances and intervention levels.
- Clarify work processes.
- Update charts where required.
- Include minor word changes and corrections where required.

AND

In accordance with section 55 of the **Road Management Act 2004**, notice is hereby given that Council will adopt the amendments to its Road Management Plan at its meeting on 29 June 2009.

The amended Road Management Plan, together with the Register of Public Roads, is available for review and can be inspected at one of Council's Customer Service Centres: 9–13 Flintoff Street, Greensborough; 275 Upper Heidelberg Road, Ivanhoe; 44 Turnham Avenue, Rosanna; or contact Council on 9490 4222, or visit 'Our Services' or 'What's On' in Council's Internet site at www.banyule.vic.gov.au

The review builds on Council's existing Road Management Plan that established a management system for Council to discharge its duty to inspect, maintain and repair its public roads based on policy, operational objectives and available resources. The Plan also sets the relevant standards in relation to the performance of Council's road management functions.

Any person who wishes to comment on the proposed review to the Road Management Plan may make a submission. Submissions should be sent to the Coordinator, Asset Management, PO Box 51, Ivanhoe 3079. Submissions will close on Monday 15 June 2009.

SIMON McMILLAN
Chief Executive



General (Amendment) Local Law 2009 No. 16

Notice is given pursuant to section 119(3) of the **Local Government Act 1989**, that Frankston City Council, at its meeting held on 4 May 2009, resolved to make General (Amendment) Local Law 2009 No. 16.

The Local Law prescribes that the maximum number of cats or dogs allowed to be kept on properties within Frankston City shall be five, unless a town planning permit issued under the provisions of the Frankston Planning Scheme allows a greater number.

Copies of the Local Law are available for inspection at the Civic Centre, Davey Street, Frankston.

GEORGE MODRICH
Chief Executive Officer

LATROBE CITY COUNCIL

Notice of Proposed Local Law

Meeting Procedure Local Law No. 1 (09 LLW-1)

Pursuant to section 119(2) of the **Local Government Act 1989**, the Latrobe City Council, at its ordinary meeting held on 4 May 2009 resolved to give notice of its intention to make the Meeting Procedure Local Law No. 1 (09 LLW-1).

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

- provide for the election of the Mayor;
- regulate the use of the common seal;
- prohibit unauthorised use of the common seal or any device resembling the common seal;
- provide for the procedures governing the conduct of Council meetings and Special Committee Meetings;
- to promote and encourage community participation in the system of local government by providing a mechanism for the Council to ascertain the community's views and expectations; and
- to repeal any redundant laws.

A copy of the proposed Local Law can be viewed on council's website at www.latrobe.vic.gov.au or is available from the following council service centres: Corporate Headquarters – 141 Commercial Road, Morwell, weekdays 8.30 am to 5.15 pm; Churchill and District Community Hub – Phillip Parade, Churchill, weekdays 11.00 am to 6.00 pm; Moe Service Centre – 44 Albert Street, Moe, weekdays 8.30 am to 5.15 pm; and Traralgon Service Centre – 34–38 Kay Street, Traralgon, weekdays 8.30 am to 5.15 pm.

Council invites public comment concerning the proposed Local Law. Written submissions, addressed to the undersigned, Latrobe City Council, PO Box 264, Morwell 3840, should be received by Thursday 4 June 2009 and state if the person or a person acting on their behalf wishes to speak in support of the submission.

Written submissions will be considered by council in accordance with section 223 of the **Local Government Act 1989** at the special council meeting to be held on Monday 9 June 2009 in the Nambur Wariga Room, corporate headquarters, Morwell, commencing at 7.00 pm.

For further information contact Tom McQualter, telephone 5128 5657.

PAUL BUCKLEY
Chief Executive Officer

LATROBE CITY COUNCIL
Notice of Proposed Local Law
Local Law No. 2/2009

Pursuant to Section 119(2) of the **Local Government Act 1989**, the Latrobe City Council, at its ordinary meeting held on 4 May 2009, resolved to give notice of its intention to make Local Law No. 2/2009.

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

- regulate traffic and the use of roads by persons, vehicles and animals and to regulate the parking of vehicles for the safe and fair use of parking areas by people in the municipal district;
- provide for the peace, order and good government of, and the wellbeing of people in, the municipal district;

in accordance with the following Local Law provisions:

Part 5 – The Management of Roads for Traffic, including:

Division 1 – Obstructions to the Free Passage of People and Goods;

Division 2 – Road Names and Property Numbers;

Division 3 – Vehicle Crossings;

Division 4 – Fences to Contain Animals;

Part 6 – Control of Vehicles and Animals on Roads, including:

Division 1 – Prohibition of Vehicles Likely To Damage the Road;

Division 2 – Livestock on Roads;

Division 3 – Shopping Trolleys;

Division 4 – Control of Toy Vehicles;

Division 5 – Horses on Reservations etc.;

Division 6 – Stationary Heavy Vehicles;

Part 7 – Secondary Activities on Roads, including:

Division 1 – Advertising Signs Placed on Roads;

Division 2 – Trading From a Road or to a Person on a Road;

Division 3 – Display of Goods for Sale;

Division 4 – Outdoor Eating Facilities on Roads;

Division 5 – Bulk Rubbish Containers on Roads;

Division 6 – Occupation of the Road for Works/ Planting Vegetation on Council Property;

Division 7 – Repair and Deposited Substances;

Division 8 – Street Parties, Street Festivals and Processions;

Division 9 – Collections on Roads;

Part 8 – Tow-Away of Unlawfully Parked Vehicles and Removal of Similar Obstructions;

Part 9 – Safety – People and Property;

Part 10 – The Environment;

Part 11 – Keeping of Animals;

Part 12 – Disposal of Waste;

Part 13 – Grey Water, Stormwater Drains and Private Drains;

Part 14 – Public Health;

Part 15 – Behaviour;

Part 16 – Consumption of Alcoholic Beverage;

Part 17 – Use of Council Recreation Facilities;

Part 18 – Enforcement and Penalties;

Schedules.

A copy of the proposed Local Law can be viewed on council's website at www.latrobe.vic.gov.au or is available from the following council service centres: Corporate Headquarters – 141 Commercial Road, Morwell, weekdays 8.30 am to 5.15 pm; Churchill and District Community Hub – Phillip Parade, Churchill, weekdays 11.00 am to 6.00 pm; Moe Service Centre – 44 Albert Street, Moe, weekdays 8.30 am to 5.15 pm; and Traralgon Service Centre – 34–38 Kay Street, Traralgon, weekdays 8.30 am to 5.15 pm.

Council invites public comment concerning the proposed Local Law. Written submissions, addressed to the undersigned, Latrobe City Council, PO Box 264, Morwell 3840, should be received by Thursday 4 June 2009 and state if the person or a person acting on their behalf wishes to speak in support of the submission.

Written submissions will be considered by council in accordance with section 223 of the **Local Government Act 1989** at the special council meeting to be held on Monday 9 June 2009 in the Nambur Wariga Room, corporate headquarters, Morwell, commencing at 7.00 pm.

For further information contact Peter Fraser, telephone 5128 5750.

PAUL BUCKLEY
Chief Executive Officer

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C123

Authorisation AO1266

The Cardinia Shire Council has prepared Amendment C123 to the Cardinia Planning Scheme.

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

The land affected by the Amendment is all land within the Cardinia Shire Council.

The Amendment proposes to:

- A. under Clause 42.01 replace Schedules 1, 2, 3 and 4 with new Schedules to allow the removal of Sweet pittosporum (*Pittosporum undulatum*) without a planning permit;
- B. under Clause 42.02 replace Schedules 1, 2 and 3 with new Schedules to allow the removal of Sweet pittosporum (*Pittosporum undulatum*) without a planning permit;
- C. under Clause 42.03 replace Schedules 1, 2, 3, 4, 5 and 6 with new Schedules to allow the removal of Sweet pittosporum (*Pittosporum undulatum*) without a planning permit;
- D. under Clause 43.02 replace Schedule 1 with new Schedule to allow the removal of Sweet pittosporum (*Pittosporum undulatum*) without a planning permit; and
- E. under Clause 52.17 replace the Schedule with a new Schedule to allow the removal of Sweet pittosporum (*Pittosporum undulatum*) without a planning permit.

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, Cardinia Shire Council, Henty Way, Pakenham, or on the website www.cardinia.vic.gov.au; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 15 June 2009. A submission must be sent to: Cardinia Shire Council, Attention Marcelle Bell, Strategic Planner, PO Box 7, Pakenham, Victoria 3810.

Planning and Environment Act 1987

EAST GIPPSLAND PLANNING SCHEME

Notice of the Preparation of an

Amendment to a Planning Scheme and

Notice of an Application for Planning Permit

Amendment C72

Planning Permit Application No. 451/2008/P

Authorisation A1319

The land affected by the Amendment and the application for planning permit is part of 66 Howitt Avenue, Lucknow, being proposed Lot 1 Plan of Subdivision 620116X.

The Amendment proposes to:

- rezone land from Residential 1 to Business 1; and
- update the Schedule to the Business 1 Zone, relating to the land, to specify maximum combined leasable floor areas for shops, offices and trade supplies.

The application for planning permit is to use and develop the land for shops, offices, medical centre, associated buildings and works and reduction of car parking requirements.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the offices of the East Gippsland Shire Council, 273 Main Street, Bairnsdale, and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection from 14 May 2009.

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

The closing date for submissions is 15 June 2009. A submission must be sent to the East Gippsland Shire Council, PO Box 1618, Bairnsdale, Victoria 3875.

STEVE KOZLOWSKI
Chief Executive Officer

Planning and Environment Act 1987
GREATER BENDIGO PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C89

Authorisation A0889

The City of Greater Bendigo Council has prepared Amendment C89 to the Greater Bendigo Planning Scheme.

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

The land affected by the Amendment is:

- 19A Francliff Avenue, Spring Gully
- 26 Joachim Lane, Spring Gully
- 194 Retreat Road, Spring Gully
- 45 Palm Avenue, Spring Gully
- 309 Edwards Road, Strathfieldsaye
- 134–166 Aspinall Street, Golden Square
- CA112C Edwards Road, Maiden Gully
- 3–9 Coakes Street, Sailors Gully
- 10 Midson Street, Eaglehawk
- 73 Lethebys Road, Sailors Gully
- 28 Williams Road, Sailors Gully
- 152 Loddon Valley Highway, Sailors Gully
- 28 and 32 Druid Street, Golden Square.

The Amendment proposes to:

- amend Clause 21.08–4 of the Municipal Strategic Statement;
- rezone 19A Francliff Avenue, Spring Gully, from Residential 1 Zone to Rural Conservation Zone, amend the Urban Growth Boundary;
- rezone 194 Retreat Road, Spring Gully (part), from Residential 1 Zone to Rural Conservation Zone, remove the Development Plan Overlay 3, amend the Urban Growth Boundary;

- rezone 26 Joachim Lane, Spring Gully (part), from Residential 1 Zone to Rural Conservation Zone, remove the Development Plan Overlay 3, amend the Urban Growth Boundary;
- rezone 309 Edwards Road, Strathfieldsaye, from Low Density Residential to Rural Conservation Zone, apply Environmental Significance Overlay 5, remove Development Plan Overlay 4;
- rezone 134–166 Aspinall Street, Golden Square, from Residential 1 Zone to Low Density Residential Zone;
- rezone CA112C, Edwards Road, Maiden Gully, from Residential 1 Zone to Low Density Residential Zone, apply Environmental Significance Overlay 5, remove Environmental Significance Overlay 2, remove Vegetation Protection Overlay 2;
- rezone 3–9 Coakes Street, Sailors Gully, from Residential 1 Zone to Low Density Residential Zone, apply the Environmental Significance Overlay 5, remove Development Plan Overlay 3;
- rezone 73 Lethebys Road, Sailors Gully, from Residential 1 Zone to Low Density Residential Zone, apply Environmental Significance Overlay 5;
- rezone 28 Williams Road, Sailors Gully, from Residential 1 Zone to Low Density Residential Zone, Environmental Significance Overlay 5, remove Development Plan Overlay 3;
- rezone 152 Loddon Valley Highway, Sailors Gully, from Residential 1 Zone to Low Density Residential Zone, apply the Environmental Significance Overlay 5;
- remove the Vegetation Protection Overlay 2 from 28 and 32 Druid Street, Golden Square;
- apply the Vegetation Protection Overlay 2 to 10 Midson Street, Eaglehawk; and
- amend the Urban Growth Boundary to remove 45 Palm Avenue, Spring Gully, from the urban area.

You may inspect the Amendment, any documents that support the Amendment and the explanatory report about the Amendment, free of charge, at the following locations: during office hours, at the office of the planning authority, City of Greater Bendigo, Hopetoun Mill Office, 15 Hopetoun Street, Bendigo; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is 15 June 2009. A submission must be sent to the City of Greater Bendigo, PO Box 733, Bendigo, Victoria 3552.

CRAIG NIEMANN
Chief Executive Officer

Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C101
Authorisation AO1286

The Stonnington City Council has prepared Amendment C101 to the Stonnington Planning Scheme.

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

The land affected by the Amendment is in three precincts, being:

- Coolullah and Quamby Avenues Precinct, South Yarra;
- Norman Avenue Precinct, Hawksburn; and
- Redcourt Avenue Precinct, Armadale.

The Amendment proposes to confirm permanent heritage protection to these precincts.

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, Stonnington City Council, corner Chapel and Greville Streets, Prahran; 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. Submissions must be made in writing giving the submitter's name and contact address; and clearly state the grounds on which the Amendment is supported or opposed and indicate what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunities to attend Council meetings and any public hearings held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submission made. For further information on Council's Privacy Policy please call 8290 1333 or visit Council's website – www.stonnington.vic.gov.au

The closing date for submissions is Friday 19 June 2009. A submission must be sent to the Strategic Planning Unit, City of Stonnington, PO Box 21, Prahran 3181.

STUART DRAFFIN
Acting Manager Strategic Planning

Planning and Environment Act 1987
STONNINGTON PLANNING SCHEME
Notice of Preparation of Amendment
Amendment C103
Authorisation AO1278

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

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

The affected land is:

- Hawksburn Railway Station Precinct – HO137 (parts of Cassell Street, Hawksburn Road, Hobson Street, Joy Street, Motherwell Street, Oban Street, Walter Street and Williams Road, South Yarra);
- Wilson Street Precinct – HO379 (parts of Cromwell Road, Luxton Road, Surrey Road and Wilson Street, South Yarra); and
- Bush Inn Estate Precinct – HO380 (37 Mathoura Road, Mell Street and parts of Evelina Road, May Road and Williams Road, Toorak).

The Amendment proposes to vary the boundaries of heritage precincts HO137, HO155, HO379 and HO380 and to confirm the permanent protection of land currently with interim protection in precincts HO137, HO379 and HO380.

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, Stonnington City Council, corner Chapel and Greville Streets, Prahran; 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. Submissions must be made in writing giving the submitter's name and contact address; and clearly state the grounds on which the Amendment is supported or opposed and indicate what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunities to attend Council meetings and any public hearings held to consider submissions. In accordance with the **Planning and Environment Act 1987**, Council must make available for inspection a copy of any submission made. For further information on Council's Privacy Policy please call 8290 1333 or visit Council's website – www.stonnington.vic.gov.au

The closing date for submissions is 19 June 2009. A submission must be sent to the Strategic Planning Unit, City of Stonnington, PO Box 21, Prahran 3181.

STUART DRAFFIN
Acting Manager Strategic Planning

Planning and Environment Act 1987

SWAN HILL PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C32

Authorisation A01298

The Swan Hill Rural City Council has prepared Amendment C32 to the Swan Hill Planning Scheme.

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

The land affected by the Amendment 138–142 Gray Street, Swan Hill, which is described as Part Lot 2, PS 319816 (proposed Lot 3, PS 603866 unregistered) and Lot 1 TP 12802. These lots contain an area of 1.4 ha.

The Amendment proposes to rezone the land to the Residential 1 zone to facilitate its residential development at higher densities.

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, Swan Hill Rural City Council, 45 Splatt Street, Swan Hill 3585; www.swanhill.vic.gov.au; and at the Department of Planning and Community Development website www.dpcd.vic.gov.au/planning/publicinspection

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

The closing date for submissions is Monday 15 June 2009. A submission must be sent to Ken Fulford, Planning Manager, Swan Hill Rural City Council, PO Box 488, Swan Hill 3585.

DENNIS HOVENDEN
Chief Executive Officer

EXEMPTION

Application No. A57/2009

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 Kingston City Council – Don Tatnell Leisure Centre (the applicant). The application for exemption is to enable the applicant to conduct women only swimming sessions at its Don Tatnell Leisure Centre, Mordialloc, out of normal operating hours and to advertise for and employ women only to staff the centre during those swimming sessions (the exempt conduct).

Upon reading the material submitted in support of the application, and hearing submissions from Ms Morgan and Ms Hawkins on behalf of the applicant, the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 42, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption the Tribunal noted:

- The program caters to a community of women and girls who currently cannot participate in swimming activities when men are present because of their cultural and religious beliefs. The women's only swimming environment includes the provision of female staff to further ensure that the program is culturally sensitive.
- The program acknowledges that due to their gender and associated religious beliefs some women are currently being disadvantaged through restricted opportunities to access and participate in swimming activities at Don Tatnell Leisure Centre.
- The program is provided after hours and does therefore not impact current users during normal opening hours of the Centre. It is offering an extended service to a currently marginalised sector of the community.
- The program allows women of diverse cultural backgrounds the opportunity to communicate and socialise with each other, and foster a greater understanding and encourage the sharing of each other's cultural and religious beliefs.
- The program has been operating for 6 years and the applicant has had exemptions in respect of it since January 2003 and there have been no recent complaints or concerns raised about the program since at least 2004. The program has increased in popularity over the years and, due to demand, is now run fortnightly instead of monthly. Women who attend it have told representatives of the applicant how beneficial they find it.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 42, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

This exemption is to remain in force from the day on which notice of the exemption is published in the Government Gazette until 13 May 2012.

Dated 8 May 2009

C. McKENZIE
Deputy President

EXEMPTION

Application No. A98/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Darebin Community Health. The application for exemption is to enable the applicant to advertise and employ an Indigenous Chronic Disease worker in the Aboriginal Health Promotion and Chronic Care (AHPACC) program (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- Darebin Community Health is an independent community health service providing a wide range of health, medical, social support and health promotion services to the community of Darebin.
- In the 2006 census, over 1109 Aboriginal and Torres Strait Islanders (ATSI) were recorded as residing in Darebin, representing 8% of the total ATSI community living in Melbourne. Darebin has the highest proportion of the ATSI population in the Northern Health catchment (26.8%).
- Members of the ATSI community have the poorest health and lowest life expectancy of any group in Australia. Traditionally they have not felt comfortable to access health services through mainstream services such as hospitals or community health centres, instead preferring to seek service from ATSI specific services such as the Victorian Aboriginal Health Service (VAHS) and the Aboriginal Community Elders Service (ACES). Unfortunately these services have high levels of demand and can only provide services from a limited number of locations across Victoria. To support improvements in ATSI health, mainstream organizations need to improve their accessibility to this group.
- Darebin Community Health has run an affirmative action program targeting the ATSI population since 1996 to improve access to its services.

- The key role responsible for assisting ATSI clients with chronic disease to access services at Darebin Community Health is the Aboriginal Chronic Disease Worker. The core function of this role is to participate in the planning, delivery and evaluation of the AHPACC project, which is part of the Northern AHPACC Consortium. The aim of this program is to promote healthy lifestyles and community wellbeing for local ATSI clients with chronic disease, through community health education and health promotion activities.
- The position description for this position includes:—
 - assist ATSI clients to access DCH services;
 - assist and train staff to ensure that services are culturally appropriate for ATSI clients;
 - support the development of culturally appropriate health promotion strategies for the local ATSI clients with chronic disease;
 - advocate on behalf of local ATSI people with chronic disease for additional services both at DCH and other local agencies;
 - work in partnership with ATSI and other Aboriginal Health Promotion and Chronic Care partner agencies to support service coordination and service development for ATSI people with chronic disease.
- To achieve these duties and responsibilities, the Aboriginal Chronic Disease Worker needs to have strong credibility with local ATSI community allowing access to various groups and networks. This is most achievable for a person with an Indigenous background as they are recognised as part of the ATSI community and therefore safe to deal with.
- This program aims to improve the health and wellbeing of Indigenous clients with chronic disease, and is in partnership with the VAHS.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

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

Dated 7 May 2009

HER HONOUR JUDGE HARBISON
Vice President

EXEMPTION

Application No. A86/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Geelong Mood Support Group. The application for exemption is to enable the applicant to advertise and employ a person with a personal experience of a mental illness to act as a mental health community worker working alongside people living with a mental illness (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- A personal experience of mental illness assists in engaging and supporting others suffering from a mental illness.
- As a 'role model' the person who has had a personal experience of mental health, the messages of strength, achievements and abilities can be more readily displayed to others with a mental health illness.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

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

Dated 1 May 2009

HER HONOUR JUDGE HARBISON
Vice President

EXEMPTION

Application No. A82/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Berry Street Gippsland. The application for exemption is to enable the applicant to advertise and employ an Indigenous person in the role of Wannik Transition Support Worker within the Youth Transition Initiative (YTSI) program at Berry Street Gippsland Services (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The role of the existing YTSI Transition Support Workers is to provide case management support to young people who are disengaged from education, and assist them to re-enter education, training or employment. To be eligible for the program young people need to be aged 15 to 19, not currently in education, not have completed year 12 or an equivalent qualification and not be working more than 15 hours per week.
- Funding has been provided for this position for an additional Transition Support Worker working solely with Indigenous young people. Participants of the Wannik YTSI program should have a case manager from a similar case background. A key part of the role of Wannik YTSI Transition Support Worker is making links with the local Indigenous communities, networks and services.
- The Wannik YTSI program could most effectively reach disengaged youth through the unique skills, knowledge and cultural understanding possessed by an Indigenous Transition Support Worker.
- Indigenous young people are more likely to engage with a support worker and a support program if the support staff are also Indigenous.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

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

Dated 1 May 2009

HER HONOUR JUDGE HARBISON
Vice President

EXEMPTION

Application No. A81/2009

The Victorian Civil and Administrative Tribunal has considered an application, pursuant to section 83 of the **Equal Opportunity Act 1995**, by Salvation Army Crossroads Network. The application for exemption is to enable the applicant to advertise and employ an Indigenous person in the full-time role of Wannik Transition Support Worker within the Youth Transition Initiative (YTSI) program at The Salvation Army Crossroads Network (the exempt conduct).

Upon reading the material submitted in support of the application the Tribunal is satisfied that it is appropriate to grant an exemption from Sections 13, 14, 100 and 195 of the Act to enable the applicant to engage in the exempt conduct.

In granting this exemption, the Tribunal noted:

- The role of the existing YTSI Transition Support Workers is to provide case management support to young people who are disengaged from education, and assist them to re-enter education, training or employment. To be eligible for the program young people need to be aged 15 to 19, not currently in education, not have completed year 12 or an equivalent qualification and not be working more than 15 hours per week.
- Funding has been provided for this position for an additional Transition Support Worker working solely with Indigenous young people. Participants of the Wannik YTSI program should have a case manager from a similar case background. A key part of the role of Wannik YTSI Transition Support Worker is making links with the local Indigenous communities, networks and services.
- The Wannik YTSI program could most effectively reach disengaged Indigenous youth through the unique skills, knowledge and cultural understanding possessed by an Indigenous Transition Support Worker.

- Indigenous young people are more likely to engage with a support worker and a support program if the support staff are also Indigenous.
- The two staff members currently employed as Transition Support Workers at The Salvation Army Crossroads Network, North Coburg are not Indigenous. It is appropriate that this new position be filled by an Indigenous Transition Support Worker.

The Tribunal hereby grants an exemption to the applicant from the operation of sections 13, 14, 100 and 195 of the **Equal Opportunity Act 1995** to enable the applicant to engage in the exempt conduct.

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

Dated 1 May 2009

HER HONOUR JUDGE HARBISON
Vice President

Adoption Act 1984

Under the functions and powers assigned to me by the Secretary to the Department of Human Services under section 10(2) of the **Community Services Act 1970** in relation to section 5 of the **Adoption Act 1984**:

I, Keith Smith, approve the following person under section 5(1) and section 5(2) of the **Adoption Act 1984** as approved counsellor for the purposes of section 87 of the **Adoption Act 1984**.

Jacqueline Evans

KEITH SMITH
Manager Community Care
Southern Metropolitan Region

Accident Towing Services Act 2007

ROADS CORPORATION

Tow Truck Application

Notice is hereby given that the following application will be considered by the Licensing Authority after 16 June 2009.

Notice of any objection to the granting of an application should be forwarded to reach the Director, Vehicle Management and Safety, Locked Bag 9000, Kew, Victoria 3101, not later than 11 June 2009.

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

Harrison & Solimo Panel Pty Ltd & Action Smash Repairs Wangaratta Pty Ltd. Application for variation of conditions of tow truck licence numbers TOW270, TOW272, TOW273, TOW274 and TOW863 which authorises the licensed vehicles to be managed, controlled and operated from depot situated at 183-185 Tone Road, Wangaratta 3677, and 22 Newman Street, Wangaratta 3677, to change the depot address to 2 Parnell Court, Wangaratta 3677.

Note: These Licences are under consideration for transfer to Solimo Towing Pty Ltd.

Dated 14 May 2009

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

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby declares that the Charlton and District Kindergarten, Licence ID 796 ('the service') is exempt from the qualified staff members requirements as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members set out in regulation 24 are caring for or educating the children.
2. A staff member who holds a primary teaching qualification ('primary teacher') is caring for or educating the children in place of a qualified staff member.
3. The primary teacher receives mentoring from a teacher with an early childhood teaching qualification.

This exemption remains in force until 24 May 2009 unless revoked earlier.

Dated 22 April 2009

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby declares that the Manangatang and District Preschool, Licence ID 3526 ('the service') is exempt from the qualified staff members requirements as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members set out in regulation 24 are caring for or educating the children.
2. A staff member who holds a primary teaching qualification ('primary teacher') is caring for or educating the children in place of a qualified staff member.
3. The primary teacher receives mentoring from a teacher with an early childhood teaching qualification.

This exemption remains in force until 24 May 2009 unless revoked earlier.

Dated 17 April 2009

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby declares that the A.B.C. Developmental Learning Centres – Swan Hill, Licence ID 10643 ('the service') is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members set out in regulation 24 are caring for or educating the children.

2. No more than two nominated staff members are employed in place of qualified staff.
3. The nominated staff members are undertaking a course to attain a post secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 24 May 2009 unless revoked earlier.

Dated 23 April 2009

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby declares that the A.B.C. Developmental Learning Centres – Swan Hill East, Licence ID 10275 ('the service') is exempt from the qualified staff members requirement as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members set out in regulation 24 are caring for or educating the children.
2. No more than one nominated staff member is employed in place of qualified staff.
3. The nominated staff member is undertaking a course to attain a post secondary early childhood qualification recognised under regulation 25.

This exemption remains in force until 24 May 2009 unless revoked earlier.

Dated 23 April 2009

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby

declares that the Robinvale Preschool Centre, Licence ID 3528 ('the service') is exempt from the qualified staff members requirements as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members set out in regulation 24 are caring for or educating the children.
2. A staff member who holds a primary teaching qualification ('primary teacher') is caring for or educating the children in place of a qualified staff member.
3. The primary teacher receives mentoring from a teacher with an early childhood teaching qualification.

This exemption remains in force until 24 May 2009 unless revoked earlier.

Dated 29 April 2009

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Children's Services Act 1996

NOTICE OF EXEMPTION

Under section 6 of the **Children's Services Act 1996** ('the Act'), the Minister for Children and Early Childhood Development hereby declares that the Wycheproof Preschool Play Centre, Licence ID 4021 ('the service') is exempt from the qualified staff members requirements as set out in regulation 24 of the Children's Services Regulations 1998.

This exemption is granted subject to the conditions that the proprietor must ensure that whenever children are being cared for or educated by the service:

1. The number of staff members set out in regulation 24 are caring for or educating the children.
2. A staff member who holds a primary teaching qualification ('primary teacher') is caring for or educating the children in place of a qualified staff member.
3. The primary teacher receives mentoring from a teacher with an early childhood teaching qualification.

This exemption remains in force until 24 May 2009 unless revoked earlier.

Dated 6 May 2009

MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Education and Training Reform Act 2006

NOTICE OF MAKING OF AN ORDER UNDER SECTIONS 2.3.2(6) AND 2.3.2(7)

An Order of the Minister for Education was made on 30 April 2009 under sections 2.3.2(6) and (7) of the **Education and Training Reform Act 2006** dissolving Culgoa Primary School Council and making interim arrangements for the constitution of the school council and the disposal of the assets of the school council in the period prior to its dissolution.

HON BRONWYN PIKE MP
Minister for Education

Education and Training Reform Act 2006

NOTICE OF MAKING OF ORDER UNDER SECTION 2.3.2

An Order of the Minister for Education was made on 30 April 2009 under sections 2.3.2(1), 2.3.2(6) and 2.3.2(7) of the **Education and Training Reform Act 2006** dissolving Myrtleford Secondary College Council and Myrtleford Primary School Council and constituting a school council for a Government school at Prince Street, Myrtleford, and 8-36 Mummery Road, Myrtleford, named Myrtleford P12 College.

HON BRONWYN PIKE MP
Minister for Education

Evidence Act 1958

MEDIATORS

I, Penny Armytage, Secretary to the Department of Justice, under the power found in section 21K of the **Evidence Act 1958**, declare each of the persons listed below to be a mediator with the Dispute Settlement Centre of Victoria:

Judith Courtin
James Connaghan
Alan Jenkins
Alan Tatlow
Kim Radford

Jo-Anne Nowotny
 Beverley Henness
 Stewart Cramer
 William Crotty
 Darrin Marr
 Karen Prime
 Lin Chandler
 Sonya Karo
 Tom Dinsmore
 Helen Skinner
 Brian Moore
 Colette Smedile
 Dated 3 May 2009

PENNY ARMYTAGE
 Secretary



Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2180 in the categories described as Heritage Place and Heritage Object/s.

Clunes Town Hall and Court House
 98 Bailey Street
 Clunes
 Hepburn Shire

EXTENT

1. All the land marked L1 on Diagram 2180 held by the Executive Director, being part of the land described as Crown Allotment 7, Section 4, Township of Clunes.
2. All the building marked B1 on Diagram 2180 held by the Executive Director.
 B1 Town Hall and Court House
3. All the objects associated with the place as included in the list entitled 'Clunes Town Hall and Court House – List of Objects' (dated August 2008) and held by the Executive Director.

Dated 14 May 2009

RAY TONKIN
 Executive Director



Heritage
 VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2207 in the categories described as Heritage Place and Heritage Object/s.

Tolarno Hotel
 42 Fitzroy Street
 St Kilda
 Port Phillip City

EXTENT

1. All of the land marked L1 on Diagram 2207 held by the Executive Director being all of the land described in Certificate of Title Volume 6332 Folio 354.
2. All of the building marked B1 on Diagram 2207 held by the Executive Director.
3. All the murals and other works by Mirka Mora in the restaurant, bar, entrance, hallway, toilet and hotel foyer are included in the registration.
 F1 Murals on walls of restaurant
 F2 Mural on east wall of bar
 F3 Mural in entrance foyer
 F4 Murals in hallway
 F5 Mural on south wall of hotel foyer
 F6 Murals on walls of ladies' toilet
 O1–8 Former light diffusers from the restaurant, one now hanging in the restaurant and seven in the hallway
 O9 Pair of wing doors from the original bar, now mounted on the hall wall adjacent to front entrance on the right hand side of the bar entry
 O10–12 Three blinds in restaurant with printed reproductions of Mirka Mora's artwork

Dated 14 May 2009

RAY TONKIN
 Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2208 in the categories described as Heritage Place and Heritage Object/s.

Lake Boga Flying Boat Museum
Willakool Drive
Lake Boga
Swan Hill Rural City

EXTENT

1. All the land marked L1 on Diagram 2208 held by the Executive Director being all of the land described in Certificate of Title Volume 9025 Folio 006 and part of the land described in Certificate of Title 8517 Folio 988 and part of Crown Allotment C Parish of Boga.
2. All of the building marked B1 and the concrete ramps marked F1 and F2 on Diagram 2208 held by the Executive Director.
3. The following objects:
 - The PBY Catalina aircraft located on the site
 - The 20 two-ton concrete mooring blocks which have been retrieved from the lake-bed.

Dated 14 May 2009

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2209 in the category described as Heritage Place.

Grimwade House
28–54 Dundas Street
Rye
Mornington Peninsula Shire

EXTENT

1. All of the land marked L1 on Diagram 2209 held by the Executive Director being part of the land described in Certificate of Title Volume 5486 Folio 144.
2. All of the building comprising 5 linked pavilions marked B1 on Diagram 2209 held by the Executive Director including all exterior paving, retaining walls and sunshading structures.

Dated 14 May 2009

RAY TONKIN
Executive Director



Heritage
VICTORIA

Heritage Act 1995

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 2206 in the category described as Heritage Place and Archaeological Place.

Former Old Melbourne Gaol Burial Markers
Beach Road
Brighton (Opp New Street)
Bayside City

EXTENT

1. All of the section of bluestone and concrete sea wall marked B1 on Diagram 2206 held by the Executive Director.
2. All of the land marked L1 on Diagram 2206 held by the Executive Director being more or less part of Crown Allotment 21B Parish of Moorabbin.

Dated 14 May 2009

RAY TONKIN
Executive Director



CORRIGENDUM

In the Victoria Government Gazette No. G24 14 June 2001 page 1282, under Notice of Registration Number 1943, extent of registration should be as follows.

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by including the Heritage Register Number 1943 in the categories described as Heritage Place.

Commonwealth Memorial
Corner Main Street and Barnes Street
Stawell
Northern Grampians Shire

EXTENT

1. All of the building known as the Commonwealth Memorial Stawell marked B1 on Diagram 1943 held by the Executive Director.
2. All of the land marked L1 on Diagram 1943 held by the Executive Director being all of the land described in Certificate of Title Volume 2936 Folio 015.

RAY TONKIN
Executive Director

Land Acquisition and Compensation Act 1986

FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of Lot 3 on Plan of Subdivision 213004V, Parish of Woodbourne, comprising 7,530 square metres and being part of the land described in Certificate of Title Volume 10474 Folio 607, shown as E1 on Plan 110_10474_607.

Interest Acquired: That of Lorraine Frances Larkin and all other interests.

Published with the authority of Melbourne Water Corporation.

Dated 14 May 2009

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

Land Acquisition and Compensation Act 1986

FORM 7 S. 21
Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

Melbourne Water Corporation (Melbourne Water) declares that by this notice it acquires the following interest (easement) in the land described as part of Lot 2 on Plan of Subdivision 213004V and part of Lot 1 on Plan of Subdivision 131016T, Parish of Woodbourne, comprising 10,829 square metres and being part of the land described in Certificates of Title Volume 9832 Folio 683 and Volume 9878 Folio 441, shown as E-1 on Plan 108_9878_441 and E1 on Plan 109_9832_683.

Interest Acquired: That of Filja Pty Ltd, ACN 077911141, and all other interests.

Published with the authority of Melbourne Water Corporation.

Dated 14 May 2009

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

Land Act 1958DEPARTMENT OF
TREASURY AND FINANCE

Notice Declaring Contract of Sale Void

Notice is hereby given pursuant to section 98 of the **Land Act 1958** that the Contract of Sale, dated 19 December 2008, for the sale of land known as Crown Allotment 126, Parish of Toolamba, 297 Craven Road, Tatura East, is declared void as at the date of publication of this notice.

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

Magistrates' Court Act 1989NOTICE SPECIFYING MAGISTRATES
ASSIGNED TO THE DRUG COURT

Pursuant to section 4A(3) of the **Magistrates' Court Act 1989**, I assign the following magistrate to the Drug Court Division of the Magistrates' Court of Victoria:

Pauline Therese Spencer

Dated 5 May 2009

IAN L. GRAY
Chief Magistrate

Since VIC/SL2 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 12 August 1981.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

Public Holidays Act 1993

I, Joe Helper, Minister for Small Business, under section 8(3) of the **Public Holidays Act 1993** declare that:

- Tuesday 3 November 2009 (Melbourne Cup Day) is not a public holiday in the municipal districts of :
 - City of Greater Bendigo; and
 - Colac Otway Shire.
- Wednesday 28 October 2009 is appointed as a public holiday in the municipal district of the City of Greater Bendigo; and
- Friday 6 November 2009 is appointed as a public holiday in the municipal district of Colac Otway Shire.

Dated 14 May 2009

JOE HELPER MP
Minister for Small Business

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**

COMMONWEALTH OF AUSTRALIA

Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 3 (VIC/SL3) is recorded in the Register as applying to the secondary line conveying fuel gas from the Cobia platform to the Halibut platform.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL3 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 10 March 1983.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**

COMMONWEALTH OF AUSTRALIA

Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 2 (VIC/SL2) is recorded in the Register as applying to the secondary line conveying fuel gas from the Marlin platform to the Halibut platform and then the Mackerel platform.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**

COMMONWEALTH OF AUSTRALIA

Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 4 (VIC/SL4) is recorded in the Register as applying to the secondary line conveying fuel gas from the Fortescue platform to the Halibut platform.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL4 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 1 July 1983.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**
COMMONWEALTH OF AUSTRALIA
Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 5 (VIC/SL5) is recorded in the Register as applying to the secondary line conveying fuel gas from the Perch monotower to the three nautical mile limit.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL5 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 20 October 1989.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**
COMMONWEALTH OF AUSTRALIA
Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 6 (VIC/SL6) is recorded in the Register as applying to the secondary line conveying fuel gas from the Barracouta platform to the Seahorse subsea well completion.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL6 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 13 September 1990.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**
COMMONWEALTH OF AUSTRALIA
Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 7 (VIC/SL7) is recorded in the Register as applying to the secondary line conveying fuel gas from the Barracouta platform to the Tarwhine subsea well completion.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL7 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 10 May 1990.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**
COMMONWEALTH OF AUSTRALIA

Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 8 (VIC/SL8) is recorded in the Register as applying to the secondary line conveying fuel gas from the Mackerel platform to the Blackback subsea well completion.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL8 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 2 August 1999.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**
COMMONWEALTH OF AUSTRALIA

Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 9 (VIC/SL9) is recorded in the Register as applying to the secondary line conveying fuel gas from the Marlin platform to the Kingfish platform, and then the Kingfish A platform and the Kingfish B platform.

Secondary Licences are not titles as defined by the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**.

A Register must be kept of titles and special prospecting authorities relating to the offshore area.

Since VIC/SL9 is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 12 October 1999.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

**Offshore Petroleum and
Greenhouse Gas Storage Act 2006**
COMMONWEALTH OF AUSTRALIA

Notice of Correction to Register

The following entry is made in the Register to correct an obvious defect:

Secondary Licence 5 (VIC/SL5(V)) is recorded in the Register as applying to the secondary line conveying fuel gas from the three nautical mile limit to shore.

Secondary Licences are not titles as defined by the **Petroleum (Submerged Lands) Act 1982**.

A Register must be kept of titles and special prospecting authorities.

Since VIC/SL5(V) is not a title, the details of this secondary line will no longer be maintained in the Register.

The secondary line is to continue to operate in accordance with the consent originally issued on 5 January 1990.

Dated 12 May 2009

LEAH DIAMANTOPOULOS
Petroleum Tenements Manager
Delegate of the Minister

Offshore Petroleum and Greenhouse Gas Storage Act 2006

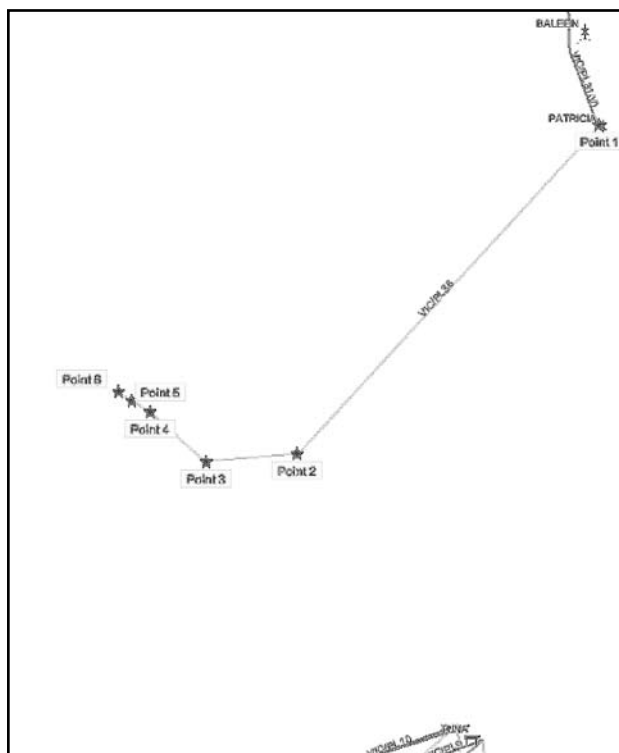
COMMONWEALTH OF AUSTRALIA

Prohibition of Entry into a Safety Zone – VIC/PL38
(Maersk Responder – Longtom)

I, Terry McKinley, Manager Petroleum Operations Safety and Environment of the Department of Primary Industries of Victoria pursuant to section 616 of the **Offshore Petroleum and Greenhouse Gas Storage Act 2006**, hereby prohibit all vessels other than vessels under the control of the registered holders of Pipeline Licence VIC/PL38 and vessels operated by authorised persons who are exercising powers under section 615(1) of Division 1 of Part 6.6 of the above Act from entering or remaining in the area of the safety zone without the consent in writing of the Designated Authority.

This safety zone:

- extends to a distance of 500 metres measured from each point of the outer edge of the vessel known as 'Maersk Responder'; and
 - is centred at the actual position of the vessel which will travel along the following coordinates* and shown in the following drawing:–
- | | | |
|-----|---------------|----------------|
| 1 – | 38° 01' 34" S | 148° 27' 02" E |
| 2 – | 38° 06' 20" S | 148° 21' 56" E |
| 3 – | 38° 06' 27" S | 148° 20' 12" E |
| 4 – | 38° 05' 50" S | 148° 19' 16" E |
| 5 – | 38° 05' 41" S | 148° 18' 57" E |
| 6 – | 38° 05' 35" S | 148° 18' 41" E |



while the vessel is engaged in constructing the pipe of VIC/PL38 from 14 May 2009 until 13 July 2009.

*note: the above are GDA94 coordinates

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 616 of the Act and are punishable, upon conviction, by imprisonment for a term:

- not exceeding 15 years if the breach is determined as intentional;
- not exceeding 12.5 years if the breach is determined as recklessness;
- not exceeding 10 years if the breach is determined as negligence; or
- not exceeding 5 years if the breach is determined as an offence of strict liability.

Dated 12 May 2009

DOUG SCENEY
Director Earth Resources Regulation
(formerly Director, Minerals and Petroleum Regulation)
Delegate of the Designated Authority

Environment Protection Act 1970**ENFORCEABLE UNDERTAKINGS: GUIDELINES**

An enforceable undertaking is a binding agreement between a person and the Environment Protection Authority ('the Authority', 'EPA'). By entering the agreement the person undertakes to carry out certain activities in connection with a matter relating to a breach or alleged breach of the Act or regulations. As an alternative enforcement tool to prosecution it provides an efficient, transparent and flexible resolution to an alleged offence, enabling a range of outcomes to be achieved through a single remedy.

This attachment provides guidance on the use of enforceable undertakings by EPA. This document forms part of EPA's Enforcement Policy and constitutes guidelines for the purpose of section 67F of the **Environment Protection Act 1970** ('the Act').

Context

Section 67D of the Act allows the Authority to enter into enforceable undertakings in relation to a breach or alleged breach of the Act or regulations.

Enforceable undertakings are one of EPA's most flexible and effective remedies to enforce and improve compliance with the law.

Once an enforceable undertaking is entered into and while it remains in force, the Authority cannot prosecute the person concerned or subject them to penalty infringement notices for the conduct to which the undertaking relates. Failure to comply with an enforceable undertaking may, however, result in legal action to enforce the undertaking.

When will the Authority enter into an enforceable undertaking?

The Authority will consider accepting an enforceable undertaking as an alternative to prosecution where it is likely to achieve a more effective outcome and, considering the alleged breach and the surrounding circumstances, it is considered an appropriate measure.

As with any enforcement activity, the Authority will first consider the factors listed in Appendix 1 to determine whether enforcement action is appropriate and, if so, which enforcement tool to use. The Authority does not consider enforceable undertakings to be a 'soft option' and will not enter into such undertakings lightly. Additionally, such an enforcement measure is not considered appropriate in all circumstances.

A distinguishing feature of an enforceable undertaking, when compared to other enforcement options available to the Authority, is the capacity to tailor the agreement to address the conduct in question. The key objective of an enforceable undertaking is to implement systemic change in an organisation to prevent future breaches of the Act and regulations. The potential for an undertaking to achieve this is of primary importance when considering use of this enforcement option, to ensure that the best possible environmental outcome is achieved.

Previous use of an enforceable undertaking should not be regarded as binding precedent for future acceptance or future Authority action.

Initiating an enforceable undertaking

A person who has breached or allegedly breached the Act or regulations can initiate an enforceable undertaking through discussion with the Authority. The Authority may consider an offer of an enforceable undertaking up until it has made a decision on the outcome of an investigation.

The Authority does not have the power to require a person to enter into an enforceable undertaking. Similarly, a person cannot compel the Authority to accept an enforceable undertaking. However, the Authority can suggest that an alleged offender consider an enforceable undertaking, while emphasising that such a suggestion does not bind the Authority to accept any enforceable undertaking offered.

If such a suggestion is made, EPA will outline the procedures in place to determine whether an offer of enforceable undertaking is accepted. Any such proposal or suggestion of an enforceable undertaking should not be made at the outset of an investigation and will not curtail the process of investigation.

Responsibility for development and negotiation of the enforceable undertaking will be assigned to officers independent of the investigation of the offence.

The person offering the enforceable undertaking is expected to finalise any offer in a timely manner.

Acceptance of enforceable undertakings

The Authority's consideration of the offer will include referral to the Authority's internal Enforcement Review Panel, which makes recommendations on enforcement action. The Authority will consider the advice of the Panel when making a determination on an individual enforceable undertaking.

The offer will also be referred to an independent advisory panel¹ for consideration. This panel includes persons independent of the Authority, and collectively will contribute scientific skills relevant to the environment and pollution, legal and investigative skills, skills in social and community understanding, and business expertise/acumen.

The independent advisory panel will advise the Authority on whether the proposal is an appropriate use of the enforceable undertakings power, the likely environmental outcomes, the likelihood that the proposal will improve the proponent's future environmental performance, and the likely community reaction to the proposed undertaking. The Authority will consider the advice of this panel when making a decision on whether to accept an enforceable undertaking.

Both the Authority's internal Enforcement Review Panel and the Independent Panel provide advice to the Authority only. These Panels are not decision makers. The responsibility for accepting or rejecting an offer of an enforceable undertaking ultimately rests with the Authority.

Decisions on enforceable undertakings will be made in an expeditious manner and provided in writing to the person making the offer. The undertaking comes into effect from the date it is signed by the Authority. Where an offer of an enforceable undertaking is rejected, the written advice will include the reasons for the decision.

The person offering the undertaking must agree to and sign the undertaking and, where that person is a company, the CEO or chair of the board of directors or appropriate delegate with actual authority must sign it.

Content of enforceable undertakings

Enforceable undertakings are the subject of discussions between the Authority and the party concerned as to appropriate elements and content the Authority is prepared to accept. Obligations in the undertaking must be reasonable, clearly expressed and not procured unfairly. While recognising that there is no fixed formula and that undertakings will be tailored to particular circumstances, an enforceable undertaking will include:

- details of the conduct which led to the undertaking
- clear, measurable actions
- timelines for achieving such actions
- a means of independent monitoring and auditing of the actions
- reporting requirements to the Authority on implementation and completion
- acknowledgement that an undertaking will appear on the public record and will remain on such a record upon completion of all obligations under the undertaking
- an outline of the effect of failing to comply with the undertaking
- a termination date for the undertaking.

Enforceable undertakings must include a commitment that the person will stop the particular conduct in the alleged breach that led to the undertaking, and not recommence that conduct.

An enforceable undertaking must acknowledge that the undertaking will appear on a public register and may be the subject of other forms of publicity by the Authority.

¹ A statutory panel established under section 13(h) of the **Environment Protection Act 1970**.

As the key objective of enforceable undertakings is to promote systemic change that will prevent future breaches of the Act or Regulations, an enforceable undertaking may comprise of commitments to:

- cease certain behaviour or forms of conduct
- investigate and provide a written report regarding the circumstances leading to any alleged breach
- identify any failings in the organisation's systems or management
- formulate specified actions, programs or strategies to prevent future breaches (e.g., systems, procedures, guidelines, awareness or research)
- nominate an officer, with appropriate senior management reporting structures, to oversee compliance
- undertake works to reduce the environmental impact or hazard associated with the operation of any part of the company's operation
- provide statements of commitment from senior management that it will support compliance programs
- implement publicity or educative programs (e.g., public apology)
- carry out specific projects for the restoration or enhancement of the environment in the nature of community service.

It is important to note that the above are examples only that in no way limit the scope of particular enforceable undertakings. In order to be effective and to achieve their intended purpose, enforceable undertakings must provide a flexible and tailored solution to address breaches of the Act or regulations.

Unacceptable content

An enforceable undertaking will not be accepted if it:

- contains a denial of responsibility or liability for the offence/alleged offence
- or
- does not include details of the conduct which gave rise to the enforceable undertaking and to the Authority's concerns about the conduct
- or
- contains any clauses that set up defences for possible non-compliance with the undertaking.

Publicity and public access

The Authority will not accept enforceable undertakings in confidence.

The Authority considers that enforceable undertakings are matters for the public record in the same way as the outcomes of court proceedings. For this reason the Authority will maintain a register of enforceable undertakings open for public inspection. This register will also be made available through the EPA website. This register will be maintained in accordance with the **Information Privacy Act 2000**.

The Authority will also make publicly available any report received on compliance with the enforceable undertaking.

Confidential and/or commercially sensitive information will not be contained in the public version of an enforceable undertaking. Underlying confidential or commercially sensitive information will be retained, but not disclosed, by EPA.

In addition to the public register, the Authority may publicise enforceable undertakings in news media statements, reports, publications and in any other manner considered appropriate.

A person entering into an enforceable undertaking may undertake publicity as part of the actions in the undertaking and will need to acknowledge in the undertaking awareness and acceptance of the Authority's approach (as outlined above) on publicity and public access.

While an undertaking will have an agreed life during which all obligations must be completed, the Authority will not remove an enforceable undertaking from the register, even after all the obligations under the undertaking have been fulfilled. The fact that an enforceable undertaking was accepted should remain on the public record, and the register should remain a complete record of the Authority's use of this enforcement tool.

Monitoring the enforceable undertaking

Monitoring and reporting requirements will be clearly outlined in each undertaking.

A person entering into an enforceable undertaking must comply with the terms of that undertaking and will need to demonstrate and report progress to the Authority, as required. This may include conducting an independent audit of remedial or compliance actions at the cost of the proponent.

An EPA officer will be assigned to monitor implementation of an enforceable undertaking and will accordingly report to the Authority.

The independent advisory panel will also have a role in providing advice to the Authority if requested on whether, in its opinion, the enforceable undertakings scheme is meeting its intended outcomes.

Failure to comply with an enforceable undertaking

If the Authority believes a person has not complied with any aspect of an enforceable undertaking, it may pursue legal action through the Magistrates' Court.

The Act provides that, where a party has breached the terms of an enforceable undertaking, the Court may order that person to:

- comply with a term of the undertaking

or

- take specified action to comply with the undertaking.

The Court may also make any other order it considers appropriate.

If a person fails to comply with a court order, the Authority may, under section 67E of the Act, give the person written notice advising that the Authority intends to carry out specified actions outstanding under the order. If the person on whom the notice has been served fails to satisfy the Authority within 14 days that it will comply with the court order, the Authority may publicise the failure to comply with the order and carry out those actions. The Authority may recover, as a debt due, any reasonable costs incurred by the Authority, payable by the person against whom the court order had been made.

In addition, where a party fails to comply with an order of the court, the Authority may initiate contempt of court proceedings against the person. Contempt of court is a serious matter and can attract severe criminal sanctions. If a person is found to be in contempt of court, a fine or a period of imprisonment may be imposed by the court.

If a person is found in contempt of court for failing to comply with an order, the Authority may do anything necessary or expedient to complete the order. Again, the Authority may recover any reasonable cost incurred in completing the order as a debt due and payable by the person.

The Authority will publicise the failure to comply with an enforceable undertaking or an order of the court in news media statements, reports, publications and in any other manner considered appropriate.

Costs

In the same way that courts may order costs in a prosecution for expenses incurred by the Authority, such as scientific analysis of samples under section 66C of the Act, the Authority may accept cost recovery as part of an undertaking. It is envisaged that only costs additional to the Authority's core business may be recovered in this manner.

Variations and withdrawals

With the consent of the Authority, a person may vary or withdraw an enforceable undertaking under section 67D(3) of the Act. The Authority will only consider requests for variations where it would not alter the spirit of the original undertaking, and where there has been a material change in circumstances or if compliance with the terms of the undertaking is later found to be impractical – for example, if the financial circumstances of a company changed such that it was no longer able to fulfil the requirements of the undertaking.

Variations and withdrawals will be included in the public register available for inspection.

In exceptional circumstances, the Authority may allow a party to withdraw an enforceable undertaking after it has been accepted. If the Authority consents to the withdrawal, the party is no longer bound by the terms of the undertaking.

Where a withdrawal has been accepted, the Authority may take legal action in relation to the original offence or offences to which the enforceable undertaking relates.

Requests for variations or withdrawals should be made to the Authority.

APPENDIX 1**Enforcement measures – factors to consider**

- The seriousness of the offence due to the harm or potential harm to the environment.
 - The culpability of the offender, whether it be a corporation or employee, including mitigating or aggravating circumstances.
 - The previous history of the offender and whether enforcement measures are necessary to ensure compliance with the Act and regulations.
 - The prevalence of the offence, the public concern generated and the need for deterrence, both specific and general.
 - The cost of enforcement and whether enforcement proceedings may be counterproductive.
 - The precedent that may be set by any failure to take enforcement action.
 - The length of time since the offence and the likely outcome of enforcement proceedings.
 - The cooperation given to EPA and whether enforcement measures have been taken against others out of the same incident.
-



Marine Act 1988

SECTION 15 NOTICE

I, Diane Julie Bates, the Acting Director of Marine Safety, on the recommendation of Parks Victoria, hereby give notice under subsection 15(1) of the **Marine Act 1988** that the following amendments be made to Notice 1, made under section 15(2) of the **Marine Act 1988**.

Amendments to Notice No. 1 –

Amendments to Index of Schedules

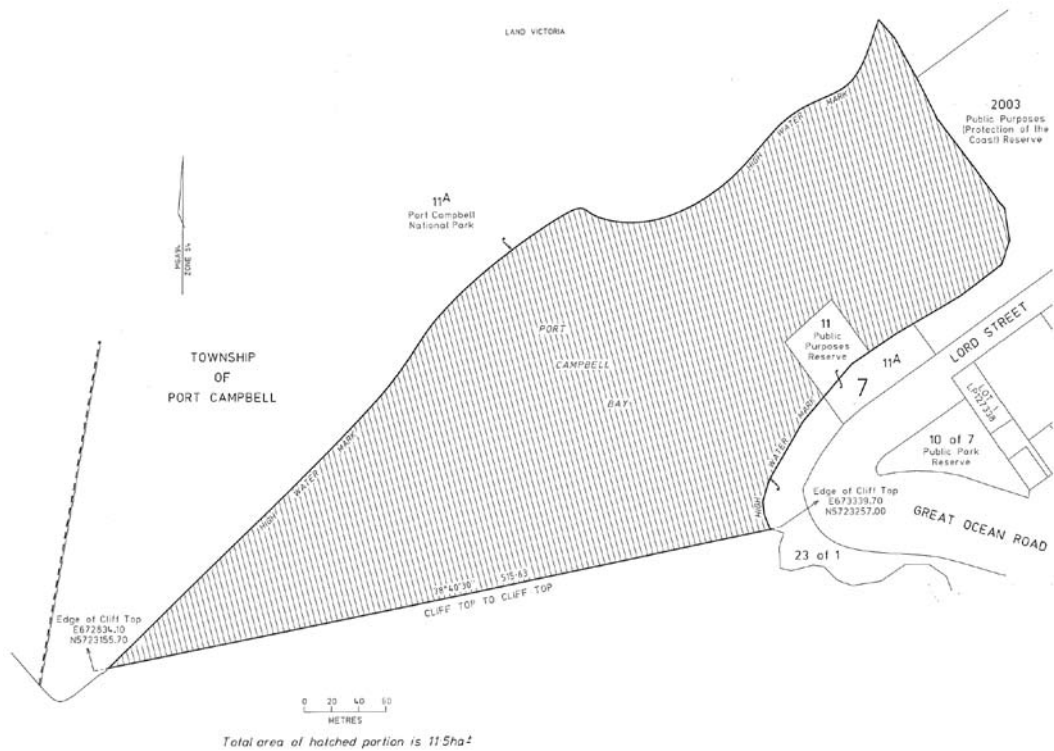
1. In Notice No. 1, in the Index to Schedules after clause 25 of Notice No. 1 –
After Port Albert – Port insert Port Campbell Bay – Parks Victoria
2. After Schedule 151 insert Schedule 152.

Schedule 152

Waters – Port Campbell Bay

Waterway Manager – Parks Victoria

1. Definitions for the purposes of this Schedule
 - (a) Port Campbell Bay shall consist of all the waters of Port Campbell Bay as outlined on the plan below along with and all the waters of Port Campbell Creek.
2. Speed limits and safety distances for the purposes of Clause 2
The whole of the waters of Port Campbell Bay are subject to the provisions of Clause 2.
3. Speed limits and safety distances for the purposes of Clause 3
The whole of the waters of Port Campbell Bay inside the seaward entrance of Port Campbell Creek are subject to the provisions of Clause 3.
4. Speed limits and safety distances for the purposes of Clause 4
The whole of the waters of Port Campbell Bay, excluding all the waters inside the seaward entrance of Port Campbell Creek are subject to the provisions of Clause 4.



Reference No. 9060/021/2009

Dated 8 May 2009

DIANE JULIE BATES
Acting Director of Marine Safety

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

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

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

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

<i>Full Name of Applicant or in the case of a Firm or Corporation, of the Nominee</i>	<i>Address for Registration</i>	<i>Type of Licence</i>	<i>Date of Hearing</i>
Paul Edward Hampford	6 McGlone Street, Mitcham 3132	Commercial Sub-Agents	17 June 2009

Dated at Ringwood 6 May 2009

BRUCE HAMILTON
Deputy Registrar
Magistrates' Court of Victoria

Occupational Health and Safety Act 2004
VICTORIAN WORKCOVER AUTHORITY

Notice of Issue of Major Hazard Licence

On 15 April 2009, a licence under Chapter 6 of the Occupational Health and Safety Regulations 2007 was issued to Marstel Terminals – Coode Island and authorises the facility located at 42–52 Mackenzie Road, West Melbourne 3003, to be operated as a major hazard facility.

The Major Hazard Facility Licence was issued for a term of 5 years and will expire on 17 April 2014.

The licence did not include conditions.

The following Schedule 9 materials were authorised by the licence:

From Table 1 of Schedule 9

Material	UN Nos. Included Under Name
Propylene Oxide	1280

From Table 2 of Schedule 9

Material	Description
Flammable Materials	Liquids which meet the criteria for Class 3 PG II or III
Phenol (UN 1671 and 2312)	A material which meets the criteria for Very Toxic in Table 3

GREG TWEEDLY
Chief Executive

Safety on Public Land Act 2004

DECLARATION OF PUBLIC SAFETY ZONE

I, Janine Haddow, Executive Director Natural Resources, as delegate of the Secretary of the Department of Sustainability and Environment, make the following declaration of a public safety zone under section 4(1) of the **Safety on Public Land Act 2004** –

1. Definitions

In this declaration –

- (a) ‘the Act’ means the **Safety on Public Land Act 2004**;
- (b) ‘the declared public safety zone’ means the area declared under clause 2 of this declaration; and
- (c) ‘the Schedule’ means the Schedule to this declaration.

2. Declaration of Public Safety Zone

- (1) The area of State forest contained within the location coordinates in the Schedule is declared to be a public safety zone.
- (2) The extent of the public safety zone is described by the minimum planimetric extent using a North South orientated rectangle that encloses the area bound by:
 - (a) the south-west limit described by the first two metric coordinates (Easting and Northing); and
 - (b) the north-east limit described by the next two metric coordinates (Easting and Northing).
- (3) The public safety zone is limited to all areas that contain State forest within an area identified by the coordinates in the Schedule.
- (4) The coordinates in Column 1 are provided in Map Grid of Australia (MGA) Universal Transverse Mercator (UTM) Zone number 55 or 54. These use the Geodetic Reference System 1980 (GRS80) spheroid.

3. Purpose for which the area has been declared.

Pursuant to section 5(1)(b) of the Act, the purposes for which the declared public safety zone has been declared to be a public safety zone are specified as –

- (a) fire operations;
- (b) timber harvesting operations; or
- (c) the maintenance of public safety.

4. Period of the declaration:

Pursuant to section 5(1)(c) of the Act, the period for which the declared public safety zone is declared to be a public safety zone is specified to be the period commencing from the date on which this declaration is published in the Government Gazette and ending on 30 June 2009 inclusive.

5. Activities prohibited

- (1) For the purposes of section 5(1)(e) of the Act, the activities that are prohibited in the declared public safety zone are specified to be –
all or any activity occurring or taking place in the declared public safety zone, other than an activity that does not interfere with any activity of an exempt person.
- (2) In clause 5(1) of this declaration –
 - (a) ‘activity’ includes –
 - (i) entering the declared public safety zone;
 - (ii) remaining in or being present in the declared public safety zone;
 - (iii) walking in the declared public safety zone; and
 - (iv) camping or setting up a camp in the declared public safety zone.

- (b) 'exempt person' means any person or person within a class of person specified in –
 - (i) clause 8 of this declaration; and
 - (ii) section 9 of the Act.
- (c) 'interferes with' includes any circumstances in which the presence of the person in the declared public safety zone would prevent or hinder an exempt person from carrying out an activity.

6. Periods when access is prohibited

For the purposes of section 5(1)(d) of the Act, the times during which access to the declared public safety zone is prohibited is specified to be at all times.

7. Further restrictions or conditions (if any)

For the purposes of section 5(1)(f) of the Act, no further restrictions or conditions are specified to apply to the declared public safety zone.

8. Exempt persons or classes of person

Pursuant to section 5(2) of the Act, the following persons or classes of person are exempt from the operation of this declaration –

- (a) Persons undertaking timber harvesting operations which are authorised operations within the meaning of section 45 of the **Sustainable Forests (Timber) Act 2004** including:
 - (i) VicForests and its employees, agents and contractors;
 - (ii) persons who have an agreement with VicForests to harvest or sell timber resources and their employees, agents and contractors;
 - (iii) holders of licences or permits under section 52 of the **Forests Act 1958** and their employees, agents and contractors.
- (b) Persons undertaking timber harvesting operations in accordance with an approved Plan of Utilization as defined in the **Forests (Wood Pulp Agreement) Act 1996**.
- (c) Holders of licences or permits under section 52 of the **Forests Act 1958** granted by the Secretary to thin, cut and remove timber, to cut forest produce specified in the licence, to dig forest produce specified in the licence or to take away forest produce specified in the licence and their employees, agents and contractors.
- (d) Holders of Bee Farm licences, Bee Range area Licences, Apiary Occupation Rights under Subdivision 2 of Division 9, of Part 1 of the **Land Act 1958**, granted by the Minister on Crown Land.
- (e) Employees, agents and contractors of the Department of Sustainability and Environment engaged in carrying out their functions.
- (f) Employees, agents and contractors of the Country Fire Authority, WorkSafe, Environment Protection Authority and the State Emergency Services engaged in carrying out their functions.
- (g) Members of the police force of Victoria engaged in carrying out their functions.
- (h) Persons appointed as environmental auditors under the **Environment Protection Act 1970** and their agents in carrying out their functions as forestry auditors.
- (i) Persons who have been selected by the Environment Protection Authority to act as audit observers and who are participating in this activity exclusively. Audit observers must be in the company of an EPA employee or an environmental auditor appointed under the **Environment Protection Act 1970** and their agents in carrying out their functions as forestry auditors.

- (j) Holders of leases, licences, permits or other authorities (and associated employees, agents and contractors) under the **Mineral Resources Development Act 1990**, **Extractive Industries Development Act 1995** and **Petroleum Act 1998**, other than holders of miners' rights and tourist fossicking authorities under the **Mineral Resources Development Act 1990**, whilst undertaking works associated with that lease, licence, permit or authority in the areas covered by the declaration provided that –
- (i) those works do not interfere with or hinder timber harvesting operations;
 - (ii) those classes of person have made prior arrangements with the forest manager to be in the area for the purpose of undertaking those works;
 - (iii) those classes of person abide by the Occupational, Health and Safety requirements established by the Department of Sustainability and Environment, VicForests or the contractor in charge of the site.

Dated 8 May 2009

JANINE HADDOW
Executive Director Natural Resources
as delegate of the Secretary of the
Department of Sustainability and Environment

Notes:

1. A map showing the public safety zone is held at the Department of Sustainability and Environment (DSE) Regional Offices at Benalla and at DSE's head office at 8 Nicholson Street, East Melbourne, Vic. 3002 (by appointment with the Forest Operations Project Officer). The map is also available at the following website: <http://www.dse.vic.gov.au>
2. In addition to the above persons or classes of person exempted under section 5(2), section 9 of the **Safety on Public Land Act 2004** provides that a public safety zone declaration does not apply to the following:
 - the Secretary;
 - an authorised officer;
 - a utility engaged in the carrying out of its functions in a State forest;
 - a transport authority engaged in the carrying out of its functions in a State forest;
 - a person or class of person authorised under section 10 to be in the public safety zone.

Schedule: Public Safety Zones

Extent of Zone				Forest Management Area	District	Description	MGA Zone
390376	5844068	392277	5846675	Central	Marysville	Steavenson Falls Reserve	55
371885	5852286	375373	5862258	Central	Toolangi	Murrindindi Scenic Reserve	55

Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Police Regulation (Agency Photographs Fees) Regulations 2009

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Police Regulation (Agency Photographs Fees) Regulations 2009.

The Regulations relate to amendments made to the **Police Regulation Act 1958** by the **Justice and Road Legislation Amendment (Law Enforcement) Act 2007**. The Regulations prescribe the two fees in relation to the following processes:

- application to the Chief Commissioner of Police by a media organisation to become an authorised organisation for the purpose of applying for an agency photograph.
- application to the Chief Commissioner of Police by a media organisation, who has been authorised for this purpose, for the release of an agency photograph.

The objectives of the Regulations are to ensure that the costs associated with processing applications for the release of agency photographs and with the authorisation of media organisations for this purpose are fully recovered from applicants.

The RIS examines the costs and benefits of the proposed Regulations and assesses an alternative to the proposed Regulations. The RIS concludes that the benefits of the proposed Regulations outweigh their costs and that the alternative does not provide a practicable means of achieving the proposed Regulation's objectives.

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

- the Justice Policy Branch, Department of Justice by phoning (03) 8684 1017 (between 9.00 am and 5.00 pm)
- the internet at <http://www.justice.vic.gov.au>

Public comments are invited on the RIS and the accompanying Regulations. All comments must be in writing and sent to: Heidi Orr, Policy Officer, Justice Policy, Department of Justice, GPO Box 4356QQ, Melbourne, Victoria 3001, or email: heidi.orr@justice.vic.gov.au by no later than 5.00 pm on Thursday 11 June 2009.

Please note that all comments and submissions will be treated as public documents.

Dated 14 May 2009

THE HONOURABLE BOB CAMERON, MP
Minister for Police and Emergency Services

Subordinate Legislation Act 1994

NOTICE OF DECISION

Children's Services Regulations 2009

I, Maxine Morand, Minister for Children and Early Childhood Development and the Minister responsible for administering the **Children's Services Act 1996**, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to recommend to Governor in Council that the proposed Children's Services Regulations 2009 be made.

The objective of the proposed regulations is to assure child safety by minimising the risk of harms occurring to children using children's services and to contribute to the early development of children by ensuring that high quality early childhood programs and appropriate facilities are available in all children's services. The proposed regulations will also bring Family Day Care and Outside School Hours Care under regulation and replace the current regulations which sunset on 25 May 2009.

A Regulatory Impact Statement was published on 21 January 2009 in relation to the proposed regulations. The public and key stakeholder groups were able to comment on the proposed regulations via written submissions and at any of the 40 public consultation forums which were held throughout Victoria. Over 1600 interested members of the public attended the consultation forums.

In total 737 submissions were received from key stakeholder organisations and interested members of the public. After carefully considering the submissions, I have decided that the proposed regulations be made with minor amendments. The regulations include transitional provisions to assist implementation. In addition to these provisions, training and guidance material will also be provided for the sector after the regulations are made.

I now give notice of my intention to proceed with the making of the proposed regulations.

HON MAXINE MORAND MP
Minister for Children and
Early Childhood Development

Planning and Environment Act 1987
VICTORIA PLANNING PROVISIONS

Notice of Approval of Amendment
Amendment VC57

The Minister for Planning has approved Amendment VC57 to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.

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

The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria by:

- Introducing a new particular provision, Clause 52.39 – 2009 Bushfire – replacement buildings by providing a permit exemption for specified uses and buildings and works that were damaged or destroyed by bushfires in 2009.
- Makes changes to the Yarra Ranges Planning Scheme by modifying the schedule to Clause 53.01 to exempt buildings and works to which Clause 52.39 applies.

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

CHRIS TURNER
Acting Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

BRIMBANK PLANNING SCHEME

Notice of Lapsing of Amendment
Amendment C87

The Brimbank City Council has resolved to abandon Amendment C87 to the Brimbank Planning Scheme.

The Amendment proposed to rezone part of land at 27 Carrington Drive, Albion, to extend the use as a go-kart complex.

The Amendment lapsed on 14 July 2007.

CHRIS TURNER
Acting Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

Planning and Environment Act 1987

MAROONDAH PLANNING SCHEME

Notice of Lapsing of Amendment
Amendment C63

The Maroondah City Council has resolved to abandon Amendment C63 to the Maroondah Planning Scheme.

The Amendment proposed to rezone land at 58–60 and 62–64 Marlborough Road, Heathmont, from a Low Density Residential Zone to a Residential 1 Zone.

The Amendment lapsed on 24 April 2009.

CHRIS TURNER
Acting Executive Director
Statutory Planning Systems Reform
Department of Planning and
Community Development

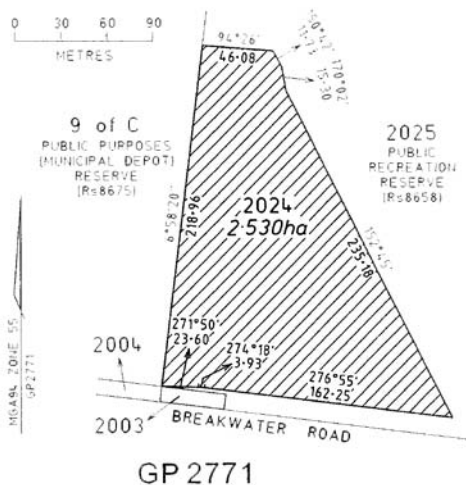
ORDERS IN COUNCIL

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

CORIO – The temporary reservation by Order in Council of 7 June 1966 of an area of 130.72 hectares, more or less, of land in the Parishes of Conewarre and Corio as a site for Public recreation, revoked as to part by various Orders, so far only as the portion containing 2.53 hectares being Crown Allotment 2024, Parish of Corio as indicated by hatching on plan GP2771 hereunder. – (GP2771) – (Rs 08658)



KILMORE – The temporary reservation by Order in Council of 19 May 1954 of an area of 1932 square metres, more or less, of land in Section 33, Township of Kilmore, Parish of Bylands as a site for Police purposes, revoked as to part by Order in Council of 19 April 1994 so far as the balance remaining containing 714 square metres, more or less. – (Rs 7253)

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

Dated 12 May 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

RYAN HEATH
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:

BELLARINE – The temporary reservation by Order in Council of 23 November 1993 of an area of 7.647 hectares of land being Crown Allotment 21A, Section 3, Parish of Bellarine as a site for Public purposes, so far only as the portion containing 414 square metres being Crown Allotment 2037, Parish of Bellarine as indicated by hatching on plan published in the Government Gazette of 26 March 2009 page 790. – (Rs 4027)

DENNYING – The temporary reservation by Order in Council of 14 October 1980 of an area of 22.29 hectares being Crown Allotment 11A, Parish of Dennyng as a site for Public Recreation and Public Hall. – (Rs 12063)

GUNBOWER – The temporary reservation by Order in Council of 29 July 1878 of an area of 8094 square metres of land in the Township of Gunbower, Parish of Patho as a site for Police purposes, revoked as to part by Order in Council of 9 August 1949 so far as the balance remaining containing 1846 square metres, more or less. – (Rs 6228)

LOWER HOMEBUSH – The temporary reservation by Order in Council of 12 October 1909 of an area of 2.021 hectares, more or less, of land in the Township of Lower Homebush, Parish of Rathscar as a site for Public Recreation. – (Rs 4306)

MARYVALE – The temporary reservation by Order in Council of 15 December 1964 of an area of 1290 square metres, more or less, of land in the Parish of Maryvale as a site for Police purposes. – (Rs 8366)

MERBEIN – The temporary reservation by Order in Council of 11 September 1917 of an area of 1214 square metres of land being Crown Allotment 1, Section 4, Township of Merbein, Parish of Merbein as a site for Police purposes, revoked as to part by Order in Council of 16 March 1994 so far as the balance remaining containing 347 square metres, more or less. – (Rs 1689)

OLINDA – The temporary reservation by Order in Council of 24 April 1951 of an area of 1204 square metres, more or less, of land in the Township of Olinda, Parish of Mooroolbark as a site for Police Purposes. – (Rs 6656)

WY-YUNG – The temporary reservation by Order in Council of 21 January 1986 of an area of 900 square metres being Crown Allotment 20B, Parish of Wy-Yung as a site for Police purposes. – (Rs 12774)

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

Dated 12 May 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and Climate Change

RYAN HEATH

Clerk of the Executive Council

Crown Land (Reserves) Act 1978

TEMPORARY RESERVATION OF CROWN LANDS

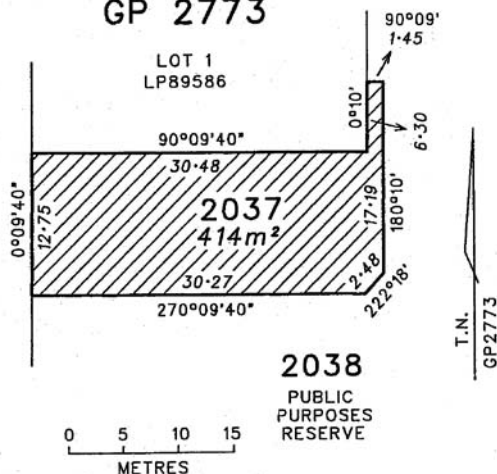
Order in Council

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 GREATER GEELONG CITY COUNCIL

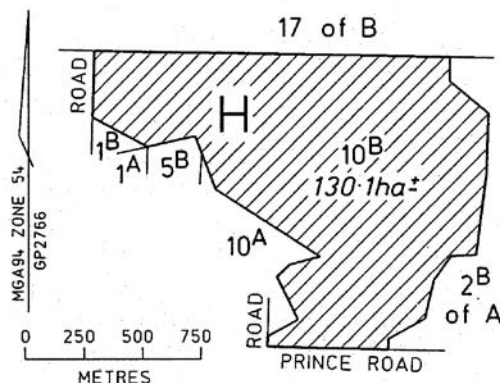
BELLARINE – Water Supply purposes, area 414 square metres, being Crown Allotment 2037, Parish of Bellarine as indicated by hatching on plan GP2773 hereunder. – (GP2773) – (0704027)

GP 2773

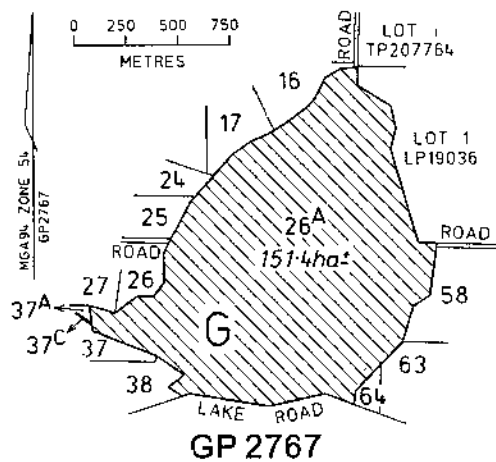


MUNICIPAL DISTRICT OF THE SWAN HILL RURAL CITY COUNCIL

TYNTYNDER – Drainage purposes, being Crown Allotment 10B, Section H, Parish of Tyntynder [area 130.1 hectares, more or less] as indicated by hatching on plan GP2766 hereunder and Crown Allotment 26A, Section G, Parish of Tyntynder [area 151.4 hectares, more or less] as indicated by hatching on plan GP2767 hereunder. – (GP2766 and 2767) – (012017958)



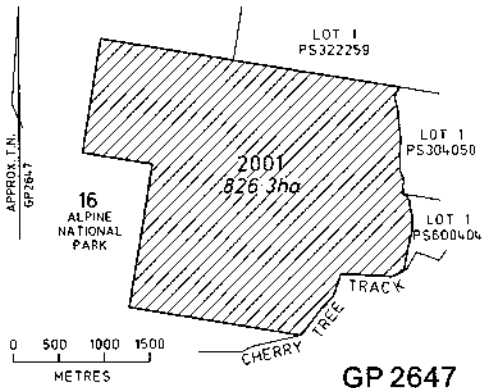
GP 2766



GP 2767

MUNICIPAL DISTRICT OF THE WANGARATTA RURAL CITY COUNCIL

WABONG SOUTH – Preservation of an area of ecological significance, area 826.3 hectares, being Crown Allotment 2001, Parish of Wabong South as indicated by hatching on plan GP2647 hereunder. – (GP2647) – (09L7-6145)



GP 2647

MUNICIPAL DISTRICT OF THE SWAN HILL RURAL CITY COUNCIL

WAITCHIE – Conservation of an area of natural interest, area 13.5 hectares, more or less, being Crown Allotment 23B, Parish of Waitchie as indicated by hatching on plan GP2764 hereunder. – (GP2764) – (012017957)



GP 2764

MUNICIPAL DISTRICT OF THE CITY OF WELLINGTON SHIRE COUNCIL

YARRAM YARRAM – Public park and recreation purposes, 6399 square metres being Crown Allotment 2010, Parish of Yarram Yarram as shown on Original Plan No. 122670 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (2017923)

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

Dated 12 May 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and Climate Change

RYAN HEATH

Clerk of the Executive Council

Land Act 1958

CLOSURE OF UNUSED ROADS

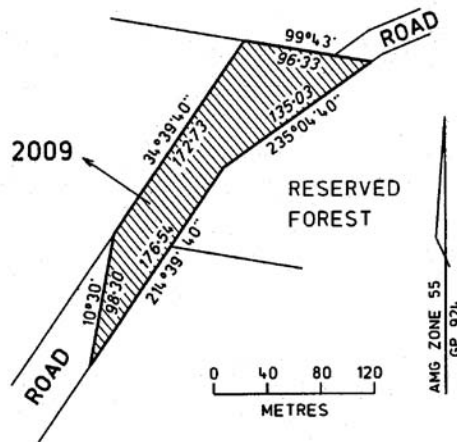
Order in Council

The Governor in Council under section 349 of the **Land Act 1958** and with the concurrence in writing of the municipality in which the roads are situated closes the following unused roads:

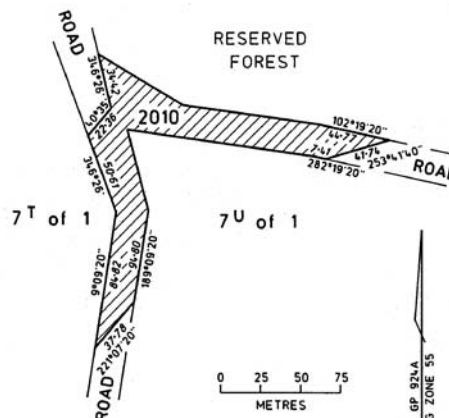
MUNICIPAL DISTRICT OF THE TOWONG SHIRE COUNCIL

BERRINGAMA – The portions of road in the Parish of Berringama being Crown Allotment 2009 as indicated by hatching on plan GP924 hereunder and Crown Allotment 2010 as indicated by hatching on plan GP924A hereunder. – (GP924 and 924A) – (L8-6547)

7^T OF 1



GP 924



GP 924A

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

Dated 12 May 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

RYAN HEATH
Clerk of the Executive Council

Forests Act 1958

DEDICATION OF CROWN LAND AS RESERVED FOREST

Order in Council

The Governor in Council under section 45(1) of the **Forests Act 1958** dedicates as reserved forest the Crown lands specified hereunder.

MUNICIPAL DISTRICT OF THE TOWONG SHIRE COUNCIL

BERRINGAMA – Crown Allotment 2008, Parish of Berringama (area 4.627 hectares), as shown on Original Plan No. 121601 lodged in the Central Plan Office of the Department of Sustainability and Environment. – (L8-6547)

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

Dated 12 May 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

RYAN HEATH
Clerk of the Executive Council

Forests Act 1958

RESERVED FOREST DECLARED TO BE A SCENIC RESERVE

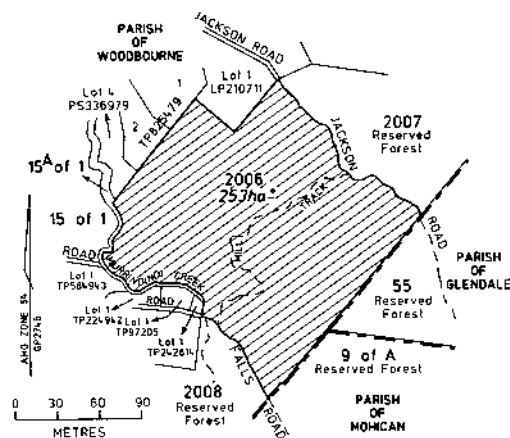
Order in Council

The Governor in Council under section 50(1) of the **Forests Act 1958** sets aside and declares to be a Scenic Reserve as an addition to the adjacent Murrindindi Scenic Reserve, the following portion of reserved forest:–

MUNICIPAL DISTRICT OF THE MURRINDINDI SHIRE COUNCIL

WOODBOURNE – Scenic Reserve as an addition to the adjacent Murrindindi Scenic

Reserve; area 253 hectares, more or less, being Crown Allotment 2006, Parish of Woodbourne as indicated by hatching on plan GP2746 hereunder. – (GP2746) – (FS/060331)



GP 2746

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

Dated 12 May 2009

Responsible Minister

GAVIN JENNINGS

Minister for Environment and
Climate Change

RYAN HEATH
Clerk of the Executive Council

EastLink Project Act 2004

ORDER UNDER SECTION 55 FOR THE DIVESTMENT OF LAND FROM THE ROADS CORPORATION

Order in Council

The Governor in Council, under section 55(1)(b) of the **EastLink Project Act 2004** ('the Act'), on the recommendation of the Minister for Roads and Ports and on the recommendation of the Minister for Public Transport, given in accordance with section 55(5) of the Act, divests from the Roads Corporation, the land shown as shaded on the plans numbered LEGL./08-136 and LEGL./08-137 and more particularly described by reference to the survey plans numbered SP 20274B and SP 20437 as shown on the relevant LEGL plans lodged at the Central Plan Office of the Department of Sustainability and Environment.

Dated 12 May 2009

Responsible Minister

TIM PALLAS MP

Minister for Roads and Ports

RYAN HEATH

Clerk of the Executive Council

Human Tissue Act 1982

REVOCATION AND APPOINTMENT OF INSPECTORS OF SCHOOLS OF ANATOMY AND DETERMINATION OF SCHOOLS OF ANATOMY THAT INSPECTORS SHALL SUPERINTEND

Order in Council

The Governor in Council, under section 36(2) of the **Human Tissue Act 1982** ('the Act'), revokes the appointment of Dr John Arnold Carnie, Dr Graham Tallis, Dr Melissa Louise Morgan and Dr Sean Nicholas Tobin as inspectors of schools of anatomy; and under section 36(1) of the Act, appoints Dr John Arnold Carnie and Dr Michael Ackland as inspectors of schools of anatomy, to take effect from the date of publication of this Order in the Victorian Government Gazette; and

Under section 36(3) of the Act, determines the schools of anatomy that the inspectors shall superintend as follows:

La Trobe University

- Faculty of Health Sciences, Bendigo Campus, Edwards Road, Flora Hill 3550.
- School of Biosciences, Faculty of Health Sciences, Bundoora Campus, Kingsbury Drive, Bundoora 3086.

Monash University

- Faculty of Medicine, Nursing and Health Sciences, Clayton Campus, Wellington Road, Clayton 3800.
- School of Applied Sciences and Engineering, Gippsland Campus, Northways Road, Churchill 3842.
- Gippsland Medical School, Gippsland Campus, Northways Road, Churchill 3842.
- School of Biomedical Sciences, Peninsula Campus, McMahons Road, Frankston 3199.

Royal Melbourne Institute of Technology

- School of Medical Sciences, Bundoora West Campus, Plenty Road, Bundoora 3083.

University of Melbourne

- Department of Anatomy and Cell Biology, Faculty of Medicine, Dentistry and Health Sciences at the University of Melbourne, Grattan Street, Parkville 3010.

University of Ballarat

- School of Human Movement and Sports Sciences, University Drive, Mt Helen 3350.

Deakin University

- School of Exercise and Nutrition Sciences, School of Life and Environmental Sciences and School of Education, Burwood Campus, 221 Burwood Highway, Burwood 3125.
- School of Exercise and Nutritional Sciences and School of Health and Social Development, Waterfront Campus, 1 Gheringap Street, Geelong 3217.
- School of Medicine, Waurn Ponds Campus, Pigdons Road, Geelong 3217.

Museum Victoria

- Melbourne Museum, Nicholson Street, Carlton 3053.

Royal Australasian College of Surgeons

- College of Surgeons' Gardens, Spring Street, Melbourne 3000.

Victorian Institute of Forensic Medicine

- 57–83 Kavanagh Street, Southbank 3006.

Victoria University

- School of Biomedical and Health Science, City Campus, 300 Flinders Street, Melbourne 3000.

Dated 12 May 2009

Responsible Minister

DANIEL ANDREWS

Minister for Health

RYAN HEATH

Clerk of the Executive Council

LATE NOTICES

Land Acquisition and Compensation Act 1986

FORM 7

S. 21

Reg. 16

Notice of Acquisition

Compulsory Acquisition of Interest in Land

The Roads Corporation (VicRoads) declares that by this notice it acquires the following interest in the land described as part of Lot 2 on Plan of Subdivision 424869N, Parish of Maryvale, comprising 1900.0 square metres and being land described in Certificate of Title Volume 10581 Folio 877, shown as Parcel 1 and 2 on Survey Plan 21739A.

Interest Acquired: That of Grand Ridge Plantations Pty Ltd and all other interests.

Published with the authority of VicRoads.

Dated 14 May 2009

For and on behalf of VicRoads
BERNARD TOULET
Director
Property Services

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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:

- | | | | |
|-------------------------------|--|-------------------------------|--|
| 42. <i>Statutory Rule:</i> | Supreme Court
(Chapter II
Amendment
No. 2) Rules 2009 | 45. <i>Statutory Rule:</i> | Police Integrity
Regulations 2009 |
| <i>Authorising Act:</i> | Supreme Court
Act 1986 | <i>Authorising Act:</i> | Police Integrity
Act 2008 |
| <i>Date first obtainable:</i> | 11 May 2009 | <i>Date first obtainable:</i> | 12 May 2009 |
| <i>Code A</i> | | <i>Code B</i> | |
| 43. <i>Statutory Rule:</i> | Supreme Court
(Chapter V
Amendment
No. 6) Rules 2009 | 46. <i>Statutory Rule:</i> | Road Safety
(General) and
Road Safety
(Road Rules)
Amendment
(Mobile Phones
and Seatbelts)
Regulations 2009 |
| <i>Authorising Acts:</i> | Supreme Court
Act 1986
Corporations
(Ancillary
Provisions)
Act 2001 | <i>Authorising Act:</i> | Road Safety
Act 1986 |
| <i>Date first obtainable:</i> | 11 May 2009 | <i>Date first obtainable:</i> | 12 May 2009 |
| <i>Code B</i> | | <i>Code A</i> | |
| 44. <i>Statutory Rule:</i> | Supreme Court
(Associate Judges
Amendment)
Rules 2009 | | |
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